

Legislative Assembly of Alberta

Title: **Tuesday, April 4, 1995**

1:30 p.m.

Date: 95/04/04

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

O Lord, we give thanks for the bounty of our province: our land, our resources, and our people.

We pledge ourselves to act as good stewards on behalf of all Albertans.

Amen.

head: **Reading and Receiving Petitions**

THE SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. I would request that the petition I tabled on March 30 regarding school bus transportation fees be read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government of Alberta to ensure that all school boards provide transportation for each eligible child in rural Alberta without the use of transportation fees.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Mr. Speaker, thank you. I request that the petition I tabled on March 29 regarding publicly funded abortions now be read and received.

CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to:

1. De-insure the performance of induced abortion under the Alberta Health Care Insurance Plan Act.
2. Use the community-based resources that are already in place that offer positive alternatives to abortion.

head: **Notices of Motions**

MR. DAY: Mr. Speaker, pursuant to Standing Order 34(2)(a) I give notice that tomorrow I'll move that written questions stand and retain their places on the Order Paper with the exception of 187, 188, 189, 198, and 199.

I also give notice that I'll be moving that motions for returns stand and retain their places on the Order Paper with the exception of 191, 192, 193, 194, 195, 197, 201, 203, 204, and 205.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Pincher Creek-Macleod.

Bill 26 Energy Statutes Amendment Act, 1995

MR. COUTTS: Thank you, Mr. Speaker. I request leave to introduce Bill 26, the Energy Statutes Amendment Act, 1995.

The Bill provides for the amendment of the Gas Resources Preservation Act, the Gas Utilities Act, the Municipal Government

Act, the Natural Gas Marketing Act, and the Petroleum Marketing Act. The changes are of an administrative nature.

[Leave granted; Bill 26 read a first time]

MR. DAY: Mr. Speaker, I move that Bill 26, as just introduced, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

THE SPEAKER: Hon. members, pursuant to section 27 of the Ombudsman Act I am pleased to table with the Assembly the 28th annual report of the Alberta Ombudsman. This report covers the activities of the office of the Ombudsman for the calendar year 1994. A copy of the report was distributed to Members of the Legislative Assembly earlier today.

MR. DINNING: Mr. Speaker, I'm pleased to file with the Assembly today the 1994 annual report of the Alberta Municipal Financing Corporation and the annual report of the Alberta Automobile Insurance Board for the year ended December 31, '94.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. I would like to table a letter signed by parents of the Riverside School Parent Advisory Council urging the Assembly

to amend the Alberta School act to mandate the right of access to full funded early childhood education programming to a minimum of 400 hours per child per school year.

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

MR. SAPERS: Thank you, Mr. Speaker. Two tablings today. The first is from the mayor of the village of Heisler, his impact statement on the decisions of the regional health authority, in which he describes them as "brainless, unfair and unfeeling." I'd like to table four copies of that and, secondly, correspondence from the Christopherson family of Edmonton which relates their personal experience which has compelled them to write protesting the consolidation of obstetrics at the Royal Alex hospital.

Thank you.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you. It gives me a great deal of pleasure to introduce to you and through you to Members of the Legislative Assembly two special guests seated in the Speaker's gallery, your gallery, Mr. Speaker. They are our Ombudsman, Harley Johnson, and his assistant, Dixie Watson. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

MRS. MIROSH: Mr. Speaker, I'd like to introduce to you and through you to Members of the Legislative Assembly three guests. Two are from out of province. Susan Smith is the vice-president of knowledge-based industries marketing management and business banking of the Royal Bank head office in Toronto. Susan Smith was telling me that the Royal Bank is moving ahead

and developing ways to finance the new economy and value intellectual assets. Accompanying her is Paul Toriel, the senior market manager of business banking, also from the head office in Toronto, seconded by the Royal Bank to the entrepreneurship and small business office of Industry Canada, and Kathy Jeramaz-Larson, who is the senior accountant manager, knowledge-based industries, Royal Bank of Canada in Calgary. Would you please rise and receive the warm welcome of our Assembly.

Thank you.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to all members of the Assembly today 77 very special visitors from the lovely constituency of Edmonton-Avonmore. They come to us from Minchau school, and they are accompanied by parent helpers Mrs. Kathie Ellinger, Mrs. Judy Whitford, and by teachers Mr. Scott Gillespie, Mrs. Terry O'Neill, and Ms Marlene Hanson. I just want to point out that Marlene Hanson is a nominee for this year's excellence in teaching award. I'm sure she's well deserving. We wish her well with it. I'd ask all of those people to please rise and receive the very warm welcome of our House.

MR. BRACKO: M. le Président, I am delighted to introduce to you and to all Members of the Legislative Assembly Alberta's greatest resource, our young people. They are 29 students from one of Alberta's finest schools, Ste. Marguerite D'Youville in St. Albert. They are here with their excellent educators Gidget Bouchard and Michel Nault. I want to wish them bienvenue à vous tous. They are seated in the gallery. I would ask that they rise and receive the warm applause of this Assembly.

head:

Oral Question Period

Hospital Utilization

MR. MITCHELL: Mr. Speaker, hospitals are going to be sold, and it's going to be unelected boards who will make the decision about which ones to sell, to whom they'll sell them, and what price to ask. But it isn't these unelected boards, appointed boards who own these hospitals; it's the taxpayers of Alberta. To the Premier: why would the Premier allow unelected officials to sell off hospitals for quick cash now when these hospitals are owned by the taxpayers of Alberta and they have a right to elected representation on issues like these?

1:40

MR. KLEIN: Well, first of all, Mr. Speaker, the members of the RHAs throughout this province, all 17, are agents of the government.

MRS. SOETAERT: They're unelected.

MR. KLEIN: Unelected at this particular time, and that might change.

Historically throughout this province, Mr. Speaker, boards have been unelected boards. I was on a board; I was never elected to that board. Many members of this caucus have been on hospital boards from time to time; they were never elected to those boards. Many members of the Liberal caucus were on hospital boards. They were never elected to those boards, and they made tough decisions.

Insofar as the sale of hospitals is concerned, Mr. Speaker, this has never been a proposal of this government. Clearly, some people have approached this government to pursue the possibility of purchasing that excess bed space in hospitals and put it to productive use. In many cases these uses have been medical uses. As we go through this restructuring of health care, we're looking for new and better and more innovative and more imaginative ways to make our health system work and to get the best value for our dollar.

MR. MITCHELL: The Americans hardly have a better way to do health care, Mr. Speaker.

Will the Premier allow liquidation of hospital assets behind closed doors, or will he guarantee that there will be public input into the process and that it will be open and fully accountable?

MR. KLEIN: Well, I would ask the hon. Leader of the Official Opposition to explain exactly what he means. In other words, does he want to be part of the appraisal process? Does he want to wear the hat of a real estate salesman? How deeply and how involved does he want to become in these negotiations? Certainly if – and that is a great big if – and perhaps when something of this nature takes place, then I'm certain all the details of the sale and what the eventual use of the facility will be will all be made public, Mr. Speaker.

MR. MITCHELL: Instead of throwing seniors out onto the streets, instead of selling hospitals to Americans for their health care in Alberta, could the Premier consider for one moment the possibility of using these facilities to house the seniors of this province or to provide long-term care facilities for them?

MR. KLEIN: Well, Mr. Speaker, that may very well be a use for some of these beds that have been deemed surplus to our needs.

Insofar as throwing seniors out on the street, Mr. Speaker, that is not true. That is not true. Now, I can't use the word "liar" in this House, but things that are not true are usually a lie. What he says, the statements he made are not true. We are not throwing people out on the street, and thus far to my knowledge we have not sold one facility to an American or anyone else.

MR. BRUSEKER: A point of order, Mr. Speaker.

Venture Capital

MR. MITCHELL: Mr. Speaker, venture capital goes to where the future is. In many respects it's a leading indicator of information- and science-based economies that will dominate the future. However, a recent Price Waterhouse survey of investments – and I have it here with me – shows that venture capital isn't coming to Alberta despite the Premier's view of the Alberta advantage. My question is to the Premier. Can the Premier explain why no major venture capital funds in this country chose to invest in Alberta during the fourth quarter of 1994 while literally millions of dollars were invested in British Columbia, in Quebec, in Ontario, and even in Saskatchewan?

MR. KLEIN: I think that one of the problems in this particular province is that – well, it's not a problem; it's a good thing – it's a free enterprise province. Many of these investment pools are union pools, labour pools, and that's one of the reasons that that money is not coming here, Mr. Speaker. In terms of good, solid, free enterprise dollars coming to this province, I would suggest

that dollars have come to this province, have been invested in this province so as to create 89,000 new private-sector jobs in the last two years.

MR. MITCHELL: Of course, Mr. Speaker, Vencap isn't a union pool.

THE SPEAKER: Order. Supplemental question.

MR. MITCHELL: Can the Premier explain why Vencap Equities, supported by \$200 million of Alberta taxpayers' money, found it more of an advantage to invest in Denver, in San Francisco, Minneapolis, Redwood, and San Jose rather than in Calgary, Edmonton, Red Deer, Lethbridge, Grande Prairie, and Fort McMurray?

MR. KLEIN: Mr. Speaker, I would be very happy to pose that question on behalf of the hon. Leader of the Official Opposition to the board of directors of Vencap, or perhaps he may wish to pose that question himself. At this particular point I don't know why. There obviously was very good reason. I would think that this corporation would want to maximize its profits, and if it saw good opportunities – and I'm sure there will be good opportunities in the future as there have been in the past in the province of Alberta – they will invest here as well.

MR. MITCHELL: Why was it that of all the Canadian venture capital invested in the United States during the fourth quarter of 1994, fully 85 percent of that amount that went to the United States was invested by Alberta's own Vencap Equities Ltd.? It's not as though they understand the Premier's Alberta advantage, Mr. Speaker.

MR. KLEIN: Well, they do understand the Alberta advantage. Just in case the hon. Leader of the Official Opposition hasn't been listening, I'll outline that advantage again. That advantage, for members of the Official Opposition, is the lowest corporate tax structure in the country, is the lowest personal tax structure in the country. It's having no sales tax. It's having no luxury tax. It's having no capital tax. Mr. Speaker, according to the Fraser Institute, one of the most highly respected financial analytical institutes in North America, it is having one of the best and most competitive tax advantages of any jurisdiction in North America.

MR. SMITH: Mr. Speaker, this is one of the great dangers of taking out only one part and not including the overall topics of investment. In fact, Alberta consistently records the highest investment per capita in Canada. In 1993 that was \$17.2 billion. Alberta also has the highest per capita research and development expenditures in all of Canada. So please have the wisdom to take a look at the total issue.

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

Catholic School System

MR. BRUSEKER: Thank you, Mr. Speaker. In the schools and in the churches and in the streets, in fact, the parents of children who attend the Catholic school system are angry over this government's seizure of control of the education system. They're upset about open boundaries, they're upset about how expenditures are being directed by the government, and they're upset about not being able to support the system of their choice. My

question is to the Minister of Education. Will the minister allow the Catholic boards the autonomy to control their own expenditures as is clearly implicit in the Ordinances of 1901?

1:50

MR. JONSON: Mr. Speaker, in the overall funding framework that was announced for all school boards in the province on an equitable basis this year, there is additional flexibility in terms of the application of funds over previous years. We've gone to a blocking of funds, the elimination of many specific directed lines, as was previously the case in our education budgets for school boards. We are also very sensitive to the constitutional requirements as they pertain to Catholic separate school boards in this province, and we are committed to adhering to those constitutional requirements. The important thing I think here, as I have said before in this House, is that we have provided equitable funding to separate and public school boards in this province, something that has been accomplished during this government's mandate, something that was not there before. The separate school systems of the province are being very fairly treated with respect to funding.

MR. BRUSEKER: Well, they sure don't feel that way.

My supplementary question, then, is: will the minister allow non-Catholic parents in a mixed-faith marriage who send their children to the Catholic system to continue to send their tax dollars to the school system their children attend?

MR. JONSON: Mr. Speaker, I think that there are two really important points here. First of all, we are committed to following the constitutional requirements, which the Catholic separate school organization of the province has said to me over and over again are very important to them. Secondly, no matter what system a student is in in this province, be it separate or public, the money is there to support their education. This overall funding support is there.

MR. BRUSEKER: Mr. Speaker, all of these moves appear to be divide and conquer moves. So will the minister now confirm that it's the intention of this minister and this government and certainly his deputy minister to destroy Catholic education in the province of Alberta?

MR. JONSON: Mr. Speaker, I really find it very difficult to appreciate the hon. member's question. We are supporting Catholic separate education in this province as never before in terms of funding. It's never been as favourable as it is this year and will be in the coming years. We are adhering to the constitutional requirements. We are providing for the separate school boards of this province. So we are certainly not undermining Catholic education.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

Integrated Youth Training Centres

MR. SEVERTSON: Thank you, Mr. Speaker. Last week the Minister of Advanced Education and Career Development told this Assembly that partnerships between his department and the Department of Family and Social Services have helped over 35,000 welfare clients and other Albertans get the skills and training they need to get into the workforce, but in many cases the road to welfare starts early in life. Our high school dropout rate

is about 6.2 percent annually and is always a factor for young Albertans who fall through the cracks and end up on social assistance. I'd like to ask the Minister of Advanced Education and Career Development: did the figures you used include any specific initiative to assist the disadvantaged youth of the province?

MR. ADY: Mr. Speaker, generally speaking, the programs that are administered within my department centre around the adult learner; in other words, those 19 years of age and over. It's true that thousands of clients in our province upgrading their education through my department are people who either were unable or unprepared to complete their education at the secondary level. We've been exploring some new and innovative ways to assist high school dropouts in the 16- to 20-year age group. We've been doing this in conjunction with Family and Social Services and the federal Department of Human Resources Development. The most recent initiative is the integrated training centres for youth. This pilot project will provide hands-on, one-stop shopping to Alberta youth in life skills training, counseling, child care services, and so on.

THE SPEAKER: Supplemental question.

MR. SEVERTSON: Yes, Mr. Speaker. My supplementary to the same minister: how will the integrated training centres for youth operate?

MR. ADY: Well, first of all, Mr. Speaker, I'm hopeful and optimistic that they'll operate very well. This \$3.74 million project is cost shared between the federal and provincial governments, 50 percent coming from the Human Resources Development department and 25 percent from our department and the last 25 percent from Family and Social Services. The federal/provincial committee will be responsible for the overall direction of the project, including responsibility for the evaluation, but project sites will be operated by community service providers contracted out by my department in Edmonton and Red Deer and Lethbridge. A total of 440 youth will be served over an 18-month period, and the start date is anticipated in a couple of months.

THE SPEAKER: Final supplemental.

MR. SEVERTSON: Thank you, Mr. Speaker. In the case of the Red Deer pilot project will the service providers outside the city boundaries but in the Red Deer region be eligible for this project?

MR. ADY: Mr. Speaker, a very easy answer to that: yes, they will.

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

Government Support of Party Convention

MR. HENRY: Thank you, Mr. Speaker. Every year political parties hold conventions which are by definition partisan. The public accepts this, but they don't accept when taxpayers' money is used to sponsor these events. Last year at the Conservative convention a provincial government department was listed as having "donated merchandise, service or cash to this year's convention." I'd like to ask the Minister of Education: who authorized the use of public resources from the Department of Education for partisan purposes at last year's Conservative convention?

MR. JONSON: Well, Mr. Speaker, I would have to investigate that particular contention. I am not aware of this occurring, but I will certainly look into it with all due diligence.

MR. HENRY: Well, Mr. Speaker, then, my second question would be: since the convention newsletter here lists as a contributor the Alberta School for the Deaf, which is a provincial government Department of Education entity, can the minister tell us if he was even consulted before this contribution was made?

MR. JONSON: Well, Mr. Speaker, I acknowledge that the hon. member has raised a question which has to be investigated and answered in due course. I acknowledge that, and I will certainly look into it.

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

Social Programs

MR. DUNFORD: Thank you, Mr. Speaker. My question is for the Minister of Family and Social Services. There's been considerable discussion in this House about the redirecting of moneys to high-needs areas by the Department of Family and Social Services. Will the minister tell this Legislature exactly what moneys have been redirected and to what areas?

MR. CARDINAL: As most of you in the House are aware, in the last two years we redirected \$100 million to the high-needs areas. I've also indicated that in the next two years we will also redirect another \$100 million to the high-needs areas.

Specific to the question, Mr. Speaker, because the individual asking the question is very interested as to where the dollars will go, I'd like to take just a bit of time to explain. A very high-needs area, personal support services to allow handicapped individuals in fact to move back to the community, will receive \$31.4 million in the next two years. Child welfare services, to provide more funding for preventative and early intervention programs, part of the reshaping of child welfare, will receive \$32.7 million. Assured income for the severely handicapped, again a very, very high-needs area in our department and a high priority in our government, will receive close to \$11 million. Widows' pension, which is again another high-needs area, will receive \$9.3 million. Employment and training, another high priority for redirecting dollars, better utilization to assist people off welfare, will receive close to \$5 million. I have four or five other areas that I may have an opportunity later to address.

2:00

THE SPEAKER: Supplemental question.

MR. DUNFORD: Thank you, Mr. Speaker. Well, I'm particularly interested in the \$32.7 million for child welfare. Will that be directed toward community groups?

MR. CARDINAL: Mr. Speaker, of course I announced as part of the reshaping of child welfare that we will be adding, in addition to the close to \$230 million being spent in the child welfare area alone, an additional \$50 million specifically to go to community groups to assist them in the transitional process in the next three years.

THE SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. Again to the minister: what is the current welfare caseload that has made this redirection of dollars possible?

MR. CARDINAL: Mr. Speaker, two years ago the caseload was over 94,000. That was 24 months ago. Today, as of March of '95, the caseload is down to 41,844, or equivalent to 45 percent. This of course has allowed us to move those dollars to the very high-needs areas. In fact in the past two years there has been a decline each month, except for three months, in the 24 months, which is I think very credible. A lot of the credit has to be given, you know, to the frontline workers, the social workers and the staff that are out there delivering the programs we implement at the Legislature.

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

Special Waste Treatment Centre

DR. PERCY: Thank you, Mr. Speaker. Yesterday both the Minister of Environmental Protection and the chairman of the Alberta Special Waste Management Corporation indicated that they would need more time to study and assess the 1994 annual report of Bovar. I think the bottom line is clear: an operating subsidy from Alberta taxpayers allowed Bovar to generate 12 and a half million dollars in net income. The report also sets out Bovar's debt retirement schedule and other changes in the balance sheet. My questions are to the Minister of Environmental Protection. The first question: why has there been a \$25 million increase in contingent legal liabilities of Bovar, and what implications does this have for Bovar meeting its long-term debt payment schedule?

MR. LUND: Mr. Speaker, since the chair of the Special Waste Management Corporation is in the Assembly, it would be more appropriate if he would answer that question.

THE SPEAKER: The hon. Member for Calgary-Shaw.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I appreciate where the hon. member is coming from. I'm trying to find it in the report here. [interjections] Well, just a moment; you won't be laughing. Let me give the answer. On page 24 of the annual report, if the hon. Member for Edmonton-Whitemud would take a look at it, the \$28 million he is referring to is actually a consolidation of the numbers just above that. The contingencies and commitments are actually shown as zero.

DR. PERCY: My question, then, is again to the chairman of the Alberta Special Waste Management Corporation. What was the nature of the environmental consulting services provided by Chem-Security to the joint venture - Chem-Security is owned by Bovar, and Bovar is in the joint venture - in 1994 that cost the joint venture \$1.6 million and the \$100,000 administration fee? There was no tender here, and this was not arm's length.

THE SPEAKER: The hon. member.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I actually met with some department officials this morning on that very issue. Most of the fees that have been generated were incurred by Bovar-Concord. It is in accordance with the terms of the agreement where the facility and the operators are actually trying to comply with environmental standards established by the

department of the environment. I would like to say also that Bovar-Concord has actually been doing a very good job on our behalf, and we are very pleased with that service.

DR. PERCY: Not arm's length and not tendered, Mr. Speaker.

My final supplemental is to the chairman of the Alberta Special Waste Management Corporation. Can the chairman explain what will happen to Alberta taxpayers if Bovar is unable to meet its long-term debt retirement schedule that calls for it to pay out \$83.1 million between 1995 and 1998?

THE SPEAKER: The hon. member.

MR. HAVELOCK: Thank you, Mr. Speaker. As the hon. member is aware, the debt which is owed by Bovar is jointly guaranteed by our government and Bovar. If Bovar does default on that debt, then the Alberta government is liable for the outstanding balance. What would occur in that instance is that the government would take over the asset and would have to repay the loan, but it is likely, in accordance with the terms of the existing joint venture agreement, that such an action on the part of Bovar would be deemed to be a material breach of the terms of the agreement. If that were to occur, Bovar would be entitled to receive the rate base purchase price, which based on our most recent calculations would be approximately \$88 million. However, whatever amount was paid by the government with respect to the default on the loan would be deducted from the rate base purchase price. So, all in all, it would approximately be a wash.

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

Charitable Fund-raising

MR. HLADY: Thank you, Mr. Speaker. I understand that Bill 15, the Charitable Fund-Raising Act, is not on the Order Paper today, so I thought I'd try the question again. Under the Public Contributions Act the city of Edmonton, for example, could set criteria for charities and professional fund-raisers who wanted to fund raise in the city. One of those criteria was that professional fund-raisers could only receive 50 percent or less of the total donations collected for a charity. To the Minister of Municipal Affairs: why do municipalities lose this power or control under Bill 15?

MR. THURBER: Well, Mr. Speaker, certainly Bill 15 sets provincewide standards for charities and professional fund-raisers. One of the main criteria behind this was that the Court of Appeal struck down certain sections of the Public Contributions Act for being too broad and allowing charities to be approved or disapproved under a bunch of various criteria. We do need consistent, objective standards across this province, and Bill 15 provides these. As you know, Albertans are some of the highest per capita donors in the world, and this Charitable Fund-Raising Act will help them be more consistent in how they deal with the public.

THE SPEAKER: Supplemental question.

MR. HLADY: Thank you, Mr. Speaker. To the same minister: will the Act allow professional fund-raisers to reap huge profits?

MR. THURBER: Mr. Speaker, under the Public Contributions Act, a fund-raising organization could go to a charity and promise them, say, \$10,000 in funds, and they could then go out and raise

\$150,000 if they wanted to and pocket the difference. The new Act prohibits them from doing that. They have to be responsible and accountable and right up front with what they're doing.

MR. HLADY: There have also been some concerns re fraudulent operators prospering under this Act. How does Bill 15 propose to protect Albertans from scamming charities?

MR. THURBER: Mr. Speaker, under Bill 15, of course, people who are raising funds, anything over \$10,000 in one year, have to provide certain information, very specific information to the donor when they're asking for money, such as identification as to who they are and what portion of that money they're collecting actually goes to the charity or remains with the fund-raising organization. It's to get rid of a lot of the fraud that is currently there in the bad fund-raising organizations.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

Whistle-blowers' Protection

MR. N. TAYLOR: Thank you. The minister of forestry has asked the public, Mr. Speaker, to help him locate areas where logging practices may be damaging the environment, and it's important, I think, for those who phone in to know whether their names will be involved in any subsequent investigation. To the minister: what is the policy of his department about passing on the name of anyone who has lodged a complaint about forest rangers or operators or landowners?

MR. LUND: Mr. Speaker, if in fact someone has got a location that they would like to report to our department, no, we will not reveal the name of the person that has reported it.

2:10

MR. N. TAYLOR: I'm glad to hear that, Mr. Speaker.

I wonder, Mr. Speaker, whether the minister would be willing to investigate a claim that I'm now filing, four copies of a letter that revealed the name of a person in Cochrane who reported an infraction, and her name was passed back on official government stationery to everyone in the area, both the landowners and the operator, as the one that was complaining. Would he investigate the matter and tell these people that this is not what we're supposed to be doing?

MR. LUND: Well, Mr. Speaker, as I've said many times in this House, if anyone out there knows of areas where they feel there's environmental damage from logging, whether it's on private or on Crown land, please let us know. We will investigate it.

MR. N. TAYLOR: Mr. Speaker, that's what I'm trying to get across. The whistle-blowers are getting their name bandied about all through southern Alberta.

Because in British Columbia, for instance, some unpleasant things have happened to whistle-blowers about logging practices, will the minister assure us that anyone calling his department or writing them in the future will not have their names bandied about as the complainant?

MR. LUND: Mr. Speaker, we don't ask people to help us and then turn around and slam them. If in fact there is an incident where this has happened, then we'll certainly look into it.

There's another thing that often happens in the community: people will start telling that in fact they have phoned in. I don't know the incident this hon. member is speaking of, but we will look into it and see what exactly did happen.

THE SPEAKER: The hon. Member for Medicine Hat.

Tourism Information Centres

MR. RENNER: Thank you, Mr. Speaker. Tourism is unquestionably one of the cornerstones of economic prosperity in this province. While no one could argue that physical infrastructure such as reliable, safe roads are essential in maintaining the value of the tourist industry, other services perhaps are not quite so obvious. I cite, for example, tourist information centres. In the past the provincial government has funded a significant portion of the cost of operating such facilities. My questions are to the minister responsible for Economic Development and Tourism. Is it true that the minister has not committed to continue to fund tourist information centres beyond next year?

THE SPEAKER: The hon. minister responsible for Economic Development and Tourism.

MR. SMITH: Thank you, Mr. Speaker. No, it is not true that the minister has not committed to continue to fund tourism information centres beyond next year.

THE SPEAKER: Supplemental question.

MR. RENNER: Thank you, Mr. Speaker. Constituents of mine have indicated that when they inquired about future funding, they were told that funding would not be guaranteed beyond this current year.

MR. SMITH: Mr. Speaker, in fact, the government recognizes the importance of visitor information centres throughout Alberta, not only in the main corridor areas but in the gateway areas of Alberta, and in fact the value that accrues not only to the individual communities and areas surrounding that visitor information centre but to all tourism operators in the province of Alberta. In fact, as alliances and partnerships with the tourism industry develop, more and more of the decision-making to direct funds will be placed with those individuals on whom those decisions have the most impact.

MR. RENNER: Could the minister advise this House if he has a communication plan in place that will ensure that tourist operators receive comprehensive and accurate information about any changes in policy the government might be instituting?

MR. SMITH: Absolutely, Mr. Speaker. In fact, this ministry contains a very close liaison with the industry. It is one of the top four revenue producers for this . . . [interjection]

THE SPEAKER: Order.

MR. SMITH: Thank you, Mr. Speaker.

. . . for this province, and in fact tourism, although it may not be important in some parts of the opposition ridings, is very critical to the success of Albertans and the ability for us to grow. So in fact, Mr. Speaker, we will continue to work very closely with tourism operators in the various areas where the information

centres are and of course with the tourism industry at large to ensure that the leverage, the information, and the importance of visitor information centres continue.

Galahad Long-term Care Facility

MR. SAPERS: Mr. Speaker, one short year ago a renovated, \$5 million state-of-the-art long-term care facility was opened in Galahad. Now, this is obviously a necessary facility because its occupancy rate has been between 90 and 100 percent ever since the day it opened. Unfortunately, this facility will now be closed because of the budget squeeze that that regional health authority finds itself in. My questions are to the Minister of Health. Last year the province approved \$5 million in renovations for this facility. Now it's ready to close the door of this needed facility. What changes have occurred this year to justify ignoring all that money and all that need now that the long-term facility is about to be closed?

MRS. McCLELLAN: Mr. Speaker, one thing that's changed is that we made a decision to go to 17 health regions in this province about a year ago. The other thing that has changed is that we have given the health authorities in each region the responsibility for management and delivery of health services. We have asked them to do an assessment of their regions, to look at all of the facilities and all of the services they have in those regions and come back with a blueprint for that region for service to their communities.

Mr. Speaker, there is no question about it. Each region in this province has had to make some very difficult decisions. Region 12 has made those decisions in consultation and in discussion with their communities. It is my understanding that region 12 has not concluded its decisions on the future use of that facility. However, their preliminary assessment is that it will not be used for its present function.

MR. SAPERS: You might want to check the regions, Madam Minister. I know Galahad is just on the other side of your constituency border. Maybe that's why you're confused.

Maybe the minister will attend the meeting tonight so that she can figure out where Galahad is and she can listen to the concerns of those citizens, the concerns they have about the impact of the closure of this facility on their community and surrounding communities.

MRS. McCLELLAN: Mr. Speaker, I stand corrected, and I thank the hon. member for the very gracious way in which he did that. It is region 7. It is part of a region in my constituency, so I'm quite aware of the region and where it is. I would suspect that I have traveled to Galahad just maybe one or two more times than the individual as I have family living there.

Mr. Speaker, as I indicated, the regions have had to make some very difficult decisions on service delivery. I would encourage the citizens in the Galahad area and the surrounding area and in my own area that have questions about the blueprint for change that that region has put out to sit down with the regional health authority and talk about those concerns. In my discussions with that regional health authority and their board members they have made it very clear that if there are changes that should be made, they are open to listening to people in those communities. They have made it very clear that they are there to represent the best interests of those communities. I invite the people in those communities to sit down with their regional health authority and discuss their needs and how they should be delivered.

MR. SAPERS: Is it all right with the Minister of Health, then, for the \$5 million spent last year – I mean, is this all part of the health care money saving plan? – to now be wasted, for this facility to be closed while there's a waiting list for long-term care beds in that region?

MRS. McCLELLAN: Mr. Speaker, what would be wrong would be what the hon. members across wish to do, and that's the status quo. When it suits. Now, I read in one of the daily papers not very long ago – in fact, I think it's right here; magically appeared in my hand. The Leader of the Opposition says that there's too many hospitals. Is it a matter of convenience or the day as to where there are too many hospitals?

2:20

Mr. Speaker, we have charged the regional health authorities in this province with a very responsible task. Those regional health authorities are made up of persons from within those communities who understand the communities, understand the needs, and have worked for months on needs assessments for that region. They have an extensive needs assessment which they have shared with me and which they are sharing with their communities to explain why they have made the decisions they have. I think we should be supporting the regional health authorities who are making these tough decisions, working with them and encouraging them to deliver health services in the best way in their communities.

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

Mobile-home Legislation

MRS. ABDURAHMAN: Thank you, Mr. Speaker. The Mobile Home Sites Tenancies Amendment Act passed third reading in 1992. However, three years later it has yet to be proclaimed and made law. One year ago the minister of consumer and corporate affairs told this Assembly that his department was reviewing that Act. To this date nothing has been done. My question is to the Minister of Municipal Affairs. Why has the minister delayed this legislation for more than three years when obviously it would protect Alberta's mobile-home tenants?

MR. THURBER: Well certainly, Mr. Speaker, there have been some reviews taking place with this, and it's an ongoing review. As I said before, in due time it will be brought forward and proclaimed.

MRS. ABDURAHMAN: Mr. Speaker, my supplementary is to the same minister. When will you start accepting your ministerial responsibility and ensure that consumers are protected by the appropriate legislation and stop these delay tactics?

MR. THURBER: Mr. Speaker, the consumer in this province is protected by many, many parts of legislation. This is a government of deregulation. In some cases the consumer has to take the responsibility. Again, I assure the hon. member that we are looking at this as to whether it's reasonable to bring it forward now and what changes need to be brought forward with it.

THE SPEAKER: Final supplemental.

MRS. ABDURAHMAN: I'm awaiting.

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

Municipalities' Fund-raising

MR. BRACKO: Thank you, Mr. Speaker. Provincial down-loading is now forcing municipalities to look at fund-raising campaigns to provide essential services. Calgary city council is now considering establishing a charitable foundation to help fund emergency response services such as fire and police. Calgarians may soon have to rely on dream home lotteries and bingos for their safety. To the Premier: how does the Premier justify the province's downloading so much on municipalities that Calgary city council, his own city, is considering fund-raising in order to provide essential fire and police services?

MR. KLEIN: Well, I doubt very much, Mr. Speaker, that the fundamental operating funds for fire and ambulance and police will come from bingo games and lotteries. I would suspect, as in the case of hospitals, that various lotteries and fund-raising endeavours might be held to support programs that are ancillary to the police service. For instance, in the city of Calgary I know that they have a mounted patrol, and it's a beautiful addition to the Calgary city police force. There are other things such as the city police pipe band. Do those, then, become part of the operational activities of the city police force, or can these things be supported through ancillary programs such as lotteries and bingos and other fund-raising endeavours?

Mr. Speaker, I met with the mayor. I was with the mayor for over an hour today, and he never brought this up as a concern at all. As a matter of fact, I meet with the mayor of Calgary at least once every two weeks, and he has never brought this up as a concern.

MR. BRACKO: Fire and police are essential services, Mr. Speaker.

How can Calgarians and all Albertans expect safe communities when funding for essential services may soon come from bingos and dream home lotteries?

MR. KLEIN: Mr. Speaker, there is a fantastic lottery – I think it's sold out right now – that is to go to the foundation of the Foothills hospital. It is a dream home lottery, three dream homes. Right? As a matter of fact, I was the fortunate winner of a lottery about two years ago that went to the Royal Alex hospital, to the foundation. I felt very, very good about winning that lottery, and I also felt good about giving my \$60 to the foundation through a ticket that I bought from the then hon. Boomer Adair, who had me trapped in an airplane. I couldn't run; I had to buy the ticket from him. Nonetheless, I felt good about giving.

These donations being sought by police, fire, ambulance are going to support ancillary services. For instance, I know that the city of Calgary fire department has a fantastic honour guard, and they go to extra efforts to serve at weddings and at funerals and so on. There are some traditions that are carried on through police and fire and ambulance that are ancillary to the day-to-day operations, and it's perfectly legitimate for these organizations to raise money privately for these endeavours.

THE SPEAKER: Final supplemental?

The hon. Member for Edmonton-Gold Bar.

Seniors' Programs

MRS. HEWES: Thank you, Mr. Speaker. I want to express my thanks to the Seniors Advisory Council for the document that was just produced and circulated. I appreciate that, and I'm sure seniors across the province will as well. While this document

indicates that seniors have an information line, the document, however, flies in the face of the Premier's promises to review what's happening to seniors. It does not – and I emphasize "not" – provide for help for seniors who are aggrieved, who don't have money, who are not managing, who are frightened, who are in distress, for whom these programs simply don't work. My questions are to the minister responsible for seniors. Mr. Minister, please tell us: where is the seniors' appeal process that you have promised?

MR. MAR: Well, Mr. Speaker, the seniors' appeal process is moving along through our department to work it out, and I expect that I'll be making an announcement on that fairly shortly.

MRS. HEWES: Mr. Speaker, long overdue. No question.

Mr. Speaker, to the minister: will the appeal process, when it finally gets under way, be all-encompassing? Will it cover appeals regarding seniors' benefits, seniors' health care, seniors' housing, senior abuse, disposable income, and so on? Will it cover all of those aspects?

MR. MAR: Well, Mr. Speaker, the hon. member suggested that this appeal process was long overdue. Part of the review of seniors' programs asked us to set up an arm's-length appeal process. We've already had an internal appeal process that we've been using, so there always has been an appeal process, and it's worked quite well. But in accordance with the recommendation to have an arm's-length process, that is what's being looked at now.

With respect to her question about whether or not we would look at the cumulative impact of all programs, the answer is yes, Mr. Speaker.

MRS. HEWES: Mr. Speaker, I'd remind the minister that the appeal process that's been in existence has only been for the ASB and not for other problems.

The other question I have to the minister, Mr. Speaker, is: will the appeal panel have a mandate to resolve the problems, or will it simply be another review committee?

2:30

MR. MAR: Our goal and objective is always to resolve problems, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-Currie wishes to augment.

MRS. BURGNER: Yes, Mr. Speaker. I think it's important to just clear an issue that's been addressed by the hon. member. Clearly the document is an opportunity to put in front of seniors and the caregivers for seniors those programs that are in existence. It is not even appropriate, as we are at arm's length from government in the council, for that document to reflect current policy development. I think it's very important that this House understands that the purpose of that document is to provide information to seniors about what programs are currently in place.

THE SPEAKER: The time for question period has expired.

head:

Members' Statements

Health Care Layoffs

MR. SAPERS: Mr. Speaker, there are currently about 15,000 health care professionals in Alberta. These professionals are

struggling to keep the health care system that they care so much about going. In spite of the arbitrary actions of the government, nurses, laboratory technicians, maintenance workers, and doctors, amongst many other professionals, are somehow managing to give whatever care they can.

Now, we all owe our health care workforce a huge vote of thanks. If it wasn't for their professionalism and their goodwill, the cracks in the system would quickly become oversized canyons. Unfortunately, though, Mr. Speaker, instead of thanks our health care workers are getting pink slips, and to add insult to injury, most of them will get no severance once they are shown the door. After contributing for years and years, many of our best trained and most dedicated workers are being abandoned by a government they once trusted. This is going to have a tremendous impact on the quality of care and on the quality of life for tens of thousands of Albertans.

If we just for a minute look at one program, the consolidation of obstetrics at the Royal Alexandra hospital in Edmonton, the impact that this is going to have on research and on the quality of prenatal and postnatal care for high-risk mothers and their babies is hard to measure, and the loss of professionalism and the loss of skills is equally hard to determine. The approximately 60 full-time nurses in that unit will not be transferred. The positions are going but not the people, and many of those nurses, Mr. Speaker, have had their entire career in obstetrics. There's a combined total of just under 1.6 million hours of experience and hundreds and hundreds of full-time years of experience that will just be abandoned because of this change. This is unacceptable.

Mr. Speaker, an equal brain drain is happening with some of our best trained doctors. Health care workers want to be part of the solution not part of the problem.

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

Touring Southern Alberta

MR. DUNFORD: Thank you, Mr. Speaker. Today, despite the weather, I'm thinking of spring and summer, and that brings thoughts, of course, of the tourism season. I wanted to spend my time today providing some information to members of the Legislature so that when they begin to plan their activities during the summer, they'll perhaps think in terms of southwestern Alberta. Anywhere south of Calgary would be great.

I want to position Lethbridge as the hub of a large wheel. We have a fantastic infrastructure in southwestern Alberta, and I want them to consider coming to our area and staying in Lethbridge. Then on a day trip operation you can go west to Head-Smashed-In and historic Fort Macleod, and with any luck you might even find the MLA for Pincher Creek-Macleod having an ice cream on the one-way going west. We could go south to Cardston, to the Remington Carriage Centre, and with any luck we might find the hon. minister of advanced education giving us a tour on one of the carriages in that particular area.

We also, of course, could head in a southeast direction, and if we're at either Writing-on-Stone or perhaps just outside of Warner in Devil's Coulee trying to discover dinosaur eggs, we might find our very good friend from Taber-Warner there with us. Then if we were really lucky and we got very adventurous, we would travel to the northeast, and we would go all the way up to Drumheller and investigate the Tyrrell museum, and with any luck there, we might even find yourself, Mr. Speaker.

What a great summer that would be.

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

Catholic School System

MR. BRUSEKER: Thank you, Mr. Speaker. Catholic school supporters in Calgary are feeling under attack by this government. Twelve days ago I attended a meeting in my constituency of parents, teachers, and trustees who were and are very concerned about the direction this government is taking with respect to Catholic education.

In particular, the following issues arose. First is the issue of governance. Catholics feel that they have the right and want to continue to have the right to levy, collect, and spend their tax dollars, but the government is dictating how many dollars will be spent in areas like administration and instruction. Catholics want to make those types of decisions themselves.

Second is the issue that when the separate boards accept non-Catholic students, those students and their parents should have to accept the Catholic philosophy and pedagogy. Catholic teaching is more than just 30 minutes of religion class at the end of the day. It is a philosophy and way of life that is carried throughout the curricula of all subject areas. This is apparently a right that the Minister of Education is prepared to extend to Dr. Joe Freedman for his charter school but refuses to extend similar rights to the many Catholic schools around the province. What is being debated is: what was the intent of the people who wrote the 1901 Ordinances that allow for the creation of separate boards?

Third is the issue of supporting the school system of their choice. Under new wording that is in the census this year, parents of students who are in mixed-faith marriages will either have to lie about their religious beliefs or accept the fact that they cannot send their property tax dollars to the school system where their children attend school.

These parents are so concerned about the future direction for their schools and school boards that they have planned another meeting. This meeting: Thursday, April 6, St. Francis high school in Calgary, 7 p.m., Mr. Minister. Now, the Member for Calgary-Varsity unfortunately can't make that meeting, I understand, but it sure would be nice if someone from the government did, particularly the minister. So I'm extending an invitation today and now to the minister to attend that meeting and to explain to the parents and the voters what the government is going to do with respect to Catholic education. The government has an obligation to listen to the parents so their concerns can be addressed.

Thank you, Mr. Speaker.

THE SPEAKER: Before proceeding to the points of order, could there be consent in the Assembly for the reversion to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Member for Red Deer-South.

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

MR. DOERKSEN: Thank you, Mr. Speaker. It is my privilege to introduce to you and through you to the members of this Assembly 25 grade 6 students from Eastview community school in Red Deer. With them are their teacher Mrs. Charese Jones, parents Mrs. Val Lester and Mrs. Darlene Christensen. They've

come to observe us in the last half of question period. I would ask them to rise and receive the traditional warm greeting of this Assembly.

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

**Point of Order
Abusive Language**

MR. BRUSEKER: Thank you, Mr. Speaker. I rise on a point of order under Standing Order 23(h). This is in regard to the Premier's answer to the third question from the hon. Leader of the Opposition.

- (h) makes allegations against another member;
- (i) imputes false or unavowed motives to another member;
- (j) uses abusive or insulting language of a nature likely to create disorder.

Mr. Speaker, unfortunately we see a recurring tendency by the hon. Premier and occasionally other members of the front bench as well to start their answer with, "Well, I can't use the word liar, but . . ." and then continue on. The Premier is a better communicator than that. He should not have to resort to that kind of language. I noticed you expressed some concerns at that time, but I rise again. The Premier made allegations against the Leader of the Opposition, and curiously the answers given later by the Minister of Health support exactly what the Leader of the Opposition was referring to in his question.

The first problem is the quality – and I use that word loosely – of the language used in the answer, and second is the nature of the information as well. Either the Premier did not know the issue or was not brought up to speed, but the bottom line is that he was in error on the substantive issue itself.

So, Mr. Speaker, I would ask you to encourage members opposite on the front bench to watch the type of language they use in responding to questions.

2:40

THE SPEAKER: The hon. Deputy Government House Leader.

MR. EVANS: Thank you very much, Mr. Speaker. Once again I must use the terminology that this is a little bit like the pot calling the kettle black. We sit here every day of course and listen to the hon. Leader of the Official Opposition use very, very conflicting words and language. We hear very unclear statements by the Leader of the Opposition, and it sometimes appears to us on the government side that the words, the phrases, the body language that's used by the hon. Leader of the Opposition, all of those, are intended for one purpose only, and that is to incite some type of an emotional response.

We must in this House, Mr. Speaker, consider the implications of the comments that are made, consider how we interact, particularly during the question period time frame under Orders of the Day. I believe you will advise hon. members on both sides of the House to consider your very appropriate entreaties to try to be more crisp and more clear in terms of questions, because being so elicits more crisp and clear answers.

THE SPEAKER: Well, the Chair regrets having to deal with this matter again so soon after the last intervention by the Chair. It's the Chair's observation that certainly the Premier was provoked by the improper supplemental question which had a preamble to it and which raised a question that had already been raised in the House and the government had answered. The Chair has been present for all the question periods of this session. The Chair has

heard absolutely no evidence that anybody has been turned out of a long-term care facility. Absolutely none. Yet the preamble, that shouldn't have been before a supplemental question, said that people were being turned out. That is a very provocative way in which to ask a supplemental question, hon. members, but that still does not relieve the people on the other side of the House from using parliamentary language. Absolutely not.

If hon. members, who have gone through the political process, tried very hard to get here, used their skills in communication and the use of words – they somehow got here, and they've had experience here, and they are, in the Chair's view, certainly capable of more deft use of the English language to get the point across rather than using words that have been clearly held to be unparliamentary over a long period of time. The Chair is getting very tired of having this attitude of somebody on the opposition really in effect saying, "Liar, liar, your pants are on fire," and the same thing coming back from the other side. That's really what it boils down to. That's the type of behaviour that is emanating from this Chamber from both sides. The Assembly is worth more to the people of Alberta than that. The Chair would strongly urge all members to pay some attention to the long-held usages of language in this Assembly and try to use a little bit of their imagination. If they don't know the words, then start using a dictionary to get some words to properly express their views in a parliamentary way.

The hon. Member for Grande Prairie-Wapiti.

**Point of Order
Interrupting A Member**

MR. JACQUES: Thank you, Mr. Speaker. I rise under Standing Order 23(i) and (j), and it's with regard to the Member for Spruce Grove-Sturgeon-St. Albert. I may be erroneous in my count, but I believe today that I counted at least 10 occasions when the outburst from that member prompted an immediate "Order" from yourself. I've had the privilege of sitting on that side of the House, and I'm also sitting on this side of the House. I found her continuous bantering over there disruptive in terms of debate, in terms of question period, and I find it equally so even where I sit over here. I know that you have admonished the hon. member before, but I think in question period it gets to the point that all of our effectiveness at times is being impaired. I noticed even during a member's statement that she had comments, and I noticed even in the last point of order, when her own member was speaking, that she had comments to offer. I would admonish her and ask for your ruling that she be requested to exert a little more decency and common sense and respect to other members of this Assembly, on both sides of the House, and that she rise to debate when she's entitled to rise and debate but otherwise to please sit and listen and learn.

Thank you.

MR. BRUSEKER: Well, Mr. Speaker, just speaking to that. I appreciate the member's comments, and I wish that he had directed them to the Member for Calgary-Fish Creek, because when I sit on this side of the House and hear comments coming across in question period – maybe it's the direction or something that is being faced here, but where I hear comments coming from more frequently is the other side.

I appreciate that it's certainly difficult for yourself to keep on top of all of them, and I'm sure that some of them simply pass by the way. The difficulty, as you pointed out, is that sometimes the responses that come back to our questions are of such a provoca-

tive nature, as pointed out in *Beauchesne*, that they tend to prompt responses. Perhaps sometimes they come from this side, and sometimes they come from the other side. It's a difficult thing to keep on top of.

THE SPEAKER: The hon. Member for Leduc wishes to participate in this point of order?

MR. KIRKLAND: Well, certainly, Mr. Speaker. I find it absolutely ironic that the Member for Grande Prairie-Wapiti, who sat on the other side and often bellowed like a walrus that had been harpooned, would have the audacity to stand up and complain that the Member for Spruce Grove-Sturgeon-St. Albert does the same thing. How soon we forget. [interjections]

THE SPEAKER: Order. [interjections] Order. Well, the Chair has to say that it was well aware that the hon. Member for Spruce Grove-Sturgeon-St. Albert was very busy on essential, important government business last week and was unable to grace us with her presence.

MRS. MIROSH: On government business?

THE SPEAKER: Well, the Chair would like to put it that way, because I'm sure she was on the Assembly's duty wherever she was, but she wasn't here, and it made a little difference to the environment of the Chamber. The Chair congratulated the hon. member, coming into the Assembly today, for her behaviour yesterday. [interjection] Hon. member, the Chair is speaking. If the hon. member could try to read the rules between now and tomorrow, you might become aware of what your duties are when you're in the Assembly, and your duties do not in any way involve you speaking when someone else is speaking no matter where they're at in the Assembly but particularly when the Chair is speaking.

MR. BRACKO: Do it for everyone the same then.

THE SPEAKER: If you want to keep that attitude, Member for St. Albert, then you're going to be dealt with in a way too. You read the rules and find out how you're supposed to treat the Chair. If you can't learn and find out how, then you better leave, and if you won't leave, we have ways of ensuring that you're going to leave. This is going to apply to the hon. Member for Spruce Grove-Sturgeon-St. Albert. If you cannot control yourself, as you obviously cannot today, if you're going to continue in that way, you're going to be asked to leave. I hope the hon. member understands that.

Point of Order Member's Apology

THE SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Speaker. I'd ask the indulgence of the House to allow me to clarify a matter that came up last night in the debate of Bill 23 involving myself and the hon. Member for Whitecourt-St. Anne. During that debate I asked a rhetorical question in my comments. The rhetorical question was: "I ask the Member for Whitecourt-St. Anne. The answer is no." Now, that was then intended to be a rhetorical question. It was a rhetorical question, but the member graciously pointed out to me that taken out of context that could look like his

criticism of the Provincial Treasurer when in fact no question was put to him and no answer was given. So I have determined that it would be appropriate to correct that on the record and to apologize for any inconvenience or anguish I may have caused the hon. Member for Whitecourt-St. Anne.

Thank you.

2:50

THE SPEAKER: Thank you.

The hon. Member for Whitecourt-St. Anne.

MR. TRYNCHY: Thank you, Mr. Speaker, and I accept the apology. Yesterday afternoon when the member was speaking, he mentioned the Member for Whitecourt-St. Anne. I didn't catch the drift of the question, so I asked the hon. member if he could explain to me what he did say. We had a little chat, and his response in the end was that he was trying to help me. That's when I got quite nervous. The help of the Liberal Party towards me has not been that great, so that made me more nervous. When he apologized now, I accepted it, and I hope in the future that members on the other side would refrain from using the Whitecourt-St. Anne member as somebody they can toss around. I appreciate his comments.

head:

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Bill 206

Agricultural Land Conservation Easement Act

[Adjourned debate March 29: Mr. Collingwood]

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. I rise to speak against Bill 206, sponsored by the hon. Member for Lethbridge-East. Interestingly in the fall of 1993 the hon. Member for Sherwood Park introduced what was then Bill 211, the Conservation Easement Act. That Bill, crafted from a model developed by the Alberta Environmental Law Centre, was defeated then. Today we're debating a similar but more focused Bill, the Agricultural Land Conservation Easement Act.

It appears that Bill 206 is intended to reduce the current problems faced by agricultural landowners when they wish to set aside land for conservation purposes. Essentially landowners would be able to place conditions on the land title which would limit future development and future land use. The agricultural community has raised a number of concerns regarding conservation easements on agricultural land.

While there may be some value in this Bill, I cannot support it for a number of reasons. Number one, conservation easements that are allowed to run in perpetuity have been a major issue. Easements that run with the land mean that the agreement is not broken by the change in land ownership. The new landowner must honour the agreement for the remaining term of the agreement. Many would argue that perpetual easements devalue property.

Farmers and ranchers want to be sure that a conservation easement of land adjacent to their property will not restrict their flexibility. For example, neighbours need to know if a proposed agricultural conservation easement will restrict their ability to use

such things as fertilizer or pesticides to protect crops. Bill 206 does not include a method for potentially affected neighbours to oppose the establishment of the agricultural conservation easement.

We must be quite arrogant to think we have to protect future generations from themselves. By protecting something forever, we're saying that we cannot trust them to manage their own affairs in the future. I find that to be a little disarming and a little bit of a concern, because as you know, Mr. Speaker, times change, needs change, and the ultimate process has to change to accommodate the needs of that specific time.

Landowners and municipalities are concerned about long-term consequences to regional and agricultural development. There would not be any immediate impact since the land would continue to be assessed on its agricultural productivity. However, there could be future tax implications through lost development opportunities. So that's another reason we must be concerned about trying to put something into perpetuity.

Land values could be lowered if the easement limits the landowner's flexibility to use his property for the highest and best use. I think that's fairly obvious. The more limited you become with the use of the land, the less flexibility you have and the less value there is to that particular land.

In a time of deregulation there are many other ways we could achieve the same objectives. The Canada/Alberta environmentally sustainable agricultural initiative and other activities within Agriculture, Food and Rural Development support education programs that promote resource conservation. This is a much preferred mechanism to that of regulation. Many times we've had the discussion as to: what is the proper process? Inevitably and invariably it's always that an educated society is much better off for that process. We can't protect people from themselves. They have to learn to protect themselves.

Over 350,000 acres of cropland have been converted to permanent grass under the Prairie Farm Rehabilitation Administration, or the PFRA; 350,000 acres, Mr. Speaker, that have actually been converted. They are a living example of what I'm trying to say here now.

Section 22 of the Environmental Protection and Enhancement Act can be used to protect fragile areas, and that's in place today. The natural areas and ecological reserves programs are designed to protect and preserve natural areas in the province. So there isn't a need for legislation or regulation for that type of preservation. It's already there.

There's been no public consultation on this Bill. It would be imperative prior to implementing such a measure to have a full consultative process to canvass the agricultural community's views of this subject. If there was a demonstrated measure of support, then this is something that the government would be prepared to act upon. But to date we have had no urgency, we've had no major requests, and certainly there hasn't been the demonstrative need for this type of Bill.

In summary, I maintain that Bill 206 is too focused, as it applies to agricultural land only. It is incomplete because neighbours don't have a say before an agricultural conservation easement is established. It will be restrictive because preservation is not defined. It needs public input and should go through a consultative process. Basically, it represents more intrusion on farm lives, whereas the government of the day supports less intrusion. Therefore, Mr. Speaker, I cannot in good conscience support Bill 206.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd like to say a word or two, and I think our time is probably running out on it. I feel that this is indeed a good Bill and it should be supported by all members of the House. It starts us in the direction. I know the minister has said: well, there's been no big demand for it or anything. But, you know, if you've studied mankind, very seldom is there a demand to save anything. If we look around the world for the great parks and the great grass areas – whether it's Phoenix park in Dublin or Hyde park or Saint James park in London or Mont Royal in Montreal, and I can go on and on – they nearly always were private ownerships that were bequeathed, given to the government of the day. Unfortunately, this government of the day would have done much as the minister suggests. If it isn't being used to raise wheat or cut logs or something, it's not being useful. In other words, one of the few ways we get a great deal of our parklands and the things we want to carry on for posterity is usually through bequests to us by a private owner.

The minister's remark that the subsequent landowners would be hampered, would immediately be paid less for the land because it had this encumbrance on it, doesn't follow the law of economics' supply and demand, which this government pays so much heed to. I have some land out there, and I've been thinking, actually, of donating it for a park. But if you donated it and it could only be used for agricultural purposes or food purposes, naturally the price would drop, yes, but not for the subsequent owners. In fact, what it does is the original owner that makes the bequest and puts the caveat on the land in perpetuity, that can only be used, for instance, for park or grazing or food production, takes the price loss himself right there. He and his wife usually or whatever it is, the family that did it, take a financial loss immediately. They can usually call it a tax gain, and subsequent owners of that property are restricted to just farming.

3:00

This is quite common in Europe. It's quite common now in the U.S. Thirteen of the states have areas where the development rights are sold separately from the farming rights, and the farming rights are the only thing that can be passed on. It allows future generations to buy farmland close to our cities quite cheaply, strictly for the price of what the land will yield in food, whereas if you don't have that caveat on it, the land turns over for what a real estate developer thinks it will turn in the years ahead. Consequently, most of the land around our cities gets pulled out of food production because of the exorbitantly high price that is paid for the land because of the land speculation value. It doesn't make enough money to pay for farming, whereas if there was a caveat against it, it would allow the farmers to continue to farm and raise food.

You know, we're not running out of lawyers. We're not running out of politicians or doctors or accountants. We're not running out of high-rises. We're not running out of streets. If we run out of anything, it's parks and farmland. Those are things that God doesn't make more of. All the others multiply and multiply no matter what we do. Whether it's politicians or high-rises, we get enough of those all the time, but we do not make more land for parks and more land for food production.

This is an effort that is watered down from what I would normally go for, Mr. Speaker, but I think it's a faltering step in the right direction to get people to start to allow those of us in our society or those people of all faiths that want to leave land in perpetuity as either a park or food production to do so. It costs nobody anything. Its only cost comes to the one that left it, because the newcomers will only use it as a farm or as a park and

pay that much less. So it is some way that this generation can leave to the coming generations the joy of having farmland or nature land.

As far as perpetuity is concerned, I have checked with some lawyers on this before. Now, Mr. Speaker, you're a legal eagle. You can probably tell me. I don't think laws stand up in perpetuity. Don't they only go as long as Queen Elizabeth's last granddaughter or something like that, something like a 99-year cycle? You would probably have to talk to someone legally. I've operated in the oil and gas and mining businesses in Europe and in many areas, and most countries don't have agreements that can go in perpetuity, and I believe even our own is 99 years or something in that area.

The thought that something was going to be stuck and how bad that would be – wouldn't it really have hurt Edmonton, Mr. Speaker, if we had a hundred acres or 80 acres downtown that was a park? Can you imagine people saying, "Oh, that character back there 80 years ago, a hundred years ago, had the nerve to leave that park right in the middle of all these buildings"? Have you ever gone anywhere in this world where people have complained because the land has been left in its pristine state about a hundred years ago? I don't know of any place. Yet the hon. minister gets up and you get the idea that suddenly we would be cursed by a number of people in the future because we had left some parkland in the middle of such beautiful high-rises and streetcars and carbon monoxide and all the rest of that stuff.

As far as I'm concerned, Mr. Speaker, we would really be giving a benefit to our children, great-grandchildren, and so on, and it's not out of our pocket. It's from people that have resided, people that have farmed, people that have lived here that choose to. Rather than leave some money to their grandson to go around the world, maybe they do want to give land. Land. That's probably the most precious thing someone can give, outside of maybe some morals and principles and teachings that are more ephemeral than land. But land is one of the things that we all can give, and I'd ask members on both sides to think seriously about it and really do something for our future generations by voting for this Bill.

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

MR. DUNFORD: Thank you, Mr. Speaker, for recognizing me to speak to the Agricultural Land Conservation Easement Act even though I am but a city dweller. I'd like to point out, however, that even members who represent our urban centres in this province are concerned with agriculture and environmental issues. We would be foolish not to be. With that said, I would like to jump into this debate with my comments on Bill 206.

I certainly appreciate the need to balance economic growth and preservation of our land resources. I was very pleased with the final version of Special Places 2000, that was released the other day, because the document provides the framework for the sort of sustainable development that is so crucial to the well-being of our province. Special Places will be very good for this province, in my opinion, Mr. Speaker.

I have listened to my colleagues on this side of the House as they have been saying that we are dealing with some good ideas in the Agricultural Land Conservation Easement Act. I have also been listening to them as they have suggested that my neighbour from Lethbridge be patient because appropriate legislation on conservation easements will be forthcoming. I must say that I agree with them on these points, but I feel that there is something important they may have left out.

When we explain our preference to wait for the government policy or legislation on conservation easements, we ought to try to make it as clear as possible to all members of this Assembly what the time line is for this. The review process on the issue of private conservancy began in the summer of 1994 when the Environmental Protection department task force was established to prepare policy and legislation to be presented to the executive committee. However, this issue was put on the back burner as other policy and legislation reviews, such as Special Places 2000 and the review of the Water Resources Act, have taken priority since September of 1994. Surely we can recognize that these two undertakings are extremely important, and their being a priority for the minister and his department is quite understandable. However, now that Special Places has been released to tackle conservation initiatives from one angle, the government should be able to focus efforts on achieving conservation from now another angle.

In preparing a policy and legislation proposal, the conservation easement task force initiated discussions with the Nature Conservancy of Canada, the Environmental Law Centre, and Ducks Unlimited in an attempt to get their ducks in a row, if you'll excuse the pun, Mr. Speaker. All three of these agencies have expressed their support for enabling legislation for private conservation in general. Again agricultural land conservation easements could be but one type. However, consultations with other interest sectors, such as agriculture and energy as well as the other relevant government departments, have not been fully initiated.

Mr. Speaker, as has been indicated, we've had the opportunity to get the perspective of the Nature Conservancy on this particular Bill. The Alberta regional director felt that the progress that has been made to date with our government is encouraging. He also commented that he was not approached for comment on this issue by the sponsor of Bill 206, nor were any of his staff. So when we did, he was a little miffed as to the wisdom of legislating for conservation easements for agriculture specifically, when conservation easements in general are currently being deliberated upon. The regional director wanted to make it clear to our caucus that this Bill was by no means a product of his group attempting in any way to circumvent the process with government by soliciting the support of the opposition. I think this should be commended, Mr. Speaker, for this is not always the case when interest groups are lobbying hard for their cause. Sometimes these groups can do more harm than good for their cause by not recognizing the importance of due process in legislating.

3:10

Mr. Speaker, the Nature Conservancy of Canada developed a conservation-oriented plan entitled the prairie agriculture conservation program back in 1993. The prairie agriculture conservation program was a proposal designed to foster conservation of some of the best remaining natural areas on the Canadian prairies in a manner that benefits the agricultural community and allows the lands to contribute productively to the agriculture economy.

The plan envisioned a requirement of private-sector support in the range of \$20 million and then an additional \$52.5 million from the federal government and \$52.5 million from the prairie provinces over a 10-year period. With this kind of money, the Nature Conservancy of Canada felt that 75 percent of the land secured by this program would be through the purchase of conservation easements from owners of land that have significant natural features on their property. Under this sort of arrangement the farmer or rancher would still own the property, the land would still contribute to the agricultural economy, while at the

same time the important natural features of the land would be protected. All rights secured in such agreements would be accomplished strictly by the free negotiations between the two parties.

Mr. Speaker, the prairie agriculture conservation program did not get the support of our government that it had hoped for in terms of being able to secure a commitment for matching funds. That is understandable given our current budget restraints as we approach the elimination of our deficit and look toward paying down our accumulated debt. However, the program was at least partially successful in that it prompted the Nature Conservancy of Canada to go back to the drawing board.

What they came up with is called the Great Plains project, and this initiative was released this past month. This project has many of the same objectives as its predecessor, but it is more reliant on private conservation and a lot less reliant on government money. It is too soon to tell how the Great Plains project is doing so far, but I think it is something that deserves consideration from our government in terms of technical support rather than financial backing.

One interesting thing that I noted in the prairie agriculture conservation program was the mention of the easement holder buying the land from the farmer or rancher. I understand that this is one of the options being considered for private conservation in Alberta. Will the incentive for the farmer to put a restrictive covenant on his land be an outright purchase of the land by the easement holder in exchange for what would basically be free rent? Will the landowner be eligible for the tax incentives that were illustrated earlier in debate on this Bill? These are things that deserve more attention from the Environmental Protection task force on conservation easements.

Mr. Speaker, the hon. Member for Lethbridge-East has shown his concern for the maintenance of the agricultural land that exists in Alberta throughout his term as a Member of the Legislative Assembly and acting as agriculture critic for the opposition caucus. He deserves our praise and recognition for that. Whether or not myself or my colleagues on this side of the House agree with the manner in which he sets out to achieve his objectives is another matter altogether.

We can all recall the First Session of this 23rd Legislature when the hon. Member for Lethbridge-East introduced the agricultural land conservation board Act as Bill 205 in the fall of 1993. That Bill was quite different in its approach than the one we have before us today, but many of the objectives are the same. The member's Bill 205 in 1993 was defeated, as I recall, because it would have added another level of bureaucracy, in addition to the municipal structures that are in place, to monitor land use changes.

I also recall concern over the imposition that Bill 205, again of 1993, would have placed on the freedom of choice that landowners enjoy. Our government has taken a stance on voluntary support of environmental conservation initiatives for the most part instead of imposing mandatory restrictions on the backs of Albertans. This is all consistent with the Alberta advantage. We are trying to find a balance between conservation and economic development, a balance between overregulation and underregulation, and that particular Bill did not fit in with this philosophy. The Agricultural Land Conservation Easement Act that is before us today as Bill 206 appears to recognize that government regulation is not the way to go. This Bill advocates private conservation in which landowners would have the choice of entering into easements. Therefore, it is a voluntary measure, and since it involves private agreements, it would not involve more government and further bureaucracy to monitor it. So in this

regard this legislative proposal is a much better approach to agricultural land conservation than the last one.

Unfortunately, Mr. Speaker, I am calling for this Bill to meet the same fate as the hon. member's previous Bill. Even though my neighbour from Lethbridge is on the right track with this in terms of principle, this Bill is pre-emptive of the government legislation and policy on conservation easements. I call on all members to join me in voting against Bill 206.

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

MR. WICKMAN: Yes, Mr. Speaker. I'd like to take a few minutes to speak on the Bill in front of us, Bill 206, and allow the Member for Lethbridge-East enough time to close debate on the Bill so we have the opportunity to vote on it.

Mr. Speaker, being a so-called urban member at times does leave a perception that we really don't know that much about agriculture and that it's not one of our priorities. It's true that we don't know as much about agriculture as many others may in this particular Legislative Assembly, but we do recognize that the vegetables we eat, the milk we drink, the eggs we eat, and so on, aren't manufactured. We recognize that they do come as a result of agricultural activity and the preservation of soil.

Of course, for those of us that lack knowledge in agriculture, we have what we consider to be the foremost expert on the matter, probably the most learned member of agriculture when it comes to any member within this House, and of course that's the colleague to my right. Any of you that are lacking wisdom in this particular field, feel free to call upon that member, and he'll sit down with you and explain the ins and outs of agriculture and how it benefits this particular province.

3:20

I can recall, Mr. Speaker, when I was a member of the Edmonton city council. We were faced with a crisis in the northeast part of the city, in particular. The Member for Edmonton-Gold Bar will recall this as well. She was a member of that particular council. We were lobbied a great deal particularly by those that possessed grade A soil, because they wanted to preserve that. They had their vegetable farms up there, and there was the threat of the rapid expansion of the city of Edmonton. There was the threat that developers wanted to go in there and bulldoze that whole area down and upgrade that soil and turn it into an expansion of Edmonton. The people fought to preserve it, and there was a point when the province of Alberta, we felt at the time, kind of stepped in. We heard all kinds of stories about land being assembled. We were never able to get a handle as to whether there was another Mill Woods being planned or if somebody within the provincial government at that time possibly had the wisdom to say, "We've got to acquire that property so that we can force conservation of that land, preservation of that land, rather than allowing it to be threatened by developers," who at times do tend to want to build on anything that isn't moving. Of course, when the recession started to set in, then that threat went away, and it has not been a threat since that time in that particular area.

Nevertheless, as the fortunes improve somewhat in the province of Alberta, particularly the city of Edmonton, that again could happen, and we have to, I believe, have a mechanism in place that allows those that want to farm, that want to keep their family farm and pass it down – they don't want to feel that it's under continuous threat – some type of mechanism to allow them to do that, to allow them to preserve that for agricultural purposes, because of

course once that soil is turned over for development, you can't turn around and undo it. So that soil, particularly the grade A soil that is there – steps have to be taken to ensure that it is there.

I have spoken with the Member for Lethbridge-East on this particular point, and we all recognize that you just can't simply go out there and do things blindly, that there is a municipality involved. As a result of that, you form a partnership, and in conjunction with the municipalities that may be adjacent to these areas, you sit down and discuss these things and you come up with a plan that recognizes a need to preserve certain portions of the province in terms of their agricultural worth. Circumstances can change. Again I believe that all of us here in the House would recognize that situations do change, and you have to account for that as well.

The member has gone to a great deal of work to put this Bill together, to point out to those involved in agricultural activity that there are people within this House, there are members within this Legislative Assembly that are concerned, that do recognize that their activity contributes a great deal in terms of economic benefit to the province, in terms of our well-being in providing us the agricultural products that they do provide to us.

Mr. Speaker, this of course is one of those Bills where members in this House will choose probably to vote as they feel they should vote. I would assume that the other side of the House recognizes that there is a free vote in terms of voting on this particular Bill.

On that note, Mr. Speaker, I'm going to conclude my comments to allow the Member for Lethbridge-East to bring the debate to a close so we can vote upon the Bill.

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

DR. NICOL: Thank you, Mr. Speaker. I'd just like to take an opportunity to thank all of those that took time to debate on this Bill. I think they've brought out a lot of good issues. I was quite pleased in our debate last week that the basic format of the Bill was really accepted and appreciated. The individuals that spoke on it from both sides of the House recognized the good points in it. It's unfortunate that two speakers on the government side felt that the timing of it was a little inappropriate at this point. I guess the debate on that part of the discussion was much more focused toward the long-term good of the province of Alberta. I recognize that, and I commend the speakers on that basis.

The Member for Lethbridge-West this afternoon has talked about the relationship of this Bill to past Bills. There was no intended relationship. They took a totally different focus, and it's unfortunate that that kind of different focus wasn't recognized.

Also, the idea that this Bill doesn't work in conjunction with the prairie ag conservancy program: I don't see where that conflict arises. This in essence is a good Bill that enables that action to take place. It creates the opportunities for foundations, for private groups to get involved and take out an easement that actually preserves land. Of all the speakers that talked to this Bill, I guess the most disappointing was the minister of agriculture and his comments on it. After looking at the Bill, I would question, you know, the approach that was taken and the commitment to the ag sector.

Mr. Speaker, this is basically an opportunity for individuals to get the long-term priorities set for their land in conjunction with the community. Very few people are going to put their land into an easement that would not be consistent with the community, with the direction that the community wants to go. If the

members opposite that were talking about the Bill recognize the potentials of the land Act, they recognize that "in perpetuity" is subject to the conditions of that Act.

So, Mr. Speaker, with that, recognizing that our time cutoff is coming at 3:30, I'll close debate and call the question on this now.

THE SPEAKER: Before the Assembly is the motion for second reading of Bill 206, the Agricultural Land Conservation Easement Act. All those in favour of second reading, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion fails.

[Several members rose calling for a division. The division bell was rung at 3:28 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Hewes	Taylor, N.
Bracko	Kirkland	Van Binsbergen
Carlson	Massey	Vasseur
Dalla-Longa	Nicol	Wickman
Germain	Sekulic	Zariwny
Henry	Soetaert	Zwozdesky

Against the motion:

Ady	Havelock	Paszkowski
Brassard	Herard	Pham
Burgener	Hlady	Renner
Calahasen	Jacques	Rostad
Cardinal	Jonson	Severtson
Clegg	Kowalski	Smith
Coutts	Laing	Stelmach
Doerksen	Langevin	Tannas
Dunford	Mar	Thurber
Fischer	McFarland	Trynchy
Forsyth	Mirosh	West
Fritz	Oberg	Woloshyn
Haley		

Totals: For – 18 Against – 37

[Motion lost]

head: Motions Other than Government Motions

3:40 Postsecondary Education

507. Moved by Dr. Massey:
Be it resolved that the Legislative Assembly urge the government to introduce legislation that would ensure access by any person who has satisfactorily completed an Alberta high school diploma to the first-year class of an appropriate provincial postsecondary educational institution.

[Debate adjourned March 28: Mr. Ady speaking]

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

MR. ADY: Thank you, Mr. Speaker. It's my pleasure to stand and resume the debate on Motion 507.

I really believe this motion takes us in the wrong direction. First of all, typically it calls for legislation that would cause something to come to pass that the hon. proponent feels is important, and that's access. But it makes one wonder: how far would they go with legislation? We're now saying that we would put in place legislation that would ensure students have access to our postsecondary system. You have to wonder if the next year we would have a motion that would legislate that a student must attend whether he wanted to or whether he didn't.

I also believe the motion is really quite ambiguous. It's not clear what is meant by the term "appropriate." Is it the intention that students should have the right of access to their institution of choice, or is it perhaps his intention that students should have access to some specifically desired program in the institution of choice? It's not clear; it's not well defined. If the motion were to pass, I'm not sure exactly how we could even address the things that it calls for because they're just not clear.

Again if the student in question is interested in obtaining a university education, would the motion be satisfied if the student were able to have access to a university transfer program that's available in our college system with the opportunity to move on to a university for the last two years? In the past, Mr. Speaker, we've found that sometimes we have more students in the university transfer program in the colleges than the university can accommodate coming out the other end. There's also been some difficulty with universities having their own first two-year set of students moving through the system. That also impacts on the ability of students coming out of the college system under the university transfer program.

We should also I think pause and do some homework as to other jurisdictions who may have endeavoured to mandate universal access and see how it worked. My information is that it has some serious deficiencies. For instance, not every student who qualifies - and this motion calls for every qualified student - is suited to postsecondary education. That's just a fact. There are those who have no interest in going to the postsecondary system. So either by interest or perhaps for whatever reason - they may be prohibited because of family circumstances.

I think we need to look at some of those circumstances where we would find students even who may enroll, and then the attrition rate becomes affected, the dropout rate. They find that they were right in the first place: it's not for them; it's not what they wanted to do. They perhaps want to stay home and work on their dad's farm. They perhaps want to go into the family business, but because it's available and it's mandated, well, maybe I should go. They get some encouragement from the school counsellor, and they find themselves enrolled in university when in actual fact they don't have any interest there.

Mr. Speaker, we already have enough students who are slowing up the process. We're finding that it's taking longer and longer for students in the system to get through the courses that they enter into, especially in the universities. We're finding that they have part-time jobs, so they take fewer courses. We're finding that they want to engage in perhaps other activities which call on their time, so they stretch out the time that it takes them to complete a program. That's expensive for the student by way of time and money, it's expensive to the Students Finance Board, if

they're involved, and it's expensive to the taxpayer of the province. It certainly impacts on the access, the very thing that we're trying to solve, the access circumstance.

We know that when the opposition members speak of the access problem, it gets multiplied manyfold. I've heard them stand in the House and talk about 26,000 students who won't get into this postsecondary system in a given year. Mr. Speaker, surely they must know that every student who makes an application to the postsecondary system also puts in an average of, I think, two point something other applications to other institutions. So it inflates the numbers that institutions will use when they publicize and they say: we've had this many thousand students apply at our institution. But simultaneously those students applied at a couple of others, and they're using those same numbers to pass around. So we get inflated numbers that just aren't valid. Now, we have had some very good work done by ACAT on it, and even they cannot be one hundred percent accurate. Consequently, I never use a number for those who don't get into postsecondary education because of the access problem. I can't pinpoint the exact number, but I can come a heck of a lot closer than 26,000 or 24,000 or whatever the hon. members across the way pick up.

Let's be clear that this year, this academic year that we're in, although the universities are full, they're maintaining, to their credit, their level of access. In fact, the University of Lethbridge has increased access over last year, and this is in the face of an 11 percent reduction in their funding. But when we move beyond the universities and go out into the community colleges, we find that there is in fact some space out there, that colleges have some space in a variety of programs for whatever reason. Some will tell us that it's because employment levels are up. Employment levels have increased as much as two percentage points in the last year or 18 months. Students are now saying: "Well, if I can get a job and earn some money, then I can pay my own way through university or college or a technical institute, and I won't have to pay this debt off. I'd rather spend a year working and saving money." So we find that they're out there in the workforce, and that's certainly a positive approach. I think it's counterproductive for anyone to accumulate debt if they can avoid it.

So, Mr. Speaker, I believe that the access problem in this province is being addressed. It's being addressed through the access fund. It's interesting that the very institutions that were taxed from their general grant to form the access fund actually requested it. They said: "We need to have a system in place that would enable us to be recognized for the good work that we do. In other words, if one institution performs better, more efficiently, serves more students, better quality, all of those things that could be rolled into efficiency, then we feel that we should be recognized for that and that there should be funding in place." So in reality, institutions were taxed about 6 percent, forming a \$47 million fund. Simultaneously with that happening, now we expect there will be at least 10,000 spaces created with that access fund, and with the initial proposals that are coming in, we're feeling very comfortable that that amount of student access will become a reality.

This has caused institutions to really stand and take a look at themselves, at how they deliver programs and how they can do it for more students and at less cost. And they're not stopping at just the programs that would fit the access fund. We're finding that they're engaging in programs within their own institutions to deliver programs more effectively without even accessing the access fund. They're doing collaborative programs among and between each other.

Mr. Speaker, I assume that tells me that my time has elapsed, so I'll be seated and enjoy the debate.

3:50

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

MR. HENRY: Thank you very much, Mr. Speaker. I appreciate the opportunity, as well, to join in debate. I'm just reflecting on the motion as well as on some of the hon. minister's comments. I must say that I think the minister should be embarrassed if he's not able as the minister of advanced education to definitively say exactly how many students are being denied access to our postsecondary institutions. The fact of the matter is that the minister doesn't really know what that figure is and is guessing and extrapolating. So be it. The opposition has said that the latest figures that we have available, that we collected because the department certainly wasn't collecting it, are that 26,000 applications were received from qualified applicants, and there was no space for those applications. I acknowledge there's been a study out of the University of Lethbridge that says that the average student in Alberta applies to 2.6 institutions, as the minister said. Still, what that means is that 10,000 students per year are denied access to our publicly funded postsecondary institutions. That's 10,000 per year. That's 20,000 since last year, and by the time of the next election another 10,000 or 20,000 will be denied access.

Mr. Speaker, I've gone through some of the arguments that the hon. minister has made for not supporting this motion, and I find them to be weak at best. Part of the problem with access, according to the minister, is that students are taking part-time jobs. The students aren't taking a full course load. I would put it to the minister that he needs to investigate why students are taking more part-time jobs and in effect working full time part-time and taking less than full-time courses. That might be because the cost of postsecondary education has risen so high that students cannot survive on the total amount that's allowed by the Students Finance Board or in fact that students are wary of the increasing debt load they face as a result of this government's specific policies that are making postsecondary institutions less accessible to our students.

Mr. Speaker, I'd also like to look at the minister's comments regarding other jurisdictions. He's saying, basically, that not every student wants to go or should go to university. I agree with him wholeheartedly. But what about other institutions such as NAIT, such as SAIT? Again, the minister doesn't give young people or their families, frankly, any credit at all by saying that if we have a space available for them, they'll automatically fill that space rather than look at what's best for the individual student. The bottom line: there was a time in this province when we had spaces for those students who were qualified, when there wasn't an access problem, when we didn't have a government who created barriers to accessing postsecondary institutions. I can tell you, having worked with young people in those years, that many of those people chose alternate paths rather than university or any postsecondary institutions. So the minister's arguments here are full of holes.

Mr. Speaker, the other argument he uses is that we're going to create some sort of – and these are my words – logjam, because if we require universities or allow them – and I suggest the issue is that we allow them in terms of resources – to accept qualified students, then there's going to be a conflict or a difficulty that the university will have in accommodating those students who apply directly through year one and those who come through the transfer program. Well, exactly my point and the point of this whole motion: we do have a problem with students who go through the

two-year transfer program and enter university directly who simply cannot get access to education that they're qualified for, that they would need. I would put it to you that we would all benefit if we have the foresight and the leadership to provide that kind of access to postsecondary institutions.

The minister last time, speaking to this motion, raised the issue of what would qualify as a postsecondary institutional provider. Again I'm paraphrasing here. Mr. Speaker, look at the motion. It talks about an appropriate postsecondary institution. That would be appropriately certified or appropriately accredited by the governing body or by this government department. The minister talks about enforcing access and averages in terms of hands off and allowing universities to set their own standards. Well, I would put it to you that whether we're talking about AVC, NAIT, SAIT, the community college system or the university system in our province, the entrance requirements for almost every program have artificially been raised because the institutions do not have adequate resources or adequate leadership to provide enough spaces for those students who are genuinely qualified.

I'm going to give a couple of cases that I know about very specifically. Mr. Speaker, last year I ran into a young man, from the constituency of Redwater actually, who originally left his family to come live in Edmonton. This young man wanted to enter a two-year program at NAIT, Northern Alberta Institute of Technology, to become a dentist. He had a very specific goal in mind. It was a marketable skill, and he could then go back to his home community of Redwater and be able to make a living and hopefully support himself and a family someday. He had a 72 average coming out of grade 12. Where I come from, that's not scholarship material, but that's nothing to scoff at. A 72 average isn't bad. There was no space in an appropriate institution for him. So what was he doing? He was taking a general program at NAIT for a year and then reapplying the next year. He did get into the program. If you want to talk about a waste of public resources, making a student spend three years at NAIT to become a dentist rather than two years, which has been deemed appropriate, seems to me the worst waste of resources we could possibly have.

Mr. Speaker, I'd also like to talk about the entrance rates. We can banter about figures, but I think we're somewhere near 10,000 per year. The minister's response to this is: well, we're going to create an access fund that will create 10,000 spaces. Well, let's get it clear. Let's talk about each year. When you add 10,000 that can't get space this year plus 10,000 next year plus 10,000 the year after, we're talking about 30,000 people who can't get into postsecondary training in this province. What's the minister going to do? Well, we're going to create a fund, and we hope that will create 10,000 spaces. Well, that's not good enough in my books and I don't believe good enough in Albertans' books, not good enough for the families who have raised their children in this province, the families whose grandparents have come here because of opportunity. It's not good enough that a government would deny those people opportunity.

4:00

Mr. Speaker, I would like to share something that I heard on a radio station about a year and a half or two years ago. Speaking specifically to the issue of access and the figure, whether it be 10,000 or 26,000 divided by 2.6 equals 10,000, however you want to cut it, those aren't the number of qualified applicants who have been turned away from our postsecondary institutions. What's not being counted into the whole equation is the fact that our postsecondary institutions are artificially raising their entrance

standards, not because in order to succeed at Grant MacEwan or at Mount Royal or U of C or U of A you need to have a 73 average but because it's a way of artificially cutting out the numbers so they're more manageable to deal with.

Mr. Speaker, on this radio program was the then Leader of the Opposition, the current Member for Edmonton-Glengarry. I'm not referring to him by name; we're not supposed to do that. Also on the program was the dean of the University of Alberta law school, Dr. Christian. It was funny because the Leader of the Opposition was responding to a telephone call about access, and he said: you know, I graduated from Vegreville high school and went on to the University of Alberta and graduated successfully, actually graduated with enough marks to get into their law school. He graduated successfully and articulated and was admitted to the bar and practised quite successfully as a lawyer. He then went on to become a fairly successful businessperson in our community and has had a fairly successful life in public service as well.

MR. WICKMAN: And a good Liberal.

MR. HENRY: And a good Liberal, if I can add that from the Member for Edmonton-Rutherford.

The point he was making was that his average when he graduated from Vegreville high school was only 68 percent. He would not be able to get into the U of A today, yet having had those opportunities, they gave him the skills and qualifications to be able to contribute in our society. Well, I heard a chuckle on the radio, and there was the dean of the law school. He started chuckling and said, "Well, you know, Laurence, I wouldn't get into my own university because I graduated from Drumheller high with a 67 average, and now I'm the dean of the law school." Mr. Speaker, that's the point: people who have been successful in our postsecondary institutions and in our society, and the equivalent now in terms of the same grade average who can't get in. We have an access problem that's much more dramatic than what the minister is talking about. We have a responsibility to ensure, whether it be university, technical school, Mount Royal College, or indeed veterinary school, that there will be opportunities for young people to be trained and educated so they can become productive members of our society.

Mr. Speaker, the last time this motion was debated, the minister talked about developing key performance indicators and how one of the things that will be measured will be how well postsecondary institutions are doing on admissions. Well, let's put that in a framework and a context: how well they are doing in terms of admission, given the resources available to them to do the job. That's what's really being measured, not whether we're doing a good job.

Mr. Speaker, I daresay in my experience as an MLA dealing with postsecondary institutions, albeit in Edmonton, for my constituents – both AVC and Grant MacEwan College in my constituency and NAIT bordering my constituency and the University of Alberta – all are very high-quality organizations. All have provided a very positive service to our community, and all, without exception, try very hard to ensure that we have a good-quality education for our students, using the public resources available effectively. However, the department of advanced education, this government, is failing those institutions, thereby in my view failing the young people of this province and, I think, in the long run will fail all Albertans by ensuring that we do not have the kind of educated and trained workforce that attracts industry and investment to this province.

Mr. Speaker, I know other members want to enter debate, and I'm just going to summarize by saying that the minister has found every single thing he can develop into a reason to not support this particular motion. This particular motion is kind of like saying, "I love my mom," or "Gee, isn't this a great country." Anybody who stands up and votes against this motion is looking for a way to vote against ensuring full access for all young people in this province to an appropriate postsecondary institution. We can talk until the cows come home about how to do that: whether we need to spend more money, whether we need to reallocate money. If the minister talks about spaces opening in our college system, then perhaps we have a management problem, because there are people being turned away from college programs. Maybe we need to redirect those resources to ensure there are spaces for our young people.

Thank you, Mr. Speaker.

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

MR. DUNFORD: Thank you, Mr. Speaker. I was finding the words in the motion somewhat ambiguous, as other speakers have mentioned. I actually have a fair amount of respect for the Member for Edmonton-Mill Woods. We worked together on one of the standing committees, and I've always been willing to take him at his word. The concluding remarks of the Member for Edmonton-Centre now have me really, really questioning what's happening here. We're going to talk in a minute about access, the access situation, but what I heard the Member for Edmonton-Centre say was almost defying or laying down the gauntlet: the fact that there might possibly be a standing vote on this motion and how dare I or anybody else stand against this motion. You know what's going to happen, of course. Not that the Member for Edmonton-Mill Woods might do it, but certainly the Member for Edmonton-Centre would do it. Guess what would happen with the *Lethbridge Herald*? There might possibly even be a letter to the editor, and it might have on the bottom of it Edmonton-Centre's signature and would be talking about how I voted against access for young people in Alberta.

Well, I want to make the record clear as to where I stand. I ran into a situation similar to this during the election campaign. As a matter of fact, I was asked about access by a representative of the University of Lethbridge. I answered that person as honestly as I could. I said that a postsecondary education in the province of Alberta was a privilege and not a right. Guess what. I had that person and a bunch of his cohorts and friends and colleagues follow me at every – every – election forum that I went to after that, Mr. Speaker. Guess what. The same question.

So I want to perhaps save the Liberal caucus the cost of a stamp. Don't bother sending that letter. The people in Lethbridge-West understand what this member's position is regarding access, and that is that if you will meet the criteria that are set by boards who have the responsibility and the mandate to determine entrance requirements, we will do whatever we can to provide that student from whatever background with an opportunity in that postsecondary institution. I would never – never – stand in this Legislature and tell the taxpayers of Alberta that just because someone attained an Alberta high school diploma, they had a right to a "first-year class of an appropriate provincial postsecondary educational institution." I mean, this goes back to the days of Franco's Spain after the civil war. This goes back to the days when you took young people and said: thou shall go here; thou shall go there. [interjections] Absolutely. That's the

next step you'll be asking us to do. If the Liberal caucus wants us to believe that we're now going to make education a right instead of a privilege, it's only a few short steps to when a central authority will start dictating, then, how that right will be exercised, and I want to caution every Member of this Legislative Assembly against that.

4:10

The question about access is an extremely interesting situation, with these numbers that get tossed around. There are allegations made by members of the opposition; there are answers provided by the minister of advanced education. I'm not sure where this thing all falls out in terms of access. Let me give you a real-life example. I would like to talk about my son for a minute, who, because of some gene inheritance from his father perhaps, spent a lot of time on extracurricular activities during high school and managed to complete high school in four years, like his dad did. The only problem was that he was in Alberta, not Saskatchewan. In any event, this young fellow could not qualify for the requirements at the University of Lethbridge in September of his graduating year. I can't remember what year it was. It must have been 1993. The University of Lethbridge, in its mandate and its desire to provide postsecondary university education to not only residents of Lethbridge but of southern Alberta and indeed all of Alberta, has a system whereby there's a January intake. Thus my son, who could not meet the qualifications in September, entered that facility in January. He has had some difficulties adjusting, but it looks like he's coming now. He probably showed up in the numbers that the Liberal opposition has been trying to beat us over the head with, but in fact access was made. He found access.

I wouldn't have as much problem with this particular motion if in fact we were in a situation where the students provided 100 percent of the dollars for their own education. But when you have a situation in this province, similar to other provinces, when you have taxpayers that are being responsible – and I believe that they're glad to do it – for 70 percent of the cost, there has to be some mechanism whereby authorities can screen entry into the system. There has to be a gatekeeper of some sort.

I'm quite happy with the experience that I've had with the board of directors at the university, with the board of directors at the Lethbridge Community College. I believe they are just examples of excellent boards that are around this particular province. I believe – it's a hill that I can die on – that I can go in front of the taxpayers of my constituency and say to them that they will be responsible for 70 percent of the cost of educating a young person in this province, but I can do that knowing that both that taxpayer and I recognize this thing as a privilege. As soon as we try to bring into legislation that we now have this right for "a first-year class of an appropriate provincial postsecondary educational institution," we would lose extremely quickly the support of that taxpayer. I must confess to being somewhat surprised that the Liberal opposition would then attempt to bring in emotion, knowing that that would be the outcome.

I hesitate to say, of course, that if a motion such as this ever found its way into legislation, there would be a terrific responsibility in terms of bricks and mortar that would have to be built for the institutions to house these people. Not only that. There would be a tremendous requirement for additional instructors, professors. Now, I don't know if there's anything wrong with that. I think that people in the Legislature, as we head toward a provincial election, should probably be concerned about other

careers, but I think it's perhaps a vested interest that's being displayed at this point in time that is hard to deal with.

MR. DALLA-LONGA: Is there a subtle message here?

MR. DUNFORD: I didn't think it was subtle. It wasn't meant to be subtle.

Inside this motion, however, there are some seeds that I think we ought to take a look at. I think what we have to do first of all in order to get to those seeds is we have to wipe away the postsecondary arrogance of university education. I think that taxpayers in the province today could ask a serious question: why are we making so much access to universities in this province when these kids can't find jobs? Now, I understand why a taxpayer would ask that question. I have no trouble answering that I am not prepared as a member of this Legislature to look at a university as an employment placement agency. I don't think any of us here in this Legislature have the capability to predict what the market is going to require by way of graduates, by way of thinking young people two years, five years from this particular point.

THE SPEAKER: The bell would indicate that the time allotted for consideration of this matter has expired, and the Chair is now required to put all questions necessary to conclude debate.

Therefore, on Motion 507 as proposed by the hon. Member for Edmonton-Mill Woods, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion fails.

[Several members rose calling for a division. The division bell was rung at 4:18 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the Chair]

For the motion:

Abdurahman	Hewes	N. Taylor
Bracko	Kirkland	Van Binsbergen
Carlson	Massey	Wickman
Dalla-Longa	Sapers	Zariwny
Germain	Sekulic	Zwozdesky
Henry	Soetaert	

4:30

Against the motion:

Ady	Herard	Paszkowski
Brassard	Hlady	Pham
Burgener	Jacques	Renner
Calahasen	Jonson	Rostad
Clegg	Kowalski	Severtson
Coutts	Laing	Smith
Doerksen	Mar	Stelmach
Dunford	McClellan	Thurber
Forsyth	McFarland	Trynch

Fritz	Mirosh	West
Havelock	Oberg	Woloshyn
Totals:	For - 17	Against - 33

[Motion lost]

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

Bill 23
Treasury Statutes Amendment and Repeal Act, 1995

[Adjourned debate April 3: Mr. Sekulic]

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Speaker. I rise again to continue in debate on Bill 23. Although this point that I'll raise now was put very well yesterday by my colleague from Fort McMurray, after having an opportunity for a sobering second thought and in reviewing this closer, it really is quite offensive. I think most Albertans and taxpayers would find this one clause of the Bill, section 50, quite offensive. It's on page 10 of Bill 23, the Treasury Statutes Amendment and Repeal Act, 1995, and this is with reference to investment of money. Once again we're referring to taxpayers' money, and we know that previous attempts at investments by the government have led us down a path to a great deal of debt, \$32 billion in total. Three billion dollars of that was direct loan guarantee losses that were accrued by the previous government. In fact, that \$3 billion is one-third of the provincial net debt which Bill 6 addresses. If we read section 50(1), it states:

The Provincial Treasurer may make investments on behalf of the funds in subsection (3) and when doing so shall adhere to investment and lending policies, standards and procedures that a reasonable and prudent person would apply in respect of a portfolio of investments to avoid undue risk of loss and obtain a reasonable return.

When we look at the past and what's happened and the amount of money that was lost, that \$3 billion was just basically thrown out the window and, for that matter, could have just been burned in a barrel at the back of this Legislature Building, Mr. Speaker. Then we hear that the Treasurer is now to use under this new legislation "procedures that a reasonable and prudent person would." Well, I would have assumed that that sort of process was in place when the now minister of transportation was here, sitting around that cabinet table and defending the interests of Albertans, when \$3 billion was thrown away. I don't think this is strict enough; there's not enough clarity or bite in this clause to ensure that taxpayers' money is properly invested. So I'd like to see more in terms of qualifiers as to how the Treasurer is to invest money.

What's really interesting is that 50(1) here is quite loose, but 50(2) is beyond loose. It's ridiculous. It reads that "the contravention of subsection (1) does not by itself make any agreement or transaction void or invalid." Despite having legislated a loose amount of responsibility here in 50(1), 50(2) says, "Well, if he doesn't abide by 50(1), that's okay, because the agreements are still in place and the taxpayer will still be on the hook." So I have a real concern with this section 50. I think that it needs to be rethought, and perhaps at Committee of the Whole we can introduce some amendments to address this area.

With those comments, Mr. Speaker, I'll be taking my place and permitting one of my colleagues to speak to this Bill.

MR. DALLA-LONGA: I just have a few comments to make about this Bill. I applaud the overall general intent of the Bill, Mr. Speaker. I've always had trouble reading these Bills, especially with all the amendments that are in there, but it would appear that the document attempts to sort of make changes in four areas.

The first is a bit of housekeeping in that it's repealing a number of the legislative statutes that are no longer applicable or no longer in operation, which is sort of housekeeping. It eliminates the separation of regulated funds for the small business term assistance and farm credit stability Acts. The third - and I'll speak a little bit more to this - deals with the Credit Union Act and certain disclosure requirements, particularly for those credit unions with assets not exceeding \$500 million. The fourth probably is the section that I have the most concern with: a number of changes made to the Financial Administration Act.

I'd like to just maybe go to the third sort of category of changes, that being the amendments to the Credit Union Act. One of the things that's in there is the disclosure of executive salaries and benefits for credit union people. I've seen this crop up in a couple of other instances, where this government is describing itself as being the open government that it wants to be viewed as and is causing everyone to have their salaries and benefits and remuneration disclosed. But in terms of this thrust, which I applaud - and it's in line with, you know, public companies, companies that are listed on the stock exchanges - the government neglects to open up to disclosure its own accounts. We saw last night some of the accounts of Executive Council. I had the opportunity of debating under FIGA, where there was, like, six lines of information, and that's all the information that was available to Albertans. So while I'm encouraged by this opportunity to open up the disclosure to Albertans to see how much of their money and how their money is being spent, I think the government's got a long way to go before it's considered an open government and opens up the disclosure of some of its own accounts.

Now, there are some words used in here - and my colleague from Edmonton-Manning alluded to the problem, and this is a problem. It says in the Act, the proposed Bill, that the Provincial Treasurer "shall adhere to investment and lending policies, standards, and procedures" - and this is beautiful - "that a reasonable and prudent person would apply . . . to avoid undue risk of loss and obtain a reasonable return." Well, Mr. Speaker, this is literally the same type of wording that was used in various sections of the Income Tax Act and was the subject of a lot of litigation, the words "reasonable" and "prudent." We should try to avoid such generalities, because I think our experience has been that the temptation down the road might be too great to hide behind these types of generalities. So I would hope that when we move to Committee of the Whole, we might look at tightening that up a little bit. But it's a good start. We're off to a good start here in many ways, and with a little bit of guidance I'm sure we can get this thing right.

As I mentioned before, I support the amendments to the Credit Union Act which apprise disclosure of executive compensation. I would like, particularly when we get to Committee of the Whole, to see if we can't make the disclosure more in line with the disclosure that's out there in the business world, where they disclose compensation of executives. You know, you don't have to break it down to the nth degree, to sort of invade the person's privacy. I'm not sure, the way this Bill is currently worded, whether it contemplates giving some of this information on an individual-by-individual basis, or can we do it in a group?

4:40

One of the areas that's been the most controversial, Mr. Speaker, has been in the area of write-offs, remissions, forgiveness of debts, and the word "compromises." I don't remember hearing it prior to seeing this Bill. Currently, under section 28 of this proposed Bill the Treasurer is required to prepare a statement of all remissions, compromises, and write-offs. I think this is good, that we're changing this to require the Provincial Treasurer to prepare a statement of all the remissions and compromises and any write-offs that are made, and the time frame given is good. But I think one of the things we have to be careful about – and with the new Auditor General on board – is that people, Albertans, are still having a hard time trying to interpret reading these financial statements, and this comment's been made to me many times. What is a write-off, and what is a provision? Is this thing actually written off? At what point does it get written off?

I think the Speaker can relate to a circumstance in his own backyard, the MagCan plant. At what point do you write that off, that loan? I mean in business, in the real world, that thing would have been written off a long time ago. Here in the Legislature we weren't even sure how much the dollar amounts were. I think this Bill lacks in setting guidelines as to when we do these write-offs, when we have these write-offs, and when we provide for them, when we set up allowances for them. There is a difference, Mr. Speaker, because the financial statements, the profit and loss, if you will, of the government's accounts are affected when they're provided for and when they're actually written off. Games can be played – and it's done with companies in the private sector – bringing those amounts back and forth. I understand, for example, that the NovAtel loss may not be as great as was originally reported, that in fact some of those loans are recoverable. So if the Treasurer is truly intent on fair reporting and giving Albertans an opportunity to know where they stand with some of these accounts, these loans, he will bring in some more definitive rules with regards to when we recognize them in the accounts, how they're handled, and probably bring them more in line with what's done in the private sector.

Mr. Speaker, I guess I just have one final comment. Section 74 will require that all guarantees authorized by the Crown be tabled in the Legislative Assembly. This would seem to include – it's not certain – those guarantees that are issued by Treasury Board or under the Provincial Treasurer's directive. I applaud this as it seems to be a formalization of what is currently an unwritten policy of this government. This is a kudo, so not everything is always criticism. The current policy, unwritten policy, is to table all new and amended loan agreements, loan guarantees, and share purchase agreements. We've been a little late with a couple of them, but for the most part it has been a good practice, and I applaud section 74 in that regard.

So with that, Mr. Speaker, I will conclude my comments and give an opportunity to anyone else who might want to speak. Thank you.

[Motion carried; Bill 23 read a second time]

Bill 24 Hospitals Amendment Act, 1995

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

MR. BRASSARD: Thank you, Mr. Speaker. It gives me a great deal of pleasure to rise this afternoon on behalf of my colleague the Member for Lacombe-Stettler to move second reading of Bill

24, the Hospitals Amendment Act. As was mentioned in the introduction of this Bill, the intent of the proposed changes is to permit the governing bodies of specified professional associations whose members provide health services in hospitals access to hospital patient records for the purpose of conducting preliminary investigations and disciplinary hearings under their legislation.

Currently some of these governing bodies already have this access to hospital patient records for this purpose under section 40 of the Hospitals Act. The consent of "the patient or his [or her] legal representative" is required for access to records for preliminary investigations. The consent of the patient or his or her legal representative is not required for access to patient records for use in disciplinary hearings, however. Currently access is provided to the governing bodies specified in the Medical Profession Act, the Nursing Profession Act, the Registered Dietitians Act, the Psychology Profession Act, the Dental Profession Act, and the Health Disciplines Act.

The College of Physical Therapists of Alberta has requested that a common standard be established and maintained for access to confidential records of the care provided to hospital patients. The governing bodies of some health professions currently have this access, and other professional associations require the same access in order to monitor the professional conduct of their members and enforce discipline. As such, the College of Physical Therapists has requested an amendment to section 40 to allow them the same access to hospital patient records currently provided to other professional associations. The lack of access to hospital patient records now hampers the college's ability to conduct disciplinary hearings and fulfill their regulatory functions.

Delegated self-governance by the various health professions has served both providers and consumers of health very well, Mr. Speaker. I am recommending that section 40 of the Hospitals Act, as identified in Bill 24, be amended to allow access to hospital patient records for the purpose of conducting preliminary investigations, practice reviews, or disciplinary hearings by the governing bodies of regulated professions.

This Bill will ensure that governing bodies of regulated health disciplines can continue to discharge their functions effectively, and I would ask all members to support it.

Thank you, Mr. Speaker.

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

MR. SAPERS: Thanks, Mr. Speaker. In the current environment that's been created by the government in terms of freedom of information and protection of personal privacy, it's very hard to know whether or not this Bill is as straightforward as it appears. The Bill purports to do some useful things, and I've referred to it before as supportable and largely being a housekeeping Bill. I do take the comments just offered by the Member for Olds-Didsbury to heart when he says that we should be encouraged to support the Bill.

I do have some concerns when we hear today in the House that somebody who phones in to complain about forestry problems has their name sent around and somehow blacklisted. We see that there is still no full implementation of the freedom of information Bill. We see that the government's trying to push through amendments to have only a part-time Information and Privacy Commissioner. We had a couple of incidents in the past where surplus equipment disposed of by the provincial government, computer equipment, has seen the release of confidential informa-

tion on Albertans, I believe for sale in secondhand stores on used computer disks. So certainly there's plenty to be concerned about when it comes to confidential patient information, and I would hope that those concerns would be laid to rest before this Bill proceeds all the way through to being the law of this province.

4:50

Now, Bill 24 does try to accomplish a couple of useful things. It will amend the Hospitals Act regarding the way in which health professional organizations may access hospital patient records. In the current legislation specific health professional organizations are referred to individually. By that I mean they're referred to in legislation as the College of Physicians and Surgeons, for example, or the Alberta Dental Association or the Alberta Association of Registered Nurses.

This amendment would remove these individual references to any specific organization, and instead we'll see the legislation dealing only with "an association regulated by a professional Act." I do have some concerns about that, because there's a possibility that this could be the first baby step to do something by legislation in sort of a secretive way which is supposed to be discussed in a public forum. Of course, what I'm referring to is the discussions under Professions and Occupations to do with health workforce rebalancing. The Health Workforce Rebalancing Committee has held meetings across the province as it tries to develop a way to bring all health care workers under the same legislation. Bill 24 may be the first step in creating legislation for generic health care workers, and I'm not sure this would be a positive step at all.

The amendments called for in Bill 24 do not change the conditions under which patient information required for an investigation is to be released. Now, if the Hospitals Act is going to be amended, I'm just curious as to why it couldn't be amended to do something about the concern of the College of Physicians and Surgeons, because they are currently very concerned about how patient information is released. Under existing section (6.3) of the Hospitals Act, patient records will be released *ex parte*, without necessarily the knowledge of everybody, just after an initial or preliminary inquiry is launched. Now, it is possible, Mr. Speaker, that an individual may have a frivolous or vexatious complaint against a physician, and the physician has to disclose that that physician is being investigated. I'm just curious as to whether or not the Minister of Health has listened carefully to the concerns of the College of Physicians and Surgeons prior to bringing in amendments to the Hospitals Act to see whether or not something can be done to close this kind of loophole.

The College of Physicians and Surgeons is concerned that many preliminary investigations are found not to have merit and in fact there are no concerns found with the physician's practice. I believe it's the College of Physicians and Surgeons' view that if the patient's consent were required, it could be detrimental to the reputation of the physician. Now, this is particularly important when third parties in fact request that the college investigate a physician's practice and standard of care. So while this Act is being amended, I'm curious as to why the government hasn't paid attention to the doctors' concerns.

Of course, the doctors, as you know, Mr. Speaker, are very sensitive right now in terms of their relationship with the provincial government and not feeling that they're being paid attention to as it is. In fact, they feel maybe they're getting paid attention to in the most negative way possible, to being marginalized during this whole health care restructuring process that we find ourselves in the midst of. So the government might be able to engender a

little bit of goodwill should they pay attention to the college on this very important point.

The need for confidentiality of information related to patients must be respected. We have to be assured that it will be respected by all parties who will have access to the information, and I don't see that in the Bill. That could be because we're going to see more regulations. Of course, this begs a question, the larger question of why regulations, a tenet to legislation in this province, are not referred as a matter of course to the Standing Committee on Law and Regulations. It seems to me that if in no other area of law, in those areas of provincial law that actually deal with confidential, private, personal information at least the regulations about the control and access of that information should be discussed in broad daylight, should be discussed in the most open of all forums so that everybody can know at what risk that information potentially might be in terms of getting used in an inappropriate way. So again I'm a little concerned that we don't see the regulatory framework that's going to be applied, and certainly we don't see any move coming from the government to refer this to the Standing Committee on Law and Regulations. I suggest that that would serve us all well.

Now, the recent change of authority from individual hospital boards to the 17 regional health authorities creates some difficulties as well. The board of an approved hospital is mentioned in the legislation, and we take it by earlier definition that the board of an approved hospital is now a regional health authority. But that's only true in most cases, not in all cases. It's very confusing when it comes to the voluntary hospital boards. Now, the Minister of Health has signed a side agreement with the voluntary hospital boards in this province. There are some three dozen voluntary hospital boards that still exist. So it's not quite true, Mr. Speaker, that we've only got 17 health authorities. We've got 17 health authorities plus a whole bunch of voluntary health authorities. [interjection] There is some confusion – I understand the Minister of Health is paying some attention, and I appreciate that – as to how this Bill will apply to the voluntary boards: the Lutheran boards, the Catholic boards.

We don't really know, because of this legislation, whether it's the RHAs, the regional health authorities, or the voluntary boards that will have the ultimate responsibility to release patient information. If that decision has been made – and I see from the look on the minister's face that maybe it has – I hope she would inform the Assembly that that decision's been made. It's not clear in the regulations – and of course we haven't seen all of the regulations attendant to the Regional Health Authorities Act yet either – whose ultimate responsibility it would be. Is it the voluntary board? Is it the regional health authority? Is it up to the individual physician, if there is a physician, or another health practitioner? Where exactly does the buck stop? If information is inappropriately released or accessed, who would be responsible and accountable for that? I think these are important questions.

I think the Bill is supportable, but I would like the questions addressed. I'd like them to be taken seriously by the minister and would appreciate her assurances that these issues have been thought through and that there is in fact a decision-making framework or matrix in place and Albertans will know who will be responsible for withholding or releasing the information on their health care.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. Just a couple of minutes. The hon. Member for . . .

THE DEPUTY SPEAKER: Redwater; sorry. The Chair blushes but does have to give back and forth, and I didn't realize the forth was there.

The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. My comments will be brief. I certainly anticipate hearing some good words of wisdom from the Member for Redwater.

I would like to address a couple of the comments that Edmonton-Glenora just made. He specifically referenced the fact that the Health Workforce Rebalancing Committee is undergoing a process, and he's quite right. As a matter of fact, as chairman of that committee I was quite pleased to see the member attend some of our hearings and attend our meetings. I think he's certainly aware of the fact that our committee was working very hard and very diligently to as much as possible hear what the people of Alberta had to say with respect to the health professionals. I'm surprised the member didn't appreciate the fact that one of the things we heard repeatedly was that people in Alberta were very concerned that the disciplinary process be fair. That's exactly what this Bill is addressing. I think it goes along very well with what the Health Workforce Rebalancing Committee is committed to doing. Certainly we are just partway along a long process, and we will eventually, I would hope, have some recommendations for this Legislature.

This particular part of the process was actually begun and was under way prior to the implementation of our committee. So I think it's very appropriate that this Bill is before the Assembly today. I think it's very much in keeping with what our committee has heard, and I would urge all members to support this Bill. All I can say is that as a member of that committee I suspect that our recommendations will be very consistent with this Bill, and in fact I look forward to bringing those recommendations forward.

5:00

THE DEPUTY SPEAKER: Thank you for your patience, hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker, and thank you, Member for Medicine Hat, my old hometown, for laying on the praise for me. I'll try to live up to the expectations that he gave the Chamber.

Actually, I think the Member for Medicine Hat and the Member for Olds-Didsbury, who always is able to put honey and sugar on any pill no matter how painful – he's one of the smoother members in the Legislature. I think the general thrust of the Bill I can agree with, but a couple of things bother me a bit when I read them from years of experience with the government. Maybe in some ways it should be at committee stage, but I find that at committee stage, Mr. Speaker, often things have more or less metamorphosed or hardened into line so that it's hard to move. I'm going to toss these back during second reading and hope that the Member for Olds-Didsbury will maybe be able to find an answer for them.

The first is they mention that "information may be disclosed . . . only if it is needed for a preliminary investigation." Only if needed. [interjections] I think some members over there still think they're in committee, and they're chatting back and forth. Well, who decides if it's needed or not? This is part of the trouble. It says, "The disclosure [may be] made by a member of

the board of the approved hospital." Well, I know it's sort of working it up a little bit, but what are hospital boards? As far as I know, they've sort of disappeared. Maybe the Member for Olds-Didsbury could look into it, but I suspect that this was drafted before the so-called revolution hit the health care field. I think that would be a lot better spelled out. I am very skeptical about just leaving that in and letting the civil service then determine it.

The other thing, Mr. Speaker, that I hope the Member for Olds-Didsbury and the Minister of Health will look at is: where does this information stop? We've seen today – as a matter of fact, I tabled it in the Legislature – where some innocent people down in the Calgary and Cochrane areas were involved in the whole question of environmental damage and illicit logging, not of their own choosing but just because they chose to take the minister's advice and phone in about some complaints that may or may not be valid. The point is that the letters came back with their names in highlight, and all the operators know what it's about. So where is this going to stop? Is there any kind of a regulatory process in here, a fine or something or a penalty, for anyone that would let the information that was released by the hospital go on past that? For an investigation I could see that, but is that investigation going to be public? Is that investigation, the results or the names, going to go on to the local media or what? That's the second thing that I think the hon. member should look at.

The other area that bothered me a certain amount is it says that an authorized person is under "a professional Act," meaning "an Act that regulates a profession." Now, I don't have at my fingertips how many professional Acts are related to the health profession. This government and I guess most modern governments don't know, whether it's chelation or old-fashioned aboriginal medicine or the laying on of hands or feeling bumps on your head or what, all those things, whether they can be legalized professions or not. I question, for instance, whether a phrenologist – I believe that's the name for somebody that feels lumps on heads; being in the Liberal opposition for years, I'm quite an expert on getting bumps on the head – that is registered as a professional would have the right to start looking through the patient's records, the person involved. So I would rather like to see these professions spelled out, maybe doctors, dentists, God forbid, lawyers. I don't know if they're concerned with health. I'd rather see the actual names of the professions involved. I notice the Clerk is giving me a dirty look, but that's all right. Is there such a thing as health law?

Lastly, law and regulations are something that's bothered us a lot. I think that this government, as do all governments that have been in for a long time – I remember when the Liberals had been in federally for years and years and years – got into the habit of sort of sloppily drafting an Act to push it out and then covering everything with law and regulations afterwards. The civil service would sit down and plug the holes and put the bricks in and everything else. So what ends up in the long run is that you're not being governed by your legislators anymore; you're governed by the draftsmen, you might call them, the legal eagles back in the deputy minister's department that start drafting and plugging holes.

I'd like to see, somehow or another, this Act maybe be one of the first ones where we could work in that no laws and regulations would be made on this, on the interpretation of these clauses, unless they came back to the Legislature. It's just a small start in this whole world of revolutionizing government, but it's so easy to put these in and just let the law and regs take over from there to govern any of the mess that you didn't do properly when you drafted the Bill initially. I would like to see the proposers of the

Bill and the minister guarantee the House that if there were any laws and regulations made on this particular Act – let's start out one small step at a time. What is it they say, a small step for the Legislature, but it'd be a giant step for mankind in Alberta?

MR. HENRY: It'd be a giant step for democracy.

MR. N. TAYLOR: That's it. A small step for the Legislature but a giant step for democracy. If we took just one little Bill – we could call it Bill 24. It may go down in the history books as the one Bill passed in the Legislature that no laws and regulations were going to be made on until it came back to the Legislature.

Thank you very much.

[Motion carried; Bill 24 read a second time]

Bill 1
Alberta Taxpayer Protection Act

[Adjourned debate March 29: Mr. Chadi]

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

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. The Member for Edmonton-Roper has asked me to convey his thoughts and perhaps to embellish them a little, with the permission of the Speaker of course.

MR. DINNING: If you give both of your thoughts, it won't take any longer.

MR. VAN BINSBERGEN: Mr. Speaker, I notice that the Treasurer has already started to poltroom.

Mr. Speaker, this Bill, the Taxpayer Protection Act, is sponsored by the Premier himself, which is rare indeed, very interesting in fact. This is truly to be the cornerstone of his stewardship or one of the many cornerstones. Therefore, I am somewhat surprised that he didn't start off debate in person when it was started a while back. I'm convinced that eventually he will wade into the fray and defend the Bill vigorously and, of course, accept our points with sober reflection.

Now, to the Bill itself. I think, Mr. Speaker, what I have to say is that I find it a somewhat frivolous and vexatious Bill. The reason is this: because nobody ostensibly wants to have yet another deficit. This government has repeatedly announced that it does not consider entering into another deficit situation, and of course the opposition on this side of the aisle has maintained for years on end that no deficit ought to be contemplated, period. So I find it hard to understand.

5:10

Liberals have said for the longest time, Mr. Speaker, that a sales tax can only be introduced after a referendum, and we're glad to see that the government has finally seen the light and adopted this particular philosophy. So the question is: since no . . . [interjection] Mr. Speaker, dare I carry on?

Since no tax at all, sales tax or any kind of tax, is contemplated, other than, of course, all the fees the government is constantly implementing, the question is: why are we talking about this particular Bill? I think that's why it is frivolous, and I find it vexatious because I'm forced to think about this particular Bill. I do agree with the sentiment of the Bill. I do agree that

there ought not to be a deficit, but there is no need for it. Therefore I find it vexatious.

The question arises: why now? I must admit that there's a certain amount of suspicion on my part. Why would the government want to come out with this Bill right now? I don't know the answer to that question. We'll probably never know until the universe unfolds as it should. [interjections]

The other reason I find it frivolous and vexatious is that this Bill is sponsored in fact by the Premier and supported by several ministers who in previous governments sat around the cabinet table and authorized and agreed to all kinds of deficits until they finally accumulated in one ugly, ugly debt. [interjections]

MR. DINNING: Why do you insist on looking backwards?

MR. VAN BINSBERGEN: Mr. Speaker, I'd like to point out to my colleagues here that I'm trying to speak and not they. I mean, I expect to have this amount of interference from the Treasurer but not from my colleagues. Anyway, I'm trying to pick up my train of thought here.

THE DEPUTY SPEAKER: Earlier today, hon. members, the Chair was moved to make some comments about repeated noises, and without having to commit those to memory, I would commend those to all, including the Provincial Treasurer.

West-Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. So there was not a peep, as I was saying, when all these deficits were piled up in previous years, and some of the present ministers were then seated around the cabinet table. So much for principled people.

Now, Mr. Speaker, I would like to carry on, and I would like to say a few things here about the Bill itself, specifically: does it rule out any sales tax? Yes, it does that. Does it speak to a referendum if there's any contemplation of an increase in income tax or indeed any other tax? No, it does not, and one wonders: why not? I mean, why not go whole hog and say, "Well, we don't intend to increase taxes?" as the Premier has said upon several occasions. Why not put that into the Bill then? I think that's perhaps a conscious shortcoming of the Bill.

Then we find in here under the object of the Bill – I think it says that "the cost of conducting a referendum may be paid out of the General Revenue Fund." I find that an interesting statement. It almost sounds to me like the Premier may be contemplating levying another fee on those who want to vote in a referendum, if it ever comes about.

Then we go to another part of Bill 1, which I think really to a large extent protects the taxpayers and therefore should be imposed in fact, but again the question comes to mind: why is it that the Bill is coming up now? We have oodles of statements, Mr. Speaker, I think, gathered together in which it is quite clear – at least it's reported by the media – that the Premier has been ruminating about sales taxes. I know that that's always written off, then, as musings, but I'd like to quote a few here, because they're very edifying.

Well, first of all, there is his reply to a question from the Canadian Manufacturers' Association, and the question was: what is your view of a provincial sales tax? His reply was: if a sales tax should ever be implemented, it would only make sense to harmonize it with the GST to minimize the disruption and the costs of collecting the tax. That makes eminent sense, but it does

not say that there is not to be a sales tax, nor does it say that there should be a sales tax only after a referendum.

On we go. There's another item here wherein the Premier says in *Hansard* on January 27, 1993, page 1908: "Mr. Speaker, I don't have to commit to a referendum. I'm saying no, there will be no sales tax." Again, the principle of a referendum is clearly disavowed at that particular time.

Then on April 6, 1993, the *Edmonton Journal* reports and quotes the Premier as saying: on the matter of a sales tax, it could be; I'm saying that tax increases are a possibility; everything is on the table.

Then I'm quoting the *Calgary Sun*, perhaps a little more reputable: no new taxes at least until 1994, no taxes, no increases; it is necessary that Albertans know where we stand on these issues. Really kind of beginning to leave a little opening here.

So perhaps that's why the Premier decided to introduce this Bill, to put an end once and for all to all these musings, because confusion reigns supreme. All these musings compared to one another: yes, maybe, maybe no, never, possibly, and so on and so forth. So in that sense I can go along perfectly with the notion of having this Bill. It puts an end to all the confusion that has been generated by the Premier's statements. Mr. Speaker, now we have settled that one. That's probably as good a reason as any, I submit.

I'm inclined to vote in favour of this Bill, especially if the government will at least consider – and the Treasurer is here to listen to all our very good ideas – some amendments, some other proposals. I won't feed the amendments of course yet because it's not the time, but obviously we're going to come up with some very good amendments. I think one of them possibly might be to make a referendum apply to any tax increases.

Now, Mr. Speaker, I'd like to also point out here that of course fees are a very sensitive issue with this side of the House anyway, not with the other side, because they're constantly being increased. Every fee that the government could possibly lay its hands on has gone up several times. We think that is not right, and we've made that point time and time again. Perhaps we could also consider including that in the form of an amendment, and I'm sure that the Treasurer will look kindly and favourably upon such a proposal, as he always does.

Mr. Speaker, on the basis of those general remarks, I'm announcing here and now that I will vote in favour of Bill 1 at second reading and that I'm withholding my judgment on various stages later on, of course, depending on what happens next.

Thank you very much.

5:20

THE DEPUTY SPEAKER: The hon. Member for Stony Plain.

MR. WOLOSHYN: Thank you, Mr. Speaker. I move that we call it 5:30 and reconvene again at 8 o'clock in Committee of Supply.

THE DEPUTY SPEAKER: The hon. Member for Stony Plain has moved that the Assembly do now adjourn and that when we reassemble this evening, we do so in Committee of Supply. All those in favour of that motion, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no. Carried.

[The Assembly adjourned at 5:21 p.m.]

