

Legislative Assembly of Alberta

Title: Tuesday, March 12, 1996 1:30 p.m.
Date: 96/03/12
 [The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

Our Father, we thank You for Your abundant blessings to our province and ourselves.

We ask You to ensure to us Your guidance and the will to follow it.

Amen.

Please be seated.

head: **Presenting Petitions**

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

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased to be able to present at this time a petition signed by 1,216 Calgarians which urges the government

to ensure adult education programs at Viscount Bennett Centre in Calgary are supported at the same level as post-secondary institutions in the province.

Thank you.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I, too, have a petition today signed by 1,200 Calgarians, mostly, urging the Legislative Assembly to ensure that adult education programs at Viscount Bennett are retained and supported at the same level as postsecondary education institutions in the province.

Thank you.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I, too, would like to table an additional 1,616, to be precise, signatures from Calgarians asking the government

to ensure adult education programs at Viscount Bennett Centre . . . are supported at the same level as [other] post-secondary institutions in the province.

These bring the total to 4,032 signatures on this issue.

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 157, 159, 164, 165, 176, and 177.

I also give notice that tomorrow I'll move that motions for returns stand and retain their places with the exception of 166, 167, 168, 173, 174, and 175.

head: **Tabling Returns and Reports**

MR. KLEIN: Mr. Speaker, it gives me pleasure to table the response to Written Question 223.

THE SPEAKER: The hon. Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. In addition to the

petition tabled earlier, I'd like to table four copies each of 10 letters written either to the minister of advanced education or to the hon. Official Opposition House Leader requesting funding be continued for adult programs at the Viscount Bennett Centre in Calgary.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I would like to table four copies of a letter sent to the editor of my local paper regarding the concerns of Lydia Vander Schaaf and how she's been treated by the WestView regional health authority.

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

MRS. FRITZ: Thank you, Mr. Speaker. The Mayor's Task Force on Community and Family Violence, which I was privileged to be a member of, reported in March of 1991. We've had agencies, community groups, and individuals that have worked hard to bring about important initiatives on the recommendations. Today I'd like to table four copies of the Action Committee against Violence progress report on those recommendations.

Thank you, Mr. Speaker.

head: **Introduction of Guests**

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

MS CALAHASEN: Thank you, Mr. Speaker. Today I have the great pleasure of introducing a significant number of students, to be precise 105 grade 8 students from Slave Lake, which is approximately 300 kilometres north of Edmonton. The numbers are indicative of the substantial growth occurring in Slave Lake. They are accompanied by 10 parents, Mrs. Terry Jones, Mrs. Liz Evans, Mrs. Barb Beamish, Mrs. Petra Vennings, Mrs. Judy Green, Mrs. Tammy Coté, Mrs. Julie Sparks, Mrs. Maryanne Payne, Mrs. Brigitte Byer, Mr. Alvin Anderson, and two teachers, Ms Susan Giesbrecht and Ms Tracey Crain. They are seated in both the public and the members' galleries, and I'd ask that they all rise and receive the warm welcome of the Assembly.

MR. DAY: Mr. Speaker, I'm honoured to introduce three different people today. First of all, visiting with us and surveying democracy in action is Mr. Matt Spencer. Matt is the president of the students' council at Lindsay Thurber high school in Red Deer, one of the finest high schools in the universe. I would ask Mr. Spencer if he would rise and receive the warm welcome of the Assembly.

Also, Mr. Speaker, visiting us today from la belle province is Mr. Allain Beland. Accompanying him and hosting Mr. Beland from the Greater Edmonton Visitor and Convention Association is Jeff Markowski, who is the marketing manager. I'd ask both gentlemen to rise and receive the warm welcome of the Assembly.

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

MS CALAHASEN: Thank you, Mr. Speaker. Today I'd like to introduce a hardworking gentleman from Edmonton-Manning. He's a businessman who is very interested in political life, and he's seated in the members' gallery. I'd ask Mr. Tony Vandermeer to please stand and receive the warm welcome of the Assembly.

head:

Oral Question Period

Hospital Privatization

MR. SAPERS: Yesterday, Mr. Speaker, the Premier said that Ottawa would decide whether or not the Islay and Galahad hospitals would be privatized, even though it's clearly up to him and his business partners in cabinet when it comes to selling or leasing hospitals in Alberta. Now, despite that, despite having paid to have these hospitals built and equipped, if they are privatized, as would seem to be the Premier's wish, Albertans will not be able to access them. This means that Alberta taxpayers will subsidize medical treatments for wealthy Americans who will fly in to get to the front of the health care line. Would the Premier please confirm that Alberta law and regulation requires the minister to approve the sale or lease of any hospital and prohibits non-doctors from owning or operating medical practices?

MR. KLEIN: Well, first of all, the operative word here or the nonoperative word, I guess, is "if," and there are a lot of ifs surrounding this situation. We don't really have a handle on what is happening on Islay and Galahad because we haven't received a formal proposal. Relative to the rules and regulations as to the operation of hospitals, Mr. Speaker, I'll have the hon. Minister of Health supplement.

MRS. McCLELLAN: Mr. Speaker, on the preamble to this hypothetical question that the member has posed, it is the Minister of Health who has the final say with the regional health authority as to disposition of assets, whether it's through a lease agreement or it's through a sale. I have had no proposal brought to me regarding the sale of either of those institutions. If it were brought forward, it would be reviewed very carefully not only by my department but by the Department of Public Works, Supply and Services.

Mr. Speaker, the first thing that has to happen is that the regional health authority has to declare those institutions surplus to them. They have not done that. They have not given the minister any request for disposal of those services. What they are investigating right now is the provision of long-term care services to their communities. As I indicated yesterday, this is a proposal that is not unusual in Alberta. We have a number of private operators who operate long-term care. There is nothing in our rules or anyone else's that prohibits that.

1:40

MR. SAPERS: On what basis did the Premier make the commitment that he would guarantee local access to local residents to the same services that wealthy Americans can buy when, when these hospitals are privatized, they will no longer be approved under the laws of Alberta?

MR. KLEIN: First of all, it's all very, very hypothetical relative to Islay and Galahad. Mr. Speaker, the point I was making is that Albertans will always have access to the publicly funded health care system, that we will not in that respect in any way, shape, or form violate the fundamental principles of the Canada Health Act.

MR. SAPERS: Mr. Speaker, why doesn't the Premier, why doesn't the Minister of Health, why doesn't the whole cabinet for that matter, instead of toying with this privatized, two-tiered American health care system, just tell Hotel de Health that Alberta's health care system is not for sale?

MR. KLEIN: Well, Mr. Speaker, I don't have the newspaper article, but it seems to me that when something similar was being proposed for the Leduc hospital, to take up some excess space in the Leduc hospital, the Liberal MLA for that area supported the proposal. Perhaps we'd like to get his views on the situation.

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

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

Public Service Severance Policy

MS HANSON: Thank you, Mr. Speaker. The hypocrisy of this government is staggering when it comes to severance packages for government employees. Staff of the soon-to-be-privatized information system in Family and Social Services were offered a measly 12 months of employment with the new company and denied any option of severance, yet the staff in other departments have received packages. Even the dozen ex-staff of the Alberta Special Waste Management Corporation have a million dollar severance according to the corporation's chair. My questions are to the Premier. Mr. Premier, how is it that a million dollars can be set aside for severance for the 12 staff in the Alberta Special Waste Management Corporation yet nothing for those dedicated workers in social services? This is a double standard.

MR. KLEIN: Mr. Speaker, I'm not aware of all the details relative to the severance package with respect to the Alberta Special Waste Management Corporation. With respect to the specifics I'll have the chairman of the corporation respond, and with respect to the social workers I'll have the hon. Minister of Family and Social Services respond.

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

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I'd like to correct certainly a number of the false statements which have been made by the member with respect to her comments. The million dollars which has been set aside, as I've already explained in this House during the estimates, encompasses a number of issues. There's staffing for the next six months. There's professional legal fees of approximately \$250,000. There's some clean up of some existing facilities of approximately \$800,000. We are looking at a staff severance program, which I indicated at that time would be around \$100,000. So the statement that we're looking at a million dollars in severance for two staff quite frankly is not true.

MR. CARDINAL: As you are aware, we've restructured the Department of Family and Social Services. When the reforms were announced back in the spring of '92-93, in fact we had just over 5,400 staff at the time. Because there were always concerns that the staff was overworked, in the front line especially, Mr. Speaker, when plans were put forward, we made sure that we kept as many of the staff as possible to continue delivering a high quality of service as we moved forward with restructuring. In fact, after reducing the welfare caseload by 50 percent, we still have over 5,000 staff.

At this time we are doing a thorough review of our compensation and severance package in the department, Mr. Speaker, and when that review is completed, of course we will come forward with it.

MS HANSON: Mr. Speaker, I was quoting the corporation chair from *Hansard* of February 26.

Mr. Speaker, to the Premier. Who were you talking about in the latest staff newsletter, where you state, and I quote: employees are eligible for severance packages? The social services staff who were sent the newsletter do not get a severance. So I wonder just who you were talking about, Mr. Premier.

MR. KLEIN: Mr. Speaker, certainly I'm talking about those people who are in the exempt category and those who have negotiated contracts through unions that allow for severance. I don't know specifically what the situation relative to the union is with respect to severance pay. This goes back to the whole situation relative to many nurses in the system. We have said that the whole issue of severance can be put on the table if perhaps they would put on the table the whole issue of bumping. So union contracts vary. Certainly relative to all of the exempt categories what the hon. member says is true relative to severance.

MS HANSON: Mr. Speaker, my last question to the Premier: how can you, the Premier, deny the social services staff a severance package when you stated during the laundry workers' protest that everyone should be treated equally?

MR. KLEIN: Mr. Speaker, again, I don't know the details of their contract with the government. I don't know if it allows for severance and, if it does, to what extent. Again, I will have the hon. minister supplement.

MR. CARDINAL: Mr. Speaker, of course, in the first question I answered it already, and it isn't different. We are doing a complete review of our compensation and severance package right now in the department, and we will do a comparison with other departments in our government. Of course, if adjustments need to be made in the future, we'll come forward with that.

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

Viscount Bennett Centre

MR. BRUSEKER: Thank you, Mr. Speaker. Viscount Bennett Centre in Calgary accommodates about 2,400 students on an annual basis who are looking to complete their high school education. The Department of Education has been responsible for these students but is now dropping that responsibility by phasing out the extension grant replacement program over the next two years. The result of this is that students will move from the Viscount Bennett Centre. The only other option for them is to go to the Alberta Vocational College, which is more expensive and requires renovations. My question is to the minister of advanced education. Mr. Minister, 14 of 16 institutions are getting ongoing base funding. Why this discrimination against the Viscount Bennett Centre?

MR. ADY: Mr. Speaker, it's true that other institutions are receiving funding. For instance, Alberta College receives funding at the same level that's being offered to Viscount Bennett.

MR. BRUSEKER: What about the other 14?

Will the minister, then, table the financial records that support the minister's assertion that higher grant funding levels at the Alberta Vocational College will be more cost-effective than what we've got in place right now at Viscount Bennett Centre?

MR. ADY: Mr. Speaker, it's true that the AVCs are publicly funded institutions, but, you know, the last time I looked, so was Viscount Bennett a publicly funded institution. The hon. member sitting next to me funds Viscount Bennett in a significant way, although there are 733 students that are so-called adult students, which fall under the department of advanced education for responsibility.

There was a proposal put forward two and a half years ago to all institutions who were involved in adult education similar to what Viscount Bennett was offering. Many of them have taken up the proposal. There was funding there for program development, for capital infrastructure in order to prepare them to move to a cost recovery position by the end of the next fiscal year. Viscount Bennett accepted the funding. As there's a sunset clause there, we expected that they would be in a position because they indicated at the time that it was acceptable to them. Now we find they're saying that they're not able to live with that condition, and we're working with them in an effort to assist them to reduce their costs so that they can continue to provide that service to students. Frankly, I'm hopeful that they'll be able to do that.

1:50

MR. BRUSEKER: Well, my final supplemental then: why is the department of advanced education prepared to subsidize a student to go to the Alberta Vocational College at \$135 per student per course, yet in the next fiscal year, which the minister just talked about, to take that same course the student will get zero funding? Why the discrepancy?

MR. ADY: Mr. Speaker, the member is confused, I believe, because there is funding available to a maximum of \$250 per course for students to attend Viscount Bennett, and that is the same amount of funding that goes with those students to whatever institution they may choose to go. If they choose to go to AVC, that's the amount of money that would follow them.

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

Provincial Fiscal Policies

MR. YANKOWSKY: Thank you, Mr. Speaker. Immediately following the Treasurer's budget release, all Albertans were mailed an informational questionnaire entitled Straight Talk, Clear Choices. Some of my constituents have been asking whether any of the reinvestment options listed in the questionnaire relate to specific use of this fiscal year's surplus. My questions are all to the Provincial Treasurer. Can the Treasurer clarify for my constituents and Albertans whether any part of this year's surplus will be used for the reinvestment options listed in the mail-out?

MR. DINNING: Mr. Speaker, I would remind the hon. member, indeed all members of the Assembly, indeed all Albertans, that this Assembly passed a law in 1995 similar to the one we passed in 1993, the Balanced Budget and Debt Retirement Act, which reads at section 6: "If revenue is greater than expenditures in a fiscal year, the Provincial Treasurer must apply the difference to reduce Crown debt." So I think it's very clear. For those who might have visions of being able to spend any of the surplus at the end of the year, let's be clear: that money cannot be spent; it must go to pay down debt.

Any decisions with respect to reinvestment, as we said in our Budget Address, are made at the start of the year, when we make

budgetary decisions. If we decide, if Albertans direct us, then those reinvestment decisions are made at the start of the fiscal year, and if a surplus occurs at the end of the year, that money will go to pay down the debt.

THE SPEAKER: Supplemental question.

MR. YANKOWSKY: Thank you, Mr. Speaker. Can the Treasurer tell this Assembly what kind of responses he has received from Albertans to date from the mailing of the informational questionnaire to all Alberta households?

MR. DINNING: Mr. Speaker, there have been a number of responses already to the 1-800 line. Letters are being written to the Premier. There's a fax-back number of 427-4695. I know of some constituents in Edmonton who've actually dropped off their completed questionnaire forms to their Edmonton MLAs. I know I look forward to getting those responses from those Edmonton MLAs so that we can feed that into the system. Clearly, we've created a process that allows all Albertans to be able to contribute.

So far the most popular choice appears to be paying down Alberta's debt, but I must say that a combination of all three – debt pay-down, targeted additional spending, and reduced taxation – are also high in the minds of Albertans. But it's early. It's early, and it's too soon to draw too many conclusions, but we're happy with the response we've received so far. If I may take this opportunity, Mr. Speaker, I would encourage more Albertans to get these forms in. They were in the mailboxes of all Albertans last week, and we would hope that they would take the time to read the brochure and send in that important questionnaire.

THE SPEAKER: Final supplemental.

MR. YANKOWSKY: Thank you, Mr. Speaker. Can the Treasurer tell this Assembly if there is any indication from the replies received that maybe some lobby groups are loading up the responses?

MR. DINNING: Well, Mr. Speaker, no, I don't think so. I think we've got confidence in Albertans given the wide-open process that we've created and the response we've seen so far, but it could happen. It could happen that certain groups might try to mount campaigns to sway the outcome, but so far there is no clear evidence of it. It looks like we're seeing a good cross section of responses from all Albertans. Once again, I would welcome them to respond. I would just ask them to phone 1-800-852-1819 and log their view on Straight Talk, Clear Choices.

THE SPEAKER: The hon. Member for Sherwood Park.

Kananaskis Country

MR. COLLINGWOOD: Thank you, Mr. Speaker. Kananaskis Country contributes to the quality of life of many Albertans and has been preserved for present and future generations. Ten years after the last integrated resource plan was developed, Kananaskis Country is due for a comprehensive review to determine if the area is being properly managed. As we plan for the future, the principles of ecosystem management must be incorporated into decisions about how K Country will be managed. My question to the Minister of Environmental Protection: why did the minister issue a permit allowing for the logging of 163 square kilometres in the McLean Creek area of Kananaskis when the department is

on the eve of a thorough review of the integrated resource plan, not the recreation policy but the integrated resource plan for K Country?

MR. LUND: Well, Mr. Speaker, of course the hon. member is not totally accurate again in his preamble. There is an integrated resource management plan in place, and the operator that was granted the permit to log in the area has held that area for some period of time. They've done a lot of planning. As a matter of fact, I must compliment the company because they have taken into account the ecosystem management that we are promoting, and that is part of Spray Lakes' plan to harvest some timber in that area. They're going to be looking at having some open houses and discussing this with the public. So there certainly is no violation of an IRP or a short-circuiting of the system. This is good planning.

THE SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the same minister: does the department intend to allow clear-cut logging in this permit area?

MR. LUND: Mr. Speaker, this area has had logging in the vicinity for some period of time. This is not something new. In fact, there's going to be a two-year planning process that the company is going into, so the hon. member will have lots of opportunity to in fact have his input into those decisions.

MR. COLLINGWOOD: I guess the minister doesn't understand what clear-cut logging is.

My final question to the minister: why is the minister refusing requests for a complete review of the integrated resource plan based on public consultation, a state of the environment report for K Country, and the principles of ecosystem management?

MR. LUND: Mr. Speaker, as a matter of fact, we are looking at a better way of doing planning than the old IRP system. We believe that there are ways that in fact we could address the issues that need to be addressed in a consultative manner with more local input and more local decision-making. The IRP that applies to that area is currently serving the needs. We are doing a review of Kananaskis Country per se, the development in Kananaskis park. So I think the situation is well under control.

THE SPEAKER: The hon. Member for Three Hills-Airdrie.

2:00

4-H Clubs

MS HALEY: Thank you, Mr. Speaker. My questions today are for the minister of agriculture. Mr. Minister, I understand that your department has initiated a registration fee for 4-H members, and this fee is the first time anything like this has been done. Could you please tell us what impact this has had on the enrollment in the 4-H clubs?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. I appreciate the question from the hon. Member for Three Hills-Airdrie, because indeed it gives us an opportunity to tell a good-news story that's come about with one of the premiere youth organizations not only

in Alberta but in all of Canada. 4-H is indeed a success story, but we have in Alberta a growing success story.

Yes, indeed last year there was a modest \$25 per applicant membership fee that was put in place. Last year we gained 1,055 new additional members. We now have 8,736 4-H members in Alberta. Not only did we grow the membership, but we also grew the volunteer leaders. We had 2,511 volunteer leaders, and we now have 2,744 volunteer leaders, an increase of 9.3 percent.

MRS. SOETAERT: The fee. The fee. Hello.

MR. PASZKOWSKI: So as a result of the fee, for the hon. member, we have the fee, we have an increased membership, and we have increased volunteers: a true success story throughout, contrary to what the hon. member would have done.

THE SPEAKER: Supplemental question.

MS HALEY: Thank you, Mr. Speaker. I didn't know it was such a hot issue, but now that we've raised it, what is that fee used for, Mr. Minister?

THE SPEAKER: The hon. minister.

MR. PASZKOWSKI: Yes. The \$25 fee is actually used for project and resource development. It's used for member and leadership training. It's used for printing. It's used for club supplies. It's used by the 4-H members for their activities.

MS HALEY: My last question to the same minister is: will the highway clean-up campaign that the 4-H is active in be continued?

MR. PASZKOWSKI: Yes, Mr. Speaker, I'm very pleased to indicate that in conjunction with the Minister of Transportation and Utilities, the hon. Member for Vermilion-Lloydminster, the highway cleanup will continue. Indeed last year the value that was generated for a cost of \$129,000: we were able to clean up 4,300 miles of highway. Three hundred and forty 4-H groups were on these miles, and there were approximately 42,000 bags of garbage that were picked up by those 4-H members that made this province such an attractive province to live in.

THE SPEAKER: The hon. Minister of Transportation and Utilities wishes to supplement.

DR. WEST: Just to supplement the last answer on the 4-H people who clean our highways, there was a rumour out in Alberta that this program was not going to continue. I want to assure the 4-H movement and the people of Alberta that this cleaning of highways will continue a long time into the future, and the 4-H people will be totally involved and funded through this department for that purpose.

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

Abducted Children

MR. BENIUK: Thank you, Mr. Speaker. Children classified as missing children are usually those who have been abducted by total strangers or by one of their parents during a custodial conflict. In addition to the high emotional stress inflicted upon the parents and close relatives, the rights of a young citizen in the decisions made by our law courts in regards to the custody of the

child are violated. To the Minister of Justice: would the minister in co-operation with other jurisdictions and private organizations assist in establishing a missing child page on the Internet that would feature a picture of the child adjusted for age along with other essential information about the missing child and their suspected abductor?

MR. EVANS: Well, I appreciate the comments and the suggestion made by the hon. member. I think we have to use the opportunities we have with advanced technology to get these kids back to their parents and to eliminate the very, very major concerns that parents are left with when their children are abducted. Even if it's the other parent who is doing the abducting, that's still an abduction and it's a very serious matter.

I know that Child Find Alberta makes use of some kind of network, hon. member. I'm not sure whether that is the Internet, but I presume that all of the organizations that are focused on this are looking at the Internet as a possibility. I'll certainly look into it because I think it's worthy of consideration.

MR. BENIUK: To the Minister of Education: should such a missing child page on Internet be established, would the minister consider requiring all school principals in Alberta to confirm in writing to their local school boards on a monthly basis that they or the teachers have examined this Internet page and that none of their students appear to be listed on it?

THE SPEAKER: The hon. Minister of Education.

MR. JONSON: Yes, Mr. Speaker. It's an interesting proposal, but no. I could not confirm that at this time. This is something that one would want to discuss with school administrators and school boards across the province. I think there would be quite a bit of additional difficulty encountered, but it's not beyond the realm of possibility.

THE SPEAKER: Final supplemental.

The hon. Member for Cypress-Medicine Hat.

Protection of Privacy

DR. TAYLOR: Thank you, Mr. Speaker. There was an interesting article in the paper today, the *Journal* actually – surprise, surprise – about the Canadian banks developing a new privacy code, and this code is to protect the privacy of customers' personal information in Canada, right across the country. This is particularly interesting in light of the fact that this Legislature had the common sense to defeat redundant Bill 204, inaptly entitled the protection of personal privacy Act. [interjections] Well, Mr. Speaker, they can yowl like a bunch of cats whose forked tails have been stepped on, but not all the Liberals even voted for that Bill.

My question is to the minister of public works. Will this new banking procedure impact our legislation?

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

MR. FISCHER: Thank you, Mr. Speaker. Certainly the banks' initiative will complement our legislation. What we are seeing is the marketplace controlling itself. When I spoke against Bill 204, it was not because I was against protection of personal privacy. It was to give the marketplace a chance to control itself rather

than costly government legislation, and that is what the banks are doing in their new privacy code. I should also say that this is exactly what our information and privacy office has been promoting since the Act was proclaimed.

DR. TAYLOR: Could the minister tell us what is happening in other areas of the private sector regarding the protection of personal information?

THE SPEAKER: The hon. minister.

MR. FISCHER: Yes, Mr. Speaker. The Standards Council of Canada has developed a model code for the protection of personal information, and they recommend that private-sector organizations voluntarily adopt this national standard. Now, what the banks have formally adopted is a privacy code, and we are hoping that others in the private sector will follow suit.

THE SPEAKER: Final supplemental.

DR. TAYLOR: Yes. My final supplementary is to the Treasurer. Will the Treasury Branches participate in this privacy code being established by the banks?

2:10

MR. DINNING: Well, Mr. Speaker, as the member well knows, the Treasury Branches is not a bank pursuant to the Bank Act. The very purpose of it when it was established some 58 years ago was so that Albertans would have access to financial services. As I reminded my colleague from Edmonton-Whitemud last night, there are over 100 communities in this province where Treasury Branches is the only bank, the only financial institution from which Albertans can access their important financial services.

Clearly, Mr. Speaker, this government has been consistent in ensuring that matters of privacy as it relates to clients of Treasury Branches are certainly not brought onto the floor of this Legislative Assembly, and quite appropriately the client/bank relationship between the Treasury Branches and its clients should not be – should not be – made public because Albertans would want to have confidence that their financial affairs will not be the subject of debate or the subject of any particular survey that would somehow violate their privacy, which they have every right to be assured of.

Access to Medical Records

MR. DICKSON: Mr. Speaker, the hon. Minister of Health has said that she believes that Albertans should own their personal health information, yet two of the Acts that she administers – firstly, the Hospitals Act and, secondly, the Alberta Health Care Insurance Act – deny Albertans that ownership. They go further and even deny Albertans the right of access to that information or severely limit it in any event. My question is to the minister, who told the committee just last week that she's studying the issue. Why is it that in the full three years that this minister has been responsible for personal health data, she hasn't been able to make the legislative change to give those Albertans the same rights they have to get any other kind of personal data held by government?

MRS. McCLELLAN: Mr. Speaker, the hon. member is quite correct. When he asked the minister her feelings on who should own their health information, I did say that I believe that individuals should own their information. I still believe that today.

However, the question was asked in the context of dealing with health cards, in dealing with health information technology, and the hon. member knows we are reviewing that now and have been for a few months to ensure that whatever moves we would make would be in the best interests of the individual and in the best interests of the protection of the privacy of their health information. Mr. Speaker, I think we are proceeding in a proper forum in reviewing this very thoroughly. This is probably one of the most important things to people regarding their health information.

MR. DICKSON: Well, my supplemental question is: how much longer do Albertans have to wait, and why is it that records in your department can't be accessed? With the other 16 ministers Albertans can get that personal information right now, Madam Minister. How much longer do we have to wait?

MRS. McCLELLAN: Mr. Speaker, the hon. member will have to wait a little bit longer for a decision on health cards and on how we're going to handle health information. We've had a very thorough study done of this issue. I've received a report from a committee that was struck to do that which involved all of the health stakeholders as well as consumers. I think it was important to have that discussion. I have that document, I'm reviewing it, and in the appropriate time it will be brought forward through the processes that we have here.

MR. DICKSON: Well, my final question to the minister. When we finally see her reform package in this area, will she assure us that it will at least contain these rights: that Albertans will have a right to access information, that they'll have a right to be able to correct inaccuracies in personal information, and that they'll have a right to appeal to an independent Information and Privacy Commissioner if they can't get satisfaction with her department?

MRS. McCLELLAN: Mr. Speaker, what I will undertake with the hon. member and all Albertans is that what we do develop will first ensure the privacy of their medical information to the utmost that we can do that and, secondly, that they do have access to information that is appropriate for them to have. I firmly believe that this should be available to people.

As far as the ability to correct information, Mr. Speaker, that's one I'm going to look at, and certainly I'll respond to the hon. member in that area. I'm just not sure in which areas he is concerned about them having that inability to correct that information today.

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

Economic Development

MR. COUTTS: Thank you, Mr. Speaker. Last summer the province signed a memorandum of understanding with the city of Edmonton and the federal government. This memorandum of understanding was an economic development initiative, and it called for those three levels of government to put forward dollars which would be matched by the private sector towards projects which would generate economic development within the city of Edmonton. Now, I've had a number of initiatives by the private sector in my own constituency, of which the minister of economic development is very well aware. Would the minister of economic development for the province of Alberta in conjunction with the federal government and local town officials be able to commit

similar agreements for municipalities within my constituency so that government dollars can be committed towards economic development initiatives within the riding of Pincher Creek-Macleod?

THE SPEAKER: The hon. Minister of Economic Development and Tourism.

MR. SMITH: Well, thank you, Mr. Speaker, and thank you for the opportunity to clear up any confusion that might exist with this memorandum of understanding. The memorandum of understanding signed with the city of Edmonton and the federal government focused on a collocation agreement with economic development offices of the three levels of government: those in Economic Development Edmonton, western economic diversification, and the Ministry of Economic Development and Tourism.

The MOU called for economic co-operation among the three levels of government within existing budgets. It does not and will not call for the province to spend extra money on specific projects. If any municipality, certainly one in Pincher Creek, which is a dynamic economic development oriented area, particularly with all the exciting opportunities that exist in that area, wished to explore that type of agreement with this province, we'd be more than willing to accommodate that.

Thank you, Mr. Speaker.

THE SPEAKER: Supplemental question.

MR. COUTTS: Thank you, Mr. Speaker. What is the minister's response to requests from other levels of government for money to fund specific projects using the framework of the economic development initiative?

MR. SMITH: Well, Mr. Speaker, this is one of the concerns that you have as one government in a level of three governments when you have a balanced budget. When you have a balanced budget without increasing taxes, you don't want to get caught in a leverage move that calls on you to increase your spending. In fact, the department of economic development is not a program delivery department. We concentrate on business opportunities and trade and investment policy. In fact, the M and E initiative that we worked out with the government has put forth something that anybody in any place in Alberta – whether you're a large corporation or a bakery or a welding shop or a machine shop, you can take advantage of this initiative and help build economic development growth, wealth creation, jobs in your specific area. It's not limited to any specific region of the province or any particular business sector.

We continue to work, Mr. Speaker, with Economic Development Edmonton. We continue to work with the mayor's office. For example, the Alberta Economic Development Authority initiated a trip to Vancouver as a good example of that. We do not do it with specific dollars and cents.

THE SPEAKER: Final supplemental.

MR. COUTTS: Thank you, Mr. Speaker. Are there, then, any organizations that have put forward specific proposals to be funded by the economic development initiative?

MR. SMITH: The member's concern for all areas of Alberta is certainly well noted, Mr. Speaker. In fact, the collocation

agreement that I discussed earlier is the only proposal that has been fully discussed and is part of the MOU mechanism. No other specific proposals have been discussed by the three levels of government.

If there are any organizations in Edmonton that require the help of the province, we'd be more than happy to work with them as we have done. I do wish to reinforce that work is being done within existing budgets, and no extra money is contemplated being spent by this department of government at this time.

Thank you.

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

2:20

Athabasca University

DR. MASSEY: Thank you, Mr. Speaker. Fearing program quality is in jeopardy, students, faculty, and instructors at our postsecondary schools have asked the government to halt a further 3 percent cut. At Athabasca University things are worse. Punitive the minister has singled out this university for an additional 10 percent reduction. My questions are to the Minister of Advanced Education and Career Development. Why, given the changes made at Athabasca University, is the minister proceeding with this fiscal punishment?

MR. ADY: Mr. Speaker, when we brought down our first three-year business plan, I met with the Athabasca University chairman of the board and the president of the day, and we redirected and refocused the mandate of Athabasca University. Based on that, we were able to see our way clear to reduce their funding. The institution I believe has responded admirably to cope with that, and I anticipate that they're going to be able to continue with their mandate under that funding structure.

DR. MASSEY: My question is: how does such financial punishment help Athabasca rebuild?

MR. ADY: Mr. Speaker, I don't see it as punishment. It was a conscious decision and discussion that took place between the board chairman and myself and my department to refocus Athabasca University. Let's bear in mind that Athabasca University does not have a large number of graduates, although they do a large number of fill-in courses for students which allow them to move on to other institutions. It was our intention to have them work more closely to deliver programs at the college level. They've moved in that direction, and I believe they're being very successful with that refocusing and direction.

THE SPEAKER: Final supplemental.

DR. MASSEY: Thank you. Is, as some of the residents in Athabasca fear, the cutting really designed to close the door of that university?

MR. ADY: Mr. Speaker, I don't have any agenda to close the doors of Athabasca University. I believe that there is certainly a place for a university that offers the services that Athabasca University offers to students in this province, and I anticipate that they will continue to have that opportunity. There is certainly no agenda to close down Athabasca University.

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

Sturgeon Community Health Centre

MRS. SOETAERT: Thank you, Mr. Speaker. The Minister of Health promised that when the Sturgeon community health centre was put into the Capital health authority, it would not be minimized. The Sturgeon community health centre is now the only community health centre in the Capital region that is without the use of a CT scanner. People are shuffled back and forth so that a proper diagnosis can be made. My question is to the Minister of Health. Why is it that the city of St. Albert does not have a CT scanner up and running in the Sturgeon community health centre?

MRS. McCLELLAN: Mr. Speaker, the hon. member knows full well that the operation of a regional health authority is within that regional health authority, and that question should properly be taken up with them.

As to her preamble, I do not know where I could be quoted as saying that the services would not be minimized. What I think I've said about every institution is that they should be delivering the services that are appropriate to their region and that that would be the configuration of it.

There is a significant cost to the operation of technical equipment, and a region should make a decision on how many of these they need to operate and where. That is not the only facility in Alberta that does not have a CT scanner. In fact, Mr. Speaker, there are many areas that would wish they had access to a CT scanner as close as that.

THE SPEAKER: Supplemental question.

MRS. SOETAERT: Thank you, Mr. Speaker. Why should the city of St. Albert and surrounding area continue to have fundraisers for the Sturgeon community health centre and then watch their equipment leave the hospital? That's what's happening.

MRS. McCLELLAN: Mr. Speaker, when a group does fundraising for an institution, they do it on the basis of discussions with that institution. Certainly when we put a procedure in place for foundations to operate, it is clear that the foundations must work with the regional health authorities to ensure that indeed the equipment that they might purchase would be appropriate to the use of that facility.

There had to be changes made in the configuration of how services were delivered in the Capital region. The Sturgeon hospital is a part of that region, and it fits into their plan. Yes, there are some things that they are not doing there now, Mr. Speaker, that they were before, but there are also services that they are providing to that community that they possibly didn't have in place before. What the hon. member should be questioning and ensuring is that the services that are needed by those residents are available to them in the Capital region.

MRS. SOETAERT: That's the point. They're being shuffled all over.

Will you commit to treating the people of St. Albert and Sturgeon fairly and getting the CT scanner up and running?

MRS. McCLELLAN: That is clearly not the mandate of the Minister of Health, and I can assure you that I do not intend to go around and investigate every hospital and their equipment. We have put in place a board of directors for those regions. There is representation from the city of St. Albert on that board of

directors. Mr. Speaker, what we want to ensure is that the services that are needed by that region are available to them. I would ask the hon. member to research how far it is from the city of St. Albert to the closest CT scanner.

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

Arts and Culture Grants

MR. ZWOZDESKY: Thank you, Mr. Speaker. During the panel discussion on community standards held in Calgary on March 1, over 100 artists and representatives of arts organizations as well as concerned Albertans voiced their concerns about the government's intentions to create regional adjudication councils to review arts and culture grant applications. Currently this task is well performed, of course, by the Alberta Foundation for the Arts. The Minister of Community Development and the Member for Calgary-Bow and members of that panel and myself were all in attendance, so we were there to hear these concerns. My questions are to the Minister of Community Development. Will the minister please clear the air on this issue and tell Albertans that he is not in favour of having regional adjudication councils govern the arts?

MR. MAR: Well, Mr. Speaker, already within communities throughout the province of Alberta there is an adjudication. If people like what they see, then they go to it. If they don't like it, they don't go.

MR. ZWOZDESKY: I think the minister missed the question, Mr. Speaker.

Let me ask him this. Mr. Minister, how will you or your government determine who sits on these regional adjudication councils?

MR. MAR: Mr. Speaker, with respect to the selection of local lottery councils that's a matter that's not yet been decided, and accordingly the hon. member should stay tuned.

THE SPEAKER: Final supplemental.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Well, my final question is: what is the minister prepared to do to maintain and retain the current structure, including the Alberta Foundation for the Arts?

MR. MAR: Mr. Speaker, I will not make any such commitment to maintaining the structure of the Alberta Foundation for the Arts. What is most important about what the AFA does are the services that it provides. We're committed to the services but not to the structure.

THE SPEAKER: Before proceeding to Members' Statements, might we briefly revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Lac La Biche-St. Paul.

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

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and to all the members of the Assembly

50 young students from St. Paul. They go to the Glen Avon school. Today they are accompanied by three teachers: Mr. Dave Doonanco, Mrs. Linda O'Neill, and Mrs. Judy Bilyk. They are also accompanied by four parents from St. Paul: Mrs. Marie Labant, Mrs. Denise Gogowich, Mrs. Leslie Bodnar, and Mrs. Geraldine Bidulock. I would like to ask our visitors to please stand and receive the traditional welcome of the Assembly.

head: Members' Statements
2:30

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

WestView Regional Health Authority

MRS. SOETAERT: Thank you, Mr. Speaker. The people in my riding who live in WestView have no confidence in the RHA. WestView RHA receives the lowest per capita health funding in the province. In 1993 appointments to the WestView RHA excluded anyone from Spruce Grove, which is the largest population base in the area. Last fall local officials complied with the minister's request and submitted a strong slate of candidates to fill two vacancies on the board. None of the candidates got appointed to the board. The WestView RHA continues to have discussions behind closed doors and refuses to show their budget to the mayors and reeves of the region. Madam Minister of Health, it is time to do something about the WestView RHA.

What does the mess in WestView mean to accessibility to health care? It means that when people need a service, it is not there. For example, there are only 25 long-term beds in WestView when they rightfully should have 50 long-term beds. People like Lydia Vander Schiff are shuffled around to places outside of their communities. Lydia Vander Schaaf has lived in Stony Plain all her life. She helped organize blood donor clinics when World War II broke out. She worked for her church, and she was a community supporter and an active volunteer who never thought that one day she would need the support of the community she had helped to build and that they would not be there for her when she was unable to help herself.

Lydia wants to be in Stony Plain and she deserves to be in Stony Plain, where she can continue to be among those she loves. She wants to see familiar things. Instead, Lydia's days slowly pass in a facility in south Edmonton that is completely foreign to her. Lydia is just one example of what happens when the minister appoints a dysfunctional board and refuses to fix the problem.

Thank you.

University of Lethbridge

MR. DUNFORD: Mr. Speaker, perhaps on a more positive note I'd like to use my time today to quote directly from a document called *Aperture*, which is a publication out of the University of Lethbridge. The article is specifically: "U of L research well cited, study finds."

An American journal that tracks trends and performance in basic research has ranked the University of Lethbridge tenth in the country on the basis of citations per published research paper.

The findings published in the November/December issue of *Science Watch*, a publication of the Philadelphia-based Institute for Science Information . . . indicate that the U of L outperformed 82 other universities in Canada over the last 14 years and in Western Canada had an impact second only to UBC . . .

[ISI's] recent ranking of the impact of research in Canada was primarily based on the average number of citations per published paper for 1990-94 and the total number of citations for

the same period. Performance was ranked by discipline . . .

"Assessing average citations per paper in a given field allows large and small institutions to compete on an equal basis." Now, the vice-president, academic, Seamus O'Shea, says:

It's quite a feather in the cap for those who have been active researchers over that time . . . [but he says that] it's important not to overlook the contributions made by undergrads to this achievement.

He goes on to say:

Our conservative estimate is that probably a quarter of the papers had undergraduate co-authors.

Because U of L has only a handful of graduate students, undergraduates have much greater opportunities to become involved in their instructors' research than they would at a larger university.

Now, this goes on with some anecdotal evidence in the article that this experience actually leads U of L graduates into postgraduate scholarships. This is a great story from a great institution.

Edmonton Economy

MR. WHITE: Mr. Speaker, I rise today to express some concern both on behalf of my constituents and the residents of the city of Edmonton. My concerns stem from the absolute and total disregard for their well-being by this Conservative government.

Last week job figures in Edmonton showed that Edmontonians are by far the worst off when it comes to unemployment in this province. The unemployment rate is 8.7 percent, which is higher than anywhere in the province by at least one single point. Patrick Walters, a city economist, believes that this is partially due to a lag caused by the layoffs in the provincial downsizing. This downsizing almost exclusively affects Edmonton to the extent it has, causing thousands of residents with important jobs to be unemployed.

The most disturbing hit comes in health care, sir. This not only puts people out of work; it puts them at risk. The attack in fact does not stop here. Provincial grants have hurt municipalities universally, but more particularly they've hurt the city of Edmonton with increased user fees and the like to make up that difference for the pushing down. These restrictions trickle down to affect absolutely everyone.

Community leagues in this city, which are noted for their strength in this community, are known throughout the world, and they're being affected by this downsizing. In fact they're not being protected by the new tax Act, and in effect they may be in fact taxed, unlike the rural areas of this province. Mobile-home owners are facing an increasing risk of their taxes quadrupling because of the effects of a tax that has been placed on their properties, on their movable properties.

We've seen a few token dollars by this government spent in the cities in preparation for the upcoming election, sir, but we have not seen a sincere effort. The people of Edmonton are tired of lining up as second-class citizens, and now to add insult to injury, the Premier intends to ignore the recommendations and the law as it stands on redistribution.

THE SPEAKER: On points of order, the hon. Member for Leduc has given an indication that he wishes to raise a point of order.

Point of Order
Allegations against Members

MR. KIRKLAND: Mr. Speaker, I rise under Standing Order 23(h). Earlier in the afternoon the hon. Premier alleged that I supported the Hotel de Health concept in Leduc. That is abso-

lutely false, and it is wrong. Unlike his government I would never support the dismantling of the Alberta health care system. Hotel de Health clearly is the first step along that way.

The truth of the matter is, Mr. Speaker, that you will see that the record shows in Leduc and in the press in that area that I have led the challenge along with a very dedicated group of individuals to see that Hotel de Health takes their proposal elsewhere. This is a group that is out door-knocking when it's 30 below.

I would suggest that the Premier is practising the art of deliberate distortion. [interjection] Well, we've got a point of order on a point of order. Obviously that must be our unparliamentary language that I wasn't familiar with, Mr. Speaker.

I will simply say that the Premier doesn't know what he's talking about, and we've heard that many times in this particular House. Mr. Speaker, my integrity would not allow me to support a concept such as Hotel de Health. This is a group that appeared once before in my constituency and offered shares to the board out there and then disappeared and folded their tent up when that was disclosed publicly. I would suggest that the Premier, in light of his very inaccurate statements and comments, retract or offer an apology to this member.

MR. DAY: On the point of order, Mr. Speaker. Members opposite are increasingly getting sensitive when the truth gets pointed out to them about things they've said, and they're using the valuable time in the Assembly not on points of order but rather on points of clarification, which actually are not permitted. There's no availability for that in Standing Orders. So I'd like the Speaker to give that consideration if he could.

Now, on the particular point. It's fascinating. [interjections] You know, I think some of them have read the Leduc newspaper, and they know what's coming, so they're getting very nervous over there, not the least of whom is the Member for Leduc, who I understand has received some very grave letters, as has his leader and as has the Opposition House Leader, regarding him trashing – I'm saying: trashing – the name of somebody outside of this House. This person, Mr. Speaker, is adverse to doing the honourable thing and bringing apologies.

On his direct point of order related to the Hotel de Health, right here I will quote. Now, if the member needs to sue the Leduc newspaper, that's his business. I will quote. Leduc MLA Terry Kirkland spoke to the Crossroads regional health authority at its regular meeting last Wednesday and told board members he could be its best salesman for Hotel de Health. I can be your best salesman, said Kirkland. [interjections]

2:40

THE SPEAKER: Order. [interjections] Order. [interjections] Order. It's obvious that there's a disagreement amongst the members as to the facts of this situation. Both sides have had their say about what the facts are. The public will decide that. It's not a point of order.

The hon. Member for Calgary-Shaw wishes to elaborate.

Point of Order

Misleading the House

MR. HAVELOCK: Yes. Thank you. In light of the ruling you just gave, I can see this might be an uphill battle. Nevertheless, Mr. Speaker, I'm rising under 23(h) and (i). During question period – and I have not had an opportunity to review the Blues – the Member for Edmonton-Highlands-Beverly stated that I had said that \$1.1 million had been set aside for severance with respect to the employees of ASWMC. She also referenced those

statements being made on February 26.

Mr. Speaker, I have since reviewed the *Hansard* for February 26, and I'd like to read into record my statements at that time with respect to this issue.

With respect to the \$1.1 million which is being requested, that is primarily associated with severance packages for staff of ASWMC. There are legal expenses which have been incurred with respect to negotiating this arrangement. There's still some cleanup concerning some of the properties which were occupied by ASWMC. Basically it's to wrap up the corporation.

Further, Mr. Speaker, I'll refer to the comments I made on February 27. I'm quoting from the evening, and I said:

I will advise the House this evening that we have yet to negotiate the severance payment amounts. We are looking at two positions. We've budgeted approximately \$100,000. The packages will be based on years of service and existing salary, and they will be consistent with government severance packages which have been negotiated with people in similar positions in the past while. So we've budgeted approximately \$100,000 for that.

Mr. Speaker, it's quite clear that hon. member did not bother to basically read my entire comments from *Hansard*. In fact, what she has done is simply taken out of context one sentence. She has deliberately manipulated my statements to this House. She's misled this House on purpose, and I demand that she apologize not only to myself but to every member of this Assembly.

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

MS HANSON: Thank you, Mr. Speaker. I wish to correct the hon. Member for Calgary-Shaw. One thing. I said \$1 million, not \$1.1 million. In that context, "With respect to the \$1.1 million which is being requested, that is primarily associated with severance packages for the staff of ASWMC." You did mention legal expenses – that's correct.

MR. HAVELOCK: And cleanup.

MS HANSON: And cleanup; okay. I asked you: if you had not yet negotiated the severance packages, I wondered why you were quoting primarily associated with severance packages.

On top of that, Mr. Speaker, in regard to whether or not the statement is correct, the member certainly could have looked at the Blues and decided whether or not it's correct.

One more point. As far as the number of staff, I heard the member earlier say that the number of staff was correct, but I quote from the Alberta Special Waste Management Corporation's 1995 annual report where it states that there are 12 staff, one contract staff, and six board members.

Thank you.

THE SPEAKER: Hon. members, we now have another example of a disagreement amongst members.

Before calling Orders of the Day . . .

AN HON. MEMBER: You have one more point of order.

THE SPEAKER: Oh, one more point of order.

Point of Order

Oral Question Period Rules

MR. GERMAIN: Sir, my point of order is precedent driven from *Beauchesne's* section 408 and *Beauchesne's* section 491 and arose

during the question from the hon. Member for Cypress-Medicine Hat when he responded in his question, first of all, by referring to a Bill that had already been debated on the issue of the Alberta Official Opposition's desire to protect consumers from privacy violations. He raised again that that Bill had been voted down by a Conservative member, thereby indicating, under section 408, that he was asking a question that did not have a timely driven base to it.

Further, in response to innocent members of the Official Opposition, he lashed out at them by referring to them as being like cats with two forked tails getting stepped on, and I want to suggest, Mr. Speaker, based on *Beauchesne* 491, that is unparliamentary. That is language that can only cause disorder and therefore unparliamentary, and I would ask the hon. member to retract those cruel and unparliamentary words.

DR. TAYLOR: Well, Mr. Speaker, I think what they're objecting to is really a portrayal of the truth. You know, you get to hear the yowling that goes on, and that was the first kind of image that came to my mind, a cat yowling at night. In another sense I think what they're objecting to is the fact that I pointed out in my little preamble that not all Liberals supported this Bill.

MR. DALLA-LONGA: We did so.

DR. TAYLOR: No. You didn't. Mr. Speaker, the Liberals did not vote for this Bill, and they're trying to pretend now that they're one group, and in fact they're not. There's so much dissension in that group that they can't even all support their own member's Bill.

THE SPEAKER: Well, the Chair appreciates the submission by the hon. Member for Fort McMurray, but considering all of the circumstances of the question this afternoon, the Chair does not really believe that there has been an abuse of the rules.

Speaker's Ruling Order Paper Revisions

THE SPEAKER: Before calling Orders of the Day, there are some matters to be cleared up following the resignation of the hon. Member for Redwater last week resulting from his appointment to the Senate. A little housekeeping is in order to tidy up the Order Paper for those items sponsored by the former member.

The Member for West Yellowhead has graciously accepted sponsorship of Written Question 157, motions for returns 167 and 168, as well as Motions other than Government Motions 511. In compliance with Standing Order 39, which states that a member can have "no more than two . . . motions other than Government motions in his name on the Order Paper," the Member for West Yellowhead is withdrawing his Motion 560. Motion 529, also sponsored by the former Member for Redwater, will also be withdrawn from the Order Paper.

head: **Orders of the Day**
head: **Public Bills and Orders Other than**
head: **Government Bills and Orders**
head: **Second Reading**
Bill 206
Recall Act

[Adjourned debate March 6: Mr. Pham]

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

MR. PHAM: Thank you, Mr. Speaker. Last week after I told the Legislature that I am going to vote against this Bill because I want to protect the opposition party, some members on the other side thought I was kidding. I hope that they now have had some time to reflect on what I said and realize that I was not kidding at all.

In fact, if one looks at the history of Alberta, this province has a proud tradition of supporting strong and good government. Many times in the past Albertans almost shut out the opposition by electing as many as 75 government members out of 79 MLA positions. It is almost certain that if there were a recall Bill at that time, the small opposition force would have been wiped out, and it looks like history is repeating itself. According to the latest public opinion poll, the government is enjoying 67 percent of public support, while the opposition is trailing at 18 or 19 percent.

2:50

If this Bill is passed today, this summer will be open season on Liberal MLAs. The Tories will go out and canvass signatures to recall all opposition MLAs. With 67 percent of the public supporting the government, I don't think it would be very difficult for these dedicated Tories to collect 40 percent of voters' signatures to support them, and then there would be the recall vote. Assuming that the opposition members could mobilize a hundred percent of their supporters to come out and vote for them, they would only get 19 percent of the popular vote, and assuming that only one in every three Tory supporters would come out and cast their ballot, there would be 22 percent or 23 percent voting against the opposition. This, Mr. Speaker, will wipe out the opposition party, and I believe that is the reason why the Government House Leader is going to vote for this Bill. In fact, he has been lobbying for this Bill in our caucus for the last month or so.

Just ask the Member for Clover Bar-Fort Saskatchewan, who asked me the other day: why do I need the opposition? Why do I bother to fight for their existence at all? I have my reasons, Mr. Speaker. First of all, I think the opposition party does a great job of making the government look good. Every time the Leader of the Opposition speaks against the government, we gain more votes. Jim Dau will have to watch out for the Member for Edmonton-McClung because the Premier may hire him after the next election.

Moreover, Mr. Speaker, their existence is good for our morale. Even though our government is getting better and better every day, it is still not perfect yet. For many of us who want to strive for perfect government, it is not easy when we make mistakes and have to swallow our mistakes. At these difficult times it is always a small comfort for all of us on this side to look across the way and say: "It could be worse. We could be them."

In fact, it must be very tough to be on the other side these days. When most Albertans are enjoying the Alberta advantage, seeing the positive things that are going on in our province, the opposition members have to talk about the gloom and doom. I imagine it must be very difficult for the Member for Edmonton-Whitemud to send those negative faxes to Texas and receive the full public backlash for it.

It must also be very difficult for the Member for Calgary-North West to take on the dirty job that his leader does not have the courage to do himself. The Leader of the Opposition publicly says that going after our Premier is a dirty job that he could not do, but it is okay for the Member for Calgary-North West to do so. Isn't that ironical? The Member for Calgary-North West had always been considered as the Liberal leader hopeful, but not anymore, after this special assignment.

My colleagues the opposition members have suffered enough. Please have mercy on them and don't beat them up when they are down. Let them rest in peace. Mr. Speaker, I hope that my passionate argument was enough to convince some members from the government side to change their minds and not vote with the Government House Leader for this recall Bill.

I will now try to convince the Liberal members to vote against this Bill too. Yes, they should vote against this Bill because they have demonstrated as a party that they do not believe in recall. In this, Mr. Speaker, if you followed the Liberal AGM, you will see that they used to have the right to recall their leader. It was called the leadership review, but because the new leader liked the recall concept so much, he decided to take this right away from all of the members and keep it for himself. They now can only do a leadership review once at each general election.

MR. COLLINGWOOD: Don't you realize this is private members' Bills? Do you know what you're talking about?

MR. PHAM: Of course I do. I did not hear any member from the opposite side speaking against the leader when they abolished recall within the Liberal Party. I would have to assume that they all agree and do not believe in the recall concept either.

Why, then, is the Member for Lethbridge-East proposing a Bill that works against the belief that they all share and against their own interests? The answer to this question, I believe, lies in the recent announcement of many prominent Liberal members that they would not run again. To those members, I can understand their feelings and I respect their wishes. As I said earlier, it is not easy to be a Liberal these days. And for those opposition members who do not want to retire yet, just vote no.

Mr. Speaker, I hope that I have convinced enough members from both sides of the House to vote against this opposition elimination Act. Thank you.

MR. DICKSON: Mr. Speaker, I wanted to thank the Member for Calgary-Montrose for an entertaining and a very creative contribution to the debate on recall. It was creative because he found a way to offer his observation on the contemporary political scene without addressing any of the merits or lack of same of the Bill. I'm not going to spend my time basically engaging in the debate that this member raised, albeit entertaining and interesting, other than to say this.

It's interesting. He and I represent different elements in the same city and different parts of the same city, and I wanted to remind the member that it's not quite as pleasant a view as he may see through his rose-coloured glasses. Sometime he and I should go to some parts of the city and talk to some Calgarians who don't share his sense of rhapsody about what's going on in the province. He should come and look at some of the concerns of people in downtown Calgary who lose access to their welfare office, who lose access to inner-city acute care health services, and look at a whole range of services being cut back. Whether it's teen prostitutes, whether it's homeless people in downtown Calgary, there are lots of people who don't share the optimism of the last speaker.

I'm confident, Mr. Speaker, that if he thinks about his observations and recognizes the problems that the Member for Calgary-Fish Creek raised on a motion that's coming up a little later, he'll understand that there's a hugely important role for opposition in this province and there's a reason why the political scape of this province changed dramatically in 1993 with the election of the

largest opposition this province has had, one of the largest oppositions anywhere in Canada. That's because Albertans are smart enough to understand that the best government you ever get is when you have strong and effective opposition holding the government to account.

You don't have to look any further, Member for Calgary-Montrose, than simply look at the massive amendment statutes that come in a year after the mother Act is passed. Many of those fine opposition amendments that have been crafted by my colleague from Fort McMurray and vigorously argued by my friend from Calgary-North West or Edmonton-Avonmore come back the next year, and I'd hate to think what would happen to Alberta lawmaking if the government didn't have the benefit of that sort of analysis.

Now, moving on to recall, which is what I thought we were really here to talk about, Mr. Speaker, a couple of observations I wanted to make. I had the privilege of sponsoring this Bill back in 1993. In fact, I had occasion to draft the Bill then. I'm pleased to note that my colleague from Lethbridge-East has been able to make some improvements to that initial Bill and been able to change some of the threshold tests, clear up some language that I think may have been cumbersome, and I think the Bill that we're presented with now is actually a much stronger Bill than the one I'd introduced back in 1993.

But what hasn't changed, Mr. Speaker, is the principle behind the Bill. Despite the comments that were made to that Bill in 1993 and the comments we've heard in this spring session adverse to the Bill, I still haven't heard a powerful and a convincing argument that we shouldn't introduce this feature, that we shouldn't give Albertans this additional measure of comfort. This isn't about the government record, members. I'm not going to use this as a platform to try and trash the government record.

3:00

AN HON. MEMBER: It's pretty easy to do.

MR. DICKSON: Well, there are some things that the government has done that have been very positive – I think Albertans recognize that – and there are some very foolish decisions that have been made that hurt a lot of Albertans. We've raised those things in the Legislature before, but really what we're talking about is individual representation.

I think we should stand back and recognize that one of the liberating things about a recall regime is that it helps to weaken party discipline. When we came into this Chamber after the election in 1993, I remember talking informally to lots of members on both sides. I would have said at that time that there's a fairly large shared consensus that people wanted to see reduced party discipline, that individual members wanted more flexibility to be able to take stands they thought were important to their constituents and to see those constraints and the sort of straitjacket that goes along with traditional party discipline loosened and undone a couple of notches. That's the reason why I still support recall in 1996. It's not because it's going to be used very often, and it's not because it's something that is simple to use. The machinery is somewhat burdensome and cumbersome.

What the Recall Act does is the same as a number of the statutes the government has brought in. They're not tremendously effective in terms of trying to control deficit spending and not tremendously effective in terms of some other financial management tools, but it's a way of communicating with Albertans. It's a way of showing that we understand we're here to serve those people out there that not only vote every four years but pay taxes

every year. To me that's a symbolic importance of this.

I could see, when it got to committee stage, people quibbling over the thresholds that had been set out in this Act, because they are substantial ones. But in principle – and that's what we're talking about at second reading – why wouldn't we say that the people who gave us the jobs we have now should also have the right to be able to register their protest between elections? A pretty basic proposition.

I remember that when I spoke to this three years ago, I quoted Peter McCormick, who is a respected political science professor at the University of Lethbridge. Peter McCormick made the observation that, you know, recall in some respects is a poor second. What Albertans and any electorate want first and foremost is a government that listens, a government that's responsive, a government that's accessible. That maybe is the steak, but what Professor McCormick said is that recall may be the sizzle. Recall is a way, in a very symbolic sense, of being able to say to Albertans, "You're still in the driver's seat, and after the polls close and the election results are announced, this doesn't mean that you're somehow shunted aside until the next election writ is issued four years later." It's a way of confirming that those people who put us here, in my case the 38,000 people who live in downtown Calgary, are still in the driver's seat.

The Member for Calgary-East had spoken to this last week and said: we have the best system in the world now; our electoral system is the best system in the world. Well, you know, I don't disagree with that, Member for Calgary-East. I think that's probably accurate. But is that reason to vote against this? I don't think so.

The same kind of thing was heard every time the Member for Edmonton-Glenora brought in a Bill that proposed freedom of information. How many times did we see that freedom of information Bill being introduced? I think at least five times, and each time the government would say: we've got the best system in the world; we've got the best system in the country; we don't need freedom of information. Well, you know what, Mr. Speaker? We found out we really did need freedom of information. There was a reason for that. I'm not dissuaded when the colleague for Calgary-East says that we have the best system now. That's not an answer. That doesn't say we can't continue to strive to make it better. It gives me some concern that he says, "The system we have now is so good" – this is in effect what he says – "we can't possibly improve on it."

MR. AMERY: I said that it's not perfect.

MR. DICKSON: Well, the member sitting opposite is saying that it wasn't perfect. I appreciate his candour, because it seems to me that what we're trying to do with this recall Bill is make an imperfect system better. It's as simple a proposition as that.

The member who spoke a moment ago, Calgary-Montrose, went on and talked a lot about recent polls and so on, but as the system currently stands, polls really aren't all that helpful. Good news if you're ahead; bad news if you're behind. But polls have a way of changing. It seems to me that there was a poll done a few days before the infamous 28-day writ period in 1993 that showed we were going to be sitting on opposite sides of the House after June 15, 1993. Well, we know how helpful and how valid that poll was. I think every other poll can be as equally unhelpful. So I think what we're trying to do with this Bill is give electors something far more efficacious, something far more useful to be able to do than simply wait for a pollster to ring their

number up while they're having supper and ask them which party they support and what programs of the government they support or are unhappy with.

In the comments that were made the last time this Bill was being debated by government members, there was a big focus on the cumbersome nature of this. We had the independent member being concerned in terms of the percent of the total electorate in a constituency being able to force a referendum. That's a perfectly legitimate concern, but it doesn't for a moment address the principle of the Bill. I had difficulty following the reasoning in terms of why he supported the Bill in 1993 and now feels he can't support the Bill in 1996 because there's been a change to one of the thresholds. It strikes me that doesn't address the principle of the Bill at all.

We had comments from government members that suggested that MLAs are at risk of being ousted all the time, that this is going to be a tool for a well-heeled, sophisticated interest group to unseat an MLA. Nothing could be further from the truth. If one looks at the mechanics of the Bill in front of us, it's apparent that it's exceedingly difficult to be able to force a recall. It's exceedingly difficult.

MR. TRYNCHY: Why don't you axe it then? Why have it?

MR. DICKSON: Well, the point is that there's a world of difference between making it difficult to force a recall and refusing to even allow that sliver of an opportunity, and that's basically what this is. It's a sliver of an opportunity, and it's not more than that. That symbolically is hugely important. I think this Act does what any recall Bill has to do: finds some kind of a reasonable balance between, on the one hand, being something where the thresholds aren't so high that the Bill is completely impossible to achieve and yet being high enough that that well-oiled special interest lobby, which members opposite have expressed concern about, can't in effect force an incumbent member to run in a by-election just because that member happens on a single issue to choose an unpopular position. So it's a balance, members. It's a balance, and I don't think it's put forward as anything stronger or more effective than that.

3:10

In terms of the other concerns that we heard – I know the Member for Calgary-Egmont talked about this as well and also wanted to use this as an opportunity to talk about the role of the opposition and so on. He then went on and made a number of very effective, I thought, suggestions in terms of how the Bill could be strengthened. In fact, his reasoning on a couple of points I thought was quite persuasive. But those are the kinds of things we deal with at the committee stage, not at the second reading stage.

I want to encourage members now to do what we came close to doing but didn't quite pull off in 1993, which was adopt the Bill in principle, take it to committee, and let's work on the mechanics and see if we can come up with a system that achieves the reasonable balance that my colleague from Lethbridge attempted to create in this Bill.

With that – I'm sure there are other people that want to speak to it – I'll take my place, Mr. Speaker. Thank you.

THE SPEAKER: Member for Calgary-Fish Creek.

MRS. FORSYTH: Thank you, Mr. Speaker. Recall has become a very popular issue of parliamentary reform since it was

reintroduced into Canada by the Reform Party, and as a sitting MLA who has a Reform MP I've been able to watch this unfold. One of the biggest issues I heard campaigning door to door was the desire to implement some sort of recall to ensure MLAs were following the wishes of their constituents. It is a time-honoured tradition which gives voters the opportunity to voice their opinions about the performance of a representative between general elections.

Alberta was the first province in Canada to create recall legislation, in 1936, and it stemmed from the United Farmers of Alberta, who campaigned in the 1920 election on the issue, but then it was never implemented. Aberhart's government did, and it gave the electorate the chance to voice their displeasure with the Premier's action until he repealed the law.

I believe there is no better way to meet the concerns of Albertans about accountability in political life, and it proves to our voters that we take their concerns and their views seriously. Bill 206 in my mind will help put the trust of the electorate back into the Legislature.

Bill 206 also makes the government and the private members more responsive to the day-to-day wishes of their constituents, and it might result in increased attention of voters watching and listening to day-to-day government practices and political issues and paying more attention to their MLA.

Bill 206 in particular has many good features which I like. Forty percent is needed for petitions to force a referendum, which is the highest percentage in any recall legislation existing today. In the U.S. the highest is only 25 percent and the lowest is 10 percent. As opposed to the B.C. system, this Bill has a double-step procedure which allows for sober second thought. First the voters must decide whether or not to sign the petition, and if this is successful, then they must decide how to vote in the referendum. Limiting the number of times a constituency can recall their MLA also helps save taxpayers from frivolous recall actions. Time limits on when recall can occur – six months from election and before the 42nd month of office – help ensure the voters aren't wasting time on elections.

Bill 206 also ensures that bad apples aren't being protected. I think it also forces members who may not do so to get out and talk with their constituents, find out their views, explain their own positions, and create a better understanding of the process for voters.

I supported the Bill that was brought forward in the Legislature prior, and I will support Bill 206. I look forward to the debate.

Thank you.

THE SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Mr. Speaker, thank you for allowing me this opportunity to speak to Bill 206. Before I do so, I want to acknowledge the comments of the hon. Member for Calgary-Fish Creek. I must say that on this debate at this time I agree with each and every comment that she has made, and I urge all Members of the Legislative Assembly to support Bill 206.

I want to point out to the Member for Calgary-Montrose that if he were serious in his comment about wanting to protect the opposition, what he is implying in that is one of the most frightening concepts that we could ever entrain into our democratic process. He is implying in that that people would see the result of a legislative process, and they would then remove their MLA if their MLA was in opposition. What could be the only reason that people would move on that premise alone, Mr.

Speaker, is that they believe that their government, properly elected in a democratic process, will cheat them out of what they believe . . .

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

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

Point of Order Imputing Motives

MR. PHAM: Yes; 23(i) and (h), imputing motives, Mr. Speaker. In my speech what I said was that when we have ineffective opposition, as the Liberals, who are making the government look good, then the people want to remove them, not every opposition.

MR. GERMAIN: It's a disagreement of fact only. I don't think there's a point of order there, Mr. Speaker, but I'm happy to develop it if you wish.

Debate Continued

MR. GERMAIN: Mr. Speaker, with respect, although he may colour the interpretation now, the commentary implied, frankly, that people would in fact remove an opposition MLA and why they would do that is because they have a belief that the government would cheat them out of their due because they had the courage to elect an opposition MLA or, putting it in the other phraseology, the rashness to elect an opposition MLA. The point of the matter and the clearest point of the matter is that while Alberta politics have not embraced the concept, we get the very best governments when there is a division that is very close to equality and where there is a division that implies that at any given time a government may be ousted by an irate populace. So rather than protect the opposition, were the event that my friend characterized ever come to pass, it would ultimately lead to the demise of the party who had gripped the populace vote for so long and then finally evaporated. We have only to go back in history to the Social Credit Party of this province and recognize that for the many years they gripped the party, the policies of Alberta, they ultimately disappeared, and disappeared for all time is effectively what happened.

So I'm sympathetic that my opposite colleague would try to protect opposition members, but I want to say to him that no opposition member should ever be afraid of being recalled simply because he sits in opposition, because to do so would be to acknowledge in fact that the government does cheat those constituencies that do not vote the way they think they do.

Now, from a government's point of view, I think if you took, Mr. Speaker, every one of the front cabinet in a back room, in a private room, and asked them if they would be comfortable with zero or limited opposition, they would truthfully say no. The Premier I'm sure would say no, because he would have to find those \$15,000 to \$25,000 a year committee fees to keep every backbencher happy that he does not have to pay for opposition members, and he would recognize that he could not satisfy every wish and every whim from all across the province of Alberta if there were no opposition.

I do urge the member opposite to vote to support this Bill and not to be detracted by his fear that the Alberta Liberal Party perhaps would suffer awkwardly because of it. I think the Alberta Liberal Party will be more than adequately prepared to take care of itself into the future, Mr. Speaker.

Now, all we have to do as well is look at the big governments. Look at the Mulroney government, Mr. Speaker, that had the will of the people and a vast majority and saddled us with \$400 billion of cumulative debt and a GST that apparently from the width and breadth of Canada nobody seems to like. That was the legacy of big governments.

Refreshing the hon. member's memory further, a great populist hero of western Canada was John Diefenbaker, a Conservative and undoubtedly part of their candidates' training school. A big populist, a big Conservative. He had a large, large majority and lost it all, and the federal Conservatives at that time went into the wilderness for many years, until their next great hero, the Hon. Brian Mulroney, came forward to take them out of the wilderness and leave behind the GST.

The hon. member from Calgary holds up a book, the title of which is *On the Take*, and features the visage of the previous Prime Minister.

3:20

Now, we talk about recall. Mr. Speaker, we should all be voting for recall. Every single person in this Legislative Assembly should be prepared to put his job on the line at any time. I do not know of any single other government employee paid by the taxpayers that gets a performance review only once every four years. I do not know of any businessman that guarantees his employees no review except once every four years.

So I would urge all members of this Assembly to support this particular Bill. Sometime, you know, Mr. Speaker, we may cycle again to where there is a 73-seat Liberal majority, for example, in the Legislative Assembly. Then in those cases, where the opposition is limited and doesn't want to stay after 11 o'clock at night and debate budgets and figure out how money is being spent in this province, the taxpayers may want to exercise their right of recall against another majority government. It is not just opposition members but all members that would pull up their socks if there was the overriding issue of recall.

I urge all members in this Assembly now to say publicly when the vote is called on this Bill: "We are not afraid of the review and scrutiny of our employers. We are prepared to allow our employers to scrutinize our activity. Yes, we're prepared to allow our employers the opportunity to fire us if they feel that our work effort is not up to par."

This government takes credit, and perhaps rightly so, for leading the way in deficit reduction and leading the way in streamlining government and leading the way in deregulation. This government might now like to take credit for helping to pass Canada's first current-history recall Bill and allow us to go back to our constituents and say, "We were prepared to put our jobs on the line each day, every day, in the interests of serving you as an elected official."

Thank you very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNERT: Thank you, Mr. Speaker. It's a pleasure for me to rise to speak to Bill 206. On the surface this Bill seems well intentioned. On first read of this Bill I really was prepared to compliment the Member for Lethbridge-East. I think he's tried to bring forward something that he feels is important to him and important to Albertans. But upon reflection and upon reading the detail and really taking the time to absorb what's in this Bill, I have to point out to members the hypocrisy of this Bill.

This Bill is really a very mischievous Bill. On the surface the

Bill says that all Albertans should have the right to recall their member, and then it goes through the process. But the reality of this Bill – and the reality was pointed out by the Member for Calgary-*Buffalo*, Mr. Speaker – is that it's almost impossible for a member to be recalled under this Bill.

Signatures of 40 percent of the people on the voting list from the previous election must sign a petition. That's a daunting, daunting task, Mr. Speaker, and I suggest that that is almost impossible. Then to go on from that point, verify thousands upon thousands of names to ensure the accuracy of the names, and then go into a referendum. This Bill is not intended to recall members of this House. This Bill is intended to make life miserable for all members of this House. The reality of it is that at any one time – there's no limit in this Bill on how many of these petitions can be circulating. Let's be honest; there are going to be petitions circulating all the time. It only takes one person to initiate the petition. As soon as they've discovered that they can't get their 40 percent, someone else jumps up and takes their place. [interjections] If the sponsor of this Bill wants to clarify – the way I read this Bill, it's very clear that it takes one person to initiate it. That one person decides what the cause is going to be. Out they go to get their petitions. If they don't make it, someone else can come along.

I read here that "only one election for any electoral division may be held under this Act." I read that there's only one by-election. An unlimited amount of petitioning can go on. What I'm saying is that this is restricting the recall to one per session; it's not restricting the number of petitions. So anybody that's got a little bit of a beef with a sitting member goes out, gets the papers to file the petition, and out they go starting to knock on doors.

Now, not only does this Bill say that that person who has the beef can go out knocking on doors, but then it goes on to say that that person may solicit members who weren't even qualified to vote in the last election to go out knocking on the doors. It very specifically says that the people who sign the petition must be voters from the previous election, but it doesn't say that the people that are out knocking on doors and soliciting – it says they can't be paid. Well, Mr. Speaker, I suggest that if someone is interested enough to have their member ousted from this Chamber, they should at least have been someone who was around and had an opportunity to put that member into this Chamber, but no. This Bill, mischievous as it is, says no. I can go out. I can start this petition rolling. I can bring in busloads full of people from all over the rest of the city, if it's in a city, or from all over the rest of the province, if it's a rural constituency, and we'll blanket this constituency with all the bad news about the member that we have in there.

We know full well that it's very unlikely that anyone is going to get the 40 percent of the names, but let's look at the political reality. This is the game of politics that we are in. We all know what goes on in this political game. The reason for anyone instituting a recall petition is not to have the member recalled; it's to create all kinds of bad publicity, bad press. Can you imagine the fun that the media would have keeping score of how many members have recall petitions out on them at any one particular time? The Member for Lethbridge-East might even have five or six at one time, and then the Member for Calgary-*Buffalo* only has two or three. Does that mean that Calgary-*Buffalo*'s doing a better job than Lethbridge-East? No, of course not.

This Bill would encourage people. Two hundred words or less to say why your MLA should be booted from the Legislature, and

then go out there and start signing names. No one cares how many names you get. The point of this Bill is hidden very well, and I compliment the member for crafting the Bill in the way he did, because he really did hide the true intent of this Bill. The true intent of this Bill is to give the public the opportunity to embarrass their MLA and to make the job of the MLA, a very difficult job, all that much more difficult.

There are times in this Legislature when all members of this House have participated in discussions that everyone in their constituency does not agree with, a significant number of people in their constituency may not agree with. They may not agree with it to the point where they feel that the member has offended them to such an extent that they want to start a petition. But are 40 percent of the people who were eligible to vote in the last election going to sign? Not very likely.

Now, let's talk about this 40 percent for a little while too, and I think that's rather interesting. There are probably a number of members in this House who were elected by less than a 40 percent majority in the last election, Mr. Speaker.

THE SPEAKER: Hon. member, the Chair hesitates to interrupt the hon. member, but Standing Order 8(2)(b) requires the House now to move to the next order of business. The next time this item of business is called, the sponsor of this Bill will have five minutes to wrap up.

head: Motions Other than Government Motions

3:30

Child Prostitution

503. Mrs. Forsyth moved:

Be it resolved that the Legislative Assembly urge the government to address the problem of child prostitution in order to end the exploitation of Alberta's children.

[Debate adjourned March 5: Dr. Taylor speaking]

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

DR. TAYLOR: Thank you, Mr. Speaker. Now we are actually talking about something that is very serious here today. I concluded my comments when I had to sit down last time, because the time had run out, talking on the problem of child prostitution in Alberta, Motion 503. At the end of my comments I pointed out an example that had happened in Medicine Hat. Although I won't go through the example again, I just wanted to reflect and have the members remember where I was: the example of the two girls that were involved in prostitution in Medicine Hat and the sorry end that one of them came to.

To go and just refresh members' memories a little bit, the federal government introduced a Bill in its last session that was aimed at protecting children from adult predators. These adult predators seek children for sexual purposes, and they exploit the young prostitutes for economic gain. Basically what we're talking about here is the pimps, Mr. Speaker. That particular Bill addressed many of the issues that I have raised in my previous speech of the previous day. The Bill introduced a mandatory prison sentence of five years for those convicted of profiting from child prostitution. This would include those who for their own profit and while living off the avails of child prostitution use violence.

I think it's worth while to note, Mr. Speaker, a quote. For *Hansard* it's from a little booklet called *Children in the Game*, and it's written by Staff Sergeant Ross MacInnes, who has extensive

experience in this area and is now, I believe, involved with street work to get the young people off the street. In fact, I heard him interviewed on CBC just about a week ago.

MR. SMITH: Do you listen to CBC?

DR. TAYLOR: Yes, I do listen to CBC. It's nice to know what the lefties are thinking in most cases.

I heard him interviewed along with two other people working in the area of youth on the streets. One was from Montreal, I believe, and one was from Toronto, and they were all essentially saying the same thing. So this person who has written this book, this Sergeant Ross MacInnes, does have credibility, and it's worth while to listen. He's worked as a staff sergeant on the Calgary police force for many years, and he is now working, for the last number of years, on the streets helping get young people off the streets. This book is a result of his experience.

It's actually kind of a scary thing to read, Mr. Speaker. I would encourage all members of the House, if you're interested in this at all, to get ahold of this book and read it. It's not very long. It's only I think 40-some pages, 44, 45, 46 pages. It's really brutal reading, especially as most of us are parents and some of us have daughters as children. So it's worth while, definitely, to get ahold of this book and read it.

His quote here on page 2 of this article, talking about pimps, says:

It may be summed up best by a live pimp who, when being examined by a prosecutor while giving testimony on his own defence, made the comment "there ain't no rules, that's why I win."

There ain't no rules, and if we accept that premise, then everything else about child prostitution falls into place, because that's the way these pimps operate. They operate as if there are no rules.

We as members of civilized society, Mr. Speaker, play by certain rules, most of us, most of the time. These rules are of common decency, of conscience, of a real sense of concern for our fellow human beings, and pimps don't operate like that. We play by rules of the law in most cases, and that law grants us the right to legal counsel. You know, we have the right to litigate. We have the right to be protected from unreasonable searches. We have the right to appeal to the law to protect ourselves physically. The pimps don't play by those rules. They use fear. They use intimidation. Just when we as a society try and get a handle on him, he changes the rules, because the rules always change.

That's why it's necessary to have a Bill like this; that's why we need to encourage the federal government to go ahead with this Bill: because pimps use violence. Most of us in our society and here in the Legislature don't use violence. We disagree with each other on many occasions, Mr. Speaker, and that's legitimate, but we don't resort to violence. When pimps have a disagreement with their prostitutes, with the girls that they have working for them, they immediately resort to violence. This book describes, you know, some really scary stuff as to what happens to these young ladies - children is what they are - and how they are treated.

The pimp depends on the girls that he has working for him. Without them he's nothing. He has no income. He ceases to exist without these young ladies working for him. Not only does he not have any income, but he has no status in the society that he's living in. Mr. MacInnes quite clearly points out in his book that status in the society that they live in, that this subculture lives

in, is certainly conditional on the number of young girls you have working for you. So the more young girls you have working for you, the more status you have in the society that you are in, and it's necessary that these people be young.

Once again, MacInnes's book provides examples of prostitutes. Once they've been in the field for four or five years, they are generally cast off. You know, they don't want them anymore because there's no priority. There are no customers for them because apparently the customers who want these girls want them young. The average life span, I believe, for girls that are working the street is about seven and a half years. It's important to recognize this as a fact, Mr. Speaker. The pimps recognize it as a fact and use it to their advantage. We need something so that the government can move on these pimps.

In addition, Mr. Speaker, the federal government Bill would improve upon existing provisions to help apprehend those seeking the services of child prostitutes. Currently prosecutors must be able to prove that a transaction has taken place between a person that is under 18 and a john. We all know that it's very difficult to prove these kinds of things because the police cannot make an arrest until after the act has occurred. We need to change the law so that in fact there's more of I guess some kind of flexibility on behalf of the police so they have more flexibility in dealing with these issues.

The johns, as they're called on the street, Mr. Speaker, are fully aware that they are protected by the current legislation. It may be best summed up by the words of a john who, when questioned about stiffer penalties for johns, said . . .

AN HON. MEMBER: Is that from the Bible?

DR. TAYLOR: No, it's not from the Bible, but it probably could be.

This is just a quote: The courts would have to be able to prove that I knew a girl was underage. It would never work. Besides, who would you believe? A taxpaying family man or a 14-year-old prostitute?

That's the concern, Mr. Speaker. The whole system of justice is set up against these young girls, because it sees them as offenders as opposed to seeing them as victims, and truly it is victims that they are.

This Bill would put an end to the protection of johns exploiting young prostitutes. It would make it illegal to procure the sexual services of someone who holds herself out to be under the age of 18. This would allow undercover police officers to be used as decoys to set up stings to aid them in apprehending some of these johns. We all know, Mr. Speaker, that stings can be very effective. They've used it in apprehension in other areas, in cases of theft and so on.

We need to increase the protection of child prostitutes testifying against their exploiters. This is also included in the federal Bill. Prostitutes would be able to testify from behind a screen. They would be able to testify on videotape, or they would be able to testify on closed-circuit television. Girls would be more likely to testify against their pimp if they were confident of their own safety. Hopefully, Mr. Speaker, this Bill will go on.

3:40

We also need to provide better training for police, judges, and prosecutors in these cases. I once again will refer to Mr. MacInnes's book and the necessity of having well-trained police, judges, and prosecutors. He points out that many people feel that the prostitute is in this work, the child is in this work, due to her

own wishes. This is a man who has 20-some years experience in the Calgary police force; he knows what he's talking about. He says:

Courts reflect this attitude as well. Many Judges are under the belief that young girls seek out these liaisons in order to embark on a life of prostitution. [Judges] compound this error by mistakenly believing that the pimp has a significant role to play. They often believe that the pimp is stationed close by the working girl to ensure her safety, making sure that a customer is not rough on her, and that she is protected from harassment by the police.

Unfortunately, this view is often shared by the very people who should be helping – the social workers. I [Ross MacInnes] have spoken to dozens who feel that the girl is a sexually promiscuous child, who has embarked on a lifestyle of her own choosing! With archaic attitudes such as these, is it any wonder the pimp has such easy pickings? It is called a "victimless crime," but is it?

I'd like to point out to you, Mr. Speaker, that it is not a victimless crime. Our children are the victims.

I would like to conclude by saying that a child has the right to be a child and encourage all members to support this motion.

THE SPEAKER: The hon. Member for Calgary-Buffalo for one minute.

MR. DICKSON: Mr. Speaker, I know time is short, and I'd just make this observation. I've looked through and listened to what everybody has said speaking in support to this motion, and I guess I'm disappointed. When I was in this Chamber in the spring of 1993, Gordon Shrake, who was then the member for what is now Calgary-East, came in and brought in almost the equivalent motion. We heard the same kinds of speeches about the importance and the need to do something with it. In fact, we'll go away from this saying that we've addressed this serious problem. It seems to me that if we really are genuinely concerned about this, why aren't we holding the feet of the Minister of Family and Social Services to the fire?

You know, there's been a specific recommendation in the report I tabled on February 29 from the Calgary Prostitution Policy, Service and Research Committee, a specific recommendation to amend the Child Welfare Act. Why aren't we doing that? That's what counts.

THE SPEAKER: The Chair regrets to interrupt the hon. member, but as the Chamber has heard, the time has expired for this motion. Would all those in favour of Motion 503 as proposed by the hon. Member for Calgary-Fish Creek, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Those opposed, please say no. Carried, let the record show unanimously.

Tests of Effective Government

504. Dr. Massey moved on behalf of Mr. Mitchell:
Be it resolved that the Legislative Assembly urge the government to recognize that effective government must meet the tests of integrity, fiscal responsibility, and community building based on shared values in Alberta.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods on behalf of the hon. Member for Edmonton-McClung.

DR. MASSEY: Thank you, Mr. Speaker. Motion 504 is a

motion designed to have the government accept some standards that would govern their activities in this Legislature and out. Those standards are set up as three tests really. Those tests are concerned with fiscal responsibility, integrity, and community building. It's community building that I'd like to address a few comments on this afternoon.

Certainly the test of a government's effectiveness in our province has to rest to a great extent on how far and how well it makes our community stronger. Communities are made stronger in a number of ways, and government activity has direct impact on what happens in those communities.

[The Deputy Speaker in the Chair]

But first and foremost, communities are made strong when families are supportive. Families have a unique and special role, a basic role in our society where we raise our children. They're responsible for the character development of children. They're responsible for the material well-being of those children. Parents are expected to support youngsters emotionally and make sure that they have the required education and religious or aesthetic training. So families are basic to our culture. With having children, there's an obligation of parents not only to those children, but there's an obligation of those parents to the broader community. The kinds of activities that have been engaged in in the last three years in this province to my mind have in many ways detracted from and made families weaker. It hasn't strengthened the family.

Let me refer to some specifics. Economic policies. The economic policies that result in low-paying jobs are really very hard on families. They force both parents to work, sometimes at more than one job. They take parents away from the home, and they take parents out of the lives of the children that they're responsible for.

I think with the changes in the social services the motives may have been well meant, but the practice has been something quite different. Our constituency office rests in the middle of families with rather a wide range of economic bases. Many of the families around the constituency office are living in public housing and in subsidized houses. Many of those families are in stress. Last month our constituency office had 1,096 contacts from people who wanted some kind of help: some of it relief from activities of the Workers' Compensation Board, some of it relief from the department of social services, some of it relief in terms of just trying to get a job, asking if there wasn't some way we could help them exist. So I think the economic policies have singled out one portion of families in our society and have made life considerably more difficult for them.

I think lone-parent families have found it more difficult in many cases, given the kinds of policies that the government has pursued. So just in terms of family and family support I would argue that our communities are not as strong as they might have been had the government pursued some different policies.

I think communities are strong when schools are supportive. Schools have played a strong and an important role historically in this province. In this city they were the first institution to be publicly funded. Schools, in spite of some of the critics to the contrary, have a role in promoting the dignity of all citizens. They have promoted tolerance as a virtue. I don't know a classroom in this province where you would go and not find truth-telling valued and promoted by the instructional staff. I think schools have been instrumental in making our democracy better.

The role of citizen has been demarcated in those institutions and has been part of what we have actively done to try to make young people understand that living in a democracy is better than some of the alternatives.

We've promoted active citizenship in our schools. More importantly, we've promoted the notion that we're our brothers' and sisters' keepers and that's a responsibility we must take very seriously. So I see schools – public schools, both of the public school systems – trying very hard to strengthen our community through working with our young people. Yet again I cast that against the actions of this government, and I see that the pupil/teacher ratio is on the rise. I see boards, like the board I was privileged to be part of a number of years ago where we fought long and hard to put a cap of 30 youngsters in classrooms, removing that cap so that they can cope with fiscal realities and put more children in front of teachers. I see that the kind of special help that was in classrooms to help youngsters with learning disabilities and physical disabilities is disappearing or becoming more thinly spread. With that comes teachers under stress. The whole notion of those teachers themselves, I think, has been undervalued by this government. What government that really valued the work of teachers would reduce their salaries by 5 percent? What government that is really interested in the welfare and the well-being of teachers would in this Legislature attack their association and try to weaken it?

3:50

I think that I'm not alone in this concern over our schools. Some recent polls were quoted earlier in debate this afternoon, and that same poll indicated that one in every four Albertans is concerned about the education system. They're concerned about what's happening to our schools. So I think our communities have been made weaker when the schools that our children attend have been weakened by government policy.

I think our communities are stronger when duty is supported. I think it is looked at in some quarters as being rather old-fashioned these days to talk about duty, but our communities are much stronger when duty is supported. Duty means being well informed, making sure you know what the issues are, and having listened to the pros and cons on issues. Duty means that you vote in elections. That's part of being part of our great system. Duty also means paying one's fair share, and I think we're the architects of our own discomfort when the kind of dialogue about paying one's fair share is wrapped up in a doctrine that says that all taxes are bad and that at all cost you must never pay more taxes. It seems to me that's a rather shortsighted and ill-serving kind of thesis to be putting out there.

In this community the very first vote that was taken when this was still a settlement was a vote to publicly support through a public requisition the school in the community. There was a recognition by those pioneers that when we stand together, when we put our minds together and decide that we want to do something, we can support that by pooling our resources, and that has led to the tax system. Now, no one will deny that there have been some excesses and some abuses. Still, the notion that has to be left with youngsters and has to be supported in the community is that we have a duty to pay one's fair share and that we have an obligation to encourage others in the community, regardless of their station, to pay their fair share.

Lastly, I think we have a duty to support our democratic institutions. I think, again, you see some of the actions that we've taken in this House, both as a government and collectively: the freedom of information laws. Why should a province such as

ours need freedom of information laws? What does that say about us? What does it say about our government? What does it say about our system when we have to argue and put into the law of the land that information, our own information, will be made available to ourselves? It's a rather damning indictment about how we operate as a society.

We hear members talking about dome disease as if this institution is bad and being here is bad. It does a disservice to our democracy to denigrate the very institutions that many have fought long and hard to make sure exist for us today and that have served us so well, in spite of our impatience with it at 11:30 or 1:30 in the morning when debate drags on. I think we have to remember that it is our duty to support this institution until we can come up with something that's better. We've seen some tries at that around the world that none of us would like to emulate.

I think our communities are strong when duty is supported, and I think government actions have to bolster that. I think our communities are strong when there's strong health care. Talking about health care, again, if you look at recent polls, one out of every two Albertans is worried about the health care system. They're worried that it's not going to be there when they need it. They're worried it's not going to be there for their family should a family member need it. I would dare to guess that there isn't a member in this Legislature that hasn't heard of someone – a family friend, a neighbour, a working associate – who's had a brush with the health care system that they wish they hadn't had.

I look at the concern in my own constituency. We had two rallies, one with about 12,000 constituents, another with 17,000, that rallied in support of the local hospital. That hospital itself in Mill Woods signifies community and what is good about community. It was fought for long and hard. Some other communities – Sherwood Park, some communities east of us and south of us – forgo having their own hospital so that one could be built in Mill Woods. It epitomized what was good about community, and the residents there were willing to stand up and try to protect it when they saw it being attacked by the government. So I think the government has to look carefully at the actions they've taken in health care and what that has done to the sense of community and what it has done to specific communities in terms of how they feel about themselves and how they feel about living there.

I think that communities are strong when neighbourhoods are safe. This city and Calgary and cities across the province are sometimes viewed in a rather monolithic view, from a monolithic perspective. But really they're made up of a number of what someone else wiser than I has called urban villages, and those villages are where we raise our families, our children, where we send them to school. For that community to be strong, we have to feel that when those children and our family are going about their daily activities, those neighbourhoods and those villages they live in are safe. Again, if you look at the cuts to municipalities, that feeling of safety that we've had in the past is eroded.

I think communities are strong when churches and synagogues and temples thrive and when the people in those that are volunteering and attending those institutions feel that they are making a contribution. Again, I think it's a sad commentary on where we are as a province that the church leaders from across Alberta had to band together to protest on behalf of the needy and ask the government to cease and desist, that as volunteers they had had as big and as large a burden as they could possibly take, and that the government activities were making life very, very difficult for the needy and for these people who would do something about it.

I think our communities are strong when amenities such as museums and concert halls and recreation facilities are accessible to all, and when you put in place a host of user fees from

museums to campgrounds to parks that are used by families, then you weaken our community. You make it harder for families to access those facilities. You make it harder for neighbours to get together. Again, it works against the strengthening of community.

I think communities are strong when we have institutions like senior citizens' centres, where seniors band together and work in their own interest and the interest of the community. I think we're better off when local shops thrive. That helps make strong communities.

So I think the whole point behind this motion by the Liberal opposition leader is to try to draw to the attention of the government the need for some standards. One of those standards is what impact their actions have on community and the development of the sense of community among Albertans, that being one of three tests that Alberta Liberals would apply to the actions of the government.

Thank you, Mr. Speaker.

4:00

THE DEPUTY SPEAKER: The hon. Member for Vegreville-Viking.

MR. STELMACH: Well, thank you, Mr. Speaker. I, too, am rising to speak to the motion proposed by Edmonton-Mill Woods on behalf of the Member for Edmonton-McClung. I'd like to say that this government has in fact met the tests prescribed by the hon. member. It has proven to the people of Alberta that it is fiscally responsible.

Mr. Speaker, this government has balanced the budget, just like we said we would. This House has passed legislation making it the law to be fiscally responsible and to keep our spending within our means. So, too, the member opposite already has part of his motion guaranteed by the government through the Balanced Budget and Debt Retirement Act. This Act legislates that the government shall not run a deficit and also spells out a legislated plan to pay down our net debt with an average annual installment of \$350 million.

The section of this motion which particularly interests me, Mr. Speaker, is that the member opposite called for an effective government meeting a test of integrity. I can assure the member that this government does have integrity. In fact, one of this government's first acts in 1993 was to appoint the Financial Review Commission to open up the government's books and report on the financial condition of the province.

We began the process of getting our books in order by starting at the top. We eliminated MLA pensions. The Premier, all cabinet ministers, and all MLAs took a 5 percent salary reduction. In doing so, we proved to the people of Alberta, the people who would be the ones to actually implement the changes we were calling for, that as a government we were prepared to make the same kind of sacrifices that we expected of them. Alberta is the only province in Canada that does not have an active pension plan. MLAs' total compensation is now 35 percent less in comparison to compensation prior to the elimination of the pension plan and the 5 percent reduction in salaries.

Mr. Speaker, before this government was elected, we promised to eliminate the deficit, to change the way government does business, and make government smaller. These promises we have kept. The Taxpayer Protection Act, which we passed in 1995, gives Albertans the power by a referendum to veto any future government moving to introduce a sales tax. This makes our

government the first in the country to pass taxpayer-protection legislation.

This government has also introduced and passed the Government Accountability Act, the Freedom of Information and Protection of Privacy Act, and has appointed an Ethics Commissioner. Public disclosure and openness have been dramatically increased through the issuance of the three-year government business plans and annual departmental business plans and budget targets for all ministries and quarterly reports on those plans. The government also issues annual reports of performance measurement and all economic and fiscal forecasting assumptions used in the budget and the three-year fiscal plan.

So Albertans can see that this government is open and accountable and dedicated to giving Albertans value for their tax dollar. Mr. Speaker, Albertans deserve a government that has integrity, is fiscally responsible, and supports strong communities. They have in fact such a government.

Mr. Speaker, it is no news to the members of this House that numerous changes have been made to the Standing Orders of the Legislative Assembly which will enhance our ability to more effectively represent our constituents. By allowing more free votes on legislation, we have greater flexibility in addressing constituent concerns. Furthermore, members' statements give us a chance to stand up and speak directly on an issue that we feel deserves recognition or is important to our constituents.

This is open and responsible government, Mr. Speaker. The Alberta government's commitment to fiscal responsibility was reflected in the newly adopted open budget process. Through this process we have a greater ability to scrutinize public expenditures. In addition, the issue of consolidated financial statements will provide Albertans with an overall view of the state of our fiscal position.

Mr. Speaker, as this House is aware, the federal government has given notice that its cash transfers to Alberta would be cut by \$342 million in 1996-97 and \$538 million in '97-98. These are 22 percent and 35 percent reductions over the next two years. Our government has committed itself to protecting health, social services, and advanced education programs from these transfer cuts. This move will give some assurance to regional health authorities, universities, and colleges as they prepare their budgets and business plans. They can do without the uncertainty caused by a hit from Ottawa's deficit-cutting efforts. The government can make this commitment because our stronger fiscal position gives us flexibility.

Mr. Speaker, this House has also passed the Freedom of Information and Protection of Privacy Amendment Act, which allows Albertans greater access to government information while at the same time ensuring the protection of the privacy and confidentiality of that information. This Act will allow Albertans to find out what information government agencies have about them and makes it possible to keep the information accurate and valid. This government is committed to openness, accountability, and accessibility. The new access to information law reflects this philosophy, giving Albertans a formal method for requesting records that were not always available through regular channels in the past.

The integrity is there. It is present in this government. In fact, this government has passed the tests of integrity that the hon. member called for. The first test was on June 15, 1993, when our bosses, the people of Alberta, entrusted this government to guide the province for the next four years. Albertans are not fools, Mr. Speaker. They are hardworking, honest people who

know what kind of future they want for their province. They would not put into government a group of people whose character is not solid. They would not elect a government they did not trust. Albertans know what integrity is. They have seen it in this government in 1993, and the people of Calgary-McCall saw it in 1995. The biggest test of a government's integrity does not come from a motion here in the House; it comes at the polling booth. It is there that Albertans decide whether a government has their confidence and whether it meets their tests of integrity.

Mr. Speaker, I agree with the intent of the motion that the government "meet the tests of integrity." However, the government has met these tests and will continue to work to effectively, responsibly, and honestly meet the expectations of Albertans we represent here in the House. However, the motion cannot be supported since it is totally redundant. After last night's performance I am positive the Member for Edmonton-Whitemud will vote against this motion. He carried on at great length speaking against Bill 11, the interim supply Bill, on the basis that estimates may soon get approved.

Thank you, Mr. Speaker.

MR. SEKULIC: Mr. Speaker, I rise to speak in favour of Motion 504. I have to agree with some of the comments made by my colleague from Vegreville-Viking – I think that's the right order – and in fact I think the researcher is entitled to a bonus. I mean, that was some good work done, a very well-written speech.

Mr. Speaker, I do want to correct some errors in perception that the member put forward. One was with regards to some comments made by my hon. colleague from Edmonton-Whitemud last night about the redundancy of Bill 11. It's been structured in this Assembly that we would pass through debates of estimates and pass the appropriation Bill as well before the end of the month. So the case of redundancy, although valid when it pertains to Bill 11, certainly doesn't apply to this motion, Motion 504.

In fact, Motion 504, if anything, sets out three tests for any government, be that this Conservative government or any other government that may come to be. What it does is it stipulates, like I said, the three tests for effective government or governing, those being "integrity, fiscal responsibility, and community building based on shared values in Alberta."

4:10

I want to start off talking about integrity, because I think integrity is probably the single largest component of effective government. There are many different ways of defining integrity, but I think perhaps one of the most accepted would be that integrity is rigid adherence to a code of values. So in effect if a government were to come to be, they would define what the role of government is, based on a certain set of values, and then adhere rigidly to the values that are encompassed in their role.

I want to take a look at a document that was recently put out by the government. Mr. Speaker, it was one that was titled Straight Talk, Clear Choices. It's really troubling here, because when I do speak of integrity, I refer to the government's need or desire to put forward information, factual and accurate information about the key components of government. The component that I'm referring to here is the financial aspects of government, and that's what Straight Talk, Clear Choices in large part deals with.

I want to bring all hon. members' attention to page 6. I know I've made these comments in the past, but I think it's important particularly in this context, the context of integrity, to bring them up again. On page 6 of this document Straight Talk, Clear

Choices, right below the section headed by "Faster pay down of Alberta's debt," the first sentence reads: "Alberta's net debt as of March 31, 1996 is estimated at \$6.8 billion." Now, Mr. Speaker, that's something that I found quite interesting. I found that this is quite the rapid reduction of our debt. I was surprised. I was in fact very impressed. In fact, if that was the truth, I would next time vote for this government. But I had to refer to some other documents.

So what did I do? I referred to a document titled – and once again it's a government document, so there has to be to some degree accuracy in this document – the Province of Alberta Form 18K. Now, for those tens of Albertans that may read the *Hansard* in the future, it's probably appropriate that I read into *Hansard* what Form 18K is all about. It's produced regularly by the government, on an annual basis, I believe, if not semiannual. It states:

This description of the Province of Alberta is dated December 18, 1995 and appears as Exhibit (d) to the Province of Alberta's Annual Report on Form 18-K to the U.S. Securities and Exchange Commission for the fiscal year ended March 31, 1995.

So in effect this document is a summary of the province of Alberta's fiscal position that we extend to the financial markets when we go there to borrow.

If those tens of readers of *Hansard* won't have Form 18K in front of them, I'll read into *Hansard* the net debt levels that this government has put forward on page 20 in this document. In 1993 the net debt was recorded at just under \$12 billion. In 1994 it was just over \$13 billion, Mr. Speaker. So we see that the net debt is growing.

Now, I wasn't yet convinced. I thought maybe there was a typo here and that I should refer to other documents to capture the correct net debt level position of the province. So I went to the March 31, 1993, Report to Albertans document, that the Alberta Financial Review Commission put out. It was interesting that I found that the Alberta Financial Review Commission indicates on page 2 that the net debt of the province at March 31, 1993, was \$11 billion, Mr. Speaker. So that was troubling. But, no, I wanted more confirmation yet that this was a correct reflection of the province's net debt.

So I referred to yet another document, this one being titled Alberta's Fiscal Update. It was produced by Professor Mel McMillan and Professor Allan Warrack of the department of economics and the Faculty of Business at the University of Alberta. This document was dated February 1995, so this was more recent yet. These are people who deal in numbers on a daily basis and who study not just this province but all other provinces. Their conclusion was and in fact stating it on page 11:

Employing the more conservative estimate of the realizable market value of [Alberta heritage savings trust fund] assets, the net debt comes to \$14 billion.

They're referring to the net debt of the province of Alberta, Mr. Speaker.

So when we speak of integrity, you would think that when we look to external sources like the Alberta Financial Review Commission, external sources like the professors at the University of Alberta studying fiscal positions of provinces – in fact even the internal sources that produced Form 18K for the Treasurer would agree that the net debt position which this government document gives is accurate, that's been sent out to virtually all households in Alberta. But it's not. There's something quite strange here and quite inaccurate, I would say. In fact, I would question whether Albertans will be able to make the right decision, make those clear choices they're being asked to make based on the

information that they're being given. When we speak of integrity, we also speak of consistency. We would expect that regardless of which source we ask about the fiscal state of this province, we'll get the same response. In this case, this certainly hasn't been the case.

I think that government has to listen to all Albertans and not disregard those voices it doesn't want to hear as being special interests, Mr. Speaker. Over the past three years we've heard from government and from many government members that anyone who stands at odds or questions this government is a special interest. Certainly that's not the case. I think, if anything, that all Albertans are in a way a special interest insofar as their concerns are unique from their personal point of view and that all Albertans deserve to be heard in this Assembly or through the representatives in this Assembly. I'm afraid that based on my experience in this Assembly, too many individuals or too many groups that have disagreed with this government have been labeled as being special interests, and their concerns have been disregarded. I don't think that is a government that's acting with integrity or, for that matter, responsibly.

Mr. Speaker, when we think of "community building based on shared values," we do think that every voice is an important voice. He listens, he cares: that's where it really matters. When you have 30,000 people showing up in southeast Edmonton with concerns over the hospital that they may lose or that may change its status, perhaps a government representative would have showed up to listen to those concerns. Those are 30,000 Albertans. They're not 30,000 people with any specific self-interest, rather a broader interest, a broader community interest for their neighbours. I think that to a large part has been eroded in this province.

4:20

It is important that we do look to external sources, that we listen very carefully to those we disagree with, in fact quite the contrary to disregarding those we disagree with. Many times that is what initiates change. We've seen in this province in response to criticisms from the opposition in the past and from the Auditor General and the Alberta Financial Review Commission that this provincial government modified its reporting of provincial liabilities so as to reveal better the financial status of the provincial government. So many of the improvements that we've seen take place over the past three years have been initiated through criticism or through questioning, Mr. Speaker. If we're to continue to improve the state of this province, we must always be open to hear those concerns.

[Mr. Herard in the Chair]

Now, the minister of transportation was nodding his head I think slightly in disagreement with my last statement that in effect betterment comes from questioning and positive criticism. Yet last night in this very Assembly when we were debating Bill 11, I saw evidence supporting my claim. The opposition stood and criticized the process by which government was trying to put Bill 11 through in this Assembly. Basically what we said was: we need the answers; you want \$2.9 billion of public moneys based on three pages of information.

MR. YANKOWSKY: How much?

MR. SEKULIC: Two point nine billion, Member for Edmonton-Beverly-Belmont.

What was the request that came from the government side? Well, you need to approve this because we need the money. Mr. Speaker, accountability doesn't come on the basis of we need the money or we want the money. If we get a response when we question and if I think it's a legitimate response, then I will be the first to stand in support. The hon. minister of transportation stood last night in this Assembly and I think led and set an example for many of his colleagues. He responded to those questions; he took the challenge. That is what a responsible minister ought to do.

As a result, when we break down that vote, I'll be supporting the transportation vote, those transportation expenditures. I know on behalf of my constituents where those expenditures will be directed. They are in fact quite legitimate, though many of my constituents will be asking the question: well, building roads and repairing roads wasn't a priority in 1993; what's different in 1996-97? I may have to try to argue against that when they say: "Well, I think it's an election year coming. Maybe that's why the road cycle is back in place." But I'll say: "No, the hon. minister of transportation stood and justified his expenditures. I certainly don't think they're building roads again to curry favour or buy votes, because that's just not the way now. This government has changed. They've learned their lesson."

Mr. Speaker, effective representation and effective government needs to respond to the concerns. It needs to be open to criticism, and it needs to rise to the challenge of those questions or concerns that are put to it. The way to rise is not simply to disregard or put aside or call it a special interest; it's to respond. Sometimes, I admit, the government may not have the right answer. In fact, they may not do the right thing. Those are times when at least if the admission comes forward, we can find the solution a lot quicker. So going down the road to finding effective government, first of all, is a government that's willing to listen.

Mr. Speaker, when we speak of "community building based on shared values," we look to all members of this Assembly to be consulting with their constituents and bringing that information back into this Assembly. Earlier today when we debated recall, we heard what I would label as more political debates, self-interest from the politician as opposed to on behalf of their constituents. I think the onus is upon us in this Assembly to bring forward the concerns of our constituents and to attempt to articulate them.

There's even a greater onus when we're referring to private members' public Bills, Mr. Speaker, and that onus is to read those Bills, to thoroughly understand those Bills, and then think what the interests of our constituents are, how we can reflect them through those Bills. I'm really disappointed in large part because last week my Bill, Bill 204, protection of privacy in the private sector, was defeated. Although there were some valid questions raised, the reason I was a bit upset or a bit discouraged by that defeat is that it was defeated in principle when members of the government unanimously voted against the principle, and the principle was to protect personal information in the private sector. I think that just showed me that we're not always acting in the best interests of our constituents.

Earlier this afternoon we heard a member rise and ask the question about the banks voluntarily adopting a set of criteria to protect the personal information of Alberta citizens. These are the same banks that in the interests of their clients set record profits this past year. Now, I'm not sure that I can be swayed into believing that these same banks would act necessarily and consistently in the best interests when it comes to the protection of privacy for the . . .

THE ACTING SPEAKER: The hon. Member for Cypress-Medicine Hat is rising on a point of order.

Point of Order Questioning a Member

DR. TAYLOR: Would the member entertain a question?

THE ACTING SPEAKER: It's up to you, hon. member.

MR. SEKULIC: Mr. Speaker, there's only one way to practise becoming a minister, and that's to start answering questions.

Debate Continued

DR. TAYLOR: Mr. Speaker, I noticed he seemed to object to certain institutions making a profit. I'm just wondering if for him profit is a dirty word or what level of profit he would see as acceptable. So I'm wondering if he could just comment on that.

MR. SEKULIC: Mr. Speaker, an excellent question. I'm more than happy to rise. In fact, I believe that profit is a clean word. It's about one of the cleanest words that we have, and profit is linked to the acceptance of risk. That's how profit is generated, and I know the hon. minister of transportation understands this very well.

In terms of what profit level is acceptable, I would never nor would the minister of transportation attempt to answer that question because there's only one place to answer that question. Yes, the Minister of Economic Development and Tourism knows it. It's the marketplace. The marketplace determines the level of profit that's acceptable. I think I've been fairly clear. If I haven't, I'll certainly answer any other questions. The hon. member who asked the question studied philosophy, I think, and consequently economics sometimes evades him, but now he does have a better understanding.

Mr. Speaker, what we're referring to isn't now the marketplace. I'm referring to the responsibility that we've been charged with when we were elected, and it wasn't to generate profits. It was to represent citizens. There's a very big difference. Now, I know some members in this Assembly live dual lives; they also have businesses outside of this Assembly, and they try to generate profits, some of them very successfully. All the power to them, but when they come into this Assembly, their responsibility is to represent the interests of each and every one of their constituents.

Now, some of their constituents may in fact be businesses, but they're not in here. Their role in here is not to guarantee the profits of those businesses. Those businesses will do that on their own very well, thank you very much. In fact, that's why we have \$32 billion worth of debt: because there was an attempt to guarantee profits in this province until 1993, at which point enough pressure had been put on the government by the Liberal opposition where the government saw it wise to change their direction and move away from attempting to guarantee profits. Yet Bovar seemed to evade them. Bovar somehow squeaked through and managed to get half a billion dollars of taxpayers' money. Now, that's what we are here to represent and to protect: the interests of our constituents and public moneys. Now, I hope I've been very clear in my response.

THE ACTING SPEAKER: Hon. member, I hesitate to interrupt debate, but under Standing Orders 8(2)(c) the time limit for consideration of this item has concluded.

head: **Government Bills and Orders**
head: **Second Reading**
4:30 **Bill 7**
 Municipal Affairs Statutes
 Amendment and Repeal Act, 1996

[Adjourned debate March 11: Mr. Henry]
SOME HON. MEMBERS: Question.

THE ACTING SPEAKER: The question has been called.

[Motion carried; Bill 7 read a second time]

Bill 8
Alberta Energy and Utilities Board Statutes
Amendment Act, 1996

MR. DAY: On behalf of the hon. Minister of Energy I move Bill 8 for second reading.

[Motion carried; Bill 8 read a second time]

Bill 9
Agricultural Societies Amendment Act, 1996

MR. DAY: Mr. Speaker, on behalf of the Member for Calgary-Shaw I'd move second reading of Bill 9, Agricultural Societies Amendment Act.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. With respect to the Agricultural Societies Amendment Act, I think the concern is that there is . . .

DR. TAYLOR: Bruce, you should have looked at it before so you could tell us what your concerns were.

MR. COLLINGWOOD: Well, hon. member, we were advised by the House leader that we were doing Committee of the Whole, so we were preparing for different Bills than the Government House Leader proposed at this point in time in an effort to hurry these Bills through the House.

The object of the Agricultural Societies Amendment Act is "to encourage improvement in agriculture and in the quality of life of persons living in an agricultural community by developing programs, services and facilities based on needs in the agricultural community." I think that there are other societies that exist, and as I recall - I'm trying to recall, Mr. Speaker, that there is provision in the Bill, and perhaps other members can assist. I'm just looking for the section right now that had some concern. I'm just looking for the section that I wanted to make reference to.

SOME HON. MEMBERS: Question.

THE ACTING SPEAKER: The hon. member is on his feet, so I presume he'll start pretty soon.

DR. WEST: This has to do with a method of filibustering: it's called silence.

MR. COLLINGWOOD: I know that the Minister of Transportation and Utilities has a great deal of difficulty with that, Mr.

Speaker, so perhaps he might be enjoying it actually at this point in time.

Mr. Speaker, I am not able to find the section of the Bill that I wanted to make some comments on. I'll have to take my place . . .

THE ACTING SPEAKER: Order please. The hon. Government House Leader is rising on a point of order.

MR. DAY: No. That's fine.

THE ACTING SPEAKER: Okay.
Go ahead, hon member.

MR. COLLINGWOOD: Mr. Speaker, I'll defer to another member, and we'll deal with that section.

THE ACTING SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thanks, Mr. Speaker. As we have reviewed this particular Bill - and I hear comments that in fact it's an innocuous Bill that really isn't going to cause anyone any grief - my understanding of the principle of the Bill is that it's to provide the Calgary Exhibition and Stampede and Northlands and the Western Exposition Association along with Medicine Hat Exhibition and Stampede Company and the Lethbridge and District Exhibition grounds the same protection I guess, if I could use that word, and the same benefits that apply to all ag societies within the province of Alberta.

I understand in dealing with the principle - and if my recollection serves me right, Mr. Speaker - the Bill really was intended to give these particular organizations protection from taxation by the municipalities that would itself cause a rather large and onerous financial burden to many of them. We all know that the named groups are groups that in fact promote Alberta and promote activity within Alberta, so they're considered to be, in our minds certainly, a sound promotional tool used by Alberta.

When I looked at the Bill, I didn't find nor could I find any research that indicated the municipalities had been consulted on this particular matter. As you know, there will be some situations and instances where there is potential loss of revenue, that the municipalities may in fact have to eat themselves somewhere along the line. It is and could be perceived - and I don't have the details before me, Mr. Speaker. The comments that I make here certainly, as I indicated, do have the potential to leave the municipalities with less dollars than they had previously. Now, as I indicated, the societies themselves benefited, generally speaking. Certainly, being familiar with Edmonton, we know that Edmonton Northlands has been very aggressive in promoting activities within the city, so to give them a little further room to advance that promotion I think is very desirable. Calgary Exhibition and Stampede of course is world renowned, so if you're looking at giving them protection and some of the benefits of the Societies Act that the Hay Lakes agricultural society enjoys or the Thorsby Agricultural Society enjoys, then certainly I think that's desirable.

Mr. Speaker, there is no one in this caucus, as we have discussed this Bill, that is opposed to it in principle. With those few comments I will take my place.

[Motion carried; Bill 9 read a second time]

Bill 12
Services to Persons with Disabilities
Foundation Act

MRS. McCLELLAN: Mr. Speaker, I'm pleased to move second reading of Bill 12, Services to Persons with Disabilities Foundation Act, on behalf of the Member for Athabasca-Wabasca.

MR. KIRKLAND: Mr. Speaker, I was a little taken aback here of course because I didn't bring my notes over this afternoon. Bill 12 and what it's intended to do, as I understand it – and I stand here looking at the Bill, trying to scan it with that great legal eye of the hon. Member for Sherwood Park in evaluating the Act, Services to Persons with Disabilities Foundation Act. If we're talking about protecting by this Act those individuals that have disabilities and by setting forth the regulations and rules, that in fact this would facilitate better care of such individuals, then certainly we would stand in support of it.

Now, we have all heard in the last few months, Mr. Speaker, many comments that have entered this House concerning – and I'm thinking more about seniors and some of the lack of protection out there for them. Now, this would strike me that when we talk about persons with disabilities – and I'm not suggesting that seniors have disabilities or should be categorized as such – this here would seem to me to be a solid, positive step towards providing protection by outlining what the foundation can do and how it can raise money. I would suggest that this same principle probably should be enacted in this legislation to deal with some of the seniors of the province as well. So I consider this to be a positive step in a sound direction to provide care and provide rules and regulations governing those that in fact may not have all the skills and all the mental capacity to deal with their own protection and their own care.

4:40

As I quickly scan the Bill, Mr. Speaker, I would suggest that in fact it's a Bill that we did not find particularly offensive. I would suggest that when we look at it, you'll find that there are members on this side that are very supportive of the Bill. So with those few words, when I look at it, I would suggest that I will give it my tentative support. As I stand here and quickly scan it, I wish that my memory was a little clearer on the many hours of briefing we had on this particular Bill, but unfortunately it's one of those days when you're drawing on the last gray matter in your skull.

With those few comments, Mr. Speaker, I will take my place.

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

MR. SEKULIC: Thank you, Mr. Speaker. I can tell it's spring-time again in the Assembly because we're playing that Bill bingo. It's, you know, Bill 6 or Bill 9 or Bill 12. Just like we did through estimates, it's a fly-by. If you do them as quickly as possible, perhaps the responsible opposition might miss something, a specific clause which could be detrimental to Albertans. In fact, I want to make sure that we provide the appropriate level of scrutiny.

I guess the real concern is in the way this Bill was introduced just moments ago by the Minister of Health on behalf of her colleague the Minister of Family and Social Services. As an opposition member here to represent my constituents, I expect to hear more than just requesting second reading: what the Bill is intended to do, which groups it'll affect, which groups were

consulted, and what their thoughts were.

When I look to the purposes of the foundation and as I can see from my initial read of the Bill, I think that there are many positive elements. In fact, for the most part it's positive. But I read section 3(1), the purposes of the foundation:

The purposes of the Foundation are to undertake, support and promote activities that will enhance the quality of life of persons with disabilities in Alberta.

Now, there's no way that any member of this Assembly could disagree with that purpose, but we go on to read 3(2):

In carrying out its purposes, the Foundation may, subject to the regulations, solicit and raise funds for capital projects, pilot projects, research or any other activity.

Not that I have a concern with such a foundation being put in place and being given the authority to raise funds. Certainly we've seen in this province the trend, the moving away from government involvement in the areas of social programming, and I'm worried that it could be a step towards abdicating responsibility away from government. The true intention of public funds is to assist with programs like this and to assist persons with disabilities.

[The Deputy Speaker in the Chair]

Perhaps if there was a partnership that was being formed or solidified, I could support it wholeheartedly, but I would like the minister to expand a little more on that subsection (2), whether that just removes government entirely or whether there's still an avenue by which government can assist this foundation.

Although I think that the best decisions pertaining to governing and programming and services come from the community, the communities, when you break them down into individual components, are constituents, are taxpayers, and they are paying taxes. So it's one thing for the community to develop new programs or services or foundations which will attempt to deliver these programs and services at a community level, but it is important that they as constituents, as taxpayers receive some of the benefits of those taxes they pay. I just want to make sure that we're not stepping back, that we are stepping forward.

At this time, I will say that I will be supporting this Bill, knowing full well that the Minister of Family and Social Services will be clarifying some of my concerns and putting them to rest so that I can support it in the committee and through the committee and then into third reading. At this time, Mr. Speaker, I will take my place and permit the Family and Social Services minister to make a few comments.

MR. CARDINAL: Mr. Speaker, I'd like to first of all thank the Member for Edmonton-Manning for the positive recommendations and comments he made about this Bill. I had some discussions with the Member for Edmonton-Rutherford and discussed some minor amendments that they are recommending. I've agreed to bring forward those amendments in committee. I know some of the questions that were asked by Edmonton-Manning will be covered in those amendments.

Therefore, I now move second reading of Bill 12.

THE DEPUTY SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Speaker. Bill 12 is a Bill that purports on its definition to be of assistance and to provide services to persons with disabilities. One has to scrutinize

closely to see whether this Bill is going to, as we say up north, genuinely carry the load or simply serve as another band-aid over the consciousness of the government in terms of providing a service to individuals who are in need of protection and in need of assistance from the Legislative Assembly of Alberta.

In this new Alberta attitude, where the strong survive and the weak perish, it's refreshing to see that the government at least pays lip service to services to persons with disabilities, but we have to question whether or not this will simply be another vehicle by which the government can download their ultimate and genuine responsibility in that area.

Now, what are some of the issues that might arise and might give rise to debate in this Legislative Assembly concerning this Bill, Mr. Speaker? First of all, as we talk about the concept of the Bill, the title of the Bill leads one to believe that it is to provide services to persons with disabilities, but when you look at the definition of what constitutes a person with disabilities, you see that that's "individuals with developmental disabilities." I wonder whether in fact that "developmental disabilities" is capable of any expanded definition and what exactly the government means when they say "developmental disabilities." Does the title of the Bill not indicate that it is to provide assistance to all peoples with disabilities? Yet why would you bring on a restricted definition of those who are, encompass it in the Bill on the very first page of the Bill?

MR. CARDINAL: The others are all under Health.

MR. GERMAIN: They're under Health. Okay. The minister points down to the Minister of Health. Well, one of the things that the individuals in my constituency who have disabilities have indicated is that the fact they have a disability is not indicative that they are in poor health, and they make that comment time and time again. [interjection]

With respect to the two ministers, who now want to set up a little triangle and debate with me on this issue, individuals with disabilities should have one-stop shopping so that they know what their programs are, what their rights are, and what the issues are that are affecting them. They should not get bandied about from the Department of Health to the Department of Family and Social Services.

The Minister of Health is very strategic and very astute in her jumping into the debate at this point, because she points out a philosophical thought process, a difficulty that the government has, and that is that they want to take individuals that have disabilities and try to compartmentalize and pigeonhole them based on how the government defines their disability. So I would urge the minister to give that particular issue some thought.

Now, the purposes of the foundation. The title is very noble. The title seems to indicate that it'll provide services to persons with disabilities, but then the purpose of the foundation and the types of services provided are further restricted in paragraph 3. In paragraph 3 they "are to undertake, support and promote activities." Well, what does that mean, Mr. Speaker? This is a Bill that is going to be enshrined into public effect. This is a Bill the breach of which is going to lead to criminal sanctions. What does that mean? That's a type of sound-good, speak-good philosophy that does not really establish what exactly is going to happen and what exactly the purposes of the foundation are.

Then we see that the foundation has the right
subject to the regulations, [to] solicit and raise funds for capital
projects, pilot projects, research or any other activity.

Now, one seems to immediately fall into the issue of whether or

not that particular tie, that particular definition of where the money may go also provides a further restrictive purpose to this particular Bill.

4:50

Now, the board of trustees must be questioned. What we have here again, Mr. Speaker, is not a committee, not a group of appointees that are nominated from individuals across Alberta that have disabilities. No, there is not going to be any scope here for community feedback in who are going to be the trustees of this foundation. Who is going to determine who the trustees of this foundation are? Ministerial appointment.

I want to suggest to the Legislative Assembly – and I remember before I was here, I understand that there were ministerial appointments to the board of directors of MagCan, Swan Hills. What were some of the other great organizations that there were ministerial appointments to?

AN HON. MEMBER: Gainers.

MR. GERMAIN: Gainers. Ministerial appointments.

Observing those things from afar, Mr. Speaker, and now observing them closer up and more internally here, I want to suggest to all Members of the Legislative Assembly that this Bill that calls for the minister to appoint the board of trustees is indicative of inbreeding, and we all know in biology what happens when you have repetitive and consistent inbreeding. When the minister gets to appoint all of his trustees, I want to suggest that some of the results will be the same. [interjections] Some of my colleagues are urging me to name examples that might be here, but I won't do that. I won't do that, and I see you're agreeing with my own thought process on my own restraint.

So I want to urge the minister to very carefully consider – in fact, I think there would be the biggest round of desk thumping that this Legislative Assembly has ever seen if the minister would stand up following these comments and say: I agree, hon. member, and I will give up the ability to appoint the trustees, and I will take some other approach which includes an advisory committee and people nominating individuals and then a selection process and perhaps a final review in the Legislative Assembly of Alberta. I've got to think that that might be helpful to the government because people might be encouraged to give more if they thought that the foundation was truly independent of the government. People don't like to give to government causes. They have a word for that in Canada, and it's called taxation. So if the minister would disassociate himself from the appointment of this committee, I think he would go a long way, and I think that he would get a resounding desk thumping here the likes that he has never seen before, not even when he is reading those statistics on how many people have been cut off social assistance in this province.

Now, the interesting issue is that the remuneration to be paid to the trustees is to be paid out pursuant to a regulation, but once again, Mr. Speaker, we're talking about people making charitable donations to this particular foundation and no internal scrutiny of those regulations, no review of those regulations. We have a committee here in this Legislative Assembly chaired by the hon. Member for Calgary-Shaw, himself a Queen's Council, and that committee has never met. It has never met because this government lacks the will to have their regulations tested and reviewed for fairness, for appropriateness, and for harmony with the public goals and desires that we've established in Alberta.

We go on further. In case it was simply an oversight, in case

the hon. Minister of Family and Social Services had agreed that he should have the regulations reviewed, we go further in the Act and find out that it was more than just an error and omission. It was deliberate, Mr. Speaker. It was willful. We come to paragraph 8(3), and we see once again that "the Regulations Act does not apply to the by-laws of the Foundation." So people are going to be asked to give charitable donations to a foundation, and they can't even go to one single source and look up the regulations of the foundation. Is it too much to ask this hon. minister to publish the regulations in the *Alberta Gazette*? That's what the Regulations Act says. If the Regulations Act applies, the regulations will be published at least in the *Alberta Gazette*. Is that too much to ask of this minister?

DR. WEST: Point of order, Mr. Speaker.

THE DEPUTY SPEAKER: The minister of transportation is rising on a point of order.

Point of Order Parliamentary Language

DR. WEST: Standing Orders 23(h) and (i): one, using language in the Assembly that might cause disruption; the other, imputing motives of the hon. minister of social services. He used the word "deliberate" in the connotation of misleading, and I know that the hon. minister of social services did not do anything deliberate in that Bill to abrogate his responsibility. I find the language used by the hon. member – although he's eloquent most times, he uses wordage in this Assembly that would disrupt it by harassing the other side by imputing certain motives.

MR. GERMAIN: Well, in all the time I've been here, Mr. Speaker, I have never persuaded the House to accept an amendment of mine. I've never persuaded him to withdraw or retract a Bill, other than the other minister who withdrew one and tore one up in my face. So in terms of distracting the members or disrupting them or harassing them, I would hardly call my commentaries a harassment. Quite the contrary. The definition of harassment, with respect, in this Assembly is the hon. minister of transportation and lotteries.

THE DEPUTY SPEAKER: Well, the hon. minister has made a point of order on the point that the Member for Fort McMurray has indicated that there is a deliberate misrepresentation on the part of the minister of social services. I'm sure, hon. Member for Fort McMurray, that you did not want to suggest that; did you? If not, then I would ask you to withdraw it.

While the Chair is on his feet, I would also observe that the hon. Member for Fort McMurray is encouraging the minister to enter into debate, and I would just remind him of something that I'm sure he realizes: we are in second reading, and the minister only gets to reply at the end. [interjection] Not even then; okay. He cannot normally reply as you can in committee. So those are, I guess, rhetorical challenges to reply. In any event, if you're prepared to withdraw them, that would be acceptable.

MR. GERMAIN: To the extent that any member of this Assembly thought I was suggesting that the minister was discreditable, I certainly withdraw that comment. I think what I was trying to say is that his intention of not including the regulations in the Act, which indicates that regulations will not be included in the *Alberta Gazette*, was in fact a deliberate drafting effort on his part. I

think it reflected his policy and the policy of this Bill that the regulations passed would not in fact be published in the *Alberta Gazette*.

Now, I don't know, Mr. Speaker, if I've approached the issue and the point of order that you have encouraged me to do. If I haven't, it is only because of a lack of understanding of the direct issue. If the minister was offended by my comments, if I suggested that he was misrepresenting anything, I didn't mean it in the context of his misrepresenting anything. I meant it in the context of him having deliberately intended that the Regulations Act not apply, because when you first read the first subparagraph, you could come to an argument that maybe he really is indifferent to whether or not the Regulations Act would apply and whether or not the committee chaired by the hon. Member for Calgary-Shaw would apply. What he went on to draft is that the Regulations Act would not apply.

Now, as for me inviting the minister into debate, I didn't think I was inviting the minister into debate. In fact, I thought, Mr. Speaker, that you were first directing me to be cautionary when approaching the hon. minister of transportation, and I appreciate very much that word of caution.

Debate Continued

MR. GERMAIN: I now want to, if I might, go on to debate Bill 12, because the subject matter is important, Mr. Speaker. We are dealing with the subject of people with disabilities, and I have pointed out some concerns about this particular Bill.

5:00

Now, I want to also draw to the House's attention my concern about the Bill as it relates to paragraph 10. I know that the hon. minister of transportation will be particularly interested in paragraph 10 of this Bill. I know that he has studied it carefully. What it says is that if you make a gift to this foundation, they're not bound by your wishes. That is a chiller. That chills the giving of grants. If you have an individual who wants to make a million dollar gift to this foundation because that individual feels that there are inadequate facilities, for example, in the community of Athabasca to deal with individuals that have disabilities, then surely that person should be encouraged to make that gift.

My attitude in gifts has always been – and I think other members of this Assembly will agree with me – that if somebody wants to make a gift, surely they can choose the colour of their own wrapping. If their wrapping paper is not illegal or does not have an illegal purpose to it, then surely they should be able to control where their gift goes. I would urge the hon. minister to consider that very carefully. There is no reason to restrict and prohibit the foundation from accepting gifts that are earmarked in a certain way. If they do not feel that they need the money for that earmarked indication, they should tell the donor so that the donor can find a cause that more appropriately matches the donor's own considerations.

Now, I also want to draw to the House's attention the lack of financial control and scrutiny that flows from paragraph 13 of this Bill, Mr. Speaker. Paragraph 13 of this Bill deals with the issue of accountability, yet there is no time requirement in terms of accountability. The time of "acceptable to the Minister" is not capable of definition. It is not precise. We are dealing with a foundation that is going to be handling money. We presumably are dealing with a foundation that will be able to issue tax deductible receipts. As a result, it seems to me that the minister should insist on a report within a certain time period. Now, in

the corporate world corporations have to file their taxes and their returns 180 days after their year-end. I don't see any reason why individuals and foundations who are attracting tax-free taxpayer money through donations should be any less controlled.

In this paragraph as well the minister has described the bare minimum that the foundation report must contain. I want to suggest to the minister that if he is genuinely concerned about assisting people with disabilities and ensuring that this foundation does good and admirable work, he will put in this Bill some additional paragraphs that deal with scrutiny.

Finally, Mr. Speaker, I conclude by reminding all Members of the Legislative Assembly – and I know some of them will accuse me of sounding like a broken record – that section 14 of this Bill is a regulation section. Once again we have regulations that are going to be passed, going to be enacted, not going to be published, not going to be reviewed by any committee, simply passed by the whim of, in this case, the Lieutenant Governor in Council, and that's the cabinet of the Legislative Assembly of Alberta.

Mr. Speaker, I would urge all Members of the Legislative Assembly to put your committee to work. You have a Law and Regulations Committee in this Assembly. It's time that they rolled up their sleeves and got to work, and I urge this minister to set and chart into new waters by making that one of his goals in this Bill.

Now, Mr. Speaker, I noticed during my paltry comments to the House here today that others are now motivated to give additional debate on this Bill. So I will take my place so that other members of the Assembly can enjoy some debating time.

Thank you, sir.

THE DEPUTY SPEAKER: The hon. Member for Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Speaker. I wanted to make a few comments this afternoon with respect to this Bill. The Services to Persons with Disabilities Foundation Act, while not exclusively applicable to Michener Centre residents, certainly does have an impact on the quality of life that many of them experience and will want to experience. So I believe this foundation is being set up to improve or to maintain a quality of life for those individuals. I think that too often we refer to the quality of life as the ability to do something instead of recognizing the value that each life has regardless of ability.

I did some reading in the 1928 newspapers down in the Legislature, Mr. Speaker, some of the press clippings, and the attitude that came through to me from even members of this Assembly at that time with respect to people with disabilities was quite saddening. In one of the clippings one of the members referred to individuals with disabilities as menaces to society. Those are hurtful words. I hope that as a society we have progressed to a point where we recognize that people, regardless of ability, are valuable merely because they are individuals and they are alive. Again referring back to then, I would hope that we would not repeat the policies of the past, the eugenics policies which many organizations and governments held earlier on in this century. I think this Bill does affirm the value that each life in Alberta has, and if we can help to promote through this foundation the raising of funds to improve that quality of life, I think we should all support that in this Assembly.

Mr. Speaker, just some specific comments respecting Michener Centre. Many of the residents that were formerly there have successfully moved into communities and are enjoying themselves

in their new surroundings, yet for many members of Michener Centre that is also their home. So I would just say that Michener Centre certainly has value. We should continue to support that value in this House and make sure that those people for whom it is home will continue to have that opportunity and have a life that is as good a quality as we possibly can make it.

So, Mr. Speaker, I do request all members to support this Bill.

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

MR. WICKMAN: Thank you, Mr. Speaker. I'll make a few comments on the Bill. First of all, I do support the Bill with some reservations, some amendments that will occur during committee stage that the minister has agreed upon.

Following up on the last speaker, when we look at the Michener Centre, it is a classic example of why there is a need for what we're going to see as a result of this particular Bill, and that's the Bill that'll come down in the fall setting up the actual regional councils that will be responsible for the operations of these types of facilities.

Michener Centre was under threat to be closed. There were organizations in the community that wanted it closed. I couldn't understand why anybody would want that closed. There was a fear at the time that government was going to go along with it and close that centre. I went down there and I spent a day there. I don't understand how anybody in their right mind thought that all the residents of Michener Centre could be put out on the street and function. They simply couldn't, Mr. Speaker. There is a need at times for institutional care. Unfortunately, it's a fact of life. When there was concern at that time that this type of facility or other facilities like Rosecrest could be shut down, that's where the concept of the regional councils emerged, and that's why it's important that there be those regional councils to be responsible for the operations of those types of facilities, to ensure that government doesn't do something foolish and shut them down.

Now, there were three concerns with the Bill in its present form. I've had a great deal of consultation with the community in regards to this Bill, including the Premier's Council on the Status of Persons with Disabilities. The chairman of that advisory committee made it very clear that himself and other organizations objected to the topic of the Bill: Services to Persons with Disabilities Foundation Act. I know this is a slight contradiction to what my esteemed Member for Fort McMurray spoke on, but rather than group all persons with disabilities together in a one-stop shop, there is a clear distinction. This Bill refers specifically to persons with a developmental disability, not persons with just physical disabilities like myself, for example. There has been a request that the title of the Bill be amended to reflect the definition of the Bill, and the minister has agreed to do that voluntarily without the necessity of an amendment. If that's done, that resolves that particular concern.

5:10

The second concern relates to 3(2).

In carrying out its purposes, the Foundation may, subject to the regulations, solicit and raise funds for capital projects, pilot projects, research or any other activity.

The minister has agreed to remove "any other activity," because there is a fear amongst other organizations there. They don't want this group that is set up for a specific purpose to encroach on their turf. I guess that's the simplest way of putting it. Most social agencies out there are very protective of what they do, and

they don't want some other body coming along and taking over their activities. So the minister has agreed to remove that portion: "any other activity."

The third and the most troublesome obstacle – and the Member for Fort McMurray did allude to that – is the method of representation on this particular foundation that is going to be responsible and will be involved with the creation of the regional councils that'll follow in the fall. There are several ways they could go. For example, in Bill 5, it's proposed that there not be any ministerial appointments at all, that they appoint themselves and they continue to appoint themselves. There is hesitation over that particular approach because of the fear of a group getting in there and taking over, one particular group gaining majority control of that board and sending it off in a wrong direction, and that is very, very possible. So after discussions with the minister I've agreed that the most appropriate method of these appointments is assurances recorded in *Hansard* that there will be a spread of organizations involved in making recommendations as to who should sit on that board so that it represents people from various segments of the population and from various parts of the province so we have a truly representative board.

So to my colleagues and to members on the government side, I just urge you to allow me to continue to work with the Minister of Family and Social Services, who I find very co-operative on this particular Bill. We will resolve it, and we will make it a Bill that is workable and that will be able to be supported by all members of this House.

On that note, Mr. Speaker – for whatever reason I'm getting this, and I think this means that it's time to shut her down, so I'll conclude.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm pleased this afternoon to join in the debate on Bill 12, the Services to Persons with Disabilities Foundation Act. The Member for Edmonton-Rutherford did indicate to the Assembly that he will be attempting to work closely with the Minister of Family and Social Services to perhaps create a Bill that is better than the Bill that we have in front of us. There are components of the Bill that are open to interpretation, are very broad reaching in their scope, and of course are dealt with behind closed doors with some limited accountability. Those comments were made by my colleague from Fort McMurray.

One of the first comments that was made is in terms of the definition of persons with disabilities. I'm looking forward to having the Member for Edmonton-Rutherford and the Minister of Family and Social Services clarify, not for the benefit of members of the Assembly but for purposes of the legislation and the people of Alberta, what will be constituted and what the scope will be of persons with disabilities and what the actual definition of developmental disabilities will be in the final version of this piece of legislation.

Mr. Speaker, we continue to see in this Bill a theme that has been developed by the government of Alberta in the legislation that it's brought forward in the spring session. We note in section 2 that the foundation will have the powers "of a natural person," as we have seen in a number of pieces of legislation that have come forward in the spring session.

In section 3 the purposes of the foundation. The purpose in 3(1) is a laudable purpose: "To undertake, support and promote

activities that will enhance the quality of life of persons with disabilities in Alberta." A very laudable goal. But a concern is raised, and for myself the concern is contained in paragraph 3(2) in that "the Foundation may" and again "subject to regulations," that will not be subject to scrutiny, "solicit and raise funds for . . . any other activity." So any activity that is being undertaken by the foundation can use the foundation structure as a fund-raiser for those activities.

The Member for Edmonton-Manning expressed concerns that we were moving backwards in time in that we were leaving the foundation to fend for itself and thereby on behalf of their constituents, persons with disabilities in the province of Alberta, allowing them to fend for themselves as they are charged with, perhaps, the obligation to solicit and raise funds for all of its activities. Certainly, Mr. Speaker, the definition or the statement contained in 3(2) is all inclusive: "capital projects, pilot projects, research or any other activity." That of course is a concern, that the statement is made "any other activity," making it an all-inclusive statement, that it is all of its activities.

Mr. Speaker, the regulation-making power of the Lieutenant Governor in Council in section 14 has some very interesting wording. Now, through the Executive Council, in the making of the regulations the Lieutenant Governor in Council can restrict and regulate the foundation's exercise of its powers. Well, that's very interesting, but nowhere in this Bill is there an indication of what those powers will be. What is the scope of powers for the foundation? We will have a foundation that creates its own bylaw, that is not subject to the Regulations Act. Regulations will be drafted that are not subject to review by the legislative Committee on Law and Regulations, and they will be identifying for themselves what their powers will be in their bylaws.

There certainly ought to be in the legislation that is creating this foundation some statement about what the powers of this legislation are going to be, specifically since regulations "restricting and regulating the Foundation's exercise of its powers" is something that will be done by the Lieutenant Governor in Council. Under what authority in this Bill will that regulation be made? There is no section of this Bill that establishes what the powers of the foundation are going to be? I think that's a flaw in this legislation as I read it at this point as well.

We note in section 7 that the board of trustees will for themselves "authorize the Foundation to pay [them] . . . out of the funds of the Foundation remuneration and travelling, living and other expenses incurred." Again, Mr. Speaker, we address the issue of accountability, the board of trustees setting their own remuneration, and the power to do that is provided in this piece of legislation.

The section that is of great concern and, again, was raised by my friend from Fort McMurray is the fact that while the foundation may find itself in a circumstance where it will have to solicit and raise funds for all of its activities, no gift to the foundation can be directed to a specific purpose. The foundation is simply, by this legislation, not bound by the direction or wishes of a donor of money or other property to the foundation.

5:20

Mr. Speaker, I think that this particular section of the legislation ought to be considered very carefully and be reviewed in Committee of the Whole, because there's no reason to prevent, to preclude any Albertan who wishes to make a gift or a bequest to this foundation for a specific purpose from doing that. It should not have to be, because of the way the legislation reads, an all or none proposition, that you can make the gift or bequest to the

foundation and like it or lump it as to how we use the funds or you simply don't bother making that bequest or that gift. There should be flexibility created in this provision so that the foundation can accept gifts and bequests for a specific purpose or indeed if a bequest or a gift does not have a specific purpose, that can be accommodated as well. So I think that section 10 should be given some review to make some attempt to address the issue of flexibility.

I note, Mr. Speaker, that we see the old familiar statement in pieces of legislation from the government that trustees are never liable. They are never accountable, don't have to be. It's a delegation of authority. It's a downloading again. There's no personal liability for anything done in good faith in the exercise under this Act, regulations, or bylaws.

MR. DAY: Just about every law in the world.

MR. COLLINGWOOD: It's the same kind of situation . . . Well, indeed, hon. Government House Leader, it is the same kind of provision that is contained, but it does clearly address the issue of accountability. The foundation will have tremendous powers. The foundation will have control over the lives of persons with disabilities. With those tremendous powers, Mr. Speaker, comes tremendous responsibility. Those trustees, of course, have a level of responsibility by having that tremendous power over the lives of those Albertans.

Mr. Speaker, I'll conclude my remarks at that point, and I move that we adjourn debate on Bill 12.

THE DEPUTY SPEAKER: The hon. Member for Sherwood Park has moved that we adjourn debate on Bill 12. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no. The motion's carried.

MR. DAY: Mr. Speaker, I move that the Assembly stand adjourned until 8 p.m. in Committee of Supply.

THE DEPUTY SPEAKER: The hon. Government House Leader has moved that we adjourn at this time and that when we meet at 8 this evening, we'll be in Committee of Supply. All those in favour of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those who are opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

[The Assembly adjourned at 5:25 p.m.]

