

Legislative Assembly of Alberta

Title: **Tuesday, April 25, 1995**

1:30 p.m.

Date: 95/04/25

[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: **Presenting Petitions**

THE SPEAKER: The hon. Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. I would like to present a petition that comes from the city of Calgary. This is from Calgary Catholic parents or parents who send their children to the Catholic education system. They're concerned about the seizure of separate school taxes and the control of expenditure, they're concerned about the designation of local school taxes to support the school system of their choice, and they're also concerned about open boundaries. There are a total of 462 signatures on this petition, bringing the total number of signatures that I've tabled in this House on this particular issue to 2,387.

THE SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. I beg leave this afternoon to introduce a petition signed by 772 Albertans, many of whom attended the Snow Goose Festival last weekend in Tofield. This petition urges the government "to hold public hearings on the Laidlaw Hazardous Waste proposal for Ryley, Alberta."

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

MRS. FRITZ: Thank you, Mr. Speaker. I'm tabling a petition, presented to me by Mr. Peter Hoff, that is signed by 8,641 Calgarians who ask that this Assembly support a volunteer-based, not-for-profit charitable gaming system in Alberta to ensure that sufficient revenues can be earned by communities and charities. Also, I'm going to be passing this petition along to the Lottery Review Committee for consideration in their deliberations.

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

MR. SAPERS: Yes, Mr. Speaker. Today I have two petitions to table with your permission. The first is signed by residents of Calgary protesting the closure of the Holy Cross hospital.

The second, Mr. Speaker, is signed by approximately 200 residents of the Edmonton area asking that the hospital beds and programs closed and canceled by the regional health authority be reconsidered.

head: **Reading and Receiving Petitions**

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

DR. NICOL: Thank you, Mr. Speaker. I'd request that the petition I submitted on April 11 concerning the funding of 400 hours of ECS be now read and received.

CLERK:

We the undersigned Residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year.

We also request the Assembly to urge the Government of Alberta to allow Alberta School Boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services, as determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

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

MR. HENRY: Thank you very much, Mr. Speaker. I would ask that the petition I tabled in this Legislature on April 10 regarding full funding for kindergarten now be read and received.

CLERK:

We the undersigned Residents of Alberta petition the Legislative Assembly to urge the Government of Alberta to ensure all Alberta school boards provide the opportunity for each eligible child to receive a minimum of 400 hours of Early Childhood Services instruction per year.

We also request the Assembly to urge the Government of Alberta to allow Alberta School Boards to use money from the Alberta School Foundation Fund to fund 400 hours or more of Early Childhood Services, as determined by the local community, so that there are no ECS user fees for 400 hour programs and so that all Alberta children have an equal opportunity or "level playing field" to succeed and compete in life by having equal access to basic educational resources.

head: **Notices of Motions**

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I give notice that tomorrow I will move that written questions stand and retain their places on the Order Paper with the exception of Question 206.

As well, I'll move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions 202, 224, 225, and 226.

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

MR. HENRY: Thank you very much, Mr. Speaker. I rise to give notice that after question period I will seek unanimous consent under Standing Order 40 to present the following motion: "Be it resolved that this Assembly recognize the launch of the national literacy campaign."

Thank you.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I am pleased to table today the annual reports of the Mental Health Patient Advocate for the year ended December 31, 1994, and the College of Physical Therapists of Alberta for the year ended February 28, 1995.

THE SPEAKER: The hon. Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. I have two tablings. First of all, four copies each of three letters to the Minister of Education from parents in Calgary, Catholic school system supporters expressing concern about three particular issues.

Also, I'd like to table four copies of a faxed petition which I know can't be tabled under the petition section. This is also from Calgary Catholic parents expressing concern about the same three issues I raised earlier. There are 113 signatures in this group, and that brings the total to 2,500 signatures on this particular petition, Mr. Speaker.

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

MR. SAPERS: Thanks, Mr. Speaker. Today I'd like to table four copies of a letter from Mr. George Jordan of Red Deer, who is so dissatisfied with the nonelection of regional health authorities that he's calling for a nonconfidence motion in the government.

head: **Introduction of Guests**

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you very much, Mr. Speaker. I have two introductions to make today. The first introduction is of a gentleman who was recently elected in the Calgary-McCall by-election. Mr. Shiraz Shariff is sitting in your gallery. He is, as I pointed out, the MLA elect for Calgary-McCall, and I would ask that he rise and receive the warm and sincere welcome of this Legislature. [applause]

Mr. Speaker . . .

MR. DINNING: We got another one elected? There's another one?

MR. KLEIN: Well, there could be some more.

It gives me a great deal of pleasure, Mr. Speaker, to introduce to you and through you to Members of the Legislative Assembly 86 bright students, grades 10, 11, and 12, from Central Memorial high school in the city of Calgary in my constituency. They are accompanied by their teachers Mr. Jean Fevry, Miss Elaine Schmidt, and Mr. Ron Radomsky. I would ask that they rise and receive the warm welcome of this Legislative Assembly.

MR. DAY: Mr. Speaker, seated in the members' gallery is Mr. Henry Tomlinson, along with some other individuals. Mr. Tomlinson will be leading a delegation from the Federation of Alberta Gas Co-ops in a meeting with government tonight, and they are here to view the proceedings today. I would ask them to rise and receive the warm welcome of the Assembly.

1:40

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

MR. ADY: Thank you, Mr. Speaker. I'm perhaps a little belated in that some of the introductions have already taken place, but it's my pleasure to introduce to you and through you to members of the Assembly a number of hardworking individuals from the Gas Utility Operators Provisional Committee. They're here to help us make history today: the first ever designation of

an occupation under the Apprenticeship and Industry Training Act, the designation of a gas utility operator.

I'd like to ask each person to rise as I call their name and remain standing until I complete the introduction. First of all, Mr. Bruce Benesch, serviceman for Evergreen Gas Co-op Ltd., and his wife, Linda; Mr. Bill Emmerzeal, manager of operations for Centra Gas Inc., and his wife, Elizabeth; Mr. Bill Gray, director of the Federation of Alberta Gas Co-ops Limited; Mr. Don MacMillan, manager of Foothills Natural Gas Co-op Ltd.; Mr. John Malysh, serviceman for county of Smoky Lake No. 13; Mr. Ray Pratch, manager of Elk Point Gas company, and his wife, Hendrina; and Mr. Gordon Sweitzer, manager of Yellowhead Gas Co-op Ltd., and his wife, Maxine. Also, I'd like to recognize Mr. Henry Tomlinson, chairman of the Federation of Alberta Gas Co-ops, and Mr. Ralph McCall, who represents Canadian Utilities. Mr. David Panabaker of Medicine Hat gas and Al Kehler, district supervisor for Centra Gas Inc., are also committee members but were unable to be here today. I'm also pleased to introduce the chairman of the Apprenticeship and Industry Training Board, Mr. Jake Thygesen, who's worked very hard to bring this to pass, and last but not least Ms Shirley Dul, who has worked with him as executive director of our apprenticeship and industry training branch. I ask all members to give these ladies and gentlemen the warm traditional welcome of the Assembly.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. I'm privileged today to introduce to you and through you to members of the Assembly 13 students from Austin O'Brien high school in Edmonton-Gold Bar. They're accompanied by their teacher Mr. Sean Fleming. They're seated in the public gallery, and I'd ask them to rise and receive the welcome of the Assembly.

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

MRS. GORDON: Thank you. Mr. Speaker, it's my pleasure to introduce to you and through you to Members of the Legislative Assembly four hardworking, diligent individuals who are currently serving on the Lottery Review Committee: Ray Clark, alderman, city of Calgary, an appointee of the Alberta Urban Municipalities Association; Bruce Willerton, councillor, municipal district of Wainwright, an appointee of the Alberta Association of Municipal Districts and Counties; Thomas Lukaszuk, public member from Edmonton; and Paulette Patterson, public member from Grande Prairie. They're seated in the public gallery. I would ask them to rise and receive the warm welcome of the Assembly.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. It's with a great deal of pride and pleasure that I introduce to you and to the members of the Assembly 20 fine young Albertans from grade 6 at Ministik school, which is in the rural part of Strathcona county, a beautiful part. They're accompanied by two teachers, Mr. Arnold Duncan and Mrs. Louise Dalziel. Also, we are very fortunate to have three parents, volunteers – and a special thanks as it's volunteer week – Mrs. Leona Kievit, Mrs. Beth Appleyard, and Mrs. Laura Gericke. I'd ask you please to give them a warm welcome. It's the tradition of this House.

Thank you.

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

MR. DECORE: Thank you, Mr. Speaker. I'd like to introduce two young women, Lori and Pam Sitko, who've spent the day with me and who I think are incredible in the sense that one wants to be a veterinarian – I hope she doesn't take after some people I know – and the other wishes to emulate her father, who is a lawyer in my constituency. Both of these students attend Ardrossan school and live in my colleague's constituency. Would they stand and be introduced and welcomed by the Assembly.

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

MS CARLSON: Thank you, Mr. Speaker. It's with pleasure today that I introduce to you and through you to Members of the Legislative Assembly Lora Treder. She's here shadowing me today and will be spending a full day with us here in the Legislature. I ask that she now rise and receive the traditional warm welcome of the Assembly.

head: **Ministerial Statements**

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

Designated Occupations

MR. ADY: Thank you, Mr. Speaker. Today we celebrate the first designation of an occupation under the Apprenticeship and Industry Training Act. The legislation includes provisions for designated occupations in order to address in a flexible and responsible manner the new realities of the labour market: global competition, new technologies, new skills and knowledge requirements, and increased industry participation in training. A designated occupation is established around a set of particular job skills and competencies. Standards of performance are set, and training is developed to meet those standards. Employees who complete the training and achieve the standards are awarded a provincial certificate that is recognized within the industry.

Our first designated occupation is that of gas utility operator. A gas utility operator installs and maintains gas mains and gas utility distribution systems. Specific training standards will help ensure proper safety procedures within the gas distribution industry and in the public it serves. Earlier I had the pleasure of introducing the members of the Gas Utility Operators Provisional Committee. This committee played an instrumental role in the designation of the occupation. On behalf of their industry the committee determined the scope of the occupation and instituted a fine training program at NAIT.

I'm pleased to inform the members of this House that total financial support for the design and delivery of the training comes from the industry. This financial model will be used for all designated occupations. I'd like to congratulate the Gas Utility Operators Provisional Committee for its work. This committee and its achievement represent a fine example of industry taking a lead role to ensure that its personnel develop the skills, knowledge, and high standards required in Alberta's labour market.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. I'm pleased to respond to the ministerial statement this afternoon, and I'm very

pleased to offer congratulations on behalf of the Liberal Party to the Gas Utility Operators Provisional Committee, the apprenticeship board, and of course the Minister of Advanced Education and Career Development on achieving and getting the designation status for the gas utility operators.

Mr. Speaker, it's been a long time coming, and I would suggest that there's a need to build on this particular initiative. This committee and the apprenticeship board have opened the door for future designations, and I would suggest that that would be welcome in the province of Alberta as well. Undoubtedly the partnership and co-operation that must exist between industry and government are critical for training programs to succeed and for the programs to be responsive to the labour markets.

I would offer my commendation to the Minister of Advanced Education and Career Development for facilitating the gas utility operators and also to the industry itself in arriving at this particular designation. I would wish the gas utility operators, those that will very soon carry that title, the industry itself, and NAIT the utmost success in the upcoming career that has been created for Albertans.

head: **Oral Question Period**

1:50 **School Taxes**

MR. MITCHELL: Mr. Speaker, the province has mandated a uniform provincial mill rate for education property taxes. This will create huge increases in some people's property taxes across this province. The government is compounding the problem by mandating market value assessments for properties at about the same time. To the Premier: where is the equity in the owner of a 1,200 square foot bungalow in Jasper, Alberta, paying more into the education funding pool than the owner of an identical house in Calgary?

MR. KLEIN: Mr. Speaker, it is so typical of the Liberals to point out the negative. Under this new redistribution system 67 percent of municipalities in this province will see tax decreases. That represents 88 percent of the population. We have been trying to come to grips with this problem for years and years, first through corporate pooling and other devices. Finally the minister and this government have come to grips with the situation. Fundamental to this situation is that there is now equity, that kids have an equal chance in this province, and that's what's important.

MR. MITCHELL: What equity is there for a senior citizen on a fixed income who has just had her property tax benefit chopped last year by this government and who is now faced with an increase in property taxes of as much as 300 percent over the next five years? What kind of equity is there in this province for a senior like that, Mr. Premier?

MR. KLEIN: Mr. Speaker, this will have to be worked out over time, and the minister has agreed to review this, especially as it affects senior citizens. I would point out that under this plan 67 percent of municipalities representing 88 percent of the population will actually see tax decreases.

MR. MITCHELL: These people can't wait for a review.

What is the Premier going to do now, not after some review but now, before people are forced to sell their homes to pay for arbitrary property tax increases they won't be able to afford?

MR. KLEIN: Well, Mr. Speaker, that is a pretty bold assumption based on absolutely nothing.

I will have the hon. Minister of Education supplement and set the hon. leader of the Liberal Party straight on this issue.

MR. JONSON: Well, Mr. Speaker, I think that it should be also acknowledged from those across the way that in those few cases across the province where there is a significant increase in the mill rate projected, we are phasing this in over a three-year period for most of the province and a five-year period for those in extreme cases. At the end of the day I think it's very important to note that across this province there will be a uniform mill rate for all residents of the province paying property tax, and it will be based on the same system of assessment. That is fair and equitable for all those people in this province.

Kindergarten Programs

MR. MITCHELL: Mr. Speaker, families of British army personnel in Medicine Hat are surprised that their children cannot get 800 hours of kindergarten like they would receive in Britain. They reflect a belief held in other jurisdictions, held in other countries, held by many Albertans in fact that children need a strong start in early education. Meanwhile, this government defeated a private member's Bill earlier in this session which would have provided for a minimum 400-hour kindergarten program available to all children across this province. To the Premier: why is the Premier putting Alberta children at a competitive disadvantage by offering one-quarter the amount of early education that is offered in other countries?

MR. KLEIN: Well, we aren't, Mr. Speaker. We aren't.

MR. MITCHELL: Will the Premier confirm the statement made by the Member for Lethbridge-West last week at a conference in Lethbridge that the Conservative caucus was not allowed a free vote on my private member's Bill 202 to provide a 400-hour kindergarten program for children across this province?

MR. KLEIN: No. Mr. Speaker, I honestly can't confirm it because this is the first I've heard of such a statement.

MR. MITCHELL: Does the Premier not realize, judging by what the Member for Lethbridge-West had to say in that public forum, that had he allowed a free vote on this issue in the Legislature, there would in fact be 400 hours of kindergarten available for children today across this province regardless of their ability to pay?

MR. KLEIN: Mr. Speaker, I don't know what the Member for Lethbridge-West said or what he didn't say. [interjection] No, I don't read with a great deal of regularity the *Lethbridge Herald*. I see that my hon. colleague the Member for Lethbridge-West has risen on a point of order, and I'm sure he will be glad later on to explain his remarks to the hon. Leader of the Official Opposition.

THE SPEAKER: The hon. Member for Sherwood Park.

Paddle River Dam

MR. COLLINGWOOD: Thank you, Mr. Speaker. On March 28, 1994, the Deputy Minister of Justice in Alberta requested that the Saskatchewan Justice department undertake an assessment of the Paddle River dam fiasco to determine whether a police investigation into criminal activity was warranted. Over one year

has elapsed, and the report has yet to be released. Albertans want to get to the bottom of this mess once and for all and find out who was responsible for tendering irregularities and deceitful actions cited in Justice Feehan's judgment of March 22, 1994. My question is to the Premier. Can the Premier elaborate on why the wheels of justice on this important test of government responsibility and accountability are moving so slowly?

MR. KLEIN: Mr. Speaker, I've often wondered that myself. Indeed I've asked the Minister of Justice from time to time what the delay is. I take it that they want to do as thorough a job as they possibly can.

I will have the hon. minister supplement.

MR. EVANS: Mr. Speaker, for all members of the Assembly and Albertans who are interested in this important issue, it should be understood that the trial of the action on the Opron statement of claim took a number of years before our courts. The number of pages is probably in the six to seven feet high level. This is a very, very complicated contractual issue. It has been sent to Saskatchewan.

We quite frankly understood that we would have a report back from Saskatchewan before the end of last year, but as the Premier stated, Saskatchewan has taken the time and are continuing to take the time to do a thorough review of all of the information that's available and review the transcripts from the trial and all the evidence that was before the court at the trial. It's my understanding that the report will be coming very quickly to us, but again I've said that previously. It is up to Saskatchewan, when they feel that their report is complete, to submit that document to us. As I say, it's my understanding that that will be soon.

THE SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Given that answer, to the Minister of Justice: will the minister undertake to find out when that report is going to be delivered to the province of Alberta and indicate that date to us in the House?

MR. EVANS: Mr. Speaker, I think I tried to answer that, as did the Premier. We sent the question over to Saskatchewan and asked them to analyze all of the information available from the trial. They are doing just that. They've indicated to us that the report from Saskatchewan will be coming back to us very quickly, and I quite expect that that is the case. We are in very regular communication with Saskatchewan on this matter.

2:00

THE SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. My final supplemental to the Premier: will the Premier assure Albertans that the Saskatchewan Justice report will be released in its entirety and will not be censored by this government before it's released?

MR. KLEIN: Well, I stand to be corrected, and perhaps the hon. Minister of Justice can clarify if indeed I'm mistaken in my comments, but I believe there was an undertaking that in fact the report would be released in its entirety.

MR. EVANS: I believe that the Premier is absolutely correct, Mr. Speaker. I think he made that commitment when he sent this issue over to Saskatchewan for review. The review is on the

issue of whether there should be any criminal charges, whether there's any criminal activity revealed by either the evidence or the judgment of the court here in Alberta. His undertaking was that when that report was back, it would be tabled, that it would be made available to the public.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul. [applause]

MR. LANGEVIN: Thank you, Mr. Speaker. If this were a week ago, I would say that my caucus is firing on one piston only.

Interprovincial Trade

MR. LANGEVIN: Many small rural and urban municipalities and hospitals and school boards are concerned that the agreement on internal trade will cause a financial hardship to their operations. The staff in local governments are already stretched to the limit. They cannot afford increased staff to comply with new regulations that are required under the new internal trade agreement. My question is to the Minister of Federal and Intergovernmental Affairs. Will the small local governments have the option to opt out of the program at their own discretion?

MR. ROSTAD: Mr. Speaker, I think the short answer would be no. They don't have the option to opt out. What we have to understand is that 60 percent of the procurement that goes on in Canada comes from the municipal side of business, so it's very important, if you're going to have an internal trade agreement that works and breaks down the barriers, that you include the municipalities, advanced education, schools, and hospitals. The free trade agreement starts July 1 of this year, and from a recent meeting of provincial ministers it looks like things will be ready. At that time we hope to have an agreement with the MASH sector across Canada which will bring them into the agreement, and they'll have a year subsequent in which to get their place in order.

I think I can allay the fears that the hon. member brings to the Assembly for the small municipality through negotiations with AAMD and C and AUMA. There have been some provisions. I don't have them with me. I don't know that they're quite finished. But there are accommodations for the smaller municipalities such that it won't be a burden.

THE SPEAKER: Supplemental question.

MR. LANGEVIN: Yes. Again to the same minister: in view of the fact that they will be required to advertise tenders, will local governments still have the option to go to invitational tenders, as some have done in the past?

MR. ROSTAD: Again, Mr. Speaker, not being at the table on the negotiations, I would suggest that the member talk to the negotiator from AUMA or actually the public works department, who handles the procurement. I think there is an accommodation on the table such that the smaller municipalities won't have to worry about the tendering process or the costs of advertising, which have been the issues, but I don't have any personal knowledge of that. Either we can get it or you can talk to the AUMA or public works negotiators.

THE SPEAKER: Final supplemental?

Community Health Centres

MRS. ABDURAHMAN: Mr. Speaker, Albertans want a caring, cost-effective health care system, and they want the largest portion of their dollar devoted to patient care. Now we learn that the Lakeland regional health authority has directed the hospitals of Fort Saskatchewan and Lac La Biche to be known as health centres and not hospitals. I'd like to table 90 copies of a letter from the office of the mayor of the town of Lac La Biche. I believe every member should read this letter. My question is to the Premier. How can you allow this government-appointed health authority to pass on this unnecessary administrative cost, the cost of new letterhead, the cost of new signage, when all they're doing is simply changing a name?

MR. KLEIN: Well, Mr. Speaker, this is the first I've heard of it. I'd be glad to read the letter as to the costs associated with this move. I really don't know what they are, but certainly I would suspect that this is a move to reflect the shift from institutionalized care to community-based health.

I will have the hon. minister supplement.

MRS. McCLELLAN: Mr. Speaker, certainly I expect the regional health authorities to be responsible in the administrative costs of such a move, but I would applaud the regional health authorities, Lakeland and others, who have made the decision, as many have, to designate community health centres rather than strictly the hospital-based program that they had. Indeed this is a very positive move for communities where there are expanded services, many of them on one site, where they are making very good utilization of present structures and have in some cases done some renovations. They truly have a community health centre.

Mr. Speaker, rather than picking away and looking for little things to find wrong with the restructuring in this system, we should applaud communities who are moving to provide more services to their citizens rather than just simply institutions.

MRS. ABDURAHMAN: Mr. Speaker, to the Minister of Health: how can you justify taking scarce dollars away from patient care when you do not know what the definition of a health centre is? We're not talking about a community health centre. Tell us; tell Albertans. What is a health centre?

MRS. McCLELLAN: I would hope that I'm a little more knowledgeable than the member opposite, because she doesn't even seem to be able to conceptualize what a health centre is. The very words "health centre" would denote to people that there are health services in that centre rather than simply treatment services. The treatment model of health, the medical model of health, is still an important part of the system, but it is not the only part, and there is an increasing recognition in Alberta, in Canada, in the world. In fact, Mr. Speaker, the countries who have recognized this are the world leaders in health outcomes, because they have recognized that it is important to have whole health, population health as well as simply treatment.

2:10

MRS. ABDURAHMAN: My final supplemental, Mr. Speaker, is to the Premier. Now that you've made the H signs on highways and freeways meaningless, how will Albertans know where to get emergency treatment?

MR. KLEIN: The great big H now means health in all ways, shapes, and forms.

THE SPEAKER: The hon. Member for Calgary-Fish Creek.

MRS. FORSYTH: Thank you, Mr. Speaker. I have some . . . [interjections]

THE SPEAKER: Order. [interjections] Order, hon. members. Order.

The hon. Member for Calgary-Fish Creek.

Education Funding

MRS. FORSYTH: Thank you, Mr. Speaker. I have some deep concerns regarding the elimination of the position of itinerant teacher for the home confined. A recent decision made by the Calgary public school board scrapping this position and keeping a part-time women's advisory position is beyond my comprehension. The itinerant teacher is a vital link between the school and students who through no fault of their own are forced by illness or accident to remain at home. My question today is to the Minister of Education. Could the minister please indicate what is more important: a hands-on itinerant teacher position helping sick kids at home or an administrative position dealing with women's issues?

MR. JONSON: Mr. Speaker, quite clearly my emphasis as minister and the emphasis in terms of our funding and direction of the government are on the student and on instruction for the student and care for special-needs students; in other words, overall service to the student. In terms of the decision-making process and the priorities that might be set by a particular school board, I would not comment or speculate on that. Certainly our focus as a government is on the student.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Thank you. Then, my second question is to the Minister of Community Development. Is it possible for the Calgary public school board to call upon the women's advisory council currently in place with their issues and concerns?

MR. MAR: Well, Mr. Speaker, indeed we do have a valuable resource with the Alberta Advisory Council on Women's Issues, and I would certainly invite the Calgary public school board to take advantage of that resource.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Thank you, Mr. Speaker. Back to the Minister of Education. Could you please clarify: with the funding framework announcement was it not this government's intention to drive funding out of administration and into the classroom?

MR. JONSON: Yes, it certainly is, Mr. Speaker. It is more than an intention; it is a reality in terms of the provisions of the funding framework which have been announced since February of this year. In the case of Calgary public there is an additional \$13 million directed into instruction, and that coincides with a significant reduction, yes, on the administrative side that is provided for there. We have a 4 percent cap on central office administration, and we have a phasing-in approach to reach that cap overall. So clearly we are emphasizing placing the resources on instruction.

THE SPEAKER: The hon. Member for Redwater.

Forest Management

MR. N. TAYLOR: Thank you, Mr. Speaker. Last Friday, when I was in the Peace River area discussing forestry issues with the public and industry, I also had an appointment with the regional manager for Alberta forest service, Mr. Leary. This was transferred the day before to an assistant, but when I turned up Friday, I was told that no one was available, nor would they be even if I waited all day. Now, to the minister: will the minister agree to table in the House copies of any letters or faxes he sent to the Peace River forestry office instructing them not to see me?

MR. LUND: Mr. Speaker, I would be only too happy to file any faxes or letters that I sent, because there are none.

MR. N. TAYLOR: Is the minister prepared to say categorically that neither he nor his top staff in Edmonton, acting on his instructions, ordered the Peace River forestry office to cancel my appointment?

MR. LUND: Mr. Speaker, it was my understanding that in fact the hon. member did have an appointment with the chief ranger, and in fact the hon. member never came and fulfilled the appointment.

MR. N. TAYLOR: It's not easy to get lost in Peace River, Mr. Speaker, but if anybody could, he could.

THE SPEAKER: Question.

MR. N. TAYLOR: For his information, I was there a couple of hours.

Is the minister afraid that his staff might spill the beans because they are demoralized by this government's reign of terror against employees?

MR. LUND: Well, Mr. Speaker, the hon. member is dipping about as low as I've ever seen anyone in this House dip. The fact is that I have been out and meeting with the staff. I have been getting just tremendous receptions. The staff have been very, very anxious to move forward with our reorganization. I've had compliments all over the province. I'm sure that the hon. member is wishful thinking. [interjections]

THE SPEAKER: Order. [interjections] Order. The time for this question has expired.

The hon. Member for Medicine Hat.

School Taxes

(continued)

MR. RENNER: Thank you, Mr. Speaker. This morning the Minister of Education and the Minister of Municipal Affairs announced a new, uniform education property tax rate for municipalities. While this new rate will mean decreased education property taxes for the majority of municipalities, some will experience increases. We've already heard the fear mongering side of the issue; I'd like to deal with the facts. To the Minister of Education: would the minister explain why this new approach to funding education is being implemented?

MR. JONSON: In terms of the government's direction for funding education, we have developed and have announced a new

funding framework for education in the province which provides for equitable funding for each student in this province to access a quality education wherever they might reside within the separate or public school system of the province. Along with that, Mr. Speaker, it was an important decision for the government to also provide that in providing funds to the Alberta school foundation fund through the property tax, property owners across this province should be able to pay at the same uniform mill rate. This is being phased in and on the same overall program of assessment; in other words, fair and equitable payment from property taxes to education, fair and equitable payment in support of students.

THE SPEAKER: Supplemental question.

MR. RENNER: Thank you. To the same minister: will this change in the education property tax system have any impact on the ability of school boards to provide quality education to their students?

MR. JONSON: No, Mr. Speaker. The move to a uniform mill rate, as I have just indicated, is an approach to providing on a fair and equitable basis a means of paying property taxes towards the support of education. It's the funding framework which provides for a sound basis for funding education for students.

THE SPEAKER: Final supplemental.

MR. RENNER: Thank you. My final question, Mr. Speaker, is to the Minister of Municipal Affairs. I would like to ask the minister what steps are being taken to minimize the impact on individual taxpayers living in those areas where tax rates will change significantly?

2:20

MR. THURBER: Mr. Speaker, as we move to a uniform mill rate across this province, it just simply means that everybody will pay their fair share of the education taxes. As we adjust this downward to the provincial average of 7.3 mills, some people's property education taxes will increase. The phase-in process is going to take place over a period of three years to bring the majority of them to the provincial average. In those exceptional cases where they're out of sync by a lot more than that, as some areas are, there will be a further phase-in of an additional two years, which would bring it to five years. I think this adjustment is necessary to make sure that everybody pays on the same basis right across this province, on the same foundation and the same mill rate throughout to provide and pay for the excellent education system that we have in this province.

THE SPEAKER: The hon. Member for West Yellowhead.

Forest Regions Restructuring

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. Two weeks ago the employees of the Edson forest region were told by their director that the headquarters of the newly combined Edson-Whitcourt forest region will be in Whitcourt as of September 1. Now, I asked the Minister of Environmental Protection about this at the time, and he told me that no decision had as yet been made. So I have a simple question for the minister. I'd like to ask him: who's speaking the truth, he or his director?

MR. LUND: Mr. Speaker, there is an amalgamation going on in our forest districts. We will be moving from 10 superintendents

to four, and we will be having some regional offices of forestry in various locations. The director of forests will be in that location. That doesn't mean to say a wholesale moving of people. The great movement is in the ability to make decisions, and we will be moving out money to the regions so that they will be able to make decisions out there that will, in fact, show some savings. The plan currently is that the forestry headquarters will be in Whitcourt but in fact that there would be the opportunity once we get moved through this for possibly one of the other directors to be in Edson.

THE SPEAKER: Supplemental question.

MR. VAN BINSBERGEN: Mr. Speaker, thank you. It sounds like it'll cost a lot of money, all these changes.

How can the minister justify this move, when clearly Edson has the modern provincial space and is located geographically in the centre of the area?

MR. LUND: Mr. Speaker, the hon. member apparently didn't hear my complete answer. I said that there was the opportunity that another regional director would be in Edson, and, yes, there is room there. But one of the things I have told the executive that I want to see happen is that the regional co-ordinating committee would move around the region, become involved in the communities, meet with the elected officials in the various communities, meet with the chambers of commerce and the stakeholders. So I don't think there's any great magic about having one of the directors in your community.

MR. VAN BINSBERGEN: It's just increased costs.

Mr. Speaker, my final question again to the minister: could he explain what considerations, other than political ones, played a role in this decision?

MR. LUND: Mr. Speaker, obviously the hon. member isn't listening. I said that there is the opportunity of one of the other regional directors being in the town of Edson. So if in fact that is a political decision, I would hope the hon. member would thank me.

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

Fort McMurray Regional Health Authority

MS CALAHASEN: Thank you, Mr. Speaker. As a northern MLA I'm concerned about reports that physicians in Fort McMurray are withdrawing from regional committee work. We need their expertise in all health authorities. In Keeweenaw Lakes health region physicians in the authority have developed an excellent working relationship. I would like the minister to explain to the Assembly what she is doing to see that a positive working relationship is developed between the physicians and the RHA in Fort McMurray.

MRS. McCLELLAN: Well, Mr. Speaker, I'm as disappointed as the hon. member is when I hear that there is a relationship that is less than good between our physicians and their regional health authority. About a year ago in the AMA/Alberta Health negotiations we made a commitment together to put in place physician liaison councils to work in every region to ensure that the voice of physicians was heard. Beyond that, we took that one step further, and the Alberta Medical Association and the minister and

the regional health authorities formed a tripartite committee to address this issue and others.

The result of that, agreed upon by the three parties, was that physicians should be appointed to fully participate at a board level and that that appointee should be made from the physician liaison council. Further to that, Mr. Speaker – further to that – a physician must be appointed to any committee that has to do with planning or clinical practice or patient care. So when I hear that physicians have indeed withdrawn from regional health authority committee work, I am very concerned.

MS CALAHASEN: Mr. Speaker, with that in mind, then, would the minister be prepared to meet with Fort McMurray physicians to discuss their concerns?

MRS. McCLELLAN: Mr. Speaker, I would be quite prepared to meet with Fort McMurray physicians through their physician liaison council, including the regional health authority.

MS CALAHASEN: Mr. Speaker, since they are having problems, can the regional health authorities appoint physicians as voting members of their boards? If not, would the minister make such appointments herself?

MRS. McCLELLAN: Physicians have not ever, to my knowledge, been made voting members of hospital boards. However, they have been members of hospital boards for years and years and years in this province, and it has worked very well. In fact, Mr. Speaker, it is my understanding that in most regions there is one or more physician sitting on every board, including in the two major centres the deans of medicine of both medical schools, and I think that's quite important.

Mr. Speaker, there are by legislation only 15 persons that may be appointed to a board, and in many cases the boards have a complement of 15 persons at this time. However, it is not unusual and not in any way untoward to have physicians there fully participating but not as voting members, and certainly doing it in that manner would remove physicians from any concerns about being in conflict, as we had deemed important when we set out that legislation.

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

Federal Transfer Payments

MR. SEKULIC: Thank you, Mr. Speaker. A report prepared by the Dominion Bond Rating Service reveals that Alberta's health care, education, and social safety net system will suffer a \$557 million cumulative loss by 1997-98 as a result of changes to federal transfer payments. On February 28 the Treasurer indicated that reductions in federal transfers could be managed without changing the provincial spending plan. My questions are to the Provincial Treasurer. Given that on page 38 of the 1995 provincial budget the Treasurer assumes no changes in provincial revenues from any transfer measures, will the Treasurer commit to table in this Assembly as soon as possible the revised fiscal summary for the '96-97 and the '97-98 years so that Albertans know the true accounts? That's a yes or no question, Mr. Treasurer.

MR. DINNING: Mr. Speaker, might I point out to the hon. member that it is the Liberal government, the Liberal government in Ottawa that is reducing its spending in health and postsecondary

education in the province of Alberta by nearly 25 percent, indeed, over the next two years. Whereas the provincial government didn't go to those lengths, the federal Liberal government are reducing their spending on health and postsecondary education by nearly 25 percent.

2:30

Mr. Speaker, in our budgetary plans that came out on February 21, we made it clear that for '96-97 and '97-98 we had made some provisions for a reduction in federal transfers because we knew what the Liberals were going to do. We knew that the Liberals were going to cut their spending in health and postsecondary education, so we made provision for most of those cuts, most of those reductions, and they fit within our fiscal plan. We will clearly have to go back as we prepare for budget '96. We have to make provision for additional spending cuts by the Liberal government, but we believe that the steps they have taken, a 25 percent reduction in their spending, can be accommodated within our financial plan.

THE SPEAKER: Supplemental question.

MR. SEKULIC: Thank you, Mr. Speaker. I'm not sure how the Treasurer would do on a multiple choice. As I recall, it was the Treasurer that told Ottawa it was all right to cut.

My second question to the Treasurer is: can he tell Albertans what size of revenue cushion has been built into the \$408 million surplus budget that the government is projecting for 1997-98 in order to deal with this loss of \$557 million in cash funding? Just the fact.

MR. DINNING: Mr. Speaker, you're right. The Premier of this province and indeed my colleagues on this side of the Assembly said to Ottawa that they had to reduce their spending. But it was unlike what we did. We set priorities. We said that we were going to cut our spending by 5.6 percent in education over four years, not 25 percent like the federal Liberals have done. We wouldn't cut education spending by 25 percent like the federal Liberals did. Clearly we would not.

We spelled out in our financial plan, we made assumptions on the revenue side that our revenues from Ottawa would be reduced by about \$150 million in '96-97 and about \$300 million in '97-98. It in fact will be more than that, because they've cut their spending on health and postsecondary education in Alberta by 25 percent over two years, far more than we would have dreamed of doing. Indeed having accounted for most of the reduction, we don't believe that it's going to have a severe impact on our fiscal plan, but we will review that over the year and come back with budget '96.

THE SPEAKER: Final supplemental.

MR. SEKULIC: Thank you, Mr. Speaker. I think the Minister of Justice would agree that often perpetrators tend to point fingers.

Mr. Speaker, my final question is for the record. Is the Treasurer prepared to stand up in this Legislature and assure Albertans, who will have suffered \$2.64 billion in cuts between '92-93 and '96-97, that program expenditures will not fall below the \$11.84 billion projected for '97-98? Once again a yes or no will do, Mr. Treasurer.

MR. DINNING: Mr. Speaker, it's hard to tell. The Member for Edmonton-Roper the other day in arguing about the Balanced

Budget and Debt Retirement Act stood and said that we weren't cutting enough. Now I hear the Member for Edmonton-Manning saying that we should cut no more.

The fact is, Mr. Speaker, that we've made it clear that we are going to live within the taxpayers' means. We are not going to run a deficit. The Liberals have said that they would advocate a deficit every other year, five times a decade. Fifty times a century they would advocate a deficit. We've made it clear that we will not tolerate a deficit because Albertans will not tolerate a deficit, and we will live within Albertans' means.

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

Tourists from the U.S.

MR. DUNFORD: Thank you, Mr. Speaker. My questions today are to the minister responsible for Economic Development and Tourism. American tourists are very important to the economic well-being of the city of Lethbridge and of course to southwest Alberta. Also, most Americans drive through Lethbridge on their way to other points in Alberta. Will the minister responsible for Economic Development and Tourism tell the House how many American tourists are projected to visit Alberta this summer?

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

MR. SMITH: Well, thank you very much, Mr. Speaker. In fact, we are projecting and hoping for 866,000 American tourists to visit Alberta in this coming year. Now, that's a 3 percent increase. It indicates that there will still be growth in tourism. Many of these tourists will stop in Lethbridge. Many would probably want to see local tourist attractions, such as perhaps the Member for Lethbridge-West himself, play in the many tourist values that are there: Paradise Canyon, which is a world-class golf course, the Japanese Garden. So we're hoping that not only will they use Lethbridge as a gateway, but in fact they will be stopping in Lethbridge and spending some of their money there.

MR. DUNFORD: Mr. Speaker, I'm glad he clarified that. We're more than just a city to drive by.

Will the minister responsible for Economic Development and Tourism tell the House how much money it is expected that these American tourists will spend in Alberta?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you. Interestingly enough, Mr. Speaker, the strength of the Canadian dollar that's occurring in the short term may have an effect on the forecast, but in fact we indicate that there'll be a 4 and a half percent increase in money spent by American tourists in Alberta this year, that being a number of \$408 million. The department has targeted \$3.9 billion in total tourism receipts in Alberta by 1997. I can only hope that these numbers are in fact achieved, notwithstanding the negative publicity that the opposition has a tendency to put forth in this American market whenever we are trying to build trade and investment in that important marketplace.

THE SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. What has the department of Economic Development and Tourism done to

educate Alberta businesses on the importance of giving American tourists a fair exchange rate on their dollar?

MR. SMITH: Well, most important, Mr. Speaker, is that the private sector knows that the reputation for good service, world-class, world-best level of service and giving that fair deal in a businesslike setting are what bring people back. Good customer service brings people back. In fact, there is a 1-800 information line. There are nine visitor information centres, that serve potential tourists. We have not had many complaints in the department that address the difference in exchange. Most importantly, we have developed a program that strongly puts Alberta's best service foot forward in such a way that we're offering a level of service to the American tourist that they recognize and come to expect as a world-class level of service. Therefore that marketplace becomes very, very important to us.

Thank you.

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

Maintenance Enforcement

MRS. SOETAERT: Thank you, Mr. Speaker. This government's lack of understanding, sensitivity, and plain ignorance about maintenance enforcement is very revealing. Not only do they refuse to consider proven alternatives to help with collection; government members continue to make distressing comments such as the one made by the Minister of Labour, who after meeting with a group of Red Deer parents struggling to get their child support is quoted as saying: government's can only do so much; it's a community responsibility really. My questions are to the Minister of Justice. Is the reason that your government refuses to consider improvements or apply tough enforcement measures because you think collection of child support and forcing parents to pay their arrears is not the government's responsibility? Do you support that statement?

MR. EVANS: Mr. Speaker, actions speak much louder than words, and this government has been committed to the maintenance enforcement program since it was initiated in this province back in February of 1986. Since that time, we have collected in excess of \$389 million pursuant to court-awarded maintenance orders. We have continually improved that system so that we access data communications, so that we access whatever electronics are available to us, so that as of last year, when we made a change to the collection procedures, we can prevent people from having their licences renewed, from getting new registrations, from getting drivers' licences. We are doing everything we can to make this program effective.

2:40

Now that said, there are some individuals who make it very difficult for us to collect. Sometimes it's because of illness, sometimes it's because an individual is outside of the province and we don't have any authority, any jurisdiction to collect, but that's less than 20 percent of all of those collections that we are responsible for in this province. Of those that are collectible we have received in excess of 82 percent payment on those accounts in the last 90 days, and over 60 percent have received payments in the last month. That's the proof in the pudding, Mr. Speaker.

MRS. SOETAERT: My question to the Minister of Justice: do the statements made by the Minister of Labour signal a plan by the government to get out of the business of maintenance enforcement and foist this important responsibility on the community?

MR. EVANS: Mr. Speaker, as I said in my first answer, this government is committed to the maintenance enforcement program. We recognize that it assists families, it assists children, and we remain committed to it. We remain committed to it through the budgetary process. We remain committed to it through our focus on improving the quality of life for Albertans.

THE SPEAKER: Hon. Minister of Labour, a point of order?

MR. DAY: Supplementary information.

THE SPEAKER: Well, if it's to clarify the hon. Minister of Labour's statements, that's not supplemental information. That'll come in a point of order.

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

MRS. SOETAERT: My final supplemental: how are you going to help these parents, many of whom are like those from Red Deer, struggling to get an education to improve their family's future yet are faced with dropping out because they can't get consistent child support? It's not enough.

MR. EVANS: Mr. Speaker, as I've mentioned, there are some uncollectibles. You can't get blood from a rock; you can't get blood from a stone. If an individual is not working, if an individual is out of the jurisdiction, we cannot collect money from those individuals. Of those who are in the province who are working, who are making income, we have a very high success rate.

Now, we are not creating those orders. They are created by the courts. Our job is to enforce them. We take that responsibility seriously. We have dedicated people who are working in the maintenance enforcement program to go after those individuals who are not living up to the orders that are granted by the courts. We feel compelled to do that, Mr. Speaker, because in many instances if those individuals who are not paying are not stopped, not forced to pay, then our social services and other aspects of government and therefore the community must pick up those costs. I'd quite imagine that that's what my colleague the hon. Minister of Labour was referring to, that society ends up picking up these costs.

The first responsibility, of course, is on the individual to whom the order applies, and we will continue to fine-tune and improve a very effective maintenance enforcement program to ensure that that goal is achieved.

THE SPEAKER: The time for question period has expired.

Before moving to Members' Statements, might there be unanimous consent in the Assembly to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. minister of science and research.

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

MRS. MIROSH: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly a very important constituent of mine, Dr. David Walcott, who also sits as a council member of the Chiropractic Association. All my colleagues want to know who that blond is beside you as well, Dr. Walcott. Would you please receive the warm welcome and have the lady next to you rise as well.

Thank you.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to introduce to you and through you to members of the Assembly two women very concerned about the maintenance issue in this province, Fiona McNair and Sonia Russ. I would ask them to please rise and receive the warm welcome of the Assembly.

MR. KIRKLAND: While we're on Introduction of Guests, Mr. Speaker, I would like to introduce to you and through you to the rest of the Assembly a very astute political student I've noticed in the balcony on several occasions. I would ask Dan Backs to stand and receive the warm welcome of the crowd here this afternoon.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Sherwood Park.

Earth Day

MR. COLLINGWOOD: Yes, indeed. Mr. Speaker, last weekend Albertans joined with people across the world to celebrate the 25th annual Earth Day. This initiative, to draw public attention to the serious damage that we're doing to our planet, is one of the largest annual initiatives in the world, embracing all races, religions, and cultures in 150 countries. Many Albertans celebrated Earth Day this year with activities in many schools and public events such as the celebration held at Hawrelak park in Edmonton. This year's event in Edmonton attracted nearly double the previous number of participants.

Mr. Speaker, the human race must hear this message. We are merely one of the species that share this planet. We have only one Earth and must care for it. Earth Day is a timely reminder of the need, in fact the obligation, to protect our air, soils, and water from pollution and of our responsibility to preserve our wildlife, land, and forests. Alberta is a beautiful province which has suffered far less from population pressures than many other parts of the world. We have no excuse for failing to preserve our natural habitats and the rich biodiversity they represent. Once we lose a species and genetic diversity, they are gone for all time, and this is a folly of which our descendants are least likely to forgive us.

Unfortunately, Alberta still has a long way to go in adequately protecting representative areas of our natural habitats. As we know, the World Wildlife Fund last week gave Alberta an F, a failing grade, in their annual report on the endangered spaces program. The government's Special Places 2000 program fails to meet the standards set by the world's largest conservation organization for protected areas partly because we have no guarantee that industrial activity, such as logging, mining, or oil and gas activities, will be excluded from designated sites in

Alberta. Fortunately, the Minister of Environmental Protection promised in the Legislature on April 24, 1995, that three-quarters of the land base of the 29 sites recently announced under Special Places will not have any kind of development on them. Mr. Speaker, while it is still not clear what areas will be protected, this is still good news.

Thank you.

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

Maintenance Enforcement and Access Rights

MR. YANKOWSKY: Thank you, Mr. Speaker. In the hue and cry last week respecting my speech to the Legislature regarding maintenance enforcement, some good has arisen. Many people, both men and women, have called to discuss with me their stories about perceived unfairness in the administration of maintenance enforcement and access rights in Alberta. In that regard, I am pleased to have played a role in raising this important matter for Alberta's families.

Unfortunately, during that debate I quoted some inflammatory language. I regret any inference that all parents with custody of their children are leeches or that those without custody are deadbeats, and I apologize if I offended some people. I also regret that in the midst of arguments on both sides the children seem to get lost and become pawns in wars between their estranged parents. I have heard many passionate and heart-wrenching stories over the last several days. Most emotional are those descriptions of parents and grandparents who are denied the opportunity to see their children, and thereby their children are denied the opportunity of experiencing all that family life can bring.

It is also regrettable that some groups have used this incident to continue to spread the impression that anyone who speaks out in favour of fairness in the system is somehow against women's issues. By far, most people who called me to say that they had problems with the current judgments made around custody, maintenance, and access – and this includes both women and men – were polite, professional, and related their stories in a coherent manner. Unfortunately, those opposed were mostly rude and threatening. Few took the time to relate their real situations. This does not help the healthy debate over fairness in maintenance awards and access rights.

Mr. Speaker, I remain committed to such a calm and reasoned debate and look forward to continuing opportunities to do my job, to try to make society a fairer one, and to represent the views of all my constituents.

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

2:50 English as a Second Language Programs

MR. HENRY: Thank you, Mr. Speaker. I rise to represent the views of my constituents. I had the pleasure some time ago of meeting with some grade 10 ESL, English as a Second Language, students at St. Joseph composite high school, St. Joe's, in my riding. As their representative I told them that if they had something to say to me or the government, we would be prepared to listen and most happy to listen.

These students had been in the country seven months at the time, had spoken no English on their arrival, and this is what they wrote to me:

1. We are new students in Canada. We have come from all over the world. We are worried that we may not be able to finish high school by the time we are twenty. It takes a long time

to learn English. We would like you to continue to talk about the time limits with the education minister.

2. We have come from many places and different education systems, but we all value Secondary and post Secondary education. However we feel that fees for university and the colleges are too expensive now. We want lower fees, so that all students can have an education, not just the rich.
3. Schools should not begin in August. We need the time to work to pay the tuition fees.
4. Why are we not using GST monies to finance the future of our young people through more scholarships and lower fees?
5. Continue to oppose the cuts to education. Now we have twice as many people in our school because of the cuts. We need small classes in ESL to learn English faster.

These are the words of students from the ESL 10A class at St. Joe's high school.

To give you a breakdown of where they came from seven months prior to writing this, three came from Bosnia, one from Lebanon, one from Ethiopia, three from Poland, two from the Philippines, one from Cambodia, one from Thailand, nine from Vietnam, four from El Salvador, and one from Ukraine.

Mr. Speaker, their words speak better than I ever could. Thank you.

THE SPEAKER: The Chair has received notice of two points of order. First, the hon. Member for Lethbridge-West.

Point of Order

Allegations against Members

MR. DUNFORD: Thank you, Mr. Speaker. This is a new experience for me. I believe I'm rising under 23(h), about making allegations. It came up during the second main question of the hon. Leader of the Opposition. I didn't rise on the first supplemental because I think there were some tiny grains of truth in some of his preamble, but I rose on the second supplemental because now he had clearly gone far beyond anything that I had said or could possibly even have inferred and felt, then, that it was my duty.

The allegation, as I understand it, was that I had indicated to people at the ECS forum held in Lethbridge that if the whips had not been on during the voting of his private member's Bill, somehow we would have 400 hours paid for by the government, and that's just simply not true. I did not say it in that context. I guess my only defence perhaps to you, Mr. Speaker, and to the Members of the Legislative Assembly is to simply restate what I believe was said at that particular time.

Before I do that, there were some comments back and forth about a *Lethbridge Herald* article. I don't have any complaints with the article as written by the reporter from the *Lethbridge Herald*. Any member within this House is extremely aware that our comments are never taken verbatim, in full, so the reporter was able to pick and choose quotes from me that made up her particular article, and so be it. I'm quite aware.

The situation was that we were in a bear pit session in a seminar that was clearly set up to be a lobbying type of effort, and as the representative for many people in that room, I was prepared to be involved in that. As it is my way, Mr. Speaker, when I'm in these situations, I tend to be very direct in my comments. I was direct last Wednesday, and I hope that I'm being direct today.

I did say that I supported 400 hours of ECS paid for by government funding. I did say that I was opposed to mandating any of those particular hours. I said that it was important that if people were as serious about this situation as I was, they had to

keep up the pressure. I did speak about a close vote at a standing policy committee. I believe that if I'm guilty of anything on the part of my colleagues, which I am most concerned about, it's that I did speak about something that happened at a standing policy committee meeting. However – and I think this deals with what I allege then, the allegation – I did not discuss at any time any caucus activity and therefore did not offer to the audience or certainly to the hon. member any suggestion at all that the whips being on would have had any impact on a private member's Bill. I was asked by a member of the audience that if a private member's Bill were to come forward regarding funding at 400 hours, would I vote for it, and I said no, that the whips would likely be on, and therefore that wasn't the way to effect any change in what I believe is this very important situation.

So my case, Mr. Speaker, is that the hon. member in his question took bits and pieces from things that I did say and wove them, then, in a manner that I don't think has fairly represented the directness and the honesty in which I tried to deal with a very serious situation at a forum that was being held in my constituency.

THE SPEAKER: The hon. Opposition House Leader.

MR. BRUSEKER: Yes, Mr. Speaker. I, too, was at that same function that the Member for Lethbridge-West refers to along with the Leader of the Opposition and the Member for Lethbridge-East. I guess the member is saying that he feels he was misquoted, but as I listen to him, what he said now is directly contradicting what I also heard, which was that with respect to Bill 202, which the Leader of the Opposition introduced, indeed the whips were on. In fact, when one refers back to Votes and Proceedings No. 6, reflecting Wednesday, February 22, 1995, although the Member for Lethbridge-West's name is not recorded there, all of those that were against the motion in fact were members from the government side of the House. Indeed, the member did talk about those that were in discussion in a standing policy committee, that he, being the Member for Lethbridge-West, does support 400 hours of funding for ECS and believes that the government ought to pay for that sort of thing, and that the vote was lost to those opposed to 400 hours by a very small margin. But indeed if the whips were not on, as I heard at that same forum, Mr. Speaker, then indeed one would expect that votes of February 22 would be significantly different from what they are.

So with respect, Mr. Speaker, I don't think there's a point of order here. I think the member feels that perhaps he was misquoted, but as I reflect upon what the Member for Edmonton-McClung, the Leader of the Opposition, said in his question, it seems to me to confirm what I also heard in attendance at that same meeting in Lethbridge last Wednesday. So with respect I would suggest there's no casting of allegations under 23(h) and there's no point of order here.

3:00

THE SPEAKER: Well, the Chair rules that this is the opportunity for members to clarify their positions, and I guess they've been as clarified on this subject as they can be.

The hon. Minister of Labour.

Point of Order Imputing Motives

MR. DAY: Thank you, Mr. Speaker. My remarks on the point of order today, citing Standing Orders 23(i) and 23(j), actually go

far beyond clarification. I would like to say that it's not usual for me to respond to the incessant and mindless natterings of the Member for Spruce Grove-Sturgeon-St. Albert, which go on continually from the start of question period until 11 or midnight, whenever we get out of here, but in this particular case there is a practice that I think it would do well if you were to correct each and every one of us on as we or if we are to engage in it.

It is the practice of taking snippets of newspaper columns and using them in a pejorative sense to in fact impute upon another member something which is not true and also to do it in such a way, to use abusive or insulting language, that it creates disorder. When you have these unavowed motives attributed to you, especially on very sensitive issues like maintenance enforcement, it is very difficult to be silent because you feel strongly, you have a heartfelt feeling on these issues. When they're used for the cheapest of opportunistic gain, I think there should be rulings on them, and I leave that to your judgment, Mr. Speaker.

The case in point being a reference in the Red Deer *Advocate*, of which the member read two or three words, did not read the entire account, and in fact did not obviously consult with the women experiencing the difficulty. The women in transition at Red Deer College I met with personally, individually, each one at Red Deer College, listened to their concerns, felt they had legitimate concerns, asked, number one, if they would like to meet with the director of maintenance enforcement personally so that each and every concern could be itemized and followed up on, to which there was agreement. That meeting I set up and arranged. I asked them further if I could take each and every one of their concerns to the hon. Minister of Justice to have them addressed at that level, to which the women in transition responded, "Yes, they would like that," and a further follow-up as late as Friday to see if it was moving quickly enough, and if it wasn't, what could I do to speed it up. Now, when as an elected representative you go to those lengths – and I don't broadcast that; I didn't take out an ad in the paper to say what I've done – and you see this cheap opportunistic attack coming in an oblique fashion, partially quoting a newspaper article of all things, without any consultation, I think it is a very low level type of approach.

Mr. Speaker, I can say that women have told me, not from the Assembly but other women, that the Member for Spruce Grove-Sturgeon-St. Albert, with her constant irrational nattering, gives women a bad name. I suggest that her practice also gives MLAs a bad name in this Assembly.

MRS. SOETAERT: Mr. Speaker, just replying to this point of order, obviously the minister is very sensitive and quite defensive. I just asked a simple question about government policy. When a minister makes a statement that it's a community responsibility, my question is: is the government foisting the responsibility of maintenance on the community? That's what I asked the Minister of Justice responsible for maintenance. It was an honest, straightforward question, because I do care about what happens to children in this province, custodial and noncustodial parents.

Thank you very much.

THE SPEAKER: Well, hon. member, the Chair has heard enough. This is another instance where our Standing Orders do allow members to clarify situations that are unclear in the original instance. The hon. Minister of Labour as did the hon. Member for Lethbridge-West availed themselves of that opportunity.

As far as making a ruling, as suggested by the hon. Minister of Labour, the Chair is certainly not privy to the newspaper article

in the Red Deer *Advocate* or what happened in Red Deer. That's why we do have the Standing Orders, to allow hon. members to set the record straight at this point of the day, and that's been done.

head: **Motions under Standing Order 40**

THE SPEAKER: We'll move on to the next order, which is an application by the hon. Member for Edmonton-Centre for leave to move a motion under Standing Order 40. On the question of urgency, hon. member.

National Literacy Campaign

MR. HENRY: Thank you, Mr. Speaker. In terms of the urgency, it was launched yesterday, and there was a major launching in this city. I think it's timely simply for the Legislature to recognize that fact and to provide I guess congratulations for those who are involved. I seek unanimous consent.

THE SPEAKER: Is there consent in the Assembly for the hon. member to move the motion suggested?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Member for Edmonton-Centre.

Moved by Mr. Henry:

Be it resolved that the Assembly recognize the launch of the national literacy campaign.

MR. HENRY: Thank you very much, Mr. Speaker. As I said, the national literacy campaign was launched yesterday, and I think it's important for members of the Legislature, for us, to have our attention brought to that fact and to recognize the individuals and organizations and companies involved in that launch.

Mr. Speaker, a well-known author and humorist in our country, Ben Wicks, has authored a book called *Born to Read*, and yesterday 1.6 million copies of that book, *Born to Read*, were distributed to young people, to children right across this country. There was a kickoff in our city at the Alex Taylor school, which is a school just outside of my riding that I have fond memories of, because for a number of years I lived immediately behind that school and had connections with the school.

The school has exemplary leadership in the person of Mr. Steve Ramsankar, who is well known to members on both sides of this House and around the country for innovation in education. That was one of the major reasons that Mr. Ramsankar, who incidently is also a member of the Order of Canada, that his school was chosen for the Edmonton kickoff. One of things that he noted is that because of the numbers, the percentage of new Canadians attending his school, the reading rate in his school, the literacy rate, was behind that of other schools in the jurisdiction, and it was appropriate, then, to bring this event to his school for the kickoff.

Mr. Speaker, the individuals involved in the kickoff included Eric Newell, the CEO of Syncrude, which is an Alberta-based company that we all know has provided many benefits to all parts of Alberta, as well as the chairperson of the Edmonton public school board, Mr. Dick Mather, who is also involved. As well, I'm very, very pleased that His Honour the Lieutenant Governor was able to be involved in the kickoff of this event yesterday by bringing his office and prestige and attention to this very worthwhile cause.

Mr. Speaker, I wanted to bring to hon. members' attention that this project, the 1.6 million books being distributed across the country, was completed and enacted without any public funds, without any taxpayers' dollars, primarily by organization and corporate sponsorship. In this province, to name only two of the corporate sponsors from around the country, I'd like to recognize Syncrude, as I recognized earlier, and their contribution and as well the Edmonton Oilers for their financial contribution to the printing and the distribution of the book. Both Syncrude and the Edmonton Oilers have been very responsible corporate citizens and have supported many initiatives that help young people, not just this one.

Somebody whom I respect and has a long history of education, a former education minister, actually, of this province, once said to me that if we could only find a way to have every parent read to each child for 20 minutes a day, we could solve a lot of problems in our schools and in our province. Mr. Speaker, this initiative, the national literacy campaign, won't achieve that objective but takes us one small step but one very important step towards that goal of each child having the opportunity to read and each child having the opportunity to read with an adult to find out how important reading is, of being able to develop that skill, and then being able to move on and access all the knowledge and all the freedom in our society that reading, that literacy provides an individual.

So, Mr. Speaker, my hat's off to the national literacy campaign, to Steve Ramsankar and the staff, students, and parents at Alex Taylor school. My thanks to His Honour the Lieutenant Governor and as well to Syncrude and to the Edmonton Oilers for their corporate sponsorship.

Thank you.

3:10

MR. JONSON: Mr. Speaker, I would certainly like to speak in support of the motion of the hon. Member for Edmonton-Centre. The member has I think correctly identified the importance of reading as an essential skill for our young people. The event yesterday did have the good fortune to be attended by His Honour the Lieutenant Governor. As was outlined, it had representatives from school systems. Alberta Education was represented at that particular function. It is a launch, a project. It has I think an excellent proponent in the person of cartoonist Ben Wicks. Certainly notable Canadians such as he coming forward to promote reading and literacy across this country give it the focus, the identification with somebody prominent in life that young people particularly appreciate.

The distribution of the guide *Born to Read* and the other associated activities were made possible through something that we're promoting a great deal through Alberta Education and as a government right now, and that is the development of partnerships with the private sector. In particular I, too, would like to acknowledge the role of the Edmonton Oilers, of Southam, of Syncrude, but particularly Syncrude and Mr. Newell, who have been a great example of leadership in the private sector in terms of projects such as this but also in promoting the support that is needed from the private sector to work closely with the education system to achieve various objectives.

I would just like to conclude by making two or three points about the importance of reading and literacy, Mr. Speaker. One is that sometimes in modern debates about education in some sectors some people tend to deride the three Rs – readin', 'ritin', and 'rithmetic, as it used to be referred to – but reading and literacy is as important for young people today as it ever has

been. It is important whether you are using the computer and reading from the screen or you are having the enjoyment and the relaxation that goes with sitting down and reading a good book. All the projections are that reading and literacy will remain and will continue to grow in its importance as an essential skill for young people, for young adults, for the adult population. So the focus that is given in this week is certainly appropriate given the modern challenges and the modern needs that are out there in terms of education for young people.

The other point I wanted to make, Mr. Speaker, is that certainly if in the home parents have the time to read to their children at a young age, if they continue to make that skill important in the home to the lives of their young people, of their children, of their students as they get into the school system, then that is a tremendous assistance to the school and of course ultimately to the young person herself or himself. Where you have the home working together in support of the school and vice versa, you can accomplish a great deal in education, particularly in this area and in many others.

So I think the week is an important one. It was launched yesterday, Mr. Speaker, with I think the appropriate priority, with His Honour being able to attend. I wish all involved every success, and I congratulate them for their efforts.

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

DR. MASSEY: Thank you, Mr. Speaker. I, too, would like to speak in support of the motion. In their book *Creating a New Civilization* Heidi and Alvin Toffler, the futurists, make the following comment:

For the most important form of property is now intangible. It is super-symbolic. It is knowledge. The same knowledge can be used by many people simultaneously to create wealth.

Whether we believe the Tofflers or not, it is abundantly clear as we move to the postindustrial era that literacy, that ability to handle symbols, is going to become increasingly important and not just something that we all must have but necessary for survival.

In a 1989 survey of 9,500 Canadians aged 16 to 69 years of age 71 percent of Albertans could read well enough to meet everyday demands that were made upon them, such as reading charts and driving licence materials and contracts. Another 17 percent could handle reading tasks if they were simply laid out and put together carefully for their perusal. At that time 72 percent of our citizens could do the mathematics needed to meet everyday demands, such as catalogue shopping and airline schedules and the kind of numeracy that those tasks demand. Compared to other provinces, Alberta leads the country in almost every measure of literacy. I think Saskatchewan beat us by 1 percent in terms of reading scores, but it's a tremendous accomplishment.

It's significant I think, Mr. Speaker, to note that the survey sample was 16 to 69 years of age, and these individuals were graduates of the school system at least two years before the present government's programs were put in place. It's obvious that teachers and parents and school districts in this province were doing something right, and they managed to do it amazingly without performance measures, without key indicators, and without the kind of behavioural engineering that seems to have captured the government and the education departments in particular. Unfortunately, there were 4 percent of our citizens who at that time had difficulty reading any kind of printed material, and another 7 percent had very limited word recognition ability. Eight percent of our citizens at best could only recognize numbers in text, and another 20 percent could only perform the

simple functions of adding and subtracting. I think those figures, as well as the province has done, indicate that there still is much work left to do.

I think it is also worth noting that this campaign has been undertaken by the community, by organized school districts, by big business, by parents, by community groups, and by a wide range of volunteers from across the country. There was no minister. There were no department officials. There were no regulations. No one had to tell them how to go about their task. No principal had to call them together to tell them how to conduct their business. They did it on their own. In recognizing this literacy campaign, we have to go back and we have to recognize the huge past investment that Albertans have made in what is considered a strong public education system, at least to this point. It is that effort sustained over a long period of time that has put our province in the lead. The same kind of effort is going to be needed if Albertans are going to abolish illiteracy in our province completely and if Albertans are going to take their rightful place in inventing the kind of new civilization that the Tofflers envision.

I think that as this literacy campaign is launched, members of the Assembly, all of us, have an obligation to examine how our actions, how the things that we do in this Assembly, the Bills that we pass, will affect things like literacy 10, 15, and 20 years from now.

Thank you, Mr. Speaker.

3:20

MR. ADY: Mr. Speaker, I'd like to speak briefly in support of this Standing Order 40. I think it is a very worthy initiative that we're addressing in the House today, that of literacy week. Yesterday afternoon I had the distinct pleasure of meeting with representatives of the Alberta Association for Adult Literacy and the Literacy Co-ordinators of Alberta. It was a very productive meeting, and it gave me an opportunity to hear from some of the frontline providers of adult literacy on a firsthand basis.

For the past 10 years the Literacy Co-ordinators of Alberta have facilitated in the growth and development of volunteer tutor literacy programs across this province. These same literacy co-ordinators, Mr. Speaker, have trained and prepared dozens and dozens of volunteer tutors, who spend thousands of hours annually on a no charge, free-time basis teaching adult literacy in this province. There are 64 regularly funded programs serving 70 communities across this province. The budget for this service under the community adult learning grant program is \$1.2 million annually. I can assure members of this Assembly that this money is well spent.

In 1994, 7,219 adults participated in a total of 247,134 hours in volunteer tutor literacy programs in Alberta. Since 1986 over 1 million hours have been contributed by volunteers in this very worthwhile program. Without the expertise and cost-effective efforts of the Literacy Co-ordinators of Alberta and the Alberta Association for Adult Literacy this degree of volunteer participation in adult literacy would not have been possible. I'd like to take this opportunity again to commend the hard work and often overlooked efforts of the thousands of literacy volunteers who assist Albertans to learn to read and to write and to improve their quality of life.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd love to take a minute to speak on something that's quite near and dear to me.

I'd like to first of all start out by paying respect to the private sector that has done so much to try to promote this and also, as the hon. minister said, the volunteers in the literacy area.

Mr. Speaker, as I'm still connected with business, I have found it interesting over the last 40 years to watch who business is interested in hiring out of the universities. What I've noticed the last number of years is the attraction for graduates in English and graduates in Latin and Greek. They're getting job offers that engineers used to get 30 years ago and lawyers 20 years ago. Really it boils down to plain old communication. We have become such a highly technical age with computers and everything else that we can figure out nearly any math problem, but many of our children are almost inarticulate expressing themselves or expressing a thought. Literacy means, I think, much more than what we have a tendency to think, just being able to barely read and write. Literacy in a modern era means being able to communicate. It's not just sufficient to register a thought.

My hon. colleague who mentioned Alvin Toffler talks about future shock. One of the other things that comes up if you read any futurist is the speed of change, and that speed of change can only be handled by a literate individual. I guess if you were going to draw an analogy, reading "Jane is looking for her book" and moving our lips - it's going to be a long time before we accept much knowledge, although we generally may be thought to be literate because we can write something, read something. You have to read it fast and understand it fast. If the futurist tells us anything, the rate of change is going to keep speeding up. So literacy really becomes spending a lot of time absorbing how to communicate. This is why I'm a little bit concerned, Mr. Speaker.

Alberta sort of pulled itself up by their bootstraps. When many of our pioneers came here, after they put the plow in the ground and maybe even before, one of the first things they wanted to do was set up a school district. That school district was often set up on a township basis. To make sure that school survived - they didn't trust the government; they didn't trust the church or anything else - they set out a section of land. It was called the school section, a school section in every 36 sections, the proceeds of which - it was rented out by the school board - were to keep that school going. They knew more than maybe we do today. Now when we're cutting back at universities, when we're cutting down on libraries, I think we have forgotten the message tied to literacy and learning that our pioneers sent us: you can only pull yourself up by your own bootstraps. I think one of the messages we should take out of literacy week is to almost maybe rededicate ourselves to make places of learning for the individual, not where you sort of grab people and shove things down their necks, places where people can improve themselves.

I have worked some in my own little community and my wife as a volunteer at the local library, and it's a joy to see some children coming in at four and five years and starting to shop through the shelves because they're learning that there is something more than what they're watching on TV. Rather interestingly enough I find with my own grandchildren that I'm digging out old books now, and they read them. In other words, the old thought that it has to be TV and movies - and I guess that's fairly important too. As a matter of fact, I think I enjoyed *The Lion King* as much as my grandchildren, but the point is that they still enjoy fairly good literature, and they are moving along in that direction.

When I see government that's sort of - and maybe it's not only this government. A lot of governments are forgetting what got us

here in the first place, what gave us this standard of living. We have a tendency to think that the standard of living comes from the oil wells and the trees, and that's true. The true societies that are developed and the true conquests that you make are the ones that you make in your mind. Those are the new horizons. I think, Mr. Speaker, it was Tennyson writing *Ulysses* that said: all knowledge is . . . Oh, I'm sorry. I'm getting in trouble. I'm at a loss here now. All knowledge is an arch wherethrough gleams that untraveled horizon that fades forever and ever when I move. Some people labour long and bring forward a mouse, but I brought forward an elephant.

I wanted just to say how important it is that we rededicate ourselves to our libraries and our learning system. It's not just enough to praise volunteers in the private sector but how important it is to make sure our libraries and traveling libraries - some years ago our university library extension department was shut down by this government, and we need that out in the rural areas. I see the hon. member for downtown Calgary shaking her head. She doesn't see the purpose of a rural library. A rural library is . . .

THE SPEAKER: The hon. Member for Calgary-Currie is rising on a point of order.

MRS. BURGNER: Misrepresentation. Mr. Speaker, I do have a library in my constituency.

MR. N. TAYLOR: Sorry, Mr. Speaker. I thought she'd rubbed the sleep out of her eyes, but I guess it was her ears. I was talking about rural libraries, and I'm not at all surprised that she wouldn't know what a rural library was. She probably thinks it lays eggs. That's not the case at all. A traveling rural library is something that we shut down many years ago, and I'm a little disappointed in what the government did.

Thanks.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. I would like to add a few words to this because this is such a tremendously important item. I'm very pleased with the people involved in this national literacy campaign. I'm particularly impressed with the fact that several businesses have put their shoulders to this particular wheel along with the artist Ben Wicks and educational authorities as well. Of course these businesspeople have discovered in practice the lack of reading ability, particularly, and writing ability, probably, as well amongst their applicants, and I'm now speaking about the adults. I think we all know, as the minister of advanced education already remarked, how necessary it is that there be help for those people as well.

3:30

What I like about this particular campaign is that it was launched in the schools and that clearly the idea, the objective was that a link be forged between the schools and the parents, the families in other words. I think this is where we as a society have really lost a lot of our ability to inspire our kids in reading and writing and public speaking, as the Member for Redwater expressed, because we haven't as parents, I think, by far enough read to our kids as they were young.

Now, I'm of a generation, Mr. Speaker, where many, many years ago my parents did read to me at length, and as a result I

have always had a very great fondness for the written word. I must even admit that as a young lad I used to read stories about Canada, about Indians and about cowboys and about the RCMP, and ever since that time – I was about 10 years old and read late at night with a flashlight under the blankets so that my parents wouldn't catch me – I gained this fondness for western Canada and also western United States. I think it's important that people have this, that people are more focused on this ability to learn to read and write, and I think in the schools is where we can do more as well.

Having spent many years in the schools, I've seen particularly in the last one or two decades an increase in the number of students in high school who are not able to read and write. Perhaps the Minister of Education would take note of this in the sense that there are certain things that the department can do, and that is to allow teachers more leeway in handling specific ways of teaching reading. Rather than forcing one particular method onto the teachers, give them the freedom to use other methods as well because certain methods won't work with all students.

I think it's also important to realize that all changes in the school system that have come from the department and have been imposed from above have tremendous consequences. One of the consequences I can think of, the consequence of the policy of inclusion of all students, was that there was a suffering in the ability of people to learn to read and write. That does not mean at all that inclusion is wrong, but what it does mean is that we have to be very mindful of the consequences that such a particular new strategy has on the ability to read and write.

Mr. Speaker, I'll leave it at that. I just hope that the Minister of Education will take note of my remarks, and I strongly favour this campaign. Thank you very much.

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

MR. BRACKO: Thank you, Mr. Speaker. It is a real privilege to support the motion, the national literacy campaign. One of the greatest gifts we have and can give to others is the gift of literacy. Without being able to read, one is in a prison that greatly impacts on one's life. Every aspect of one's daily routine just becomes more difficult, from grocery shopping to riding the bus. You just have to visit another country and not be able to speak the language to see how much more difficult life becomes. You're at the mercy of other people.

I've had the privilege of traveling around the world: Asia, Africa, northern Hokkaido in Japan, where I couldn't speak the language and found certain things more difficult but an exciting experience. Also I was in Vietnam and Cambodia during the war, and that proved much more difficult. At any time you had to be careful. A grenade could be thrown at you if they thought you were American, and not being able to speak the language made it very complex and complicated. So it gave me a slight indication of how others feel who are unable to read or write.

For many new Canadians the Catholic Women's League has assisted with helping them to adjust and teach literacy, and we thank them for it. From this beginning other groups sprang up not only to teach new Canadians but Canadians of all ages the skills of being able to read and write.

In St. Albert we have a dynamic group, the STAR literacy program. It has a tremendous director, Terry Regimbald, who has been nominated for volunteer of the year in St. Albert this year, and we're very proud of the work and the accomplishments

of this group. We're also very proud of the many volunteers who dedicate their time and energy teaching others to read and write. One of the biggest thrills of my year and a half here in the Leg. was when a group of students from this program came to the Leg. It was exciting because in one of the countries that one of the students came from nobody could get near the government or the building. If you came close to it, you could get shot just as easily. In another, women weren't allowed anywhere near government or have anything to do with government. So when this freedom came to them through this program, where they were learning to read and write, it was a thrill and an exciting time for me to be a part of their program.

Literacy opens a whole new world to our residents no matter what age they are, no matter where they are in their abilities. Not only does it open a new world, it also saves money. We know that the health care costs go down as the education of our residents goes up, and that's very important to know and something that we should take into account: we look at the initial cost in comparison to the rewards and the cost efficiencies later on.

As we paid tribute to the volunteers last night, they opened a library and named it after Mr. Leo Alain, a great Albertan and a great Canadian. He was on the STAR literacy board for a number of years, and he did a tremendous job.

MR. VAN BINSBERGEN: Was he Liberal?

MR. BRACKO: He was Liberal also, yes. He spent his time going to Father Jan school to read to the students, to show them the value and the importance of reading. Mr. Alain did a tremendous job, and in tribute to his contribution they named a library after him. We thank the board for doing that, and we thank the volunteers. Throughout this province we thank the many volunteers that contribute their time and effort to the program.

I want to conclude, Mr. Speaker, with this statement by Sir Wilfred Grenfell, who says, "The service we render to others is really the rent we pay for our room on this earth." It is obvious that man is himself a traveler, that the purpose of this world is not to have and to hold but to give and to serve. Not to have and to hold but to give and to serve. There can be no other meaning, and our caring, giving volunteers live these words daily, and for that we thank them.

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

MS CALAHASEN: Thank you, Mr. Speaker. I just want to give my point of view in terms of literacy and what it means to me from a personal level as well as an educator. First of all, I'd like to congratulate the sponsors: the corporate sponsors who have been involved, the schools, Alberta Ed, advanced education, the Oilers, and especially the literacy groups and volunteers in the province who have worked very hard in the past to be able to get to this point. Oftentimes they never get recognized, but they continue to do the work that many take credit for, and I'd like to send my congratulations to those individuals who've worked so hard in the past.

I just want to quote something that they used to tell me when I was a Laubach literacy tutor. They said: literacy is a challenge we still haven't overcome. It wasn't a problem; it was a challenge. I think this really states what's happening today with the collaboration that has occurred in the launching of this literacy week or at least a national literacy campaign.

Northern Alberta has certainly experienced great amounts of people illiterate in the English language as well as being illiterate in their mother tongue. Immigrants have also experienced this challenge. I believe that we have come a long way when dealing with literacy; however, we're still far behind. There are still people who are illiterate today, and I know that a great amount of those are within my constituency. Working on this to ensure that kids do not have to be illiterate in adult life I think is a great vocation for many people who have taken on even the volunteer program. Years ago aboriginal children, especially in northern Alberta, were taken away by the church to educate and this for good reason, Mr. Speaker. They wanted to make sure that the kids could be literate. However, there were many unfortunate circumstances which did not allow some of those individuals to come to the point of becoming literate.

3:40

Unfortunately my mother was one of those. As an advocate and a great supporter of the literacy programs I really feel sometimes that she had a great vision. Her vision was to make sure that her children were educated and could read so that nothing that she had experienced could happen to them, and I want to be able to say thank you to her for having the fortitude to be able to carry out some of the things that she had to carry out. She did not know how to read; however, she read to us. She would pick up a book and she would read to us. We didn't know that she was not reading. She was a great storyteller. I believe with that kind of modeling we were able to say, yes, we can do this. It was only later in years that I realized that my mother was illiterate.

It's come to mean now that I have to be able to support literacy programs, because I believe, like she did, that we can overcome anything as long as we have some ability to be able to do that. I just want to quote here a gentleman named Charles Schwab: a man – maybe we can say a woman too – can succeed at almost anything for which he has unlimited enthusiasm. Mr. Speaker, I believe my mother had unlimited enthusiasm to ensure that her kids were able to read and able to overcome anything that would stop them from what she thought she was being stopped from because she could not read or write.

Mr. Speaker, I think this is a great initiative. I want to congratulate again those individuals who have been involved in making sure this doesn't die. I also want to encourage parents to work with their kids, to read to them if they can. If you can't read, pretend to read because your children will not know the difference. You can become a great storyteller, and you can also encourage your kids to be something that I think you can be very proud of. I think this is a great time to be able to say congratulations to all those individuals who have been involved in the national literacy campaign.

Thank you.

THE SPEAKER: Is the Assembly ready for the question?

HON. MEMBERS: Question.

THE SPEAKER: All those in favour of the motion proposed by the hon. Member for Edmonton-Centre, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Let the record show the motion carries unanimously.

head: **Orders of the Day**

head: **Motions Other than Government Motions**

Seniors' Benefits

508. Moved by Mrs. Hewes:

Be it resolved that the Legislative Assembly urge the government to ensure that seniors' benefits provided by the government will not be decreased for any individual after that person reaches the age of 65 years.

Moved by Mrs. Burgener that Motion 508 be amended to read:

Be it resolved that the Legislative Assembly urge the government to ensure that seniors' benefits provided by the government will remain at an appropriate level for any individual after that person reaches the age of 65 years.

Moved by Mr. Henry that the amendment to Motion 508 be amended by the addition of the following words:
, which will be that level being in place when that individual reached their 65th birthday.

[Adjourned debate April 11: Mr. Henry]

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

MR. HENRY: Thank you very much, Mr. Speaker. I'm pleased to rise and participate in this debate one more time. Just to refresh individuals' memories, there was a motion proposed by the hon. Member for Edmonton-Gold Bar, and then there was an amendment to that motion that was proposed by the hon. Member for Edmonton-Currie. The subamendment that I'm speaking to now . . .

SOME HON. MEMBERS: Calgary-Currie.

MR. HENRY: I'm sorry. Calgary-Currie. How could I do that? My sincere apologies to the member and the people of Edmonton. In jest of course. Purely in jest, Mr. Speaker.

The subamendment to the amendment proposed by the hon. Member for Calgary-Currie would add the following: after "appropriate level" adding "which will be that level being in place when that individual reached their 65th birthday." The intent of the subamendment is to ensure that when individuals in this province who have entered into a moral contract with the government turn 65 that moral contract is indeed upheld by the government of the day regardless of the political party in power or regardless of the personnel in that political party in power at the time.

One of the things that I alluded to in speaking to the motion itself and to the amendment was that seniors in my riding tell me, people who have turned 65 years old, that probably the most important quality besides health that they need, that they desire when they turn 65 is security. They talk about security of their person, being able to walk down the street and feel safe. They talk about security of their home, needing the security to know and be comfortable that it's not going to be broken into or intruded upon and that they will have safety and security in their home.

Mr. Speaker, they also talk about financial security, the financial security that comes with having planned one's life for 40 years or more, having retired knowing there was a certain set of rules or a certain set of programs in place. When a government unilaterally and arbitrarily chooses to break that security by changing the rules that were in place when that individual turned

65, I believe and I believe my constituents feel that the government threatens that security and breaks the moral contract that it entered into when that individual turned 65.

This is not to say that everything that the government does should stay the way it was and the way it is in perpetuity, Mr. Speaker, but what it does say is that when we enter into periods of change, as we are into now with the current government and all governments in our nation, it's important for us to recognize, when implementing that change, the impact on those immediately and recognize that maybe we have to be more gradual in implementing that change.

When an individual is 63 years old or 64 years old and the government says that we either no longer have the finances or we no longer have the political will or the desire to continue to provide the same level of benefits to senior citizens that we have in the past, then that person who's 63 years old can plan for that. Perhaps they work beyond their 65th birthday, if they need to. When they do retire at 65, perhaps they put into place a different structure in terms of financial support. But, Mr. Speaker, when an individual turns 65, quite often they negotiate with the rest of their family in terms of their assets. In my riding we have a high number of high-rise apartments and condominiums and rental apartments, and quite often the seniors have sold their home in the country or they've sold their home in the suburbs and they've moved into downtown, where the services are. They calculate how much they're going to need to live on and what kinds of investments they need based on the capital assets they've disposed of, and quite often families end up getting a preinheritance, if I can call it that, and the individual keeps enough to live on in their declining years, in their senior years.

In addition, Mr. Speaker, quite often in my experience talking with seniors in my riding, when they turn 65 and they've been employed and there's a benefit package or they take a retirement package from their employer, certain arrangements are worked out. Sometimes those arrangements have been a continuation of some of the benefits, such as life insurance and other kinds of things that may be covered by the employer. The situation we've got now is that up until this past year seniors retired and they had no health care premiums in our province. So why would somebody in that position negotiate with their employer or negotiate with their own finances to ensure that they can cover health care premiums or have that provided by their employer? Well, they wouldn't, because the government has said, "We have a contract with you, and we will ensure that you don't have to pay health care premiums."

If we're going to decide that all of a sudden senior citizens have to pay health care premiums, what we have to do is and I use the term "grandfather" those individuals who have already turned 65. We can set up a new set of rules and say that anybody who turns 65 past January 1 of next year is going to have to start paying health care premiums. We can phase that in. But we can't wait until somebody is 74 years old and all of a sudden say: "Oh, we forgot. You're now going to have to pay \$800 in health care premiums, and you're going to lose your benefit in terms of your rental assistance or your property tax rebate and other benefits, and you're going to have to pay for more of your extended health care services and more of the kinds of things you got in aids to daily living."

Mr. Speaker, it's wrong to break a contract. Anybody working in the real world will tell you that when you enter into a contract, if you want to change the nature of that contract, you have to negotiate and you have to make mutually agreed upon changes.

If that is not achievable, then what you must do is enter into a new contract, which is not usually able to be backdated or able to be retroactive to the date of the first contract.

3:50

So that's all this subamendment is asking. Let's ensure that when we enter into that moral contract with senior citizens when they turn 65 and for whatever reason, again whether it be for fiscal reasons or political expediency or whims or whatever, we want a government of the day – not just the current government but any government of the day – who chooses to change the nature of the benefit package, at least those who have already turned 65 and who have retired and set their affairs in a way that they can afford to support themselves are protected and don't have any major changes, that their security is stable, that the security is there for them.

One of the things I found when I went to the various apartment buildings and residences in my riding which have a high proportion of senior citizens was that it was not just the fact that they had to pay health care premiums now. It was not just the fact that they were going to have to pay for some extended health care services that had been previously available. It was not just the fact, for those in subsidized accommodation, that they were going to have to move from 25 to 30 percent of income. In fact, many said that was the way to go. It was not just the cumulative effect. That was bad enough, but the question I kept being asked that frankly I couldn't answer was, "What's next; what are they going to do next?" they being the government in general terms: the provincial government, the municipal, the federal government. "What are they going to do to us next?" This is wrong. It's the wrong way to treat people who have earned the right to live in dignity in our province and who have worked very hard in this province.

This does not tie the hands of government in terms of change. What it does is provide security. It provides a basis by which people can retire, set their affairs in order, and say on a symbolic handshake, "Yes, I have a deal with the government." And if the population chooses to change that government or if the party in power chooses to change the leader, then that commitment will be honoured.

Mr. Speaker, I urge all hon. members to put aside their partisan nature and put aside the whips that are so often on and support maintaining security for senior citizens and supporting the notion that a deal is a deal is a deal.

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. Maybe I could take a minute. I think we're awfully close to time.

THE SPEAKER: Unfortunately, there's the signal, hon. member, that requires the Chair to put all questions to conclude debate on the motion under consideration. Those questions could be three in number.

The first is on the subamendment proposed by the hon. Member for Edmonton-Centre. All those in favour of the subamendment proposed by the hon. Member for Edmonton-Centre, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The subamendment fails.

[Several members rose calling for a division. The division bell was rung at 3:54 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the Chair]

For the motion:

Bracko	Hewes	Taylor, N.
Bruseker	Kirkland	Van Binsbergen
Carlson	Leibovici	White
Collingwood	Nicol	Wickman
Dalla-Longa	Percy	Zariwny
Germain	Sekulic	Zwozdesky
Henry	Soetaert	

Against the motion:

Ady	Fritz	McClellan
Amery	Gordon	McFarland
Black	Haley	Mirosh
Brassard	Havelock	Paszkowski
Burgener	Herard	Pham
Calahasen	Hierath	Renner
Clegg	Hlady	Severtson
Coutts	Jacques	Stelmach
Day	Jonson	Taylor, L.
Dinning	Kowalski	Thurber
Doerksen	Laing	Trynchy
Dunford	Langevin	West
Evans	Lund	Woloshyn
Fischer	Magnus	Yankowsky
Friedel	Mar	

Totals: For – 20 Against – 44

[Motion on subamendment lost]

THE DEPUTY SPEAKER: We now have under consideration the amendment to Motion 508 as proposed by the hon. Member for Calgary-Currie.

[Motion on amendment carried]

THE DEPUTY SPEAKER: Now we have finally before us Motion 508, as amended, as proposed by the hon. Member for Edmonton-Gold Bar.

[Motion as amended carried]

Criminal Use of Firearms

509. Moved by Mr. Zariwny:

Be it resolved that the Legislative Assembly urge the government to enter into negotiations with the federal government to ensure provisions in section 85 of the Canadian Criminal Code, which provide for the imposition of additional sentences of one to 14 years for the use of a firearm while committing an indictable offence, are used as a means to deter the criminal use of firearms.

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

MR. ZARIWNY: Thank you, Mr. Speaker. I stand to speak in support of Motion 509. I'd like to start my support with the quotation of a statement made by the Member for Lethbridge-East, whose statement served as the impetus for Motion 509. The quotation comes from a speech which a reader presented in his absence at a meeting in Lethbridge. It states, and I'd like to quote: those concerned about the illegal use of guns should be supporting the increased prosecution of those involved; whenever a firearm is used in the commission of a crime, the Criminal Code must be applied to its full extent in each and every case, with no plea bargains or lesser charges accepted. End of quote.

The Member for Lethbridge-East was talking about applying section 85 of the Criminal Code to its fullest extent, that part of the Criminal Code which the Minister of Justice, as every provincial minister of justice, has the power and authority to pursue with vigour and purpose. Motion 509 asks – indeed, it pleads – that the Alberta Minister of Justice, the top lawmaker in Alberta, use the hammer of section 85 by insisting that his Crown prosecutors not accept plea-bargaining away the commission of a crime with a weapon.

Motion 509 also asks that the Minister of Justice, when he goes in May to Ottawa to plead his case on gun control, set the standard for Alberta, that he set the standard for all of the provinces, and that he set the standard for Canada by letting the federal government know that he will tell his Crown prosecutors today to give notice in this House to insist that offences related to the use of firearms and other offensive weapons not be dropped in favour of some unrelated other crime committed, which is what section 85 is all about.

4:10

With your indulgence, Mr. Speaker, I would like to quote that section for the record. Section 85 of the Criminal Code states:

Every one who uses a firearm

- (a) while committing or attempting to commit an indictable offence, or
 - (b) during his flight after committing or attempting to commit an indictable offence,
- whether or not he causes or means to cause bodily harm to any person as a result thereof, is guilty of an indictable offence and liable to imprisonment
- (c) in the case of a first offence, except as provided in paragraph (d), for not more than fourteen years and not less than one year, and
 - (d) in the case of a second and subsequent offence, or in the case of a first such offence committed by a person who, prior to January 1, 1978, was convicted of an indictable offence or an attempt to commit an indictable offence, in the course of which or during his flight after the commission or attempted commission of which he used a firearm, for not more than fourteen years and not less than three years.

Motion 509 is about law. It is about law and punishment. Section 85 is punishment. It answers the question: how much punishment is appropriate to a serious and deadly offence? Regardless that one may consider that being an ambiguous question, judges cannot do their duties and cannot punish if this section is plea-bargained away.

Motion 509 is about the law, and section 85 is also law. To too many people law appears to be different. Law seems to a lot of people to be simply a formal expression of conventional morality.

To others it is at least a part of the morality that must be enforced by governments. It is also considered a system of rules by which the interest of a dominant class is safeguarded. To others it may be a system of rules held to be binding or rules aimed at realizing justice or a system of commands by some sovereign authority. To others it is what judges decide in courts. Finally, it could be a system of rules backed by some coercive sanctions.

Whatever the definition one adheres to, section 85 is good law. We are told by some that we need further answers to questions before Motion 509 is supported, but what are these basic questions? Section 85 measures up well to these questions, and I'd like to pose them now. Perhaps the Minister of Justice can have the answers again when he appears before the federal committee on gun control in Ottawa on May 9.

How does the content of section 85 relate to other rules and the policy that the government has in relation to gun control? Number two, what functions does section 85 perform right in Alberta? Number three, why do most people in fact obey section 85? Number four, why ought the rest of the people obey section 85? Why ought they obey it? Number five, what moral criteria does section 85 satisfy? Number six, what criteria must section 85 satisfy to be a valid law? Number seven, how is section 85 related to particular decisions made by the Crown prosecutors in the Department of Justice as well as the Minister of Justice? Finally, eight, how does section 85 differ from other types of rules?

Regardless of the definition of law and how these questions are answered, I think it is clearly evident that the answers will be in the affirmative. If we look at one particular part of those questions, the function of section 85 is to impose an additional punishment upon those accused who use firearms while committing or fleeing from commission of an indictable offence. I believe it is not necessary that the accused intend to harm anyone with a firearm nor that it need be proved to be loaded at the time of its use. Apart from murder this section is the only section in the Criminal Code which carries a minimum mandatory period of imprisonment upon a first conviction of one year and for a second conviction, three years but up to a maximum of 14.

In a nutshell, section 85 of the Criminal Code deals with the sociology and the psychology of people. When we speak of those two terms, we really speak about the values and the norms of behaviour and the attitudes of people here in Alberta. Section 85's reflection of those values is a reflection of the norms and the attitudes. Section 85 imposes a punishment. It is a technique of social control which is justified, but its justification is only as good as its ability to prevent the crime. It cannot reform the criminal if it is plea-bargained away or otherwise not used. It cannot prevent the criminal from repeating a crime if it is plea-bargained or otherwise not used, and it cannot deter others from committing like offences if it is plea-bargained or otherwise not used.

In conclusion, Mr. Speaker, the fear of punishment that is in section 85 alone would not account for the widespread obedience and respect for the law and for section 85. There could never be enough policemen to maintain a legal order where that was the sole motive. It is because most people in Alberta, indeed in Canada, believe the law of section 85 to be right that this government and the minister have to coerce by punishment the minority who violate it.

In that respect I conclude my remarks and leave the rest to my colleagues. Thank you.

THE DEPUTY SPEAKER: Okay. The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. It's a pleasure to rise in the House today to express my support for the motion proposed by the hon. Member for Edmonton-Strathcona. I have to agree with the hon. member that the public in general is concerned with the criminal use of firearms. The Canadian Criminal Code under section 85 provides for the imposition of additional sentences of one to 14 years for the use of a firearm while committing an indictable offence, and I think it should be used as a means to deter criminals from using firearms. The report tabled on January 26, 1995, by the federal Justice department, entitled *Research on the Application of Section 85 of the Criminal Code of Canada*, found that the public is largely unaware of which offences are covered by mandatory minimum sentences and the severity of these minimum sentences. Perhaps an effort should be made to make this information known to the public so that criminals think twice before using firearms to commit a crime. This could be part of the solution.

I'd like to share with you a study done in the States in 1984 by McPheters, Mann, and Schlagenhauf. They tested the deterrent response of criminal offenders faced with changes in the penalty structure for the crime of robbery with a firearm. They found that offenders rapidly reduced the number of robberies with a firearm as penalties for firearm use became more severe. This, Mr. Speaker, is consistent with the findings of the federal Justice report, which found that the police interviewed for this report were almost unanimous in their perception that section 85 was intended to deter the use of firearms by criminals. However, the general problem viewed by the police agencies interviewed for the federal report was that section 85 charges are frequently bargained away prior to trial in exchange for guilty pleas on the substantive charge.

4:20

Mr. Speaker, this is a big concern for the police. The Canadian Association of Chiefs of Police is concerned that the criminal use of firearms be dealt with to the fullest extent of the law. Accordingly, their view is that when firearms are used in the commission of crimes, charges under section 85 will be laid in the vast majority of cases. It must be very frustrating for them to see these charges often negotiated away. The Canadian Association of Chiefs of Police has put forward a proposal to the federal Justice department asking that the minimum sentence for an offence committed with a firearm be moved up to five years. They feel that harsher mandatory sentences may contribute to deterring the use of firearms by criminals.

Bill C-68, *An Act Respecting Firearms and Other Weapons*, which is presently being debated in the House of Commons, will move the minimum sentence to four years if a firearm is used in the commission of violent crimes. However, Mr. Speaker, I'm afraid that these new minimum penalties for violent offences involving the use of a firearm do not present any real increase in sentences now being imposed in most cases for these offences and therefore do not provide any new deterrent. Again it comes down to how sentences are being handed out. However, to increase the minimum sentence even by three years would communicate to society the seriousness with which gun crime is viewed by the justice system. This may also send a message to judges that stiff sentences should be imposed if firearms are used.

Mr. Speaker, Alberta is very concerned with the criminal use of firearms. We have asked the federal government for tougher sentences for those criminals who use guns when committing a crime, and we will continue to push for this. We've also asked for amendments to the Criminal Code to help the prosecution of those cases where the guns used in the crimes were never recovered.

The federal government has also responded to this latter concern with the amendment contained in Bill C-68 regarding section 85 of the Criminal Code. This amendment would make the use of a replica or imitation firearm an offence under section 85. Mr. Speaker, the federal Justice report found that the impact on the victims of crimes in which replica firearms were used was equivalent to that that would have been had a real firearm been used. Also, the report mentions the difficulty in proving that a firearm used in a crime was real unless it was fired during the commission of the crime or it was seized thereafter.

Mr. Speaker, I feel that these amendments proposed by Bill C-68 should help in deterring the use of firearms and hopefully will allow for stiffer sentences when a crime has been committed with a gun. However, I think there's a lot more that we as a society can do to deter the use of firearms by criminals. We could increase public education regarding penalties for guns in crimes. We could make changes in conditional release practices so that persons convicted of gun crimes serve longer proportions of their sentences than do others.

Mr. Speaker, these are just some of the suggestions that my constituents have brought to my attention. They support any action by the government in encouraging tougher sentences for those criminals that choose to use a gun in committing their offences. This is why I support the motion proposed by the Member for Edmonton-Strathcona, and I encourage everyone to vote in favour of this motion.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. It's a pleasure for me to get up and speak in support of Motion 509, the use of firearms, section 85 of the Criminal Code. This motion provides for the imposition of additional sentences of one to 14 years for the use of a firearm while committing an indictable offence, [to be] used as a means to deter the criminal use of firearms.

There's no doubt that calling upon the government to ensure that section 85 of the Criminal Code is used effectively and to its fullest extent to prevent and prosecute the use of a firearm while committing an indictable offence is very, very important, particularly in the kind of social climate that we live in now. There is no doubt that we need to strive, whenever possible, to make our communities safer, and we see that as an overwhelming request from people within our communities on a daily basis.

I think we need to refocus on the penalties, in particular for high-risk violent offenders. We need those offenders to understand very fully that there will be an automatic penalty levied specific to their use of a firearm when committing a crime. Right now, if you've spent any time in any of the court systems or watching the proceedings or talking to people after the fact, this charge is viewed as an absolute joke within our justice system, and it shouldn't be. Definitely we need to attend to this matter, and this motion does that. We need the general public to know, to understand, and to really believe that we are serious about

ensuring public safety. This motion is one of many means that we need that is required to do so.

There is no doubt, when this issue is discussed in my constituency, regardless of whether I'm talking to seniors or whether I'm talking to grade 6 students or high school students or parents, that it's a very real concern that needs to be addressed here. It's one of the biggest frustrations we see amongst the general public at this time: that we don't see any real enforcement of this kind of a charge within the legal system. That frustration with the system is growing. This motion certainly helps to address this.

We see by the stats here for the province of Alberta that plea bargaining has been a fact of life within the justice system, and it's completely wrong from the average taxpayer's perspective. It's one of the major complaints that I hear from our constituents with regard to how the justice system doesn't work for the average Albertan but does seem to work for the offenders.

If we take a look at the number of section 85 charges laid and dispositions by year and jurisdiction in Alberta, it shows actually a very appalling story. We see a growing trend for charges to be withdrawn or dismissed or stayed, and we see flip-flopping back and forth from year to year between Calgary and Edmonton in terms of who wins the prize for withdrawing the most charges. Just to take a look at the 1993 stats, in Calgary 78 charges were withdrawn or dismissed as opposed to 6 who were charged and actually found guilty. I find that quite appalling. Committing a crime with a weapon is a serious offence. It's a serious offence to all of us, not just those who are seeing the end of that weapon in the committing of the crime, and we need to take this seriously. During that same year in Edmonton 31 charges were withdrawn, and only two were found guilty. The total in the rest of Alberta: 26 charges were withdrawn, and only one person was actually found guilty. Well, I find those to be very appalling, and this motion is long overdue. I'm glad to hear that the government . . .

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Ellerslie, but the time limit for consideration of this item of business has concluded.

head: Government Bills and Orders
head: Third Reading

4:30

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

17	Public Sector Pension Plans Amendment Act, 1995	Day (for Jacques)
18	Environmental Protection Statutes Repeal Act	Lund
22	Science and Research Authority Act	Mirosh
23	Treasury Statutes Amendment and Repeal Act, 1995	Day (for Dinning)
24	Hospitals Amendment Act, 1995	Day (for Gordon)

CLERK: Bill 25.

THE DEPUTY SPEAKER: The Speaker is standing.

We have a problem here. The Speaker is going to ask the Acting Speaker if he would take over the Chair so that we who are affected by Bill 25 may leave. So I'll sit down.

[Mr. Clegg in the Chair]

Bill 25
Teachers' Pension Plans Act

MR. DAY: Mr. Speaker, on behalf of the hon. minister of Advanced Education I would move Bill 25, Teachers' Pension Plans Act, for third reading.

[Motion carried; Bill 25 read a third time]

Bill 26
Energy Statutes Amendment Act, 1995

MR. DAY: Mr. Speaker, on behalf of the Member for Pincher Creek-Macleod I would move third reading of Bill 26, Energy Statutes Amendment Act, 1995.

MR. N. TAYLOR: I have just one last kick at the cat. [interjections] I'm sorry. There are probably other names I could use.

It bothers me a bit, and I just want to make sure the opposition is on record in the dichotomy or contradiction or whatever it does with the Alberta Petroleum Marketing Commission and this Bill. They were talking about dissolving the marketing corporation; now they're talking about retaining it. One of the things that bothers me here is that they're talking about being able to let the free market reign between core buyers and sellers of natural gas. That's all right, but the time may come, as the hon. minister of the environment over there knows now - he's a little bit like the Dutch boy trying to plug about five holes in the dike. When it comes to the lumber market, I guess six holes, and he's only got five fingers. In the lumber marketing he's dedicating chips to go here and trees to go there, conifers over here and softwood over there. He's busier than a one-armed paperhanger, Mr. Speaker. I hate to use the word "paperhanger" because one of them became very famous in Germany back in the '30s. Nevertheless, he doesn't use that attitude. He's just got an awful mess on his hands trying to control the market of chips and wood, as you well know if you've been up in that area. I'm sure that you've had many people come to you and ask: what's a free enterprise government doing?

Well, free enterprise is fine here, but I think the petroleum marketing corporation will have more gas for sale than probably any single seller in Alberta, except maybe Shell Oil or somebody. The same thing could happen in Alberta as happened with timber: a shortage could develop. This government may want to be able to try to use the government royalty share of gas to help keep certain key industries alive and well, just as the hon. member does with chips now. He ships them around wherever he feels like. This Bill seems to have a hole in it to the extent that if there are small-town utility companies and small users that get caught in the shortage squeeze, there's no way of then moving in, like the hon. member does with chips now. He's been able to allot them here and there. I think that possibly, outside of moving over the hon. minister in charge of this, this is a hole in this area, because if a gas shortage develops - and it could easily happen. Stranger things have happened. [interjection] There's certainly no gas shortage in the hon. member's constituency, I can tell you that. It comes out both ends there.

Nevertheless, Mr. Speaker, I want to get across the point that the APMC could probably be used to help out small-town utility companies. It looks as if they could be left to the mercy of the wolves. That's what worries me.

I just thought I'd put it on the record so that I can come back and haunt the Energy minister in the years ahead. Thank you.

[Motion carried; Bill 26 read a third time]

head: Government Bills and Orders
head: Second Reading

4:40 Bill 19
Freedom of Information and
Protection of Privacy Amendment Act, 1995

[Adjourned debate April 24: Dr. Percy]

THE ACTING SPEAKER: The hon. Member for Spruce Grove-St. Albert.

MRS. SOETAERT: I'm glad you say that name with such vim and vigour, Mr. Speaker.

It's a pleasure to rise and speak to Bill 19. Our caucus has always fought long and hard for a decent freedom of information Act, and I give a great deal of that credit to my hon. colleague the Member for Calgary-Buffalo. He's done a great deal of work with this Bill.

Some of the amendments that we see coming forward in this Bill are genuine corrections that certainly will improve the freedom of information Act and probably make it more useful to all Albertans. However, some of the proposed amendments we have some concerns over, and I'm sure that in committee we will be bringing those forward. I would hope that the Legislature will see fit to support those amendments, which have been well thought out and will be well presented.

One of the things that we have some concern over will be the section under the Conflicts of Interest Act which allows the Ethics Commissioner to serve concurrently as the Information Commissioner. That dual role might limit the Information Commissioner, so that concerns this side of the House.

I know that our present Ethics Commissioner is held in high esteem by I think every member of this Legislature. In fact, the other day I was speaking to someone who many years ago was involved with the Social Credit government who said he thought that our present Ethics Commissioner was one of those people who survived life and didn't really become a politician. Now, that's a sad statement, isn't it? He held him in high esteem because he didn't get hooked into being a, quote, politician. So I guess maybe we should all learn by Mr. Clark's fine example that he is well respected. I don't know quite what the person meant by that, but being a politician I guess wasn't what they had held in high esteem. However, they really did respect, as we do, Mr. Clark. So that is the one area that we will be pointing out: that it is just too difficult and maybe a bit of a conflict for someone to hold both those offices.

It seems that it's almost been deliberately put in to create a conflict of interest. It would be a disappointment if that went through, to even put in any kind of question either the Ethics Commissioner's role or the Information Commissioner's role. We don't want the Ethics Commissioner's job to become less effective. I think over this last term, certainly the last two years we've seen a very effective commissioner in the job that he does, and we certainly don't want that to become less effective.

Mr. Speaker, this caucus has always had grave concerns over what will be available to Members of the Legislative Assembly and to members of the public. We will be presenting other amendments which will be aimed at the amendments that limit access to MLA documents that are in the custody of the Legislative Assembly Office, and we will be bringing those forward during committee.

As it stands right now, generally I will be supporting this Bill. Some of the amendments I can see are very positive and we can

actually claim credit for. That's often the way it happens when you're in opposition: people oppose motions and Bills that the opposition brings out, yet they bring them back as government amendments or motions or Bills. Though that seems a roundabout way of getting something done, that is often, regrettably, how it has to be done in this Legislature, with people being whipped into voting on the government side.

So, Mr. Speaker, with those few comments about Bill 19 I will be looking forward to committee, when the opposition will put forward some good amendments. Maybe the government will also be adding some amendments. This will become a very good and very effective Bill. So with that, I will allow other people the opportunity to speak to second reading of Bill 19.

THE ACTING SPEAKER: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Mr. Speaker. [interjections] Thank you for that comment.

Mr. Speaker, it's a pleasure for me to be able to get up and speak about Bill 19 and particularly to speak about something which I campaigned on, which was freedom of information and privacy issues. I think those issues are very near and dear to the hearts of every single Albertan, and keeping that in mind, we would want to ensure that any legislation that is passed in this Assembly keeps their best interests at heart. Therefore, I certainly have a few concerns about this Bill.

When we think back to the Premier after the election in 1993, we can remember that he made a commitment to freedom of information, and I'm sure that all Albertans were very concerned that the Premier was serious about this and that he had every intent to fulfill that mandate. Certainly we on this side of the House had those concerns. Of course, we have to remember the Premier's often used words: that was then and this is now. Now we see what he really meant by that intention, and we see what I actually see is definitely a further erosion of what was in the first instance a pretty good start on this Bill.

This Bill came about, as we all remember, as a result of an all-party panel on freedom of information and a number of technical amendments, which unfortunately for the most part we see are not in keeping with the unanimous recommendation of that panel. Now, we certainly have to wonder how that would come about, how the Premier would get off to a good start by putting together a panel that toured the province, that talked to a lot of people, that spent a lot of time and good taxpayers' dollars on bringing forth a report, and then in fact many of the recommendations there – and I would like to state that they were unanimous recommendations – have not been reflected in this Bill.

I'm sure that someone on the government side is going to be happy at some point in time to stand up here and address that. In fact, I would hope that it would be the Premier himself who would do that, because I would hate to think, as I'm sure Albertans would hate to think, that he has deliberately broken a promise to them or that the unanimous recommendations of a panel that was appointed by him would not be taken into account, which by any means, to me, is a broken promise. Of course, it's just one of many, but when we're talking about freedom of information and privacy issues, I do believe that it's pretty important to all of us in this province, and it certainly needs to be addressed.

4:50

We see that over the course of time the benchmarks of any good government are openness, fairness, and honesty. Those are

certainly benchmarks that we expect to see addressed in this House. I'm sure all members are elected with their constituents believing that they would be here to pursue openness, fairness, and honesty. Of course, the other side of that is secrecy, dishonesty, and being arbitrary in the decision-making process. So when we take a look at this Bill, one that's very fundamental to all of us, and we use that filter to check whether or not the government will be more open or less open, whether we're going to see more honesty or more dishonesty as a result of this legislation and the intent of the amendments that are coming forward, whether we see more fairness or more arbitrary action, for the most part we can see that this Bill fails and that once again we see window dressing on behalf of this government.

We see them saying that they're going to do something. Yes, the Bill is named, and we expect improvements to freedom of information and privacy issues, but the actual intent of this Bill does not meet those criteria at all. It's very, very disconcerting to all of us that this government would try to hoodwink the public in general and that they have a very good chance of getting away with it again, because they have misinterpreted the intent of this Bill to each and every one of us in this province. What we see there, then, are amendments that are proposed which really are nothing more and nothing less than amendments which are necessary to accommodate this government's agenda. That's very disconcerting to all of us, and we have a responsibility to make that an open process to the people of this province and let them know exactly what your intent is here. That's very, very upsetting to all of us.

First and foremost, one of the amendments definitely meets your agenda, not the agenda of the people, and that's been to diminish the role of the Information and Privacy Commissioner to that of a part-time position. Now, it's just absolutely amazing that this government would think that someone could fulfill that role in any kind of practical and explicit manner on a part-time basis when we see that in all other parts of the country it is more than a full-time job. So we have to wonder what it is that you don't want disclosed or reviewed or opened up to the general public and what other means you're going to find to ensure that secrecy continues to occur within the actions of this government by putting the person in charge of it on a part-time basis, where they'll never have the time to properly fulfill the actual functions of that role. I think that's something for all of us to be very concerned about, and I'm quite disappointed that the government won't fess up as to what the real agenda is in this regard.

We see other amendments as well which are designed to restrict access to information and not to enhance it in any way whatsoever, and we talk about the boondoggles that this government has participated in over the course of many years and in fact in this House, this government here. To restrict access to information or to misinform is really quite appalling when we see the results. When we talk about the NovAtels and the Bovars and those kinds of incidents where the direct consequences are us not having adequate money for kindergarten or health care or the proper education of our children, those are the direct results of these kinds of boondoggles, and they came about because this government was in a position where they would restrict access to information. As you recall, we had to go to California to find out what was happening in NovAtel. That was definitely a restriction of information in this province, and we would expect to see that changed.

If this were a responsible government who had responsible intentions towards the taxpayers of this province, they would

address that. Rather than make it more open and accessible, what they've done with this Bill is made it less so, which is exactly contrary to what the people of this province have been expecting. I do believe that you are misleading them in this regard. We are going to see further restrictions, not further access, and that's the real concern that each and every one of us should have.

When we look at the amendments in Bill 19 which are designed to allow for the role of the Information and Privacy Commissioner to be held on a part-time basis, we really have serious concerns about that. This Bill is going to amend the necessary sections of the freedom of information Act and the Conflicts of Interest Act to allow for the current Ethics Commissioner to hold both jobs simultaneously. Well, exactly why is it that you want to do that? Can you explain to us fully how it is that both of those jobs can be done on a part-time basis? The Ethics Commissioner will then not have enough time to do his job in that role. We see the significant consequences of that having happened here just in this last session. It seems to me that certainly this position is a full-time position, if we look at any other jurisdictions. This is really a serious concern that we have to talk about.

Certainly when the Premier's all-party panel discussed this issue – that very point of whether or not the role of the Ethics Commissioner could be merged – they rejected the notion wholeheartedly. They rejected it unanimously, and it's something that we have to keep in mind. What is the agenda of the Premier that he would discount that recommendation? In fact, if you remember back to that report, they also considered the concept of rejecting the new commissioner's office with all of the other legislative officers, whether it be the Ombudsman or the Auditor General or the Ethics Commissioner, and they had a very good reason for doing that. They spent an intensive amount of time reviewing the current situation and talking to the people in this province about what their needs and wants were, and it certainly seems to me that the Premier has a different agenda than the people in this regard. So why he didn't take the unanimous opinion of the committee, that it would be inappropriate to split this job, requires explanation not just to us on this side of the House but to each and every Albertan, because it's each and every Albertan who's going to be affected by this.

We have to remember that when government members on the select special freedom of information and protection of privacy commissioner selection committee spoke to their motion and pushed this motion through, which was to ratify the appointment of our current commissioner to the position, it was asserted at that time that there were only a couple of minor amendments that would be required to make this person suitable to hold both positions. Really this is just simply not the case. It has to be reviewed, and I'm hoping that before this legislation is voted on, we're going to see an amendment here from the government side, which would certainly be an act of good faith, to change that.

So with those comments, Mr. Speaker, I'll save the rest of the concerns I have for when this Bill gets into committee.

THE ACTING SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's my pleasure this afternoon to enter debate on second reading of Bill 19, which is the Freedom of Information and Protection of Privacy Amendment Act, 1995. From my perspective, it seems that this Bill is one of many that the government is bringing in this session that is necessary to clean up a half-baked, poorly done job in the first instance for a number of Bills. We're seeing that

in many Bills that are coming through on the Order Paper now. We're seeing amendments to legislation in a number of areas where the government has attempted to get legislation through quickly and then after the fact is discovering all kinds of difficulties with the legislation and is now bringing in amendments to that legislation. Now, talk about overlap and duplication, talk about wasting Alberta taxpayers' dollars: that's exactly what this government is doing in these kinds of situations.

Mr. Speaker, some of the amendments that are contained in this amendment Act are, as I read it, certainly amendments that could have been done in a miscellaneous statutes amendment Act and certainly don't have to be part of the debate in the legislation here, in this amendment Act. They are typographical errors. They're housekeeping changes because of other legislation. They're certainly not the essence of the legislation that we have before us. Nonetheless, because the government is caught in a position where they're having to make changes months after the Bill is actually passed and not having dealt with it or done it properly the first time through, we see these kinds of amendments in here that are, I guess, for the most part wasting the time of the members and the money of Alberta taxpayers in having to deal with them in this legislation.

5:00

The main issue, as many of my colleagues have addressed on this Bill, deals with the government's change in attitude towards the importance of the Information and Privacy Commissioner. The whole essence, Mr. Speaker, of the freedom of information and protection of privacy legislation is that it will create a mechanism and a vehicle and an opportunity for Albertans to access information from this government. Where there is resistance to that, there are mechanisms built in which are part and parcel of the role and responsibility of the Information and Privacy Commissioner.

That role, as many of my colleagues have already indicated, is clearly a full-time position. It is clear to all Albertans that the individual – and let's recognize that we are not speaking personally about Mr. Clark in this position or in this capacity. We are dealing with the position of this commissioner. We are not dealing with the individual that the government chooses to select or the advisory body agreed to put forward as the commissioner to be appointed at this point in time. That's not the issue. The issue is the position in and of itself. This position, as many other jurisdictions know full well, requires an individual with a clear understanding of information management systems or records management and must be a person who's in a position to administer a very large and vast and comprehensive information system to make the legislation work.

Now, Mr. Speaker, it may well be the intent of the government to make sure that the legislation does not work, because of course that would be in the government's best interest, notwithstanding that it's the Premier who sponsored the Bill initially. It could very well be that that's the intent of the government. Certainly, this will go a great distance to make sure that Albertans are stymied at every turn in getting information that they are seeking.

There's no question that the position of the commissioner must be a full-time position. This amendment, of course, changes that significantly. We have lots of instances and circumstances where part-time positions might very well be justified. Certainly a minister without portfolio could easily be a part-time position in this Assembly. It certainly doesn't need to be a full-time position for a minister who has no responsibility. Nonetheless, we the government say: "No. Those are full-time positions." But when

it comes to the commissioner of this important position, now it's a part-time position because it's not important enough.

The fact is that the job is simply too big for any individual – and again we are not speaking of Mr. Clark personally – to properly administer and fulfill his obligations to the people of Alberta if it's a part-time position. The government knows it. The government should back away from this amendment and should rethink whether or not it wants freedom of information legislation to actually work.

DR. WEST: Spend more money. Big government.

MR. COLLINGWOOD: Spend more money. Mr. Speaker, the Minister of Transportation and Utilities doesn't want to spend any money on freedom of information. He thinks it's going to cost the taxpayers too much money to have a full-time freedom of information commissioner. I wonder what NovAtel cost. I wonder what wastage of money – actually, we have to recognize that the Minister of Transportation and Utilities is very well versed in wasting taxpayers' dollars. He knows all about that. I can assure that hon. member that a full-time Ethics Commissioner is not a waste of Alberta taxpayers' dollars. We know that it is in the best interest of that minister not to have a full-time freedom of information commissioner because that will slow down the process, that will impede the process, that will prevent Albertans from getting information about his department and every other department in government. That is exactly what this government wants to accomplish with this amendment. So, well done, Mr. Minister, in making sure that the legislation is not going to work as the legislation ought to work in this province and as we originally thought was the intent of the Premier of this province. Now we find out that it is not the intent of the Premier of this province.

The other interesting irony here, Mr. Speaker, is that members opposite are always talking about openness and accountability, and they have all these little fancy slogans that they pour out every once in a while.

MR. BRACKO: Know the truth, and the truth will set you free.

MR. COLLINGWOOD: Mr. Speaker, it's all about the truth.

In this situation Albertans have not had the privilege of an open competition for this important position. It's an appointed position; it is not an open competition. Now, why not an open competition? Why not an open competition, hon. members, to pick the very best person for this job? We are not in any way and I am not in any way suggesting that Mr. Clark is not qualified for the position. But let's have an open competition. Where's the openness? Where's the accountability? Where's the open competition? Members opposite don't want an open competition because they want another process that delays, that slows down, that impedes the independent establishment and operation of a freedom of information commissioner, just one more step, just one more piece of evidence that the government does not want the legislation to work. There's lots of evidence, Mr. Speaker, from the original Bill and from the amendments put forward that the government simply does not want this legislation to work as it should. Now, on that point, I've said what I want to say about the appointment of the freedom of information commissioner.

Mr. Speaker, I've indicated that the government is of course wasting our time with miscellaneous amendments that could have been done by a much more efficient process, but efficiency is not something this government has yet been able to grasp entirely.

It's been so incredibly inefficient over the last number of years that it's still trying to come to grips with and trying to cope with what it means to be efficient. There are amendments in the Bill. Thankfully, we have a Bill that has some redeeming features to it. In many cases – and I'll clarify my statement – in some cases they are amendments that had originally been put forward last year when we had this debate. They were brought forward as amendments by the opposition, but of course the government has an obligation to vote down constructive amendments from the opposition.

Here we are today wasting Alberta taxpayers' dollars debating an amendment that has already been before this Assembly and has already been defeated by this government probably because of the individual who put forward the amendment, not because it's a good amendment to a Bill that the government now recognizes. The wastage by this government on a piece of legislation that should right now be working, up and running in full gear for the benefit of Albertans, not for the benefit of the members opposite in the Conservative caucus but for the benefit of Albertans – it should be up and running, and it's not because the government in its efficient wisdom is still trying to figure out how to get this thing to work. The amendment in section 4 was put forward last year by my colleague the Member for Calgary-*Buffalo*. It was defeated by members opposite, and now we find it coming back from the hon. minister as an amendment. What an incredible, inefficient waste of time and waste of taxpayers' dollars in the province of Alberta, a typical move by a Conservative government.

Mr. Speaker, when we get to committee stage, I will reference the individual and specific amendments that have been put forward in this amendment Bill. Those ones that can be supported are the ones that will be rejected. In terms of the principle of the Bill, I have already indicated the concern that I have and certainly concerns on behalf of Albertans that I represent with respect to a part-time freedom of information commissioner.

On that, I am going to take my place and ask the government if we can maybe try a little harder to draft legislation so that we don't waste so much time and money. Thank you, Mr. Speaker.

5:10

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

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. I shall gladly wade into the fray on this particular Bill. I would like to start off with the customary commendations. I think indeed that the government has acknowledged the wisdom of the Liberal stance of going after a freedom of information Bill for so many years, and I'd like to applaud that. So that's the first commendation. Of course, the next one is that they have recognized the wisdom of one of our many amendments in the clause of the Bill last spring that we advanced, and that's section 4. We see it now, of course, without any acknowledgment of the inherent wisdom of it. Nevertheless, they have seen it. It's a bit like mustard after the meal, but that acknowledgement is there. So those are the commendations.

Of course, it simply does not behoove me to always keep up the good commendations. There must be a note here of constructive criticism, and I shall start with that now. I think it was about one year ago that the government started with its plagiarizing of the Liberal proposals, and it is such a pity that the ultimate result is a bit less than a hundred percent reflection of that Liberal idea. Nevertheless, it's better than nothing of course.

I am somewhat suspicious, though, Mr. Speaker, of the government in that it has taken so long to take the next step, to drop the other shoe, and to promulgate this thing. Why did it take so long? Well, as it turned out, of course, there were ulterior motives, and a great amount of redrafting had to be done in the form of amendments in order to make sure that a chosen person would finally be given the job of commissioner. I think that is the quandary and the conundrum that I am placed in with this Bill. Obviously, since it essentially was a Liberal idea, it is an excellent idea, but there are these parts that really stick in my craw, and this is one of them. There are two parts that stick in my craw. Section 5 . . . [interjections]

Mr. Speaker, I'm appealing to you to restore order so that when I refer to my craw, it is clearly understood that it is the craw I'm referring to.

Speaker's Ruling Decorum

THE ACTING SPEAKER: Hon. member, yes, I've noticed that some of your members are being quite noisy and one or two over here too. I would like to see a little more order. A couple of the members on your side are the ones making the most noise.

Hon. member.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. [interjections] Maybe they don't like craws.

Debate Continued

MR. VAN BINSBERGEN: Mr. Speaker, I was about to discuss the importance of section 5, that being one of the two sections that I don't particularly like. I would like to point out the shortcomings of that particular section, if I may. Section 5, of course, attempts to exempt from the freedom of information Act any record created by the office of an MLA that is in the custody and control of the Legislative Assembly Office, and that would cover all the information that deals with perks, expenses, extra income, and so on.

Now, Mr. Speaker, for the life of me, I don't understand that. I think what this particular amendment would end up doing is saying to the taxpayer: you may continue to contribute to the trough, but you shall have absolutely no knowledge as to who takes from the trough. I think taxpayers ought to know and would like to know how much, for instance, the Member for Little Bow spends on his lunches as chairman of one of many committees. I think they would like to know whether the Member for Lethbridge-West as chairman gets an extra stipend and how much and so on. They might also want to know how many kilometres the Member for West Yellowhead drives to do service to his constituents. All these things. It's important that they be allowed that particular information. We should not stand in the way, because after all it is they who pay. Now, that's the one item that still sticks in the craw.

Then we get to the other one. That is the clear attempt of sections 13, 14, 15, 17, and 19 . . .

THE ACTING SPEAKER: The Government House Leader on a point of order.

Point of Order Second Reading Debate

MR. DAY: Mr. Speaker, again, there's been a previous ruling in favour of this point just recently. I would refer the member

opposite who is now speaking to *Beauchesne*, actually the entire division, chapter 16, because it talks about proceedings on Bills. It's very clear that when we're in second reading of a Bill, we're here to discuss the principles of the Bill. In a number of incidents now the Blues would show very clearly that the Member for West Yellowhead keeps referring to sections, clauses, and sentences. I would ask that he would refer to the principle of the Bill. We're looking forward with breathless anticipation to the committee stage, at which we can start to break the Bill down into its more minute divisions.

THE ACTING SPEAKER: On the point of order, hon. member.

MR. VAN BINSBERGEN: Yes, Mr. Speaker. I would like to point out to the hon. Government House Leader that yesterday, last night in fact, either yourself or one of your colleagues as Speaker ruled on that particular point of order and ruled quite decisively that it was nonexistent. What he said was in fact that this particular Bill, Bill 19, is a collection of specific amendments, and therefore if you talk about this particular Bill in principle, you must deal with individual items. That was what I was attempting to do.

THE ACTING SPEAKER: Unfortunately, I wasn't here last night because I had other commitments, not that I didn't want to be here. We've always been lenient on the principle of the Bill. However, I do see the Government House Leader's point, because we are talking about the principle of the Bill. I do also understand taking sections out of the Bill to get to the point of the principle of the Bill, and I'm sure that the minister – Member for West Yellowhead will get right to the principle of the Bill.

5:20

Debate Continued

MR. VAN BINSBERGEN: Mr. Speaker, indeed, this member is not yet a minister, but who knows? Maybe one of these years.

Let me continue. Mr. Speaker, I was discussing the general principle inherent in a whole large number of sections when I was so rudely interrupted. I think I had even mentioned that I was talking about a handful of sections – 13, 14, 15, 17, and 19 – that all together embody that same old principle; namely, tailor-making the job of commissioner to one and the same person, who at this particular moment happens to be a half-time Ethics Commissioner and does an exceedingly good job in that particular position. I have difficulty with that general principle. The difficulty is this: ensuring that the same person shares the job of Ethics Commissioner and Information Commissioner would create a potential conflict of interest. It must be hard for a key official to rule on potential conflicts of interest of cabinet ministers and MLAs and so on when he himself may well be in a potential conflict of interest.

I think there's another reason why this is not a good move; that is, as this particular office is being started up, it is necessary for the size of the job to have a full-time commissioner.

Also, I'd like to point out that on October 28, 1993, the Premier unveiled an appointment policy, which clearly indicated that all competitions would be open and that that would certainly be in line with the freedom of information Act. Well, this particular section of this amendment to the Act is clearly not in the same spirit as that. Perhaps, Mr. Speaker, this is yet another occasion of the Premier saying one thing and doing another. So I think that this, too, would be a reason for not proceeding with this particular item. It seems to me that clearly the Ethics

Commissioner will become less effective in the course of his duties if he also has to look after the freedom of information Act.

I think, Mr. Speaker, that I read the signals that lots of people would like to speak on this particular item, so I'll leave it at that. At this particular moment I don't know which way I shall vote, because I don't like these items, as I have outlined. Thank you very much.

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

MR. BRUSEKER: Thank you, Mr. Speaker. Just a few comments on second reading of Bill 19. The concept of freedom of information and protection of privacy has been a topic of concern to certainly the Liberal caucus for a good number of years. One of the proposals in here of course that's coming forward is the concept of combining the offices of the current Ethics Commissioner with the office of the Information and Privacy Commissioner. When you look at the series of amendments that we have before us, the commissioner obviously will have to deal with a variety of – the phrase that's used is: heads of public bodies that the commissioner will be dealing with.

One of the interesting points there is that as heads of different bodies there are different groups and organizations with which the commissioner has to confer and decide whether or not that information will be made public to whomever has requested that information. Presumably the request for information will go to the Ethics Commissioner/Information and Privacy Commissioner, whatever the new title will be, and then a decision from that body to whom the request is made will come back to the Information and Privacy Commissioner and then a response ultimately given to the individual.

Now, one of the difficulties that I have with that is that as I look through the Bill, there are a number of clauses that allow heads of bodies to make decisions to not provide information. There's a number of places where the concept of refusing to provide information is allowed under this particular piece of legislation.

In particular, one of the sections deals with the Speaker deciding whether or not the information is under the issue of parliamentary privilege. Now, Mr. Speaker, as I review *Beauchesne* and look at the roles and duties of the Speaker in a variety of different sections, I would suggest that that amendment is inappropriate and in fact should probably be ruled out of order. In fact when we look at *Beauchesne* – this is not a point of order, this is just using some of the references we have available to us.

Beauchesne 51(1) says: "The control of the House over its publications is absolute." "The control of the House," not the control of the Speaker. "The control of the House over its publications is absolute." So in fact it's not the Speaker who should be making the determination as to what is and what is not the subject of parliamentary privilege.

When one reviews the issue of parliamentary privilege, in fact it's very clear in *Beauchesne* 117(2)

that the Speaker's function . . . does not extend to deciding the question of substance – whether a breach of privilege has in fact been committed – a question which can only be decided by the House itself.

So to suggest that the Speaker will be deciding that which is parliamentary privilege and which is not clearly is not the role of the Speaker.

In fact further references in *Beauchesne* and for that matter in *Erskine May*, which I'll get to in just a moment if time allows – *Beauchesne* 174(1) says:

The Speaker has the control of the accommodation and services in that part of the Parliament Buildings and precincts occupied by, or on behalf of, the House of Commons.

It says in *Beauchesne* 174(2):

The Speaker is responsible, through the Clerk of the House, for the accuracy of the Votes and Proceedings and for the correctness of the Official Report of Debates.

So what this would do with respect to the role of the Speaker is add on a new role to the Speaker which in fact is not in the tradition certainly of this Legislature, would add on a new role that is not in the tradition of the federal House of Commons according to *Beauchesne*.

In fact when I refer to *Erskine May* in the section that deals with officers and departments of the Commons, it also talks about the functions of the role of the Speaker as a representative of the House of Commons. There are a number of references there from pages 179 to 184, Mr. Speaker, that suggest very clearly that the role of the Speaker is not to determine whether or not in fact the documentation should be made available. In fact, it's almost as if the Speaker would be a Privacy Commissioner subtitled under the auspices of the office of the Privacy Commissioner that ultimately would be hired for this particular position.

So from that regard, Mr. Speaker, I would suggest that this particular amendment is probably inappropriate and probably out of order and should be removed from the Bill, because I would suggest that that would be an inappropriate task and would in fact place the Speaker in an untenable position. I would certainly not want to see that happen wherein the Speaker finds himself as the impartial arbiter, as is the role of the job, in a position that may in fact compromise the impartiality of the Speaker in that role. From that standpoint, when we do get to the section that allows in Committee of the Whole for debate on individual lines, then certainly we should have an amendment to that point.

Looking at the time, Mr. Speaker, I would move that we adjourn debate.

THE ACTING SPEAKER: The hon. Member for Calgary-North West has moved that we adjourn debate. All in favour?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed, if any? Carried.

[The Assembly adjourned at 5:30 p.m.]

