

## Legislative Assembly of Alberta

Title: **Monday, October 31, 1994**

1:30 p.m.

Date: 94/10/31

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

O Lord, grant us a daily awareness of the precious gift of life which You have given us.

As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country.

Amen.

head: **Presenting Petitions**

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

MR. DUNFORD: Thank you, Mr. Speaker. I have been presented with a petition signed by approximately 50 people representing Lethbridge, Alberta, urging the amendment of the Alberta School Act to mandate the right of access to fully funded kindergarten programming to a minimum of 400 hours per child per school year.

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

MR. DICKSON: Thank you, Mr. Speaker. I seek your leave to introduce into the Legislature a petition signed by 1,040 Albertans, residents of Claresholm, Stavely, and Granum, requesting the government to ensure that no hospital beds are closed in South Western Alberta by an unelected Regional Health Authority without adequate consultation with residents.

head: **Reading and Receiving Petitions**

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd request that the petition I presented concerning Sturgeon general hospital please be read and received.

CLERK:

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

head: **Tabling Returns and Reports**

MR. DAY: Mr. Speaker, I'm pleased to table four copies of the Workers' Compensation Board annual report for 1993 and four copies of a three-year review by the Occupational Health and Safety Council.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. It's my pleasure today to file with the Legislative Assembly four copies of the

annual report for the Alberta Hail and Crop Insurance Corporation for the year ended March 31, 1994.

I'd also at this time like to file four copies of the annual report for the Agricultural Development Corporation for the year ended March 31, 1994.

In addition, Mr. Speaker, I'm very pleased to be able to file with the Assembly four copies of the sales agreement between the government and Deltaquad Ltd. for the return of Northern Lite Canola to the private sector. This filing is yet another example of the Premier's commitment to open government and complete access to information.

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

MR. WICKMAN: Thank you, Mr. Speaker. I've been asked to table and read four copies of a letter from the Local Advisory Committee of Steinhauer Elementary School, their resolution. Their resolution reads:

We, the Steinhauer Elementary School LAC urge the Legislature of the Province of Alberta to amend the Alberta School Act to mandate the right of access to fully funded kindergarten programming to a minimum of 400 hours per child per school year.

MRS. ABDURAHMAN: Mr. Speaker, I wish to file with you for the Assembly four copies of a letter addressed to the former Minister of Justice inviting the government of Alberta to participate in the Alberta Liberal Caucus Youth Justice Consultation Panel. There was not one response from the government members' side.

Thank you.

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd like to file four copies of a letter from Mayor Jan Reimer of Edmonton to Audrey Jensen dated August 18 stating that there is an absence of any provincial legislation prohibiting live peep shows.

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

MR. BRACKO: Thank you, Mr. Speaker. I'd like to table four copies of a letter to the Minister of Education from the St. Albert Protestant school board urging the government of the province of Alberta

to amend the Alberta School Act to mandate the right of access to fully funded kindergarten programming to a minimum of 400 hours per [student] per school year.

MR. SPEAKER: Hon. members, I wish to table with the Assembly the response from the Ethics Commissioner as submitted to the Speaker today. The response is with respect to the announced appointment of the former Deputy Premier and Minister of Economic Development and Tourism to the position of chairman of the Alberta Energy and Utilities Board. Copies of the response are being distributed to members of the Assembly.

head: **Introduction of Guests**

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

MR. PHAM: Thank you, Mr. Speaker. I would like to introduce to you and to all Members of the Legislative Assembly the former MLA for Calgary-Montrose, Mr. Rick Orman, who is sitting in

the Speaker's gallery today. With your permission I would ask him to stand up and receive the warm welcome of the House.

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

MR. BRACKO: Thank you, Mr. Speaker. I am delighted to present to you and through you to the Members of the Legislative Assembly 60 enthusiastic students from one of St. Albert's finest schools, Marie Poburan. They are here with their teachers Gilbert Guimont and Janice McDonald and with four parent helpers: Mrs. Anne Gannon, Mrs. Joan Klassen, Mrs. Anne Brown, and Mrs. Sharon McLeod. They are in the public gallery. I'd ask that they rise and receive the warm welcome of the Legislative Assembly.

MR. SPEAKER: The hon. Member for Stony Plain.

MR. WOLOSHYN: Thank you, Mr. Speaker. I'm very pleased and honoured to introduce to you and through you to the members of the Assembly 45 people from Muir Lake school. They're made up of 38 grade 6 students who are very, very up to date on the goings-on in government and are here to culminate their studies of it. They are accompanied by their teachers Mary Brackenbury and Debbie Rutland, also by parents Mrs. Kaarsmaker, Mrs. Batke, Mrs. Basiuk, Mrs. Hage, Mrs. Crawford, and Mrs. Meunier. I'd ask them all to rise and receive the warm welcome of the Assembly.

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

MRS. HEWES: Thank you, Mr. Speaker. I'm pleased today to introduce to you, sir, and through you to members of the Assembly a group of 15 students from the social work program in Grant MacEwan Community College in the city. A number of these students are doing student placements in constituency offices and in social agencies throughout the city of Edmonton. I also want to make special notice that one of them, Miss Janet Goodall\*, is working in my constituency office, and she's very welcome there. They are accompanied by Adrian\* and Rose Marie Tremblay. Rose Marie manages my constituency office and is a very valued friend and employee. The students are sitting in the public gallery, and I'd ask them to rise and receive the welcome of the Assembly.

MR. DINNING: Mr. Speaker, there's a special young goblin visiting our Assembly today. He's in the members' gallery. He's a young gentleman by the name of Nicholas Assaly. He's been at kindergarten all morning long. He'll be at kindergarten all week long and all year long. He's here with his mother, Mrs. Denise Assaly. I'd ask them to rise and seek the warm welcome of the Assembly.

MR. TANNAS: Mr. Speaker, I'd like to introduce to you and through you to members of the House – perhaps I should more appropriately say reintroduce – former page from Calgary, Jean Moore, and next to her is the sister of Jennifer Ross, Amanda Ross. I'd ask them both to rise and receive the warm welcome of the House.

**head: Oral Question Period**

**1:40**

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

**Ethics in Government**

MRS. HEWES: Thank you, Mr. Speaker. Albertans see the government's bungling of all of last week's events as scenes out

of a Three Stooges comedy. The Liberal opposition proved that the former Deputy Premier had significant official dealings with the ERCB despite the Premier's assurances to the contrary. The Premier got caught disregarding his own conflict of interest legislation. It's now been verified by the Ethics Commissioner. My first question is to the Premier. How could the Premier have proposed the appointment of the former Deputy Premier when you both – both of you – were part of approving dozens of significant ERCB permits over five years?

MR. KLEIN: Well, Mr. Speaker, first of all I'm so very, very pleased to see that the former Deputy Premier and Minister of Economic Development and Tourism is very much a part of our caucus, part of a strong team, is sitting in the Legislature today fully committed and devoted and dedicated to the constituents of Barrhead-Westlock, and we're so proud to have him here.

Mr. Speaker, relative to that particular appointment, as I said, it was considered at that time that there was not significant involvement. However, I stated quite clearly and honestly and openly that I would abide by the ruling of the Ethics Commissioner, and I'm so very, very happy that the Ethics Commissioner has brought down not a ruling on this particular case but has set very clear and specific guidelines for the future. That's what this party is all about. That's what this government is all about. It's about the future, not the past.

MRS. HEWES: Mr. Speaker, it seems to be routine now for ministers to breach their own legislation and regulations: the Deputy Premier, the Minister of Transportation and Utilities, the Minister of Family and Social Services, and the Minister of Municipal Affairs. My question is to the Premier. When are you going to remove those ministers?

MR. KLEIN: There won't be any cabinet shuffles this week, Mr. Speaker.

MRS. HEWES: Not really a laughing matter, Mr. Premier.

Mr. Speaker, my next question is again to the Premier. By referring all of these messes created to ethics commissioners all around the country, are you admitting that you really cannot determine what is right and what is wrong?

MR. KLEIN: Well, yes I can: we're right; they're wrong. That is a good determination, Mr. Speaker.

Relative to my referral to the Ethics Commissioner it was not my referral; it was the hon. member's referral. It was the hon. acting leader of the Liberal Party who referred this matter to the Ethics Commissioner, and I stood up here openly and honestly and said that we would abide by the ruling of the Ethics Commissioner. What could be better than that?

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

**Energy and Utilities Board Appointment**

MR. DICKSON: Thank you, Mr. Speaker. On October 24 the Minister of Energy sang the praises of the former Deputy Premier and his qualifications as chair of the AEUB. She claimed, and I quote, that the energy industry was

quite supportive [of this appointment], in fact are looking forward to the talents that this gentleman brings to the table, his long years of administrative capabilities.

\*These spellings could not be verified at the time of publication.

Mr. Speaker, what a difference a week makes. My question to the Minister of Energy: will the minister retract her foolish claim that the energy industry supported the appointment of the former Deputy Premier to the chair of the AEUB?

MRS. BLACK: Mr. Speaker, on the October 24 date I expressed the talents of the former Deputy Premier in this House, and I still believe that those statements are absolutely accurate, that he has tremendous talent and tremendous capabilities and is recognized throughout this province as having those talents. I clearly said also that at that point I had indication from the industry that they were supportive of the nomination going forward, and I stand by that statement that I made on that day that they were in fact at that point supportive of it. However, as the week progressed, controversy continued to arise after that, and we had to review the situation and reflect upon the decision.

MR. SPEAKER: Supplemental question, hon. Member for Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. Why did this minister compromise the energy interests of Albertans just to allow the Premier to bail out of his political jam?

MRS. BLACK: Mr. Speaker, this minister has never compromised the energy industry in this province. In fact, it was this minister that tabulated the response and the controversy and went forward to her Premier with that information.

MR. DICKSON: Well, that begs, then, this question, Mr. Speaker. Why did this minister sit silent for over a week and permit this blatant corruption of the AEUB when she knew on October 20 that this pork barrel appointment was already in the works?

MRS. BLACK: Mr. Speaker, this minister did not sit by. This minister met with industry players, with the business community, and with the environmental communities to discuss the appointment and made an assessment on it and reported the same.

### Highway Construction

MR. MITCHELL: Mr. Speaker, last week we learned from the Auditor General that the minister of transportation somehow jumped the priority listing of road construction projects and chose nine low priority projects all for Tory ridings and all just prior to the 1993 election. Today I am tabling the minister's own lists of road construction criteria, which don't, believe it or not, specify pre-election politics as a consideration at all but put safety as the number one priority in picking road projects. Why, then, did the minister of transportation approve only four of 35 projects required for safety reasons while intervening personally to choose nine low priority projects all for Tory ridings and all just months before the 1993 election?

MR. TRYNCHY: Mr. Speaker, a few days ago I tabled documentation in regards to the core list of priority projects, and it's dated February 4. I think the hon. member can read it. Let me just say what the item says:

At this time, the following Core List contains previously approved projects plus additional projects considered high on the priority list.

I go on to say what the criteria for the province of Alberta say. In general, operation and safety, reconstruction, rehabilitation projects are prioritized higher than new grading or paving projects, and Highway 43 was in that category.

1:50

MR. MITCHELL: Well, Mr. Speaker, the minister did actually choose four safety-related projects out of the 35 listed by his own department. Was it just coincidence, or was it further political interference that fully three of these four projects just happened to be in the minister's own riding?

MR. TRYNCHY: Mr. Speaker, I tabled a list, but let me say again that there was only one Liberal opposition rural member in the House when this announcement was made on February 4. As I've said before, Highway 43 is one of the busiest two-lane highways in the province of Alberta, and people respect safety, want safety, and that's what they received under this criterion, which was classed as A, a priority item.

MR. MITCHELL: I guess there's another criterion: safety is especially a priority when it's in the minister's own backyard.

Mr. Speaker, why did the minister of transportation overlook the other 31 safety-related road construction projects while approving among other things a \$1.8 million dust control project, which – I'm sure it's just a coincidence – also happens to be in his own riding?

MR. TRYNCHY: Mr. Speaker, when you look at the item that I tabled – and I would hope they'd have another look at it – there are 42 items that we put on our priority list. Why would I approve a \$9.1 million contract for Highway 63, which is – oh, he's not here today; it doesn't matter – on the road to Fort McMurray? Highway 43 runs from British Columbia straight through my constituency and a number of others, and we did a number of jobs on Highway 43. I suppose the Liberals would say that we shouldn't have fixed the road up from Whitecourt to Fox Creek, Moose Row, where there was a safety hazard, killing of animals. That's what they say. They say: don't do anything in rural Alberta. That's the policy of the Liberals. They also said that if they were the government, they would remove \$800 million from roadwork in Alberta. That's the kind of road policy they have.

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

MR. N. TAYLOR: Don't run over Bambi.

MR. SPEAKER: Order, Redwater.

### Ritalin Prescriptions

DR. OBERG: Thank you, Mr. Speaker. Over the weekend it surfaced from several sources that the number of Ritalin prescriptions had increased dramatically this year over last in the province of Alberta. One of two things is happening. Either the recognition of attention deficit disorder is increasing, or Ritalin is being abused. My question is for the Minister of Education. You stated that your department . . . [interjections] Speaking of attention deficit disorder. You stated that your department would be addressing this situation. Why wouldn't you simply turn the issue over to the College of Physicians and Surgeons, who already can track Ritalin through the triplicate prescription program, and ask them to conduct an investigation as it falls within their mandate?

MR. JONSON: Mr. Speaker, in addition to referring the matter to my department for a report back on their assessment of the situation, I have already contacted Alberta Health, and it is my understanding that the Minister of Health has requested that the

College of Physicians and Surgeons provide an assessment of the situation as to the use of Ritalin. Certainly it is an area which involves the clinical expertise of people in the medical field and their relationship to their patients and their community.

MR. SPEAKER: Supplemental question.

DR. OBERG: Thank you, Mr. Speaker. Mr. Minister, there's no doubt that a great number of children with ADD are being helped by Ritalin. How can you guarantee that these youths will continue to receive treatment without the stigma that this type of publicity brings?

MR. JONSON: Mr. Speaker, I think the important thing here, as I have indicated, is that all parties involved have the best interests of the children in mind. This is a matter between a family and their physician, and in terms of having this viewed in the proper perspective as the type of medical patient relationship that it is, I can only urge all parties involved to be aware of this issue, to respect that relationship, and to provide for the proper confidentiality and so forth with respect to the children and the families involved.

MR. SPEAKER: Final supplemental?  
The hon. Member for Leduc.

### Child Welfare

MR. KIRKLAND: Thank you, Mr. Speaker. My question this afternoon is to the Minister of Family and Social Services. The minister's attempt to divert attention from the latest child welfare issue, including the minister's own breach of his own law, is clear evidence of incompetence and irresponsibility by this minister. The department's effort to downplay the circumstances surrounding a six-year-old child in its care were shameful enough until we heard the minister say in this House last week:

I will not at this time commit to an independent investigation until I know and our colleagues know that there is something wrong with the system.

Mr. Minister, my question to you this afternoon is: how many cases of abused children and department neglect and government-commissioned reports have to be presented to you before you wake up and realize that children in Alberta are not safe?

MR. CARDINAL: Mr. Speaker, I think that when it comes to children in Alberta, this government is very serious. That is why in the next three years we're spending close to a half billion dollars on services to children. That is why inside a month we'll come out with a complete new plan and a new way of providing services to children in Alberta.

In that particular case in Calgary of course my department is doing a review of how the issue was handled. When that review is completed, I will report to the Assembly.

MR. KIRKLAND: Mr. Minister, we've heard your mathematical lessons constantly. Move into some human compassion lessons right away.

My supplemental this afternoon, Mr. Speaker, is: how are you going to restore the privacy of this six-year-old child and her family since both you and your communications officer have breached your own Act by wilfully disclosing their personal information all for the purpose of damage control within your department?

MR. CARDINAL: Mr. Speaker, this issue I personally referred to the Ethics Commissioner. When he comes forward with a report, I will address the issue at the time.

MR. KIRKLAND: The final question, Mr. Speaker, is to the Premier. He's concerned about children in this province. Are you prepared to show that you're serious about the safety and dignity of children in this province by removing this minister, who has shown that he contravenes his own rules, Mr. Premier?

MR. KLEIN: Mr. Speaker, as I understand it, this minister tried to share some information with one of the opposition members as a matter of courtesy, and I'm sure that he shared that information in the best interests of the child involved. The hon. minister is indeed a very caring individual with a tremendous amount of compassion and a tremendous amount of concern for the children of this province. I think it's insulting for the hon. Member for Leduc to make those remarks, those kinds of comments. He should be ashamed of himself.

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

### Emergency Medical Services

MRS. FRITZ: Thank you, Mr. Speaker. My question today is to the hon. Minister of Labour. At the Alberta Urban Municipalities Association meeting last month a resolution was passed that requested that emergency medical services be declared as an essential service and that the Labour Relations Code be amended for that reflection, and I'd like to file four copies of that resolution with the Assembly. As you know, firefighters, police officers, and nurses are declared essential services and are precluded from the right to strike, but that's not the same with emergency medical services, and their services cannot be provided by alternate health care providers. So my question today is: when does Alberta Labour plan to start negotiations with the Alberta Urban Municipalities Association to declare emergency medical services as essential?

2:00

MR. DAY: Mr. Speaker, the member has correctly identified the areas that are declared essential right now. Actually emergency medical services in some jurisdictions are in fact declared essential services if those people are working for a hospital, and there is a number of jurisdictions in the province where that's the case. This having been brought forward at the convention by a resolution as such, it is certainly something that we want to look at and also be in consultation with all parties that would be involved to look at the possibilities of changes if necessary.

MR. SPEAKER: Supplemental question.

MRS. FRITZ: Thank you, Mr. Speaker. Mr. Minister, if some of the groups such as the union reps or medical employees are opposed to the change, what position would Alberta Labour expect to take?

MR. DAY: Well, the position and the stated mandate, as a matter of fact, of Alberta Labour on issues like this is to be a facilitator and to show that co-operation can lead to results. That's something we've certainly proven over the past, and we'd like to continue to keep that record and follow up with the appropriate actions.

MR. SPEAKER: Final supplemental.

MRS. FRITZ: Thank you, Mr. Speaker. Mr. Minister, how long will it be before we can expect to see the reclassification as an essential service? I'm wondering if it would be in time to prevent another strike.

MR. DAY: Actually it's been very rare that these particular services have struck. However, a situation did occur about three years ago, I believe, in Calgary where that arose. Legislation exists right now for the government to have the ability to order people back to work in any event. So if there were something looming in terms of a risk to the public, the government could take steps to order those people back to work. It's an area that we've made a commitment to in terms of looking at, as with any suggestions that come forward for improving our legislation, so we're going to be happy to do that.

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

### Government Appointments

MR. BRUSEKER: Thank you, Mr. Speaker. Last Thursday the Premier promised to review the Department of Economic Development and Tourism to deal with the many patronage appointments in that particular department, and speaking of patronage appointments, I'd like to remind the Premier of the order in council from May 18, 1994, appointing his former city hall assistant, Mr. Wilf Morgan, to the Alberta Assessment Appeal Board. My first question to the Premier: was Mr. Morgan given this appointment following a full and open public competition, or was it just his good connections to the Premier that got him the position?

MR. KLEIN: Well, first of all, Mr. Speaker, I'm not sure if Wilf Morgan is indeed a Conservative. I know that he used to vote for me as the mayor. [interjections] Yes, absolutely. I can tell you something about Mr. Morgan. He has a wealth of experience in municipal administration. As a matter of fact, this gentleman was responsible for the complete design of the very highly successful plus-15 system in the city of Calgary. He is a qualified planner, fully familiar with the intricacies of the regulatory process and was indeed a very good candidate.

Now, I'll tell you who else was a good friend of mine at city hall and extremely competent. His name is George Cornish. He was the former chief commissioner. And guess what, Mr. Speaker? He's also on that board.

MR. BRUSEKER: My supplemental question: could the Premier table a list in the House of all the people who applied for that particular position?

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

DR. WEST: Yes. That's under the jurisdiction of Municipal Affairs, and I believe that there were some 280 applications on a public process for this board. We've combined three boards together: the Assessment Appeal Board, the Local Authorities Board, and the Planning Board. We do some cross-appointments of these people so that they have functions not only in assessment but in planning and other areas of decision-making as it relates to municipalities. One of the interesting things in doing this, of course, is that we got rid of three chairmen and an overall director. It saved the province probably some \$350,000, and at the same time it went to a public process, probably the first that's

ever been done when it came to the Assessment Appeal Board and the LAB, in a truly open fashion. I'm sure I can come up with all the names that applied for that job.

MR. BRUSEKER: Well, now the issue's getting a little cloudier, so I'll go back to the Premier. Can the Premier tell Albertans which . . . [interjections]

MR. SPEAKER: Order.

MR. BRUSEKER: I wonder if the Premier could tell Albertans and in particular his Tory pals what criteria he's going to use in deciding which patronage appointments he's going to let stand and which patronage appointments he's going to rescind.

MR. KLEIN: I don't know. Perhaps you can ask that of your hon. colleague once he's appointed to the bench, ask what criteria will be used at that particular time, Mr. Speaker.

I recall the hon. Minister of Environmental Protection here in the Legislature last week saying to the Liberals: pick one, pick one of your own, and we will assign that person to the Alberta special waste management board. So we're wide open. We're saying that we'll appoint Liberals along with Conservatives. As a matter of fact, Mr. Speaker, I challenge the hon. Member for Fort McMurray to file with me a list of all the Liberals who work in the Department of Economic Development and Tourism. I'm sure there are some.

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

### Education Labour Relations

MRS. BURGNER: Later this week the three major school boards associations are going to begin their annual conventions and anticipate that continued discussion will focus on the fiscal framework document, which has specific recommendations regarding the funding of administration and some options for them to consider. My question today is to the Minister of Education. To what extent are the preparation and negotiation of union contracts included in the administration funding envelope in the fiscal framework document?

MR. JONSON: Mr. Speaker, the whole area of collective bargaining and the resulting preparation of contracts and collective agreements is part of the administrative and governance function of school boards and therefore would be considered to be funded under the amount for administration and be under the administrative cap.

MR. SPEAKER: Supplemental question.

MRS. BURGNER: Thank you, Mr. Speaker. What allowances is the department prepared to make for boards where prolonged contractual negotiations may draw resources from the classroom into administration in order to deal with the completion of these contractual obligations?

MR. JONSON: Mr. Speaker, in the province today you have quite a wide range of expenditure on administration. I have not had it drawn to my attention that this is directly related to collective bargaining. I think the collective bargaining process is part of the current administrative and governance function of school boards, and it can be handled under the concept of an administrative cap. If by a prolonged period of negotiations the

hon. member is referring to a strike or lockout situation during that period of time, there has been the ability of school boards to provide the funding for meetings and so forth that is necessary to carry on discussions.

MR. SPEAKER: Final supplemental.

MRS. BURGNER: Yes. Thank you, Mr. Speaker. My second supplementary question is to the Minister of Labour. Given that the Alberta School Boards Association has downsized considerably, they may no longer have the resources to offer labour relations support, and I want to know whether the Minister of Labour is prepared to consider the option of provincial bargaining for our school boards in Alberta.

MR. DAY: Actually that option is available, Mr. Speaker, but it would be up to the parties to decide if they want to go to a provincial organization or not. In terms of resources it's important to remember that the number of boards involved in bargaining now has gone from 120 to something less than 60 – I think 58 or 57 – so there's considerable savings there. But, again, a decision to go to province-wide bargaining would also be somewhat in contradiction to what the 1993 consultation across the province showed, which was that people preferred the local autonomy of local bargaining, but if they do prefer to go to a provincial organization, that option is available to them.

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

## 2:10 MLA Remuneration

MRS. ABDURAHMAN: Thank you, Mr. Speaker. Unlike Manitoba, who established an Indemnities and Allowances Commission for pay, perks, privileges, and pensions to MLAs, this Premier continues to break his promise to set up such a commission. The issue is not money but the fact that members of the Legislature can set their own pay. I wonder how many Albertans have that privilege. My question is to the Premier. Why do you continue to break your promise to Albertans to establish an independent review body, allowing for the continuation of past fiscal obscenities?

MR. KLEIN: Mr. Speaker, again the form and the structure of such a commission is not the Premier's responsibility; it is the responsibility of Members' Services. Now, the firm that did the first report has been asked to do yet another review of that report. When that is in, I will present that to Members' Services. If you're on Members' Services, hon. member, maybe then you with your colleagues both on your side and this side can recommend a form and structure for that independent review.

MRS. ABDURAHMAN: Mr. Speaker, it's interesting that the Members' Services Committee was canceled conveniently.

To the Premier: how can you justify to the youth of Alberta your continuation of past practices of rewarding former members of this Legislature with blatant patronage appointments, these same people who placed a \$30 billion mortgage on the future of our youth?

MR. KLEIN: I don't know what she's talking about. I really don't. Mr. Speaker, I might remind the hon. member that you are the chairman, sir, and I'm not going to comment beyond that.

Just to show how slow these people are, I mean really slow, this order in council filed by the hon. Member for Calgary-North

West is dated May 18. The name that he mentioned . . . [interjections] Because she brought up the question of patronage, Mr. Speaker, and I consider that to be all part and parcel of the answer I'm about to provide.

When I look at the list, there are one, two, three, four, five, six, seven, eight, nine, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 appointments. [interjections] Thirty appointments, and they pick out the one person I know, and I don't even know if he's a Conservative. I will bet that on this list of 30, there are more than one or two or three or four Liberals, and I don't mind. [interjections]

MRS. ABDURAHMAN: Mr. Speaker, the only joke in this Assembly is the Premier of this province, and it's obvious he had kindergarten.

To the Premier: Mr. Premier, will you stop demanding daily that Albertans make sacrifices while you ignore the demand for such a commission to review perks, privileges, patronage appointments, re-establishment allowances, and all other obscene grappings over the public purse? And it's no joke, Mr. Premier.

MR. KLEIN: Mr. Speaker, this government has gained a reputation across Canada as being the only government to really address in a real, meaningful way the whole question of salaries, perks, and pensions, the only jurisdiction in this country to completely scrap pensions, the only jurisdiction that provided leadership by taking a 5 percent rollback in salaries. We have done a marvelous job, and I'm proud to say that the Liberals have been part of it, and they should feel good about it.

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

## Trade Mission to Russia and Poland

MR. DUNFORD: Thank you, Mr. Speaker. My question today is to the Alberta Minister of Agriculture, Food and Rural Development. Can the minister please advise the members of this Assembly of the purpose of his recent trip to Russia?

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

MR. PASZKOWSKI: Thank you. To the hon. Member for Lethbridge-West: yes, I'd be pleased to. Alberta was asked to head up the Canadian delegation to Russia to discuss the issue of Russian/Canadian federalism. This is a project that was established by the federal government. Because of the expertise that Alberta has in federal and provincial governments and the long-standing relationships that they have established, Alberta was asked to head up this particular session. There will be six sessions that will be held over a period of two years. This was the first one, and as a result I was quite honoured and quite pleased to have had the privilege to head up Canada's delegation to this important conference.

MR. SPEAKER: Supplemental question.

MR. DUNFORD: Yes, Mr. Speaker. As the minister is responsible for agriculture in this province, will the minister advise if he was involved in any meetings regarding agriculture?

MR. PASZKOWSKI: The first two days were spent basically discussing the Russian/Canadian federalism project, how to structure government. We have to realize that Russia has been a

federalist state from virtually its inception. It has not had the privileges that we have or the knowledge of the operations of federal/provincial/municipal governments, so this was part of the process of structuring.

The third day we had the opportunity of meeting on items regarding agriculture. We have to realize that the province of Alberta does more business in Russia than any other province in Canada. We also have to realize that throughout the years the Russian government has bought more grain from Canada than any other country in the entire world.

We had the opportunity of meeting with the ministry of agriculture. We met with representatives of the Russian state and land committee regarding privatization; the establishment of the Torrens system, for example. Through the period of time Russia has been one big state block. It is not subdivided, and in order to privatize, obviously the whole issue of subdivision has to become a fairly important issue. So that was one of the other items we dealt with.

We also had the opportunity while there to meet with the World Bank regarding financing and funding.

MR. SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. My final supplemental: will the minister advise what progress can be reported as to his travel to Poland?

MR. PASZKOWSKI: Poland is really an exciting part of the world as far as trade opportunities for Alberta are concerned. Poland has established a network of distribution throughout all of the eastern bloc countries. Though this is the first venture for Alberta Agriculture into Poland, we were actually able to do a fair amount of business. We were able to contact Alberta companies regarding the issue of pork, of beer, of canola, of the whole area of environmental cleanup. Poland, a country which at one time was not able to meet some of its financial commitments, in 1989 chose to take the route that the Premier of this province chose. That was to make a change in their fiscal policy, and they chose to do it in a very dramatic way in that they chose to do it all up front and all at once. Poland is now the most successful country in the eastern bloc countries.

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

### School Board Amalgamations

MRS. SOETAERT: Thank you, Mr. Speaker. On the 29th of October the people of Slave Lake Roman Catholic separate school division voted overwhelmingly against the forced amalgamation with the newly formed Greater Trinity Catholic regional division, and still this government will not listen. This is yet another example of how this government continues to dictate and impose its authoritarian agenda. My first question is to the Minister of Education. Is the minister going to force this amalgamation, which will save no money, in spite of the will of the people?

2:20

MR. JONSON: Mr. Speaker, it is my understanding that a significant majority, some 20 percent of the electorate, that turned out did vote against the process of amalgamation and regionalization. However, I think it is very important that in the process of amalgamation and regionalization we had set out a goal, which was to reduce the number of school boards in the

province. We knew that there would be some efficiencies to be gained for the system overall in that process. That goal of the government was set out many months ago. There's been the opportunity to work with Alberta Education, to work with our implementation team to discuss the whole issue of a smooth transition to larger school jurisdictions. That was available to the Lesser Slave Lake Roman Catholic school board. They chose not to amalgamate and regionalize voluntarily, and following the deadline of August 31, they were amalgamated, regionalized with other school boards.

MR. SPEAKER: Supplemental question.

MRS. SOETAERT: Thank you, Mr. Speaker. My supplemental is to the minister. Why are you forcing these school boards to spend money on lawsuits instead of on educating children?

MR. JONSON: Mr. Speaker, the Minister of Education is not forcing any school board in this province to spend money on lawsuits, I can assure you. That money is better spent on running the schools of this province, and that is certainly the case. I think all Albertans would agree with respect to that.

Now, with respect to the question that the hon. member is, I think, asking again, we have a goal in mind of reducing the number of school boards in the province. We have moved forward as we said we would a long time ago, Mr. Speaker, and the goal of 60 school boards in this province, the target is being reached.

MR. SPEAKER: Final supplemental.

MRS. SOETAERT: Thank you, Mr. Speaker. Is the minister once again going to dictate, just like he did with the Sundance-Evergreen regional division, who's going to be on the new board?

MR. JONSON: Mr. Speaker, following the deadline of August 31, yes, the appropriate ministerial orders, the orders in council, were passed setting up the last number of regional arrangements that needed to be made, including of course when you have a school board, you have to have some trustees to serve on it.

I would like to mention one other thing just before I close, Mr. Speaker, on this answer, and that is that the vast majority of public and separate school boards in this province took on the challenge of amalgamation and regionalization. They have done a tremendous amount of work. They have been part of the process. They have allowed us to meet the goal of 60 school boards in this province for the betterment of education in the province.

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

### Highway Construction (continued)

MR. McFARLAND: Thank you, Mr. Speaker. One of the nine projects commented on in the Auditor General's report was the final paving link between the south end of Highway 22 in the former Pincher Creek-Crowsnest riding and the north end of Highway 22 in the Highwood riding. This final link is in Little Bow. Since 1987 three local municipalities, three local municipal governments . . .

AN HON. MEMBER: You're the missing link.

MR. McFARLAND: It must be Halloween, Mr. Speaker. We've got some clowns over here.

Three local municipal governments have realized the importance of general transportation safety, local ratepayer concerns, as well as tourism. Will the Minister of Transportation and Utilities clarify at what stage of development this final link was when he gave the final approval to complete the project this past year?

MR. TRYNCHY: Mr. Speaker, we have some 400 requests come to us from priorities of local governments – MDs, counties, IDs – and we rank them according to our criteria. If I might mention, the criteria that we use are quite adequate, because in Public Accounts the Auditor General says, "We're not saying that the criteria are inadequate." He went on to say that there is a need to do some sorting of these criteria, and that's exactly what takes place. We have in addition to those nine secret highways that we hear about some 247 additional highway construction programs that were constructed in '93-94 for a total of 256 projects, all prioritized by local governments, for a total of some \$225 million.

MR. SPEAKER: Supplemental question.

MR. McFARLAND: Thank you, Mr. Speaker. In order that we might share that information and I might provide a response to the constituents in Little Bow, would you be willing to provide a list, which you've just indicated you have, to those of us in this Assembly?

MR. TRYNCHY: Mr. Speaker, every highway project that is tendered by Transportation and Utilities and awarded is public knowledge, but I will make this commitment: I will provide each member in this Assembly with the roads, highways, construction programs that were done in '93-94 within their constituency if they so desire.

MR. SPEAKER: Final supplemental.

MR. McFARLAND: Thank you, Mr. Speaker. Were some of these projects, Mr. Minister, that were completed by your department this year planned in co-operation with local municipalities over a number of years or months, or in fact were they just planned since June of 1993?

MR. TRYNCHY: Mr. Speaker, some of these projects have been on the list with counties and MDs and local governments for years not just months. Yes, some are of a lower priority. As I toured the province this year and visited with every local government – every county, MD, special area, and ID – we set out criteria that roads with a certain amount of traffic would be given a higher priority and those with a lower amount of traffic per day would be given a lower priority. Yes, in conjunction with local governments we set that priority, and some of them have been on the list for a number of months.

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

#### **Alberta Opportunity Company Appointment**

MS CARLSON: Thank you, Mr. Speaker. Last Thursday we learned from Public Accounts that a tutor was hired and paid \$98,000 to tutor both the former Deputy Premier and his predecessor, Peter Elzinga, on how AOC works. This appointment was a blatant patronage appointment by none other than Peter Elzinga, now the Premier's right-hand man. To the Premier: what duties did this tutor perform for the minister to justify his \$98,000 salary

when there are hundreds of other AOC employees capable of performing this function?

MR. KLEIN: Well, Mr. Speaker, I'm just getting briefed on a number of issues relative to my department, and the hon. member has just provided me with one more issue to be briefed on. Thank you.

MS CARLSON: Well, this should be easy. Was this one of the blatant patronage appointments that you had to keep to satisfy Peter Elzinga?

MR. KLEIN: It doesn't take much of anything to satisfy Peter Elzinga, as far as I know, Mr. Speaker. As I said, I'm being briefed on a number of these issues, so I'll check it out and get back to her.

MS CARLSON: Well, perhaps you can answer this one. How is it that patronage is more important than taxpayers' dollars?

MR. KLEIN: I'm sure you'll be able to ask that question very soon of the hon. Member for Edmonton-Glengarry.

MRS. MIROSH: Mr. Speaker, I filed a document in the House last week. Mr. Roy Parker was hired by the then economic development and trade minister to help that specific board not the minister.

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

#### **Senior Citizens' Programs**

MR. BRACKO: Thank you, Mr. Speaker. Seniors have carefully planned their futures while this government has not. Government incompetence in implementing the Alberta seniors' benefit program has forced three-quarters of Alberta's seniors, 150,000 people, to call the government hot line in an attempt to understand the program and the status of their applications at a cost of \$4,500 a day. My question is to the chair of the seniors' advisory committee. Why has a two-week program costing \$45,000 become an eight-month nightmare costing over three-quarters of a million dollars with no end in sight?

**2:30**

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

MRS. BURGNER: Thank you, Mr. Speaker. The hon. member has raised a very serious question with respect to process, and seniors have indeed been on the phones trying to seek clarification of this program. I think the issue to be recognized is that there is a very complex change in what seniors have been involved with, and a number of people have been assisting them in addressing the completion of forms. I'm very pleased that the staff of the department have worked considerable hours at personal expense to clarify the situation for seniors.

Thank you.

MR. BRACKO: It should have been planned better.

To the same member: since you've received 150,000 phone calls, what will it take for you to realize that something is wrong and needs to be fixed?

MRS. BURGNER: Mr. Speaker, I think one of the interesting things that developed over this particular phone campaign was that



a number of seniors were identified who were entitled to benefits but because of process and lack of information had not accessed them, and we have been able to assist seniors in receiving the benefits that they were entitled to through this particular process.

MR. BRACKO: My question was to the Premier, but he's left early. Maybe they should dock his pay. To the same member: are you going to wait for the other 80,000 seniors to call so you can ignore all seniors in the province?

MRS. BURGNER: Mr. Speaker, I'd like to bring to the attention of the hon. member that the Seniors Advisory Council in conjunction with the Alberta Council on Aging held an information workers' workshop in the first week of September to bring together close to 200 key workers for seniors throughout the province to clarify the information and get the message back to the community. So I think we're taking a proactive stand on this. Thank you.

### Speaker's Ruling Decorum

MR. SPEAKER: Order please. The time for question period has expired, and the Chair would like to take this opportunity to remind the hon. Member for St. Albert that it is inappropriate to make the comment that he did, particularly in view of the question that he asked afterwards. There was absolutely nothing in that question that couldn't have been asked to the hon. member. The hon. member should cease making those comments.

head: **Orders of the Day**

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

#### Bill 41 Government Organization Act

Moved by Mrs. Soetaert that the question for second reading be amended to read that Bill 41, the Government Organization Act, be not now read a second time because the Assembly feels that the Bill does not recognize the need for the Legislature to approve the creation and establishment of government departments and the delegation of powers, duties, or functions to any person.

[Adjourned debate October 26: Mr. Renner]

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

The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. In light of your last ruling I certainly won't comment on the reason for the commotion and the fact that I had to wait to start speaking on this important Bill.

Mr. Speaker, I want to be very brief this afternoon. What I would like to do is remind all members of the House of the comments I made the last time we were discussing this Bill, when in fact I moved adjournment on the debate on this Bill. I pointed out at that time that this Bill, which is being, in my opinion, filibustered by the opposition, is nothing more than a consolidation of a number of Acts regarding the structure and the way that the government operates. If you'll remember, at that time I used as an example the Department of Advanced Education Act, which is one of the Acts among many that is repealed as a result of the Government Organization Act. I pointed out at that time that

there are many, many similarities between the existing Act, the Act that we operate under at the present time, and the Government Organization Act that's under debate right now.

I won't go into a repetitive nature on that, but at that time I indicated that I felt the opposition was raising issues that they felt were of dire concern to them, dire to the point that they had to bring in a reasoned amendment to this Bill showing this House and showing the members of this House how terrible it would be for the government to operate under this new structure, when in fact a lot of the points that they were making, in fact most of the points that the opposition has been making during the many hours of debate on this Bill are essentially the same thing in the existing legislation. They talk about the fact that the Minister has the right to delegate authority. Well, the minister has the same right at the present time. They talk about the fact that the minister has the authority to write regulations and to enact regulations through order in council. That same right is in the Act that we already operate under at the present time.

Mr. Speaker, with that, I would encourage all members of the House, particularly members of the Liberal opposition, to rethink their position on this reasoned amendment. Let's bring the reasoned amendment to a vote as quickly as possible so we can get back to discussing the real business at hand in this House, the real business at hand of restructuring and reforming the way this government operates.

Thank you very much, Mr. Speaker.

MR. DECORE: Mr. Speaker, I stand to continue the filibuster and to serve notice on the hon. Member for Medicine Hat that I think it is our duty on this legislation to filibuster as hard and as long as we can. I'd like to give the arguments to you this afternoon, hon. member, for those reasons.

First of all, I'd like to start with an explanation of ministerial responsibility. This is taken from a book entitled *The Language of Canadian Politics*. It's written by a professor at Sir Wilfrid Laurier University, and I would like to read just from page 170. It says:

Ministerial responsibility. The principle that cabinet ministers are individually responsible to the legislature for actions and policies within their portfolios. Ministers are also responsible to each other and collectively to the legislature. This constitutional requirement is central to responsible government, that is, the legislature's control of the executive.

This is the forum that is the supreme forum. Some people call this the highest court of Alberta. This is the forum where ministers are held accountable, where a cabinet is held accountable by the elected representatives.

Now, hon. member, your argument is that this legislation, Bill 41, "is nothing more," as your words put it, "than a consolidation of a number of Acts." Well, let me read two sections to you and then relate to the other Act that was dropped on us last week. In Bill 41, section 9(1), it says:

A Minister may in writing delegate any power, duty or function conferred or imposed on him by this Act or any other Act or regulation to any person.

It looks pretty innocuous. Then it says in section 10(1) of Bill 41: Subject to section 11, a Minister may enter into agreements on or in connection with any matter under the Minister's administration.

I guess if you looked at Bill 41 standing alone, you would say again: well, that looks pretty innocuous.

The real blow comes when you look at Bill 57. I hope the hon. member has had an opportunity to look at that Bill, because that Bill takes those two sections and takes them further. I just want

to give you a couple of pertinent sections out of Bill 57, hon. member. It says in section 2(1) of Bill 57:

In accordance with this Act, the Minister may enter into a contract with a corporation under which the responsibilities of the Minister or of a public official under an enactment are exercised by the corporation instead of by the Minister or the public official.

In other words, we're now seeing how this thing is unfolding. The hon. Member for Medicine Hat says that a minister can delegate. Bill 41 says that you can delegate and you can delegate pursuant to agreements, and this new Act says that we can set up a corporation and this corporation can take on the duties that a minister would normally have or an individual that reports to the minister.

Now, Mr. Speaker, there are many issues here. One of them that I want to get to is the issue of the Auditor General. Under the Auditor General Act the Auditor General can only do an investigation if the Auditor General is dealing with a review of the records of a department, a fund administrator, or a provincial agency. I hope the hon. member is listening to that, because I need to repeat that. Under the Auditor General Act the Auditor General can do a review, and the review can be requested – as I requested the Auditor General to do a review of Gainers, but he wouldn't do it – of the records of a department, a fund administrator, or a provincial agency. Hon. member, it does not say anywhere here: a private corporation or a corporation or some entity that has been created by agreement that's referred to in Bill 57. This is important.

**2:40**

Now, Mr. Speaker, in Bill 57, section 11(2), it says that "the minister may ask the Auditor General to conduct an investigation of the financial affairs of an administrative authority" if the minister is satisfied that there is something wrong with the financial records and there are "reasonable grounds for doing so." But again it's got to relate to a department, a fund administrator, or a provincial agency. So if you delegate authority from a minister to some new corporation, a private corporation incorporated under the laws of the province of Alberta, now we can't get a review. If I stand in this Assembly or the hon. Member for Medicine Hat stands in this Assembly and says, "There's something wrong with this agreement; there is something wrong with the financial statements that relate to this corporation that the minister delegated to," nothing can be done. Nothing can be done. Under the old system something could be done. Now, in addition to that, there's something called ministerial responsibility, which I happen to believe in and so does the country and so does the province and so do the people of Alberta. This runs away; this flies in the face of that ministerial responsibility or those concepts, those precepts of democracy as we took them from England.

Now, Mr. Speaker, this legislation is dangerous. It looked innocuous, but when you combine the provisions of Bill 41 with the provisions of Bill 57, this is dangerous legislation. It thwarts the kind of review an Auditor General should be doing. The minister can stand in this Assembly and say: "I don't know anything about it. I delegated authority to this corporation to look after the affairs of the transportation department or an issue in highways." Here's one: the assured income for the severely handicapped. There's a provision in there, hon. member, that says: the director may require a person receiving a benefit to submit to a review. This is now a provision under Bill 57 that could be delegated to a private corporation. Ministerial responsibility and ministerial accountability, the need to be able to come into this House to talk about how fees are assessed or might be

paid to AISH people, I couldn't contemplate that happening, but a private corporation, if this were given to a private corporation, could impose fees on somebody who wanted to come and talk to the corporation about his or her benefits under AISH.

Is that what the hon. member wants? Is that the kind of democracy that we know in Alberta? I don't think it is. So this is hardly "nothing more than a consolidation of a number of Acts," as my friend from Medicine Hat is suggesting. This is a dramatic wholesale departure from the democratic precepts as we know them.

Now, Mr. Speaker, I'd like to just go a little further and link Bill 57 and Bill 41. The responsibility that a minister has under any Act – you can take AISH; you can take a Bill that deals with the Auditor General Act; you can take a Bill that deals with the Motor Vehicle Administration Act; you can take a Bill that deals with the Apprenticeship and Industry Training Act: any of these things have ministerial responsibilities set out in the Act. In the Apprenticeship and Industry Training Act, for example, it says that a minister shall ensure that proper education is looked after for people that are in an apprenticeship program. Under 41 linked with 57 this could be spun off to a private corporation, and a private corporation would then determine what sort of education people would be subjected to, would have to take in this apprenticeship training program. There is no recourse or proper appeal to this forum the way it should be, the way ministerial responsibility calls for it. There's a silly little appeal process that's set up within the corporation to deal with a problem that may arise. So the hon. member is wrong – wrong – when he says that this is "nothing more than a consolidation of a number of Acts."

He says that what the opposition is complaining about already exists, that the minister has power to delegate right now. Well, the minister doesn't have power to delegate right now and take authority away from the Auditor General's responsibility under the Auditor General Act, but he will be able to circumvent that if we link 41 and 57 and see both of those passed.

Mr. Speaker, this is bad legislation, and the reason that we have to stand and filibuster and speak against it and produce reasoned amendments is to allow Albertans to see how bad it really is, to give them time to inspect what appeared to be innocuous at the beginning, to have them see that it isn't innocuous, to have them see that this is dangerous, to have them see that this goes against parliamentary democracy as we took it from England many decades ago. I guess it's like the Montana model, where legislators in Montana come back every two years and they simply delegate everything else between that time, I guess, to private corporations and others to look after the affairs of people in Montana. That's not the kind of Alberta that I want, and I don't think that's the kind of Alberta that the hon. Member for Medicine Hat wants, because I know him to be a caring and sensitive individual. I hope he looks at this legislation, studies it. This reasoned amendment allows him to take this back, look at it, and study it. It allows him to link 41 and 57 to see how bad this situation is. I invite him – I plead with him and other members of the government to do that, to see that this isn't the kind of democracy that we want in Alberta.

Thank you, Mr. Speaker.

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

**MR. VAN BINSBERGEN:** Thank you, Mr. Speaker. This amendment calls for the following, that this Act

be not now read a second time because the Assembly feels that the Bill does not recognize the need for the Legislature to approve the

creation and establishment of government departments and the delegation of powers, duties, or functions to any person.

I'm repeating this just in case some of the members haven't followed this. Mr. Speaker, that is pretty fundamental, and I think not everybody appears to have recognized that.

The House leader spoke, before this session resumed, that it was going to be short and that it was just a mere housekeeping session really. Well, I don't know where he got that idea. It seems to me that some very fundamental renovations to this particular House are being contemplated here, not just decorative. Totally fundamental foundations are being changed here.

2:50

Mr. Speaker, this particular Bill allows the minister or any minister, for that fact, to delegate anything he or she wants, to make agreements with whomsoever, to charge fees – and this is something else – so presumably they could delegate certain powers to a private agency along with the powers to charge fees. All this removes it very much from the pale of this Assembly. The question, of course, that we are particularly concerned with is: how much control will we have over what is being done? When we say "we," by that of course we mean the people, because we're acting on their behalf. How much control will we have, and whom will we hold accountable for whatever happens by these private agencies and private organizations? It seems to us, Mr. Speaker, that this is a dangerous move, indeed, which gives a great deal of power to the ministers.

I think that the Treasurer obviously had a hand in this particular Bill, because in addition to all these powers of delegation and creation, over the levying of funds and whatnot, fees, he also is the big winner in the sense that he now alone can come up and authorize loans. That's an interesting thing actually, because section 74(1) stipulates that all loan guarantees be approved and executed by the Provincial Treasurer. I find it a bit strange, though, because after all, assurances had been made by this government that there would not be any more loan guarantees at all. So why he would need this particular power? After all, they're going to get out of the business of being in business and, presumably, out of the business of being in government by all these delegatory powers. Anyway, I guess he might be called upon to call a new loan guarantee an old loan guarantee and all those shenanigans we've going through. Therefore, it's going to be solely within his purview now to make those determinations, and it's a good thing, too, because if and when we dig up any more of these loan guarantees that have been handed out in the greatest of all secrecies, we will be able to point an accusing finger at the Treasurer alone. We won't be faced with the spectacle of cabinet ministers blaming one another and backbenchers jumping in and shouting their disapproval and so on. It's just the Treasurer who will hang in that particular case. Now, that is the only glimmer of hope I can see in this particular move.

Mr. Speaker, we go on to the rest of the Bill here. Once again, every Bill that is being introduced by this government that keeps promising us a great amount of openness instead takes more and more items out of the public arena and therefore away from public scrutiny. In that sense, the government is very consistent; it is not faltering at all. Once again I think I can perceive a New Zealand hand behind it all, because we're getting now to the point where I think there's going to be privatization of certain aspects of school systems and so on and so forth. They'll be coming, without a shade of a doubt, knowing full well that many members of cabinet are in favour of such a move.

Mr. Speaker, I'd like to ask a whole bunch of questions, really, but there are so many that I have trouble picking and choosing.

Let me at least restrict myself to one major one, and that's probably the most basic one: why does this government continue to introduce Bills that promote secrecy and dilute the power of this Assembly to debate the important things in an open forum? Why is that happening? I think I'm posing the question to the Member for Medicine Hat because prior to me he was speaking to the Bill. I think that's an important question, and I would like the government to come clean – and perhaps the member can do that – with the extent of their plans. To what extent are they going to dilute the power of this House? To what extent are they going to delegate, privatize, commercialize, et cetera?

Bill 41 allows all kinds of departments to write their own regulations as well. I find that interesting, and once again it takes it away, out of the realm of this particular Assembly. It allows them to levy fees. It allows them to establish delegated regulatory organizations – that's one of these new acronyms, I suppose, DROs – to take over all kinds of programs and provision of services, again privatization moves.

The thing that scares me, though, Mr. Speaker, is that we have seen one particular model at work in the way of privatization, and that is what we refer to as the ALCB model. Of course we know what happened to it. We've seen that same model applied to the latest moves involving the Deputy Premier. Again it meant shooting first and aiming afterwards. That particular model seems to be embraced wholeheartedly, and therefore all these moves are scaring us ever so much more.

I'd like to refer to one particular department, the department of advanced education, for some of these regulations here. Under schedule 1, section 2, advanced education:

The Minister may make regulations

- (a) for the establishment, operation, administration and management of provincially administered institutions;
- (b) respecting fees and other charges to be charged . . .
- (c) concerning programs offered . . . by a provincially administered institution;
- (d) providing for the co-ordination of programs and services between 2 or more institutions,

et cetera, et cetera.

You know, this all is very scary, actually, because it gives the minister so much power. I can only harken back to historical examples where governments have taken over complete control of education in general and advanced education in particular. That kind of example once again scares the dickens out of me and I think many colleagues on my side and, I think, ought to scare members on the other side as well because those dictatorial regimes did not have in mind the best interests of the students or the citizens in general.

Mr. Speaker, I could go on and on and on, but I know there are more of my colleagues chafing at the bit, so I will stop here. Let me just telegraph my intention to vote in favour of this particular amendment and oppose the Bill.

Thank you very much.

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

DR. MASSEY: Thank you, Mr. Speaker. In speaking to the amendment, I'd like to point out that the amendment addresses some of the fundamental weaknesses of Bill 41 itself. One of those fundamental weaknesses, I believe, is that within the government there's an underlying confusion as to the role of government. There are some things that we know and have learned from past mistakes that governments do very poorly. Getting in the investment business was a lesson hard learned by Albertans. We know that when governments interfere in the daily

operations of school boards and other elected bodies across the province, things go poorly. But there are some things that the government does very well, that only the government can do well, that only the government can take the action that is in the best interests of citizens. The basic problem with Bill 41 and what this amendment attempts to prevent is that there is no clear distinction between those two.

I think the other fundamental principle that seems to be at work here: it's an example of what occurs when ideology drives legislation, when a particular political perspective, when a particular way of looking at reality drives legislation. The context in which that legislation will be acted out has little to do with what occurs. If you look at the ideology of the new right, of those very right-wing Conservatives that seem to dominate things in this Legislature, one of the things they make abundantly clear is that the best government is no government and that there is very little respect. There's little respect for democracy as such, and in fact democracy is often seen as an impediment to big business getting on with the kind of business they think should be conducted in the province's or the country's best interest. So here we have an example of ideology that's driving the legislation and again has little to do with the kind of context that prevails in Alberta at this present time.

**3:00**

If you look at how Bill 41 tries to meet that goal of having less government, it does that in a variety of ways. It creates, first of all, the labour statutes delegation schedule, which will allow the delegation of administrative authority for program and service delivery to external agencies. They are called, as we all know by now, DROs, delegated regulatory organizations. We first heard of these in the three-year business plans. DROs, of course, are nongovernmental bodies, private organizations, industry-funded and -operated regulated bodies that are accountable only to the minister. They provide a mechanism for industry stakeholders to assume responsibilities for various programs and services. It's intended that they be run by a board of directors selected by the regulated industry in a manner approved by the Minister of Labour. The minister will make 40 percent of the appointments to those DROs, and he'll do that only after he's consulted with those stakeholders.

It's intended that the DROs will be self-funded, and their fees will be assessed on the goods and the services that they provide to citizens. They may include fees for certification and consultation and operating. DROs will pay fees for any services that are provided to them by the government. It's intended, according to the legislation, that DROs will operate at arm's length under a delegated authority from the Minister of Labour through a set of bylaws. The bylaws will regulate the services that a DRO can undertake. DROs will also provide an appeal mechanism that's acceptable to the minister.

The DROs can be expanded at the minister's discretion based on the effectiveness of their operation, and they are to be subject to regular audits by the Department of Labour. According to the government, the move to an industry-driven delegated authority always results in an increase in standards because industry is clearly focused on ownership of standards and is responsible for achieving those standards. Again, when you start getting stipulations like that in the legislation, it goes back to the fundamental ideology, and that is part and parcel of new right thinking. Labour's three-year business plan indicated that the DROs will be established in the areas of boilers and pressure vessels, pensions, professions and occupations, and occupational health and safety.

Schedule 10, the labour statutes delegation, lays out the details of how these DROs will be established and operationalized. Given the important departure in the delivery of programs and services within the labour area, the following provisions of the schedules I think have to be highlighted with respect to the government's use of regulation to establish the conditions of program and service delivery.

I'd just like to cite several sections. Section 2(1)(a)(ii) allows the government to appoint members to boards of DROs and to prescribe their remuneration. It seems that there's experience and potential here for patronage appointments to run wild. There's no clear indication of how these appointments are to be vetted or the kind of panelling process that might be in place. Section 2(1)(c) allows the government to impose "conditions on the delegated powers, duties or functions." Again there's no indication of what the nature of these conditions might be. Section 2(1)(d) allows the government to limit the liability of a delegated person "in an action for negligence with respect to the delegated power, duty or function." Again we see a contradiction. In the Health Act we're going to hold people liable, third parties liable, and in this case the government of course won't be liable. So there are a number of specifics in the legislation that raise more questions than provide solutions.

I go back to our basic premise, and that is that Bill 41 continues the dangerous precedent of using the motto of streamlining government operations as a means to erode accountability and accessibility to the Legislative Assembly so that the government can govern by regulation, deregulation, or privatization, whatever the case may be. Bill 41 – and this is what this amendment attempts to stop – contemplates the further shedding of government services and programs and increased user fees through such mechanisms as the DROs. Again there's no clear indication anywhere that this is going to lead to improved effectiveness or efficiencies for Albertans in either the short or long term.

We've indicated, I think, in the past that we're in favour of reducing red tape and duplication within government services, and we believe and concur with the government that regulatory reform is necessary if government programs are going to be delivered more efficiently and meet the needs of Albertans. We support deregulation and outsourcing and privatization of government programs and services where it can be conclusively proven that Albertans will receive additional benefits of efficiency and effectiveness. We introduced a Bill last session – I think it's already been mentioned – Bill 205, the Information on Privatization Act modeled after innovations south of the border. It would put in place a systematic process to consider the privatization and the outsourcing of government programs and activities, and that, certainly, we'd consider a prerequisite before any Bill such as Bill 41 could come into effect.

It's interesting, Mr. Speaker, when you review, as a number of authors have, the track record of the Reagan, the Thatcher, and the Bush administrations. If you look at the legacy of those particular new right ideologues, the judgment seems to be that what the Americans and the British ended up with was more government, not less. They ended up with more regulation, not less, and for that reason I believe the amendment should be supported.

Thank you, Mr. Speaker.

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

**MR. COLLINGWOOD:** Thank you, Mr. Speaker. I rise this afternoon to speak to the reasoned amendment on Bill 41. In listening to the comments of my colleague from Medicine Hat, he indicated that he could see in this legislation that it was nothing

more than streamlining the legislation that exists currently. As has been stated in debate to this point in time, a further and more timely analysis of Bill 41 indicates that that is simply not the case. I hope that the hon. Member for Medicine Hat is not suggesting that debate on a Bill as fundamental as this is not worthy of the time spent in this Legislature debating the Bill and debating a reasoned amendment that speaks exactly to the point about what in effect this Bill will do. That is exactly the purpose for this Legislative Assembly.

As we look at the provisions of Bill 41 and, as others have indicated, Bill 57, we see that our opportunity for debate and reasoned debate in this Assembly is again being challenged and potentially again being eroded. So I would invite all hon. members on the opposite side to give serious consideration to the concerns that are being expressed by my colleagues in opposition about what in fact the consequences will be of passing this particular Bill into law in the province of Alberta, because the consequences are significant and in fact attack, as the reasoned amendment suggests, fundamental pillars of democracy in the society of Alberta and Canada for the way government conducts itself on behalf of those that are electors in the province of Alberta.

Mr. Speaker, in looking at Bill 41 and its accompanying Bill, Bill 57, members on this side of the House and, I would hope, members opposite will stand and admit that this Bill is a full attack against the fundamental principles of democracy by virtue of its attempt to leave all decision-making with respect to ministries, programs in ministries, and the delegation of authority to the Lieutenant Governor in Council through regulation. Those responsibilities rest with the Legislature. Every member of this Assembly is duty bound to uphold the principles of democracy and to use this particular forum, not a forum of a few select members of this Assembly, to make decisions about the delivery of services and to be held accountable to the people of Alberta. This is not the process. This is not the kind of legislation that in fact asks us as members of this Assembly to revoke, to stand by and allow this to happen when it is our responsibility to make sure that the delivery of programs is in fact a responsibility. If, hon. members, you are prepared to vote for this legislation in second reading as a matter of principle or concept, you are in fact abrogating your responsibilities to the constituents which you serve. That is the ultimate consequence of supporting Bill 41.

### 3:10

Others who have spoken to the reasoned amendment have spoken on specific provisions of the Bill. To reiterate, section 2 will now allow by regulation that ministerial departments of government will be established and administered by ministers. Mr. Speaker, it's important to note that until this government and until legislation that allowed for the transferring of programs and ministries by regulation and order in council, the convention of this Assembly and the convention of all other Assemblies in the Dominion of Canada is to have ministries and departments determined and defined through legislation. It is not determined and defined by regulation. To allow the legislation to proceed and to allow section 2 to come into force as the force of law in this province will again take away from and erode fundamentals of the responsibility of this Legislature to establish ministerial departments, to establish programs, to be held responsible, and to be held accountable for the delivery of those service programs to Albertans.

The sections that are most offensive in the government's attempt to streamline government – which we have heard them say many times is the purpose for Bill 41, and we have heard them say

many times is just a housekeeping Bill with nothing significant, just to streamline government – are of course section 2 and section 9. Section 9 allows any minister in writing to "delegate any power, duty or function conferred or imposed on him by this Act or any other Act or regulation to any person." It is again my submission to members of this Assembly that your support of that provision, as broadly stated as it is, is an abrogation of your responsibilities to your constituents to remain responsible and accountable within the confines of this Legislative Assembly for the work that is done in any ministry. To simply allow a minister to say, "I don't want to do that anymore, and I'm going to privatize it" is, in my submission, Mr. Speaker, an improper attitude and an improper response by members of this Assembly to say that that's just fine. It is not the responsibility of just the minister of that department; it is the responsibility of every member of this Assembly to ensure accountability for the delivery of every program that comes under any particular ministry.

I want to also raise with members another section of this Act that is profound in the change that it makes to other Acts that are being repealed and again gives much greater authority to a particular minister who is not yet defined under the legislation. I refer members to section 14 of the Bill and in particular to 14(3), which indicates:

A Minister may sell, lease or otherwise dispose of any estate or interest in land under his administration and any personal property acquired by him under this section.

Mr. Speaker, that is fundamentally different from the provisions that now exist in the Department of the Environment Act which specifically prohibit the Minister of Environmental Protection from selling land. The specific section now under the Department of the Environment Act is section 9(3), which says:

The Minister of the Environment may not sell any public land under his administration, but he may dispose of an interest in the land on any terms and conditions and for any period of time he prescribes in the disposition.

We have now by section 14(3) given the power to the minister to "sell, lease or otherwise dispose of any estate or interest in land." To be interpreted, that means that a minister now, without anything further, has the full and total ability and power under Bill 41 to sell Crown land.

Mr. Speaker, there has been an ongoing debate with respect to grazing leases and the administration of public lands in the so-called now shared stewardship between the Department of Environmental Protection and the Department of Agriculture, Food and Rural Development. As it stands, the latter department has the day-to-day decision-making with respect to public lands, and the Department of Environmental Protection has the final say in its disposition. If we allow section 14(3) to come into law, that shared stewardship approach will be gone and the minister responsible for the public lands of Alberta, the minister not yet designated by this legislation, will be given the full power and authority to sell land. I venture to say that the government is under some pressure to sell off some Crown grazing leases, and this piece of legislation will give them every opportunity, power, and authority to do just that, one minister selling Crown land by virtue of this particular section of the legislation.

The other legislation that currently exists has a much tighter control over the disposition of land. Currently under the Public Lands Act there are restrictions and conditions on the disposition of property. In my submission, Mr. Speaker, we don't need section 14(3) of this particular Bill because we have in existing current legislation better protection for the sale of land. It would be again my submission that those checks and balances under existing current legislation give much greater accountability for how Alberta's Crown lands are administered than the proposed Bill 41, which could be the outright sale of Crown land to raise

more money and more revenue for the province of Alberta. It would appear that that is the intent behind 14(3), so if the government is in a bit of a cash crunch, it just sells off Crown land to make some money.

3:20

This cold is catching up with me, Mr. Speaker, but never fear, I'll continue, because it's far too important an issue to sit down and not continue fighting for the fundamental principles of democracy. I will take my full opportunity to speak to Bill 41 and to remind all hon. members of the very serious changes that this Bill brings about by virtue of those particular provisions that I've mentioned and that other members of this Assembly have mentioned with respect to changes that are forthcoming.

Mr. Speaker, the reasoned amendment speaks to the motion by my colleague from Spruce Grove-Sturgeon-St. Albert that this Bill be not now read a second time because the Assembly feels that the Bill does not recognize the need for the Legislature to approve both the creation and establishment of government departments and the delegation of powers, duties, or functions to any person.

Those, Mr. Speaker, are the two provisions I spoke of, being specifically section 2 and section 9 of this particular Bill. It calls upon all members of this Assembly to recognize the need for the Legislature to approve these and to not simply delegate those responsibilities and powers through regulation and order in council by the Lieutenant Governor in Council.

Now, what I have indicated in this Assembly – and I would like to give my colleague the hon. Member from Medicine Hat a chance to respond, because he is prepared to defend this Bill, and I think that he has to stand again and defend the Bill because what it does is in fact attack the fundamental principles of democracy. So to make that clear, Mr. Speaker, I'm proposing a subamendment to the reasoned amendment. The subamendment to the reasoned amendment indicates, then, the fundamental principles of democracy by stating as follows:

and that by not so recognizing this, the Bill ignores the fundamental principles of democracy and negates the importance of public participation in decision-making through access to information of government organizations.

When I refer to "this," I'm referring to the need for the Legislature to approve this. It cannot be any clearer than that, that this is what Bill 41 does, and that is why Bill 41 cannot proceed through this Legislature if every member in this Assembly takes their responsibility to their constituents seriously.

So, Mr. Speaker, it's my pleasure to move the subamendment on behalf of my hon. colleague from Edmonton-Highlands-Beverly to invite further debate on the fundamental principles of democracy, which this Bill attacks, and to hear hon. members opposite defend this Bill and tell us why it does not impede the fundamental principles of democracy when, clearly, on the two sections that we're referring to, that's exactly what it does. I look forward to debate on the subamendment to the reasoned amendment and to hearing members defend their support for this Bill.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I appreciate the opportunity to address the subamendment. I think it focuses in more clearly – and hopefully the Member for Medicine Hat will have some cohorts with him. [interjection] That's a pleasant word. Don't get your back up. If you look up cohort, it means helper. It's an old Roman word meaning fellow warriors. So, consequently, if you thought it was some unnamable sexual disease, quiet your minds and sit down and behave. Cohort is actually a compliment.

What I'd like to point out though – and I think the Member for Medicine Hat, who seems to be the only one who has girded his loins to come forth to do battle, Mr. Speaker, must feel like Horatius at the bridge as the alien hordes from northern Italy are descending on him. I thought he would be interested in focusing this in so that he could actually attack and go after what we're getting at. The subamendment says: negates the importance of public participation in the decision-making process through access to information.

Now, in speaking to the first amendment, my colleague from Edmonton-Glengarry already mentioned that even if this were to go through, it doesn't appear to have been planned that well, because the Auditor General wouldn't be able to investigate any of the people that were transferred to it.

But I wanted to talk to the government and to the Member for Medicine Hat, if he's carrying the load. Certainly he's a very qualified and worthy antagonist, as a matter of fact one of the best over there, Mr. Speaker, so I have no hesitancy in talking to him. I would ask him, seeing that we're talking about parliamentary government, to maybe go back a little in history. I know he's not as old as I am, so he'll have to read the book, whereas I lived it. I mentioned the word "cohort" and I mentioned the Roman legions, and that's not without some planning, because the first actual move in the western democracies to this type of government that we see now proposed here arose out of a lot of the same problems that this government perceives are out there.

You have to put your mind back to Italy in the 1920s. The state that had been put together by Garibaldi was fighting with each other, and they were thinking of separating. There was also a very low opinion of politicians in general. Benito Mussolini, a newspaperman, got elected on the platform that he was going to make the trains run on time; in other words, the government was going to work. Mussolini put together a partnership, just as we're talking here, between the government, or elected officials, of the day and big business. It was a partnership put together. He said, just as this government now proposes, "Why not let debate take place in the Legislature, and we can become a debating club and talk about high principles?" But the actual fact of making the trains run on time and making the bureaucracy work and the services of government be provided to the people would be best done by the private sector. Of course, the private sector in no time at all, it would become very obvious to the people of Italy, were those that already had administrative experiences. I don't know what the large corporations were named in those days, Fiat and others. Over here it would be Esso, Gulf, ATCO, and the different engineering outfits in downtown Calgary. They're all smooth administrators, so they would be able to run, and the politicians would be over here.

I would ask the Member for Medicine Hat to read further. This sounded very beautiful on paper, but what happened very soon is that the lions of industry and the captains of industry soon started telling the politicians, "Well, it's all right to go through this election in four years every time, but we don't want to be dealing with a separate set of politicians. We've got a nice partnership going, and we in private industry and administration set out plans to run not three or four years but a generation. So, Mr. Mussolini, would you look into this?" Well, my friend Benito had a very simple solution to it. He did away with elections so that they could continue this partnership of business and politicians. Now, the political scientists of the day or of the later days have called that form of government fascism. I'm not saying that this government would call what they're putting in fascism, but they're on the long, slippery road of trying to make the trains run on time, and this has to concern all of us a bit.

3:30

This is why I suggest the subamendment is such a good one. It does point a finger right at what the problem is here; that is, fundamental principles of democracy. Now, they may think that they have discovered this method, and the gurus and the stooges or whatever they want to call them that advise them may just all light up and say: "Why didn't we think of this before, Mr. Speaker? Gee whiz. This is great. This is wonderful stuff. We're going to put out the administration to free and private enterprise. To make sure that they aren't bothered too much, we're not so sure that the Auditor General needs to peek into the minds and the pockets and the hearts of the people that have been contracted to run Alberta for us."

So, Mr. Speaker, we have a real challenge to the democratic system. Now, I know - I know - there is a great deal of complaint from the people out there that say that maybe the parliamentary system isn't working as it should. They say that sometimes they think that the administration is too glued up and the bureaucracy gets peering down their necks too often. The point is that the only check, the only ultimate check on a runaway democracy is ministerial responsibility and, from that, back to the ultimate responsibility of getting elected.

Now, I know the last thing the Member for Medicine Hat and his cohorts would say is: "Well, we're not going to dissolve elections. We're not going down this fascist pitch. We know just how much of our little toe to dip in that pool without falling in. It may be a philosophy of fascism to have the corporate elite and the political elite together run the country, but our corporate elite and our political elite will stay together, with the political elite always being in charge." Well, as Confucius say: the man that rides the tiger dares not dismount. So this government, by setting up an administrative process run by a government, appointed by ministers with a right to contract out, are riding a tiger that I daresay they will not be able to dismount in the future.

Mr. Speaker, when we look at our system here - and this is one of the reasons that we're debating so long. This takes awhile. The hon. Member for Medicine Hat is worried about filibustering when we've debated it, I think, three separate times for one hour each. Well, that's hardly a filibuster. I mean, that's not even a good workout for somebody in southern Alberta. What can you do in three hours in southern Alberta? Watch the sun set maybe, but if you started out driving, you'd barely get to the next town. So he knows that three hours is not a long time. [interjection] The hon. member from Vulcan is trying to remind me that he's got water irrigation.

What I want to get at here is that we are embarking on something that's very, very important, and I'm the first one to admit as a politician elected in a democracy that if indeed out there the public doesn't give a damn, I'll still fight on, and we will probably lose the debate. But it is important that the public know what's going on.

Now, to dress it all up and say that it's a simple housekeeping motion and that something we put in motion that we've had nearly 500 years in our British parliamentary system - Sir Oswald Mosley, you will maybe recall, Mr. Speaker, back in the 1940s did propose a system of an alliance of the economic elite and the political elite in England. It never caught on. There were some riots and so on and so forth. It had been proposed but never caught on. This government here, right here in Alberta in the year 1994 is proposing something - and I don't think they really fully realize it - that is really an anathema to the whole democratic process; that is, delegating the administration and governing, not government - governing - an administration to an

independent body or somebody that's removed from it. I'm not too sure that they can get it back.

What we in the opposition want to do and why we're debating - we're going to move on, and we served fair notice that we'll be doing that with Bill 57, which focuses in maybe a little more closely on this idea of divorcing the elected government of the day from the governing process - is that we want the public to be fully aware of what's going on. It's been hard to get that across in the last week or two because of all the scandals that the government seems to supply us with in opposition, but hopefully they will not be stepping in as many cow pies in the next week as they have in the last week, Mr. Speaker.

MR. BRUSEKER: Don't count on it.

MR. N. TAYLOR: Well, one never knows. If they do, that will occupy first attention in the press. There's no doubt about it.

What we'd like to get across is a good debate out there amongst the towns and the hotels and the coffee shops and the skating rinks of this province as to what type of system this government is proposing. It's as radical in its day as Social Credit was in its day, and it deserves debate and to be looked at and to be examined and to be held up, smelled, and compared. As I say, I compare it to Mussolini's solution on how to keep the trains running on time, on how to run society without the politicians getting in your hair. I think, Mr. Speaker, this is exactly what they're doing here, and that's one of the reasons why we're trying to attract attention to the public.

Now, I'll admit that in a week or two if the public was giving a big yawn and saying, "What we want to do is hear a little bit more about Barrhead scandals," we're going to be in trouble. But the point is that a real thought-provoking debate on the issue of parliamentary democracy has to take place, and I'm hoping that we can have debate. I'd like to see someone on their side besides the Member for Medicine Hat - and don't get me wrong. He is a very, very worthy opponent indeed, as I mentioned earlier, but he must have some of those cohorts and those Roman legions over there that can tell us just why Mussolini should be in there in order to make the trains run on time.

Thank you.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. It's my pleasure to stand up and speak in favour of the reasoned amendment to Bill 41 this afternoon. [interjections] I can see by the comments already that they're anxiously awaiting my words, so I will bring them forth.

First of all, I'd like to start by applauding the hon. Member for Medicine Hat, as many of my colleagues have here. I find him to be a very reasoned debater, Mr. Speaker, and I consider him to be one of the very few over there that actually will listen and stand up and debate the points of the argument coming forth from this side. It's not a case of waiting the next day and reading what great words of intelligence the opposition has put forth and handing it to a researcher and having him write a speech so they can read it in the House. This hon. member stands up on his feet, and with his own initiative he puts forth some very good arguments.

The arguments against this reasoned amendment earlier today, Mr. Speaker, indicate that in fact the previous Acts and regulations that this Bill is amalgamating were essentially the same. To some degree the hon. member is right. There is to some degree some sameness about it. However, I think that when you listen

to the arguments that the hon. Member for Edmonton-Glengarry put forth here this afternoon, he articulated very clearly that this is a step away from democracy. Everyone in this House is fully aware that they have a mandated duty to look after the interests of Albertans and the legislation of Albertans, and this is the venue and the stage upon which to do it. Bill 41, I would suggest, moves away from it. That's why I can speak in support of the reasoned amendment.

There are, as I indicated earlier, some areas, that the hon. Member for Medicine Hat identified, that are the same. However, I think we must view this Bill, Mr. Speaker, in the context of the present government's philosophy today. That philosophy, as I see it, sitting on this side – and I'm sure those members on the side opposite would agree with me on this. There is certainly a tremendous amount of downloading. There's a tremendous amount of off-loading. There generally is a large shedding of government responsibility that I would suggest is traditional and very necessary. There is a role for government. There are some clearly defined areas that the government should be involved in, and I would suggest that we cannot eliminate government involvement in all areas.

### 3:40

As an example, Mr. Speaker, to make my point I would bring forth Bill 53, the Social Care Facilities Licensing Amendment Act, that will be coming up here later in debate, which gives babysitters the authority to actually look after six children as opposed to three. There are some stipulations associated with that, but clearly what that is intended to do is to move again responsibility for anything that might happen to children outside this Legislature for perusal. I just throw that forth as an example, because I think it's another example of where we're shedding our responsibility of government.

This Bill does that as well. I know that the hon. members on the other side, or the side opposite there, certainly when we have reviewed the debates and the legislation of the last months – and I would have to concede that it is *ad nauseam* in some cases. Unfortunately, one has to take that tactic to try to make the point. Most of the legislation that we've seen come through this House, Mr. Speaker, in the one short year that I have been involved here is driven by regulation, and as we know, regulation takes and dilutes the responsibility of this House. The decisions that are made are taken outside this particular House. I have to ask and I would suggest it begs the question: why do we want to remove the authority of this Legislature? I would suggest that this Legislature is the conscience of Alberta, and I would also suggest that not only is the Liberal Party the conscience of Alberta, but members opposite also have to assume that role as well. It's part of their mandate.

I would suggest that if we look at this Bill 41 and we look at the reasoned amendment, what it will do is establish for all members in this House the opportunity to actually go on record that they did not agree with some of the legislation that is coming forth. Now, I think that there are those on the side opposite that certainly have the courage to do that. I think if you listened to the debate that's come forth from some very learned members on this side, from the hon. Member for Redwater, who gave us a little history lesson and attempted to draw a parallel to fascism – I wouldn't go that far, Mr. Speaker, but I certainly would say: be cautious. In the simplest form we're simply diluting the authority of this particular Legislative Assembly, and I think that it's very unfortunate that we would sit back and let that happen. Certainly we all were elected here with bright minds, and we all entered this House looking to work for Albertans, Albertans in general regardless of what your political stripe is.

I think back to the discussions we've had very recently with regards to loan guarantees here and the many comments. Some of those newly elected members from the other side indicated they were very strongly opposed to that only to find out that the inner circle, if I can use that term, Mr. Speaker, had issued one of those loan guarantees that they were so opposed to. This legislation, Bill 41, I would suggest will open the door to more of that to remove it beyond the perusal. It, in my estimation, clearly focuses all the legislation in the province of Alberta and coming forth from the government of the day on the minister's office and the bureaucrats. Now, I know that there are many bureaucrats that are very fine individuals and have some good ideas, but I would also harken to add that there are bureaucrats certainly that are driven by their own department and their own importance. With due respect to some of the ministers, those bureaucrats, generally speaking, work eight hours a day at collecting data before they feed it to a minister.

So there's a concern in my mind, Mr. Speaker, that if we are to continue along the path of Bill 41, it not only dilutes this particular Legislature, but I would suggest it removes from the observation and the perusal of the hon. members sitting in government some of the actions that are taking place. I would have to ask why we would want to leave ourselves open to that, regardless of which side of the House we sit on.

In my first opportunity to discuss Bill 41, I pinpointed several issues of the Act, and I had hoped that the hon. Member for Medicine Hat would address those particular points as well and prove me wrong. Unfortunately, I think, with due respect, his research didn't go quite that far, though it went further than most on that side.

I drew the member's attention, all the members of the House's attention, to an aspect of the health Act that I found particularly disconcerting, Mr. Speaker, and that was:

disposition, by sale, lease or otherwise, of a Government health care facility or of personal property pursuant to an agreement under this section may be made for a nominal consideration or for a price less than its market value.

Now, it would be my suggestion when we look at exactly what this Act is attempting to do and the delegation of authority outside this House, that one may never have the opportunity to really debate whether in fact we should give away, in the case of Edmonton, the Charles Camsell hospital to maybe a private individual. That's a concern to me. I think you can apply that same particular approach to Calgary. With due respect, we know that some of those decisions have been distorted by political patronage. If in fact it were to happen in Calgary, such an occurrence that a hospital was in essence given away – that's a public facility that the public paid for, and if in fact we are to dispense with it, I would suggest that the taxpayers have the right to have this Legislature as a forum to debate that particular point, Mr. Speaker.

[Mr. Deputy Speaker in the Chair]

As I read this schedule 7 of Bill 41 on the health Act, I would suggest that in fact that could very well happen. The members on this side and the members on the other side won't have the opportunity to voice their disapproval with that until after it's completed. So that leaves me with a large concern, as I expressed the first time I spoke to this.

Many members have spoken to the concern about loan guarantees. I touched on that when I spoke to the Bill originally. I won't waste the Assembly's time reiterating that. I did express a concern last time, Mr. Speaker, when I was addressing Bill 41



and indicated that the argument I put forth was supportive of the reasoned amendment.

I had a large concern about some of the new powers that were surfacing in the transportation safety branch, and that would be part 7.1 of Bill 41. Mr. Speaker, one of the areas that is of very large concern to me is when in fact a copy that an insurance company puts forth assigning blame in an accident – that particular document can be secured by the government and in turn used to perhaps launch a lawsuit against a wrongdoer. Now, we've heard lots of debate about the wrongdoing aspect. I have some respect for the insurance companies, but generally speaking I would suggest that they're very self-serving. The reports that they compile certainly will attempt to shed the responsibility elsewhere. I do not believe they are as objective as they should be. When I look at that and use that small example of another little power that's moved outside this Legislative Assembly, a little power that will not put Albertans in good stead when it comes to defending themselves, I would suggest it speaks well and backs up my support of the reasoned amendment to Bill 41.

So in closing my debate, Mr. Speaker, I'm very concerned. I think everybody in this House worked long and hard to be elected to this particular House. They felt by doing so – it is a very honourable institution – they would have the opportunity to participate in the direction of Alberta and where it went. This Bill 41 moves away from that. The reasoned amendment attempts to put a stop to that dilution of the Legislative Assembly and its powers. It attempts to put a stop to the removal of the debate from beyond this particular Chamber. So that being the case, I strongly support the reasoned amendment, and I would ask all members to objectively have a look at exactly what's intended in Bill 41. It's a monster; I agree. It's very difficult to analyze, but you have to have a look at it in concert and in conjunction with the other Act that's coming forth, and that is Bill 57, I believe, the Delegated Administration Act.

Mr. Speaker, I ask all to tweak their consciences. Certainly there is no reason why in fact we should not debate anything in this Legislature. Too often the best debates take place behind closed doors. I would suggest that what is going to occur in this example of the delegation of power by ministers and the removal of so many decision-making opportunities from this Legislature by regulation, is that those decisions behind closed doors will become certainly more numerous and, I would suggest, probably less to the benefit of Albertans and more to the benefit of the minister of the day.

So I thank you for the opportunity to address the reasoned amendment, and with those comments I will close my debate.

**3:50**

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

**MR. WHITE:** Thank you kindly, Mr. Speaker. Speaking to the subamendment, it speaks quite clearly to democracy. It's a shame that the other side doesn't feel moved at all even to acknowledge that they are awake. In this democracy of ours we're supposed to be able to have this free flow of ideas and some debate. We've seen none of it. The other side is absolutely silent on the matter, and it would be difficult to argue that they are in fact the silent majority. If you go back to your constituents and ask them: should I speak on this matter that's of some fundamental importance – and you can't just wash it out. I mean, it's not very difficult to read plain English and the delegation of authority and the authority that moves away from this Chamber. This Chamber is in fact – if you don't believe it, just ask the students that come

in each and every day. They get a little lecture on democracy, and they begin to understand what it is. All the grade 6 students understand that this is the place where one person speaks at a time, generally, and that matters of major import are supposed to be discussed. It doesn't mean that one side sits on their hands filling seats and occupying spaces, signing papers, and making paper airplanes. Too bad the member from – Medicine Hat, further south there . . .

**MR. N. TAYLOR:** Cypress.

**MR. WHITE:** . . . Cypress is off on very, very important business; I'm sure. We could have some insightful remarks from him certainly about how democracy protects all those that can't protect themselves. We've had a great deal of discussion about that lately.

Mr. Speaker, from a former life in and around the land development business, being an engineer I can see that this piece of legislation fundamentally offends the traditional rights, not the rights that are written in stone but the rights that govern a free-market society to allow citizens to participate in an economic democracy, which is free enterprise, at a rate at which they will on taking their own risk and defining their own risk. One of the things that one doesn't want to do is be in competition with their own government, and section 14(1), (2), and (3) clearly sets out that a minister can be a private developer. I mean, there's no question. Reading section 14 and reading the schedules that represent the regulations or the finer points of that section does offend and would offend had they known about it.

Unfortunately at this point the press is so preoccupied with the comings and goings of one government minister and his affairs of state and personal affairs that they don't seem to have time for the important work of this Legislature, which is currently Bill 41. They don't seem to believe – they may believe – that it is important, but certainly the readers are preoccupied to the extent that they just don't have time to write the necessary call to arms from the citizenry necessary in this Bill. I suspect that they shall. Part of the reason that one must stand in his place and argue these points over and over and over again is because (a) they haven't got the time and (b) the other side seems to be asleep. As well they had too much activity earlier in the day with their discussions at caucus and a former minister's plea of something or other. We're not sure what.

**AN HON. MEMBER:** I wonder what he got.

**MR. WHITE:** Well, of course, speculation as to what he got can be carried on for a great deal of time. Certainly his silence today and the caucus' solidarity and silence – unlike some of the more vocal members, silence is not their strong point, but they seem to have carried it off today reasonably well. There must have been some kind of a deal cooked.

When you have this piece of legislation along with Bill 57 – combine the two and the government is redundant except the ministers of the Crown. The backbench will truly be the back, back, back, way back bench, because there won't be any say whatever. Now, if you marginalize those people, what happens with the public? I mean, certainly that speaks directly to democracy, and that's what this subamendment is speaking directly to. How does one go about saying to a member of the public, "Yes, well, we did that, but we did that under the guise of a ministerial order"? Not even a proper order of cabinet. How can you say that's accountable? How can anyone believe that that's accountable? I mean that kind of thing happens in Second and Third

World countries all the time perhaps but certainly should not happen in Alberta simply because the government happens to be preoccupied with a number of other issues at hand.

The transfer of programs, particularly in section 2, has one wondering whether in fact there is any credibility at all afforded by this Bill to the government of the day. Certainly there has to be some leeway. We understand that, and certainly it doesn't take a great deal of reporting to report either on the Order Paper or in a ministerial statement as to what has occurred in the department. It's a movement within programs. It would be reasonable, one would expect, to tell the public how one is going about spending their money.

It doesn't seem to be this government's priority to tell anybody anything other than where to go now and again. The Premier does that in fine form every question period. He tells the world about how dastardly the Liberals are and what the Liberals would do. It sounds so incredibly childish that it is difficult to keep a straight face on this side, and it certainly embarrasses the children in the audience on a regular basis too. I cannot see why it furthers the ends of democracy. In particular, he hasn't even had the courtesy to stay in this House once – not once – long enough to debate this particular Bill.

The schedule of fees and the delegation of that authority to the private sector or the public sector or the quasi-public sector, the volunteer sector, is absolutely appalling. You cannot say that a minister can have control of the expenditures of the province and the revenues of the province and his department when he has delegated this authority without any knowledge of the Legislature and presumably without any knowledge of the other members of his council, either the priorities committee or any other committee. It doesn't say anything within the legislation that they're required to report anywhere. Who knows if it's at the minister's discretion what kind of note of the action takes place. How does an auditor record how these transactions have happened if there is simply a ministerial order that may or may not see the light of day anywhere.

It's beyond belief that we're heading towards this kind of thing in the province of Alberta without any debate. I mean, these people on the other side say that this is to streamline. Sure, it streamlines. It streamlines to the extent that we could just delegate all our authority to act to one person and then that person can then disseminate the power as that person wishes, as we often see in the Legislature with the appointments to various and sundry boards and authorities. It seems to me and it seems to a great number of the public, too, that these pork barrel appointments are done for one reason: so as to keep the present party in power ad infinitum and doing it in a less than forthright manner. There is provision within this Act why one would say that. It seems to me that you would want to do all one could to have lines of authority clear and concise. This particular piece of legislation says that there can be two ministers. Well, two ministers managing one program – I mean, it seems incredibly silly to even suggest such a thing. Certainly there could be under some transition one program or another that is collapsed or expanded or modified or changed. Certainly there has to be one minister in charge and one minister responsible, although this government doesn't seem to – every time there seems to be something controversial, a ministerial change occurs, and then of course the responsibility seems to fall between the cracks. In fact, in law it does not and in parliamentary tradition it does not, but this government doesn't seem to recognize parliamentary traditions any more than it seems to respect fundamentals of democracy, which this particular amendment speaks to.

4:00

There is one area that should be – and I would expect that before debate is complete on Bill 41, hopefully there'll be some kind of a discussion on tightening up and bringing to an end some of the ministerial discretion to get the government into loan guarantees. There are sections within this particular Bill that allow a minister to do all manner of things which hitherto they were not.

The members opposite are so fond of saying that they're so fundamentally against the government being in the business of being in business that they will do away with guarantees. Well, here is your opportunity. It's easily done. We'll help you to draft the amendments. Parliamentary Counsel is certainly at your disposal to do that. I mean, it's not that difficult to deal with a simple amendment in this Act that would restrict a minister's actions so as to not get the government into any loan guarantees.

This piece of legislation so fundamentally offends so many of the principles of democracy and this House and takes the government so far away from being in the business of governing that it's amazing that members opposite just sit and smile back at one on this side without any regard whatever for . . .

#### Point of Order Relevance

MR. DEPUTY SPEAKER: The hon. Member for Grande Prairie-Wapiti is rising on a point of order. Would you care to cite?

MR. JACQUES: Thank you, Mr. Speaker. I will cite specifically *Beauchesne* 459. I can also cite various Standing Orders starting with 23(h), (i), and (j), but I think *Beauchesne* 459 is probably the more relevant.

I realize, Mr. Speaker, that you have great diligence in terms of allowing the issue of relevance, and I can certainly understand you giving a lot of latitude to the member who has been speaking. We have drifted everywhere, from talking about a member who is not in this House and who has been named by that member across the way in preceding debate, we have referred to our caucus discussions, we have referred to a prior minister of this government who is now sitting in the second row, and in the last 30 seconds of his comments, back to the backbenchers again. He was also drifting off into a particular portion of the main Bill. Indeed, I understood the debate was with regard to the subamendment of the reasoned amendment.

So I would ask your indulgence, Mr. Speaker.  
Thank you.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Mayfield is invited to respond to the point of order before continuing debate, at which time the Speaker will make a ruling.

MR. WHITE: Thank you, sir. If the member opposite would read the subamendment, one would understand fully what we're speaking of, and this member was speaking as best he could to the fundamental principles of democracy. I mean, if one has to limit oneself to a very, very narrow sense, then I suspect I'll bow to the ruling of the Chair. But certainly, sir, if you read 459, "relevance is not easy to define." Well, parliamentary democracy is most difficult to define also.

MR. DEPUTY SPEAKER: Well, certainly the Chair takes into consideration the hon. Member for Grande Prairie-Wapiti's comments with regard to relevance and would feel a bit inclined to be rather generous. However, I think the more cogent arguments are to be found in the Standing Orders, which he has

also cited: (h), (i), and (j). Makes allegations against other members: we had within there imputing reasons for not entering into debate when the record is not being referred to. Secondly, there is the question of whether or not some of the comments would fit under (j), hon. Member for Edmonton-Mayfield, and (h), naming other members, in a sense is a bit off the topic and in that sense is not so relevant.

I'd suggest to the hon. Member for Edmonton-Mayfield that he stick to the subamendment and perhaps refrain from casting aspersions on what other members are doing or are not doing and move us forward on this debate on the subamendment to the reasoned amendment.

The hon. Member for Edmonton-Mayfield.

MR. WHITE: Yes. Thank you, Mr. Speaker. I will do the best I can to stick to the topic of democracy. I have to apologize for mentioning in the House a member that is not present – actually, two members are not present – but I was taking the example of the member that has been some 22 years in this House who mentioned it twice in one speech earlier in question period, and I'd forgotten that in fact I wasn't to do it.

There was, of course, your reference to . . .

MR. DEPUTY SPEAKER: Hon. member, are you endeavouring to dispute the Chair's ruling on this issue?

MR. WHITE: No, sir. No.

MR. DEPUTY SPEAKER: Well, if you're referring to earlier in the day when someone had made such a comment and offended the Standing Orders, then of course it's perfectly within your right to stand up at that time and so direct the Chair. But then to reflect back on it at some period of time when maybe a different person is in the Chair is not helpful.

So we would invite again the Member for Edmonton-Mayfield to continue his debate on the subamendment to the reasoned amendment.

MR. WHITE: Yes. Thank you, Mr. Speaker. I'll do the best I can to stick to this simple democracy. I mean, there is some reason to believe that one doesn't have to speak other than just to the amendment, but certainly I will do my best, at your direction, to speak to:

democracy and negates the importance of public participation in decision making through access to information of government services.

Well, that's what I was speaking to all the time, I believed, but stood to be corrected.

#### Debate Continued

MR. WHITE: The government should not and does not in the normal instance close the door to reasonable debate. This Bill does that. There's no question about that. When you cannot have or you don't hear of information on what a government is doing, then what is more fundamental to debate than information? I mean, if it's not filed at the Legislature Library or it's not filed in this House, as so many things would not have to be, if you don't have to get an order in council to do many of these things – buy, sell, trade land, do all of those sorts of things, as well as move programs around – what is the use of having a budget? What's the use of filing a budget if the day afterwards every minister can run around and change absolutely everything there is in every part of the budget?

If this government was a private enterprise entity, and that only, and only had to report to shareholders and the only way of judging the performance of that entity was in fact a bottom line, then that would be reasonable. Certainly it would be reasonable to take all the power and concentrate it, put it behind closed doors. Unfortunately, that is not the case with this Legislature. We, this Legislature, are in the business of governing, not the government by itself and unto itself, not a few select members of cabinet or committees of cabinet, not the government but this whole Assembly. That is where the decisions have to be made. This is where they have to be made in order to show that the kids who do come here on a daily basis receive a proper understanding of what democracy is and what democracy does stand for.

#### 4:10

Mr. Speaker, I've taken almost all of my allotted time. I must apologize for overstepping the bounds that you pointed out and will now relinquish my place to others in a long line of speakers.

#### Speaker's Ruling Speaking Time

MR. DEPUTY SPEAKER: Hon. member, just a reminder to you and to all members that when there is a point of order, it does not take away from your speaking time. The Table does stop the clock, as it were, on that. That's not to invite you to prolong the debate but just to let hon. members know that points of order do not act as a filibuster on a person's allotted time.

#### Debate Continued

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

MR. SAPERS: Thank you, Mr. Speaker. We've had considerable debate regarding the nature of Bill 41 and that nature being government doing away with government, government by regulation, government behind closed doors, government by secret. We've encouraged members opposite to enter debate regarding, first, the principle of the Bill, regarding an amendment brought forward by the Liberal caucus and now a subamendment. The debate has not been forthcoming, and that's a shame.

I wonder what the Member for Grande Prairie-Wapiti will be telling his constituents, when he goes home, about the new powers to enter into loan guarantees. I wonder what the Member for Lesser Slave Lake will be telling her constituents when she travels back to Slave Lake and talks about the new disposition of Crown assets or the sale of lands. I wonder, Mr. Speaker, what the Member for Cypress-Medicine Hat will be saying to his constituents when it comes to the secrecy that now this government seems to be embracing. I note particularly the Member for Cypress-Medicine Hat, the Member for Peace River, and others who attended and participated in the freedom of information consultations and expressed such interest in freedom of information and access to information. What will they now be reporting back to their constituents regarding the lack of information and the propensity of this government to do things in secret?

Bill 41 creates these new authorities, these delegated regulated authorities, and these authorities take over a fair bit of the business of ministerial responsibility, in fact so much that the members of the cabinet will have even less to do.

Mr. Speaker, while it's been awkward to do the work of government through open debate and debate in this Legislature, that is, after all, the way of democracy. Democracy seems to be being shown the door, the same closed door that all the voters of this province are going to be shown if this Bill becomes law.

Now, using the provisions of the Public Service Administrative Transfers Act has been inconvenient and was inconvenient in the past, but at least there was some procedure to be followed, some record. Mr. Speaker, that won't be the case if Bill 41 becomes law. This allows even the scant amount of public accountability to be sidestepped. Under section 2 of Bill 41, for example, government departments can be created, restructured, and ultimately disbanded, all by order in council. No debate; no scrutiny; no accountability.

Mr. Speaker, so many members of this Assembly have stood in their places and spoken in debates about why they campaigned, why they ran for government. I remember the maiden speeches of members from both sides talking about accountability, that that was the issue. That was the issue they talked to constituents about at their doors, that was the issue they campaigned on, yet here we see this government with this legislation and other pieces, such as Bill 57 presented to this Assembly, taking away that kind of public accountability which is just so very important in a democracy.

An example of what this lack of openness, this lack of accountability can mean and what Bill 41 would allow. The Minister of Health could enter into an agreement behind closed doors to sell off a hospital or to turn that hospital over to private operators, to spin off the operation of a health facility to the private sector without any debate. It could happen by order in council. The private operator could then make whatever changes they thought were necessary for the profitable operations of that facility. Mr. Speaker, this erodes not only democracy but also the very basis of the health system which Albertans to this point in time have managed to enjoy. Again, all of this can happen without debate, without legislative approval. The Minister of Health would not have to make such a proposal in this Assembly. The Minister of Health would not even necessarily have to go beyond her own whim, because it's not even clear in the legislation whether or not this would require complete cabinet approval or not.

Mr. Speaker, Bill 41 gives ministers the authority to establish or operate any programs or services that they consider desirable in order to carry out matters under their administration. We're not given any guidelines, any standards, any performance measures to adjudicate against which they would consider these things desirable. The wording of the legislation just simply allows the minister in his or her discretion for what they consider to be desirable to be translated to these new DRAs and DROs.

I wonder if the drafters of this legislation have read Bill 18, which subsequently became the freedom of information and privacy legislation, which I will remind the Assembly has received third reading but has not been proclaimed. We really don't know at what stage the regulations are. Mr. Speaker, I wonder if the drafters of Bill 41 took a look at that Bill and whether or not they were trying to find ways that they could sidestep the access parts of that Bill. It's not clear whether these new delegated authorities would be fully subject to the provisions of this freedom of information legislation. It's not clear whether the delegation and subdelegation and redelegation at some point erode the right of every Albertan, of every taxpayer to get full disclosure on the operations of their government on how they spend those tax dollars. Bill 41 is silent on how that information would be accessed and whether or not there are any bridges being built between that freedom of information legislation and this delegated authority.

Mr. Speaker, Bill 41 continues a very dangerous precedent of this current government, and that precedent is of using and twisting the principle of streamlining government into eroding accountability and accessibility. The Legislative Assembly is

being marginalized by this current government, and what we're seeing is more and more and more governing by not just regulation but deregulation and even privatization, again without any sense of what it is that underpins the values of this government. It appears as though absolutely everything is open to the lowest bidder.

Mr. Speaker, Alberta Liberals are in fact in favour of reducing red tape and streamlining government. We're in favour of reducing duplication within government. We perceive the need for regulatory reform, along with many members opposite, but we also perceive the need for good government, value-guided good government. We think streamlining government and regulatory reform are necessary components of working towards a balanced budget and of improving the delivery of government programs and services, those services which will meet the needs of Albertans. But we don't believe that government should be doing away with itself; we don't believe in eliminating accountability.

Mr. Speaker, as this government rushes to move out of the business of governing, I think it's important to remind all members of this Assembly of those business gurus Gaebler and Osborne when they say that while it's true that business does some things better than government, it's also true that government does some things better than business.

Mr. Speaker, amendments to section 74(1) of the Financial Administration Act remove the ability of individual departments to provide loan guarantees without the approval of the department of Treasury. Now, under Bill 41 all loan guarantees given by order in council by individual ministers must be approved and executed by the Provincial Treasurer, and he's gloated about this. In fact, I think he said that it was a grand idea. I wonder how many grand he was talking about. Now, this applies to program guarantees such as the student loan program as well as ad hoc program guarantees provided to individual businesses.

#### 4:20

The objective of consolidating loan guarantees under the Provincial Treasurer is ostensibly to improve accountability and accessibility to Albertans and to prevent the losses which have been incurred by this government and its immediate predecessor on loan guarantees throughout the last decade. However, it's also an admission – it's also an admission, Mr. Speaker – that this government is still prepared, despite the rhetoric, to provide loan guarantees to the private sector.

Mr. Speaker, Tory backbenchers have argued that the government would never ever, ever, ever, ever break its promise of no more loan guarantees to the private sector, but what those backbenchers didn't realize when they were making those statements was that the Premier and the Provincial Treasurer had already broken their promise not once but twice: number one, through a secret Treasury Board minute on May 10, 1993, which approved a \$4.25 million export loan guarantee; and, secondly, by an order in council passed on June 23, 1993, eight days after the supposedly new out-of-business government, which provided a \$100 million loan guarantee to Bovar. By bringing in this amendment the government is admitting that they have not learned the lessons of the past.

The history of this government interfering in the marketplace is an inglorious one. It's long and it's just full of error. Mr. Speaker, it's important to remind all members of this Assembly of that history, that history of \$646 million lost on NovAtel Communications; General Systems Research costing the taxpayers \$31 million; Myrias Research Corporation, \$13 million; Alberta-Pacific Terminals, \$10.8 million lost; Peace River Fertilizer . . .

**Point of Order****Relevance**

MR. DEPUTY SPEAKER: The hon. Member for Olds-Didsbury.

MR. BRASSARD: Standing Order 23(b). I would ask the member to get back on the topic of the discussion.

MR. DEPUTY SPEAKER: Does the hon. member wish to speak to the point of order?

MR. SAPERS: Absolutely, Mr. Speaker. The subamendment reads in part:

The Bill ignores the fundamental principles of democracy and negates the importance of public participation in decision making through access to information of government organizations.

I will remind the hon. member that this opposition had to go out of country under other jurisdictions' access to information legislation to get information about the NovAtel loss and about the MagCan loss and about others. Mr. Speaker, this kind of information is absolutely fundamental to any kind of functioning democracy, and it is absolutely germane not just to the subamendment but to the Bill that we are debating.

MR. DEPUTY SPEAKER: The point that the hon. Member for Olds-Didsbury has brought to the Chair's attention is that a member will be called to order by the Speaker if, in the Speaker's opinion, that member . . .

- (b) speaks to matters other than
  - (i) the question under discussion, or
  - (ii) a motion or amendment, [et cetera]

The issue of relevance is a fine line, and when we're down to a subamendment, referring to the fact that we're dealing with the issues of the subamendment is helpful to the debate. The subamendment is not indeed the whole Bill, nor even of course the amendment; it subamends an amendment. So there is some concern there.

The listing of all of the errors of the government has been done on a number of occasions in this House and indeed on this Bill, so one wonders how the hon. member is going to bring a fresh look to this long list that has been referred to by many other members. I therefore would caution the hon. member to stick as closely as he could to the subamendment without offending also a part of the spirit of (a).

MR. SAPERS: Thank you, Mr. Speaker. It is indeed difficult to bring a fresh view to this prodigious pile of past patronage, pork-barrel problems. However, that being said, that was my attempt at being fresh.

**Debate Continued**

MR. SAPERS: Mr. Speaker, I could go on and on and on regarding the millions and millions of dollars lost in Climate Master, General Composites, Nanton Spring Water, Ski-Free Marine, Canadian Professional Munitions, Ski Kananaskis, Willowglen Systems, Golden Gate Fresh Foods. I could mention all of those in some detail, but it will suffice to say at this point that that list of mistakes cost Alberta taxpayers \$761.2 million, almost three-quarters of a billion dollars.

Now, in March of '93 the Alberta Financial Review Commission recommended that the government de-emphasize the use of loan guarantees. Many members of the government had said that they would in fact follow that recommendation, but still the losses continued unabated under this so-called new and fresh government. Mr. Speaker, the subamendment recognizes that if Bill 41

was to proceed to law, Albertans would never ever, ever have the right to access the information about the actions of this so-called new government.

Mr. Speaker, I'd like to remind the Assembly of some of the things that this new government has done: \$209 million lost to Gainers, \$58 million lost to Northern Lite, \$63.6 million lost on Magnesium Company of Canada.

MR. DEPUTY SPEAKER: Hon. member . . .

MR. SAPERS: This is the new stuff, Mr. Speaker.

MR. DEPUTY SPEAKER: You are dealing with the subamendment?

MR. SAPERS: Yes, on the subamendment, Mr. Speaker. I'll summarize this part of my presentation to the Assembly by saying that since this out-of-the-business-of-being-in-business new government has come into office, a further \$333.2 million has been lost on bad business decisions. These are exactly the kinds of decisions that the government now wants to hide even further and do behind closed doors. They want to take all these things. They want to delegate all this. They don't even want to necessarily talk about it in cabinet, like they don't want to get their hands dirty. They want to keep on delegating and subdelegating. They don't want to be accountable, and that's really the point. This government has already shown its ability to squander a billion dollars, and now they don't even want to be accountable for the rest of the provincial Treasury. Bill 41 would allow a travesty of democracy to take place in this province.

Now, Mr. Speaker, I'd like to continue by stating that, you know, if we allow the Treasurer this ability to be sort of the king of loan guarantees, we would have to have some faith that the Treasurer would discharge those responsibilities in a fair way and in a way that all Albertans could be somehow proud of, but it's hard to imagine that that could be the case, because the Treasurer already admitted that a mistake was made regarding the Bovar loan guarantee. That hundred million dollars couldn't even pay for a full hundred days of the losses suffered by, let's say, Dome Petroleum back in 1982, and that was of course when the Provincial Treasurer had a hand in the undoing or the doings of that corporation. Now, given this government's priorities and given the Treasurer's priorities, Albertans have to be wondering aloud whether or not it would be wise to give the Treasurer even more authority and, more importantly, the sole authority for giving out loan guarantees.

Mr. Speaker, there have been many questions raised in debate by members of the Liberal caucus regarding Bill 41. Many of these points have come out first under the amendment and now under the subamendment. We are concerned about the extent to which this government wants to have its workings away from public view. We are concerned about the extent to which this government wants to turn off the lights and conduct their business in the dark, or at least keep Albertans in the dark. We are concerned about this government's absolute intolerance of public scrutiny. We are concerned that this government will keep on working towards the elimination of public scrutiny to the point where their joke about privatizing government will come true, and ultimately it'll be a bad joke played on all Albertans.

Mr. Speaker, Bill 41 would not be in the best interests of this Assembly or the people of this province, and I would urge all members to support the subamendment.

Thank you, Mr. Speaker. Thank you for listening.

4:30

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

MR. BRUSEKER: Thank you, Mr. Speaker. I paused briefly there, hoping that we would see some of the members of the government side leaping to their feet to debate this Bill.

Mr. Speaker, I'm concerned about this Bill and I'm concerned about some of the things that have been said, because when members on this side of the House say something that the members opposite are concerned about, usually we get a response. Certainly the Minister of Municipal Affairs is a noted debater in this Assembly. One of the things that I'm concerned about is that, earlier on, the Member for Redwater expressed concerns about this Bill, as other members of this caucus have. He expressed concerns particularly about the word "democracy," and he referred to that in particular in his debate because, of course, it is part of the subamendment.

One of the things that he alluded to was that this Bill, Bill 41, was looking very much like a move toward fascism. Then he recalled all of his stories of his youth and watching the election of Mussolini and seeing what happened in Italy and so on, whereas others of us who don't have quite as many gray hairs, shall we say, as the Member for Redwater or as many hairs at all, as the Member for Edmonton-Glenora points out, have to read about those kinds of things. My concern with his debate was that as I listened to the Member for Redwater, I thought, surely to goodness, one of the members or some of the members or all of the members opposite would respond to that and in fact would take great umbrage with the comments from the Member for Redwater, but in fact not one member spoke. Oliver Cromwell once said that silence is consent.

DR. WEST: Is golden. Silence is golden. [interjections]

MR. BRUSEKER: No. No. Silence is golden. Well, we have certainly a lot of silence over there.

MR. DEPUTY SPEAKER: Order. Through the Chair, please, hon. member. You are on the subamendment; right?

MR. BRUSEKER: I am on the subamendment, dealing with fascism and democracy. I'm trying to get at some definitions here. So because the hon. member spoke to the issue that this seems to ignore the fundamental principles of democracy and he mentioned fascism, I thought I better look up fascism in the dictionary, not having had any firsthand experience, as it seems some members have. For the purposes of *Hansard*, this is from *The Concise Oxford Dictionary* they provide for us here in the Assembly. Fascism is referred to as: "similar nationalist and authoritarian movement in other countries . . . system of extreme right-wing or authoritarian views." I thought, well, if that's the definition of fascism, I better flip over and have a definition of democracy. So I got out that same dictionary and looked at democracy and thought, well, certainly if this Bill follows . . .

#### Point of Order Abusive Language

DR. WEST: Mr. Speaker, a point of order.

MR. DEPUTY SPEAKER: The hon. Minister of Municipal Affairs is rising on a point of order.

DR. WEST: Yes, under Standing Order 23(j), which says, "uses abusive or insulting language of a nature likely to create disorder."

Remembrance Day is coming up very shortly, and I take exception in this House to another member making innuendos and allegations that the government is fascist in nature. The ancestors of people in this House, in this province, in this country have laid their lives on the line to fight fascism and put an end to that type of government. Then to sit and listen to this creates disorder in my mind because that's an insulting thing to the number of people that laid their lives down. There's a list here, in the front of the Legislature Building, of individuals that died in the first and second world wars. Then to make light of it in here, with the approach of Remembrance Day, is an insult to the integrity of this democracy.

MR. DEPUTY SPEAKER: The hon. Member for Calgary-North West on the point of order.

MR. BRUSEKER: Mr. Speaker, on the point of order 23(j), with respect to creating disorder, what I was reading was a dictionary definition for the hon. Minister of Municipal Affairs. The point that I'm making in the debate, still speaking to the point of order, is that I'm concerned that what we're looking at here is attempting to define the Bill. Part of what we're trying to do in our subamendment is define in basic terms the fundamental principles of democracy. I was just about to get into a definition of democracy, which the minister refers to, and I was starting with a definition of fascism: no intention to create disorder; simply an attempt to define where we're going with this particular Bill and the subamendment and so forth.

MR. DEPUTY SPEAKER: Well, the hon. Minister of Municipal Affairs has brought to the Chair's attention the reflection that hon. members have been referring to government actions as fascist and that this is fascism. I think in a sense, hon. members, referring to the actions of anyone as fascist is, true enough, under the Standing Orders likely to cause disorder. It imputes a false motive, not of a member but of a group, so in that sense doesn't meet that test but does meet the test of bringing disorder. I think that no matter how eloquently it is phrased and how it might be couched in what terms, using the term and pushing it over is going a bit beyond the bounds that are necessary in a debate such as this and invites in its turn similar kinds of accusations back. So if we could defend democracy without using terms that have rather loaded meanings and, as the hon. Minister of Municipal Affairs has referred to, particularly at this time of year. But indeed at any time of year in debate I think this is regrettable.

So hopefully the hon. member will be able to address the important issues that are before us in Bill 41 and the reasoned amendment and of course the issue at hand, the subamendment.

MR. BRUSEKER: Thank you for that direction, Mr. Speaker. I was just about to get to the definition of democracy. I certainly agree with the hon. minister. No . . .

MR. DEPUTY SPEAKER: I'm sorry, hon. member. I didn't hear any words that might convince the Chair that if somehow you were casting such aspersions or whatever, that was not your intention. Or perhaps it was.

MR. BRUSEKER: I was just getting to that point, Mr. Speaker. Sorry, Mr. Speaker; I maybe wasn't quickly enough addressing that particular issue.

Certainly no disrespect, Mr. Speaker, was intended to any of the individuals whose names are on plaques at the front, notwithstanding that Remembrance Day is coming up quickly, or in the distant future. Those individuals and the principles to which they appealed and fought certainly have to be upheld, and from that intent no disrespect was meant in attempting to define the term.

#### Debate Continued

MR. BRUSEKER: Mr. Speaker, let me get on then, if I may, to the issue about democracy, because the subamendment says this Bill "ignores the fundamental principles of democracy." So I want to go on to what, at least in this particular dictionary, is the definition of democracy. Here it says that democracy is

government by all the people, direct or representative; form of society ignoring hereditary class distinctions and tolerating minority views.

[Mr. Clegg in the Chair]

Mr. Speaker, if we consider that this is government by all the people, direct or representative, the people that are in this legislative Chamber are the representatives of their respective folks back in their constituencies. We call ourselves Members of the Legislative Assembly, and the task that has been entrusted to us is to represent the views and the concerns of our constituents.

This Bill, on the other hand, just by way of example – and not that I mean to quote from the Bill extensively. But as an example of how this Bill ignores the fundamental principles of democracy, as has been referred to by other members in this Chamber, it talks about the delegation of power, as in section 9: "delegate any power, duty or function . . . imposed on him by this Act or any other Act".

4:40

Now, Mr. Speaker, one of the things that we all do as candidates when an election is called is that we go out and persuade our public, wherever they may be, to support us, and that's how each one of us got elected to this legislative Chamber. I wonder how many members on either side of the House said, "I want to run so I can give away authority to someone else." It doesn't seem to me that many MLAs or candidates from any political party would run with the idea in mind that "I want to run so I can have less authority and give it away to someone else." Yet that's precisely what this Bill will do because it talks about delegating authority. Again, when you look at delegate – and it's important that we define these terms, Mr. Speaker, because that's what the Bill is proposing to do. It proposes to delegate authority, and it says under the definition of delegate, "Commit (authority, powers, etc.) to or to agent." So what this Bill proposes to do in defeating the principles of democracy – which remember I defined as "government by all the people, direct or representative" – it says that these representatives that are here are going to give that authority away to an agent, and we're going to do that in a process that's outlined as delegation of powers and duties in section 9.

In fact, if this Bill is passed, what it says is that this government is no longer interested in the basic principle of democracy, which is "direct or representative; form of society," because we will no longer have that. We will have different persons or agencies or whatever that are going to be able to do the things that people say, I presume, when they run for election that they want to do themselves.

Now, one of the concerns is that the Legislature itself makes the laws, that the debate should happen here in this public forum. One of the concerns – in fact, I guess the key concern that this subamendment deals with – is that it says we're going to take that

public debate out of this forum and we're going to put it into the back rooms.

Now, is that really going to happen? Let's look at a couple more terms, because I think it's important to look at these terms as well. I've talked about delegating and what the term "delegate" means. The government will tend to respond, I suppose, that "Well, we'll make the laws and we'll make the regulations, and someone else is just going to be entrusted to implementation of those." But in fact there is a section again further on in the Bill, by way of example, that talks about "a delegated person may make rules." This is on page 66.

I thought to myself: you know, I've always been wanting to be sure that I'm speaking with the correct terminology and so on. And I thought to myself: I'm not really clear on what the precise difference is between a regulation and a rule. So I thought I'd better look that up, because I wouldn't want to be speaking out of turn and so on. I thought to myself: the government says that they're going to delegate this responsibility except for making regulations. Okay. Well, it seems to me that they've closed that, so let's look at a definition of what "regulate" talks about. I thought: well, if we look at "regulate" and look at "rule" and we compare the two of them together, then perhaps we'll get it clear. But in the definition of "regulate," it says "control by rule." So they use the word "rule" to define "regulate." And when I went over to "rule" and looked under "rule" and looked up the definition in the dictionary again, I read along and it went along through a variety of things, and it says "more often than not" and "in regulation manner." So they use the word "rule" to define "regulation" and "regulation" to define "rule." It seems to me that the two are interchangeable.

So if a delegated person may in fact may make rules and a delegated person may in fact may make regulations, it all of sudden questions the whole need for having any of those cabinet ministers on the front bench, because they're not going to be able to make any rules and they're not going to make any regulations. The question is: why are they there? If we're going to downsize government, we can eliminate all those folks on the front bench altogether, because anybody can make rules and anybody can make regulations as soon as you delegate the responsibility to them, which flaws . . .

MR. SAPERS: How are they going to make \$100,000 a year?

MR. BRUSEKER: How are they going to make \$100,000 a year? Oh, that's a good question. Maybe they'll create a few new boards and chairmanships and so on and they can get a raise, and there you go.

Again, the definition of democracy . . . [interjection] I don't know. That was before my time.

You know, government by democracy, "government by all the people, direct or representative," yet this Bill says that we're going to delegate responsibility off. [interjections] It sounds like there is a lot of disorder over there. Maybe I'm creating some difficulty again, Mr. Speaker. I'm sorry.

Government by all the people, direct or representative, and in fact what this Bill does is say that we're going to give that responsibility away, that we're going to hand it over to someone else and we're going to turn it away.

Now, one of the issues, one of the concerns that we have deals with the issue of public debate, and the concern that we've raised in the past – on this side of the House, at least, because the other side of the House seems to be mute this afternoon – is the issue of what is debate. Members across argue, I suppose, that debate will happen.

DR. WEST: Debate is an interchange of ideas, but that's stopped.

MR. BRUSEKER: Well, it has stopped because there's nothing happening on the other side.

So let's look at a definition of debate. This is a definition again from the dictionary, Mr. Speaker, just so that we're clear on the terms:

dispute about, discuss, (a question); hold formal argument, and here's the interesting part

esp. in legislature or public meeting; consider, ponder . . . contest.

Well, certainly, Mr. Speaker, public debate, legislative Chamber, that's where we find ourselves today, yet this Bill says that we're going to debate those things after we delegate them off somewhere else. That debate will occur somewhere other than this Chamber, where the public debate should be occurring. That, too, contravenes the issue of democratic representation, a direct or representative form of society, because we won't have a representative form of society then. What we'll have is some people who are appointed somewhere, somehow, who knows how, into different positions.

I don't want to stray too far, Mr. Speaker, but these two Bills, Bill 57 and Bill 41, are clearly interlinked. Now, if we're going to delegate authority off somewhere else, then obviously we've got to have some way of appointing those 'someone elses' to whatever position it is they're being appointed to. Obviously, we're not going to be doing it here anymore because it's been delegated off. Did you follow all that? I hope so.

So the point is: how is that going to happen? Well, if you look in Bill 57, the companion Bill or the other shoe or however you want to define this, it says:

An administrative agreement must

- (a) confer on the Minister power to prescribe or approve a scheme of appointments of members or directors of the administrative authority.

So in fact what they're going to do in another piece of legislation is legislate how patronage appointments are going to be made, another tactic which contravenes the point about representative democracy.

If you're going to have cabinet authority, then the cabinet has got to have some authority to do things. Now, section 9 of this Bill, Bill 41, says that in order to come into some kind of an agreement here, a minister may in writing delegate any powers or so on to any person. Now, does that mean that any one of the ministers could go off at any time without any conference with any of his or her colleagues and do anything that he or she wishes at any time and delegate anyone, their brother or sister or cousin, or that anyone who needed work could get work?

MR. SAPERS: Any stooge.

MR. BRUSEKER: Or any stooge: Larry, Moe, or Curly Joe. I mean, that's what this Bill says: you could delegate any responsibility off. [interjection]

Oh, I'm sorry, Mr. Speaker. I didn't realize I was referring to a member by name. I kind of forgot that. My apologies.

So that's the concern we have, that any of this stuff can be delegated off to anyone at any time by any minister. That's what this Bill refers to. So the question is: does the individual cabinet minister even have to have any kind of consensus from his or her colleagues? Then you get to the point that suppose for a moment that again – and if you look at Bill 57, on the other hand, it talks about having to go back to the Lieutenant Governor in Council giving authorization to the minister. So you've got two Bills that seem to be in difference from one another. But even consider for

just a moment: Lieutenant Governor in Council. What is Lieutenant Governor in Council? That's the cabinet. That's all the folks in the front bench. And how do they get there? They're appointed by the Premier.

Suppose after an election you say: I'm going to have two, three cabinet ministers. You downsize really dramatically so there are no more parliamentary secretaries, so there's no more minister of science and technology or minister of public works or minister – he just changed titles – anyway, across the way. No more cabinet ministers; okay? So you downsize. You've got maybe the Premier and one cabinet minister, and that in total becomes the Lieutenant Governor in Council. Is that truly, again, a representative democracy? I would argue it's not, and that, the way I see it, is the way this Bill 41, the Government Organization Act, ultimately could go, because it's up to the government how they're going to organize or perhaps disorganize themselves as well.

4:50

Mr. Speaker, I think I've gone through all of the definitions I wanted to go through. Just before I close, one of the issues that's required, of course, and was alluded to by the Member for Edmonton-Glenora is that in order for public debate to occur, documents, like pieces of legislation, have to come forward. You know, one of the interesting things that is true of this Bill and so many other Bills is that when you're dealing with public debate, you should have all of the information available. Now, this Bill, in schedule 12 on page 79, talks about how the government may make regulations respecting the management of records, et cetera, et cetera, et cetera, under the Department of Public Works, Supply and Services. I see the minister hanging on my every word here, and I'm pleased to see that. The concern I have with that is that if you're to have a debate, you need to have the information. Yet here we have a Bill, for example, which alludes to regulation in many, many different sections, and we still don't have those regulations before us. In order to pass this Bill, the government says: "Trust us. We're going to pass this Bill, Bill 41, and at some point down the road we will come out with regulations. We will probably publish those, but then again maybe not. If you haven't followed them, if you haven't got time to read them or whatever, that's your problem."

So here's a half or maybe it's a quarter – I don't know what percentage of the total legislative package Bill 41 represents – but it's certain, if nothing else, that it's not one hundred percent of the legislative package because of the number of times that this talks about regulations, regulations which we do not have before us as Members of the Legislative Assembly, either on the opposition benches or amongst either cabinet members or private members. I hope that's more appropriate, Member for Calgary-Fish Creek. Private members on the other side don't have that ability. For that reason, all members should support this subamendment.

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

DR. MASSEY: Thank you, Mr. Speaker. I'd like to speak for the subamendment, which is designed to prevent a Bill which we view as essentially undemocratic from becoming law. This, as many Bills, is deeply rooted in neoconservative thought, the thought of the new right, and essential to that kind of thought is a strong distrust of democracy and an even stronger distrust of government.

A number of years ago Peter Steinfels collected some of the wit and wisdom of Irving Kristol. Irving Kristol was one of the first writers and thinkers of neoconservative philosophy south of the border and was very influential in the development of that



philosophy and in gathering around him some of the publications that worked at some adherence to neoconservative philosophy. In that article Steinfelds has collected, as I indicated, some of Kristol's wisdom, and I'd like to share some of the wisdom of a neoconservative in support of our contention that this Bill is undemocratic. Kristol believes, for instance, that "capitalism has not produced a more equal society, merely a more affluent one," which I think is pretty good. So basic to neoconservative thought is the endorsement of inequalities. We recognize that the cream rises to the top, that the survival of the fittest philosophy must prevail, and as long as everyone isn't hurt too badly, then things should go along.

Another one of his: "modern economics does not allow for the entrepreneur who is not looking merely for a nice return on his capital. He wants to make a bundle." So, again, neoconservative philosophy in support of a free entrepreneurship that's unbridled and allowed to do its will to those people that are involved.

A third one: "human history is not the march of enlightenment. It is as much a history of regression as of progression." So it doesn't bother a neoconservative that our march forward is sometimes stalled and that we may also go backward. I think if you look at the kind of social legislation that's been introduced here in the last year and a half, you can see that that kind of trend is followed and endorsed by this government.

A further piece of wisdom from friend Crystal: "all egalitarian revolutions, in the end, turn against the family. The family legitimizes inequality." So the notion of using the family as a metaphor for society, a metaphor in which the new Conservatives endorse inequality, seems to be basic to their kind of thinking. Certainly that kind of thinking is antidemocratic. The whole notion that you can't defend capitalism without defending inequality is an endorsement of inequality. So this Bill and the subamendment, which is designed to try to prevent it from becoming law, is rooted in antidemocratic actions and beliefs of those of the political far right.

As a final comment, Mr. Speaker, it's interesting to note that as neoconservatism elsewhere is being declared dead and conservatives there are searching for new ideas on which to base their political platforms, here, right here in Alberta, it's being reborn, rediscovered, and warmly embraced by a government.

#### **Point of Order Relevance**

MR. SOHAL: Mr. Speaker, a point of order. 459 *Beauchesne*: relevance.

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

DR. MASSEY: I was done, Mr. Speaker.

Mr. Speaker, I can't think of anything more undemocratic than the pursuit of neoconservative philosophy, and in that it speaks directly to this subamendment.

MR. ACTING SPEAKER: I've got to confess, hon. members, that I was trying to listen. But because you do have a low voice and certainly I am getting a little older than I used to be, I didn't catch anything – I understand the point of order, but if you could speak up a little louder so I wouldn't miss. I hope there was no irrelevancy in what you were saying.

#### **Debate Continued**

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

MR. DAY: Thank you. Mr. Speaker, first I want to address some of the sweeping statements that have been made about this particular Bill that really need to be looked at. First of all, the soon to depart Member for Sherwood Park talked about the fact that we haven't had enough opportunity for reasoned debate. I wonder if one of them would want to hazard a guess at how much time we've spent already on this particular – five and a half? Not bad. Anybody else? Five and a half. Anybody else? Five and a half, now six. I'm bid five and a half, now six. I'm at five and a half; somebody give me six. Six anywhere? Six? [interjections]

#### **Speaker's Ruling Decorum**

MR. ACTING SPEAKER: Order. [interjections] Order. I understand that the Government House Leader is an auctioneer, but we're certainly not going to have an auction here today. I would ask the Government House Leader not to try and provoke an auction sale here, and I would ask that the members to my left do not start a bidding war here.

Government House Leader, let's get on with your comments please.

MR. DAY: Thank you, Mr. Speaker, for bringing us all to heel. I was overcome by a wave of raw capitalism there and just couldn't hold it down.

5:00

#### **Debate Continued**

MR. DAY: It's been somewhere around eight hours, close to the same amount of time in second reading that members opposite dragged out the education Bill of the last session, and really in comparison to this I think even these members opposite would have to admit its significance was far more than what we're talking about here.

Then I hear phrases – and they've actually recorded it for all time in the subamendment – like, "ignores the fundamental principles of democracy." These are huge, sweeping statements about this Bill. I think we need to look at it in light of the subamendment and see what principles are being ignored. It's been interesting in the close to eight hours that I've listened intently, and I know my colleagues, my friends here have also listened as intently, and what they've missed, they've taken home in *Hansard* over the weekends and poured over it. There are these sweeping statements made, but there have been very few of the members opposite who've actually cited examples from the Bill itself. They're parroting what they hear the other members say, but there are very, very few actual examples that they cite from this particular Bill that is supposed to be, and I quote, attacking the "fundamental pillars of democracy."

So let's take a look in light of this amendment at the fundamental principles being assaulted here in this Bill. This Bill is going to change civilization for all time as we know it. We will never recognize Alberta again. A member opposite, the Member for Redwater I believe, quoted a close friend of his: Mussolini. You know, I think we've got to get a grip on ourselves and look at it, because if I get one or two calls on this particular Bill, I'll want it recorded what exactly this Bill does. It's a government organization Act. It's to help with and assist and facilitate some of the changes that Albertans want to see. Albertans want to see less government. They want to see less taxes. They want to see less regulation. They want to see government running in as efficient a manner as possible. So we have some permissive legislation that will allow that to happen.

Now, the first assault obviously, if the Bill is assaulting democracy, would have to come in the first section. The first

section of the Bill. What does it do? It defines. It gives definitions. You know, some Bills even have pages of definitions. Do you know how many definitions are in this Bill in the assault on democracy? Two: one defines "department"; one defines "Minister." That's the first section, the roaring assault on democracy here. Well, that was a scary one.

What does the second section do? It allows for departments, if they want to – this is permissive legislation – to change names of existing departments. Albertans, brace yourselves. Brace yourselves, Albertans. Names changing in departments and allowing a statutory provision for that. Shame on us. Shame on us for trying to blindfold the people of Alberta. Well, now that you've recovered from that one – and by the way that was one of the two sections mentioned by the Member for Sherwood Park as being the most devastating. Incredible.

Then let's move to the third area. Just follow along in the Bill, which most of you have not read yet. You can look me in the eye. Most of you have not read this Bill. I asked the question of a member the other day who was pontificating on this particular Bill if he would look me in the eye and say that he'd read it, and he laughed and looked away. So I appreciate his honesty.

Next section. Brace yourselves. Brace yourselves.

#### **Point of Order**

#### **Allegations against a Member**

MR. COLLINGWOOD: Point of order.

MR. ACTING SPEAKER: Point of order. The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm citing Standing Order 23(j). The hon. member did in fact refer to me specifically with respect to some provisions that I was referring to under the Act and then left the impression that perhaps I had not read the Act. Indeed I have read the Act. Indeed the hon. member is selective in his recollection of the debate that took place.

On the point of order. We invited government members to participate in the debate on the subamendment, and I would also ask the hon. member to stick to the debate on the subamendment and to try and confine his comments so as not to use "abusive or insulting language of a nature likely to create disorder," as he has been doing since he rose to his feet.

Thank you, Mr. Speaker.

MR. DAY: On the point of order. Again it shows the tendency to extremism by the members opposite. I said: some members have not read this Bill. That's all I said, and the member opposite leaps to his feet and says that that's insulting and abusive language. Did they listen to question period today, how they prefaced their questions? I said: some members haven't read the Bill. He ripped to his feet in roaring shock and dismay and called it insulting language. I would ask you to rule, Mr. Speaker, whether saying "some members haven't read the Bill" is insulting and abusive language. Would you rule on that please?

MR. ACTING SPEAKER: Yes, I will give a ruling. As I listened intensively to the debate that's gone on, and we had an auction here a few minutes ago how long a debate was. Let's leave that alone. It's totally a disagreement from each side of the House. Now, for the hon. member to suggest that the hon. Government House Leader said anything that maybe would cause some disruption in the House, I think we could argue that fact, many of the members from the opposition. Members on the

government side could certainly argue that point. I don't believe there's any point of order, and I ask the Government House Leader to continue.

MR. DAY: Thank you, Mr. Speaker. I will go on to say that the Member for Sherwood Park admitted he's read the Bill. Then his denunciation of it is even more frightening, because he says that he's read it, and he's so totally off track. I can understand and have some sympathy for those who haven't read it and have made wild statements.

#### **Debate Continued**

MR. DAY: So let's go on and look at the subamendment, because we're talking about the fundamental principles of democracy that are being violated by this Bill. Let's continue. The next section, 3. Are you ready for the assault? Mr. Speaker, it provides for a seal of office. Incredible. What a devastating thing.

How about section 4? Brace yourself for this one. This allows for appointment of deputy ministers. I can't believe that we have become so hardened in our conscience that we're able to support such a Bill.

How about section 5? Get ready for this one, because this one is nasty. This one allows for appointment of staff. Oh, no.

Section 6 allows for the hiring of consultants in certain cases. What an incredible underhanded thing we're doing.

Section 7 – can you believe it? – allows for the appointments of committees and boards, the appointment of people from the public. They are so thin skinned.

#### **Point of Order**

#### **Questioning a Member**

MR. VAN BINSBERGEN: A point of order, Mr. Speaker.

MR. ACTING SPEAKER: A point of order. The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Mr. Speaker, I wonder whether the House leader would entertain a question.

MR. DAY: Absolutely.

MR. VAN BINSBERGEN: Mr. Speaker, I would simply like to know whether the House leader intends to read through the whole Bill, considering we have all read it. Perhaps the members on his side haven't.

MR. DAY: In response to the question, first of all, Mr. Speaker, if it was my intention to read through the whole Bill and apply it to the subamendment, I would indeed have every right to do that. I am not going to be reading through the whole Bill. The member opposite has admitted some of them haven't read it and some have, and that's why I'm addressing this point by point. So, no, I am not going to read through the entire Bill. Though I have, I will not do that here.

#### **Debate Continued**

MR. DAY: Now, the ongoing march towards the annihilation of democracy. What other scary provisions? Well, the next section, section 8, allows ministers to establish programs and certain services. Do you know that some department Acts allow this now? Incredible. It was a sneak play put in years ago in anticipation of this moment.

MR. SMITH: Fool them with the obvious.

## 5:10

MR. DAY: Exactly, my hon. colleague. That was to soften them up, and now that they're softened and dulled, we're hitting them with this big one.

Now section 9. The Member for Sherwood Park, who admits he read the Bill, talked about the two most devastating sections, one of which allows for the creation of new departments and a name. We've addressed that one. Section 9 allows for the delegation of ministerial powers and functions. Now, there's an assault on democracy, if I ever saw one. Even the Department of Energy right now and as a matter of fact the Department of Family and Social Services, to name just two, already allow for the delegation to, quote, any person. They allow that now. This allows, in a permissive way, other departments to do that.

Now, Mr. Speaker, I think that given what the member opposite said, that sections 2 and 9 are the most devastating, the most crippling, the most formidable, the most fearsome of this Bill – well, that's it right there: section 2 allows for new departments and names of departments; section 9 allows what a number of Acts allow already, that certain persons be designated to do certain things. What a fantastic, incredible assault on democracy.

Section 10. What does it do? Allows the minister to "enter into agreements." Do you know that most department Acts already have that provision. They already have that provision in section 10.

MR. SAPERS: Then what do you need this Bill for, Stock, if you've already got it?

MR. DAY: I'm glad he asked the question: then what do we need this for? I'm glad he asked it because it shows the basic misunderstanding of this entire Bill. This is permissive legislation to avoid having to come up with new statutes every single time and allows departments to do this and allows ministers to do this in full consultation and in full public view.

[Mr. Deputy Speaker in the Chair]

Section 11. Brace yourselves for this one. Provisions in this section 11 here allow intergovernmental agreements to be approved by FIGA. Whoa, whoa, whoa, whoa, whoa. Hold your horses, folks, we have just lost all sense of democracy with that one.

Section 12 provides for the authority, if they so wish, to establish fees. Now, the members kept talking about and kept trying to tie in Bill 57, and there are some parallels here. There clearly are. But it shows that they did not read, in the assault on democracy, Bill 57 and the fee provisions, and they didn't read these ones, because it talks clearly about what has to happen before a fee provision even takes place and the fact, if you're talking about Bill 57, that that has to get permission every time. It has to be reviewed annually, it has to be audited every year, and those provisions only come into place after a meeting has taken place with the stakeholders, with the public, with the minister involved.

AN HON. MEMBER: Where does it say that in Bill 41?

MR. DAY: You're talking about Bill 57 being tied in with Bill 41. I'm using their arguments, Mr. Speaker.

Allowing the setting of fees: what a ghastly provision. How fitting that we're doing it on Halloween, such a scary, scary thing on such a scary, scary night.

Section 13 provides the authority "to make grants." Again this is found in many department Acts right now, in many Acts right now.

Section 14. Right now some departments can acquire land for certain specified purposes. This would allow other departments to do that. What an amazing thing. Yes, we're talking about a secret plan, just like the secret tunneled highways. I guess we're going to buy up British Columbia or something. I don't know what they're afraid of there. Again, certain departments can do it now; this allows other departments to do it in full public view with full accounting and full auditing.

Section 15. Hang on to this one. If this one doesn't scare you, nothing will, and I'm surprised my colleagues can even sit here without trembling at section 15. It provides for the opportunity and the authority to appoint acting ministers. I can hardly stand still here, Mr. Speaker, as I contemplate that travesty, that assault on democracy.

Section 16, equally heartgripping, allows the Lieutenant Governor to designate what enactments a minister's responsible for. You know, members opposite talk about increased responsibility and accountability. That's what this is. That's exactly what this is: specific responsibilities applied to specific ministers. That's what that is, and they call it an assault on democracy.

Section 17. The authority that's granted in section 17, incidentally, can be found in the current Public Service Administration Transfers Act, and it allows certain portions of the public service to transfer under different Acts. We're talking about portability. We're talking about efficiency. We're talking about improved service to people. We're talking about ease of administration in full public view with full accountability, and they call that an assault on democracy.

Section 18 allows for the movement of votes or parts of votes when certain of these functions are transferred from one minister to another. Well, what else could you possibly do, Mr. Speaker? You transfer responsibility, and you leave the vote over here. So I'm responsible now for something out of public works, but my hon. colleague and friend from Drayton Valley gets to keep the money. Is that what they're talking about? It's simply saying that this transfers when these things move from one Act to another and from one minister to another.

How about section 19? That talks about the powers that are set out in the schedules, and it says that they're to be exercised by the minister designated as the minister responsible. I'll tell you, there's a huge swat on democracy: the minister designated is going to be the minister responsible. We should shake and tremble on that one.

I hope they aren't serious about sections 20 to 24, which are consequential changes as a result of name changes. There's an assault on democracy. How about section 25, which refers to the registry schedule? Talk about section 32, consequential changes as a result of consolidating these department Acts.

What the people opposite don't like, Mr. Speaker, is the fact that government is and has been reorganizing and reorganizing successfully, not entirely without mistake, no. Mistakes have been made and have had to be corrected, but by and large it's been happening. It's been working, and the people of Alberta say that they like the looks of it so far. Has it been perfect? No, but that's what these consequential changes have caused to come into being as departments have moved and changed and amalgamated, restructured, moved out to the private sector. We have a better, more efficient government today. A Bill like this is going to make it even better than it is now.

What I've done here, Mr. Speaker, is take their subamendment, saying that this is ignoring the fundamental principles of democracy, and I've shown that by their own admission – and they have admitted this – some of their members have not even read this Bill. Yet they've commented widely and wildly on it, which I

think is a travesty of the principles of democracy. A few indicated that they've read it. I believe them; I take them at their word. We've heard from one member at least who says that he's read two sections, two sections that are equivalent, I guess, to some kind of thermonuclear hit on democracy, and we've talked about those, how devastating they are.

This is liberating legislation. This legislation frees up administrative procedures, makes them more efficient, allows for the delivery of service to Albertans in a more efficient way and in a way that brings more accountability to Albertans.

You know, I can't help but wonder if maybe their concern is the fact that guarantee provisions are being deleted by this Act. I think the member sponsoring this would agree – and as a matter of fact that was one of the compelling interests the member opposite had in sponsoring this, that removal of the guarantees that the public has told us they don't like government enacting so freely. This deletes huge portions of that. I don't know. Maybe they're waiting for a guarantee. Maybe they were hoping for some kind of guarantee somewhere, a loan guarantee or some kind of program, and now they've lost that ability.

Well, Mr. Speaker, I think I've been clear and I've been patient and I've taken time to walk through this Bill section by section for those who haven't read it to show that indeed . . .

**5:20**

MR. SAPERS: You missed a couple. How about 14(3)?

MR. DAY: I talked about 14(3). I talked about the sale of lands, addressed it very specifically. Again, the member opposite tuned out when he didn't want to hear something he didn't like. They invited us to enter the debate. I've entered the debate, been interrupted on points of order, and heckled and jeered. And that's just by my own colleagues; then there's the opposition. Mr. Speaker, I believe I've given an overview of this particular Bill.

Given the time of day, I would now move that we adjourn. [interjections]

MR. DEPUTY SPEAKER: Hon. members, just before we call the vote on that, just as a way of explanation to the hon. Member for Edmonton-Norwood, this is a call for a vote. If it's defeated, then I will recognize you. If it's not, then we'll have another course of action. So bear with us.

The hon. Government House Leader has moved that we adjourn debate on Bill 41. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: Carried.

[The Assembly adjourned at 5:24 p.m.]