

## Legislative Assembly of Alberta

Title: **Thursday, April 4, 1996**  
Date: 96/04/04

1:30 p.m.

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

Our divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance.

Amen.

Please be seated.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Bow Valley.

### **Bill 30** **Health Statutes Amendment Act, 1996**

DR. OBERG: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Health Statutes Amendment Act, 1996.

Mr. Speaker, this Bill proposes changes to the Hospitals Act, the Nursing Homes Act, and the Regional Health Authorities Act consistent with health care restructuring.

[Leave granted; Bill 30 read a first time]

THE SPEAKER: The hon. Minister of Justice and Attorney General.

### **Bill 33** **Victims of Crime Act**

MR. EVANS: Thank you, Mr. Speaker. I request leave to introduce Bill 33, the Victims of Crime Act. This being a money Bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Mr. Speaker, this Bill entrenches a number of principles related to the appropriate treatment of victims. It provides a means of bringing a victim's concerns forward if a victim feels that the criminal justice system has not treated that victim fairly. It amalgamates the Criminal Injuries Compensation Act and the Victims' Programs Assistance Act to improve efficiency and effectiveness in responding to victims. Finally, it creates a fine surcharge on provincial statute offences to help fund programs for crime victims.

[Leave granted; Bill 33 read a first time]

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

### **Bill 35** **Personal Directives Act**

MS HALEY: Thank you, Mr. Speaker. I request leave to introduce Bill 35, the Personal Directives Act.

Mr. Speaker, Bill 35 will allow Albertans to appoint an agent to make decisions on their behalf regarding personal matters such as health care, place of residence, and legal affairs when they are incapable of doing so. It also allows them to provide instructions about specific personal decisions in anticipation of possible future

periods of incapacity. It incorporates the views expressed by Albertans during the public consultation on Bill 58, the Advance Directives Act.

[Leave granted; Bill 35 read a first time]

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

### **Bill 36** **Alberta Hospital Association Amendment Act, 1996**

MR. YANKOWSKY: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Alberta Hospital Association Amendment Act, 1996.

This Bill renames the Act the Provincial Health Authorities of Alberta Act, reflecting the fact that the Provincial Health Authorities of Alberta is now fulfilling many of the functions of the former Alberta Healthcare Association and previously the Alberta Hospital Association. The Bill reflects the broader mandate of the PHAA in regard to health services in addition to hospital services. It simplifies the process for the new body to carry on its business, and finally it reflects the replacement of the former AHA liability protective plan with the new PHAA liability protective plan reciprocal.

[Leave granted; Bill 36 read a first time]

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

### **Bill 38** **Child Welfare Amendment Act, 1996**

MR. SEVERTSON: Thank you, Mr. Speaker. I request leave to introduce Bill 38, being the Child Welfare Amendment Act, 1996.

Mr. Speaker, this amendment gives birth parents the opportunity to search for children they gave up for adoption and adult siblings a chance to search for other family members. The amendment allows for this search to be done through a licensed agency.

[Leave granted; Bill 38 read a first time]

MR. DAY: Mr. Speaker, I would move that Bill 30, the Health Statutes Amendment Act; Bill 35, the Personal Directives Act; Bill 36, the Alberta Hospital Association Amendment Act; and Bill 38, the Child Welfare Amendment Act as just introduced be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, I'm tabling today motions for returns 245 and 247 and the Credit Union Deposit Guarantee Corporation annual report for 1995.

MRS. McCLELLAN: Mr. Speaker, during question period on March 28, 1996, my colleagues the Acting Premier and the Acting Minister of Health took questions pertaining to the Hotel de Health on advisement. I am pleased to table today responses to the questions posed by the hon. Member for Edmonton-Glenora.

Additionally, Mr. Speaker, April 7 marks World Health Day.

An information bulletin has been issued in support of this year's theme: healthy cities for better life. I am pleased to file copies of this information bulletin with the Assembly.

DR. WEST: Mr. Speaker, today I'd like to file four copies of the Alberta Resources Railway Corporation financial statements ending December 31, 1995, as required by statute.

MR. MAR: Mr. Speaker, I'd like to table with the House letters to seven inductees announced for the Alberta Sports Hall of Fame. These inductees have made a great contribution to sports development in the province of Alberta. Their outstanding contributions to the tradition of sport have brought distinction to Alberta and set a standard of excellence that we'll remember for years to come.

Mr. Speaker, we are proud of their achievements and congratulate those inductees to the Sports Hall of Fame: Glen Sather was chosen as a hockey builder for his success as a coach and general manager with the Oilers and Team Canada; Tom Wilkinson, the quarterback who helped the Edmonton Eskimos win five Grey Cups; Johnny Bucyk, an Edmonton Oil King who spent most of his 22 professional seasons in the NHL with the Boston Bruins; Joe Meli, a nine-time Canadian senior judo champion; Helen Nicol, a multi sports star who pitched for the all-American girls' professional baseball league; Olympic silver and bronze swimming medalist Tom Ponting of the city of Calgary; and the all-time leading jockey in western Canada, Sandy Shields.

Thank you, Mr. Speaker.

head: **Introduction of Guests**

MR. DAY: Mr. Speaker, it's a real joy to introduce to you and members of the House a group from the River Glen school in Red Deer. There are about 52 visitors. I think it's almost the alma mater of our Minister of Economic Development and Tourism. He's equally delighted to see this group here. They are with teachers Janice Dempsey and Rachel Bryant and parents and helpers Tanya Kremer, Arlene Vis, Sandi Chalmers, Donna LaMarche, Jo Laycock, and Mark Waters. I believe they are seated in the public gallery. I'd ask them to stand and receive the warm welcome of the Assembly.

1:40

MR. THURBER: Mr. Speaker, it's indeed a pleasure for me to introduce to you and through you to the members of the Assembly here today 39 very bright and polite students from the Warburg elementary school in the Drayton Valley-Calmar constituency. They are accompanied here today by two teachers: Mrs. Gladys Meinczinger and Mrs. Donna Heise. They also have 11 parents that are helping. I think basically they came along for the tour as much as to look after these young students, because they're all well mannered and very polite. They're in the members' gallery, and I would ask that they all rise and receive the warm welcome of this House.

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

MR. STELMACH: Well, thank you, Mr. Speaker. Today it's a real privilege to introduce 16 students from the home of the Snow Goose Festival: Tofield. They are accompanied by their vice-principal, Mr. Mike Sawchenko, and bus driver, Sue McLeod. I would really appreciate it if they would rise and receive the traditional warm welcome of the House.

MR. MITCHELL: Mr. Speaker, it's my pleasure to introduce to Members of the Legislative Assembly two visitors in the gallery today: Brendan Dunphy and Jack Haggarty. Brendan is the former president of the Alberta Teachers' Association. Jack is a former vice-president of the association. They are both dedicated and committed educators, and they are also dedicated and committed Liberals. I would ask that they receive the welcome of the members of the Legislature.

THE SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to members of the Assembly my constituency assistant in Sherwood Park, Margaret Kemp, who does the work for me in an exceptional fashion. She's visiting this afternoon and is seated in the public gallery, and I'd ask that she rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**  
**Human Rights Commission**

MR. MITCHELL: Mr. Speaker, if a woman in Alberta who was sexually harassed at her workplace felt that the Human Rights Commission review hadn't been done properly, she used to be able to refer it to the provincial Ombudsman, who would then have the power and the authority to review her case. In the past the Ombudsman has been a valuable check and balance on the Human Rights Commission and in fact on all branches of government. In fact, just recently the report of the Ombudsman pointed out a number of specific citizen complaints about procedures at the Human Rights Commission and made strong recommendations to improve the operations of the commission. My question's to the minister responsible. Why is the minister now changing the law with his new Bill 24 to deny any Albertans with concerns about the commission any recourse to the Ombudsman?

MR. MAR: Well, Mr. Speaker, I shouldn't wish to quote chapter and verse sections out of the Ombudsman Act for the benefit of the Leader of the Opposition. However, the legislation under the original IRPA indicated that a person could take their complaint to the Ombudsman. The Ombudsman Act already states that the Ombudsman has the ability to do that. In the interests of streamlining the legislation, it was felt that there was no need to have two pieces of legislation that gave the Ombudsman that particular jurisdiction. So the concern that's expressed by the Leader of the Opposition could be very easily addressed by his simple reading of the Ombudsman Act.

MR. MITCHELL: Mr. Speaker, in light of the continual erosion of the Human Rights Commission – its power, its authority, its ability to investigate – this erosion brought on by this particular minister, why doesn't the minister just leave section 25 in the Act, where it says very clearly that the Ombudsman can review the Human Rights Commission? Why doesn't he leave it in so everybody can have the reassurance that the Ombudsman will still have that authority and stop being so smart about it?

MR. MAR: Well, it's a pleasure for the Leader of the Opposition to come to an admission that I'm indeed smart, Mr. Speaker.

You know, the point ought to be made that this legislation that is contained within Bill 24, which are amendments to the Individ-

ual's Rights Protection Act, in fact contain 54 out of the 75 recommendations that were made by an independent review panel designed to improve the Human Rights Commission, and that's accordingly what's been done, Mr. Speaker.

Mr. Speaker, over the course of the last year one only needs look at the track record of the Human Rights Commission and see how they've dealt with their backlog, to see how they've dealt with their cases, to see how their administration's been streamlined.

The Ombudsman Act is very, very clear that the Ombudsman does have the power to accept complaints about the Human Rights Commission. In the past when the Ombudsman has looked at matters involving the Human Rights Commission, the Human Rights Commission has co-operated fully with the Ombudsman, and in the majority of cases it's been determined by the Ombudsman that the Human Rights Commission in fact was doing it's job properly. In those cases, Mr. Speaker, where the Ombudsman has found otherwise, corrective actions have been taken.

So, Mr. Speaker, as is wont with this Leader of the Opposition, it's much ado about nothing.

MR. MITCHELL: Mr. Speaker, I wonder whether the minister could explain to us what kinds of discussions he had with the Ombudsman before he made the move to eviscerate that part of the Act and undertake a very thinly veiled attempt to curtail the power of the Ombudsman?

MR. MAR: Well, Mr. Speaker, the powers as set out by the Ombudsman Act have not been altered, and accordingly there isn't a great deal of concern expressed by anybody on this particular section.

#### Health Information Management

MR. MITCHELL: Mr. Speaker, a few weeks ago Sean O'Hagan \* walked out of a flea market on 118th Avenue after having purchased a used hard drive. Upon installing the hard drive, he realized that it contained personal health history files of residents at an Edmonton extended care facility. The information that he found on that hard drive included patient assessments, details of bank accounts, correspondence relating to public trustees and estates, and other personal information. Will the minister responsible for privacy stop the further privatization of personal health information management until there is a comprehensive, reliable plan in place to secure the personal information of Albertans?

MR. FISCHER: Mr. Speaker, we are committed to protecting the privacy of our health care. It's protected under the health Act as presently legislated. I'm not familiar with the case itself. I would like to have more details on it before I commit to anything.

MRS. McCLELLAN: I feel quite compelled to supplement this. There is a question here, Mr. Speaker, that I think the hon. member who's asking the question should clarify and not leave an inference that this was information that the Department of Health held of a person's medical information. I hope that that will be clarified, and if indeed in fact it was, I hope he will bring it to my attention.

I want to remind hon. members in this House, Mr. Speaker, that many people hold private health information, many professionals in this province, and I find this question rather disturbing without the full information.

1:50

MR. MITCHELL: Maybe I can settle the minister's concerns by pointing out to her that I didn't ask her the question. I asked the minister responsible for privacy and for protection of information the question, Mr. Speaker. So thanks for her concern.

If the minister is so concerned about the protection of personal privacy and information, as he says, why did he and his government vote against our Liberal Bill 204, the Protection of Personal Information in the Private Sector Act, which would have covered exactly this kind of problem?

MR. FISCHER: Mr. Speaker, the member knows full well what the rules of the House are and how we make legislation in here. When you say who voted which way, we put a Bill in place to protect the privacy of this government, and it was done on a majority basis. Until the member comes forth with details to show us what he's talking about and whether or not it has anything to do with us, I don't think he should ask that kind of a question.

MR. MITCHELL: Mr. Speaker, it's not the first time this kind of thing has happened under this minister's purview and responsibility. What steps is this minister going to take, the minister responsible for information and for personal privacy in this province, to ensure that this is the last time this is going to occur?

MR. FISCHER: Mr. Speaker, there is a review going on between Alberta Health and public works to try and put together information protection in the computerized industry, and that is to deal with information on smart cards and that type of thing. That review is going to be here shortly, as we progress into different technology with our health care.

MRS. McCLELLAN: Mr. Speaker, again I have to supplement this answer, because there has been no suggestion that I have heard that that information was controlled by the Department of Health, and that is the information that would be considered under the Freedom of Information and Protection of Privacy Act.

Health information on a computer disk could be arrived at in many ways, including a person putting their own information on a disk, and, Mr. Speaker, if there is a consideration that it is the Department of Health's health information that's on that disk, I think I should know about it. Professionals have their own discipline area on privacy of information, and that should be made clear. I do not want the inference left in this House that this is information that was held by the Department of Health. If that is the case, the hon. member should get up and say where that information came from.

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

#### Solv-Ex Corporation

MR. DALLA-LONGA: Thank you, Mr. Speaker. The New Mexico Research and Development Institute loaned Solv-Ex Corporation \$407,000 U.S. to be repaid if the company built a plant outside of New Mexico. Late in 1992 Solv-Ex, with what appears to be the assistance of a lobbyist, was able to secure another loan for \$300,000 U.S. from AOSTRA to be repaid once production commenced. In December of 1995 cabinet authorized the company to proceed with the development of the tar sands project. However, while all this was happening, the company's

\*This spelling could not be verified at the time of publication.

own auditors were issuing qualified opinions wherein they had concerns about "the Company's ability to continue as a going concern." My first question is to the Minister of Energy. Does the \$407,000 loan owed to the government of New Mexico take precedence over the \$300,000 loan owed to AOSTRA?

MRS. BLACK: Mr. Speaker, just from the information that I have garnered since this topic came up, back in 1986 there was a joint venture between Shell and AOSTRA to explore the potentiality of development of a means of extracting minerals from the tailings from bitumen. It was funded in a joint effort through the AOSTRA vehicle to send funds over to Solv-Ex to develop the scientific information. This was a scientific research grant from AOSTRA. Furthermore, in 1992 there was a further \$300,000 U.S. that was forwarded from AOSTRA again to test the pilots on the development of this process that was being developed in Albuquerque, New Mexico, by Solv-Ex. That's the financial commitment that came out of AOSTRA, the Alberta Oil Sands Technology and Research Authority, to this project.

The hon. member made mention of an approval in December for an oil sands facility, and he is quite right. The Alberta Energy and Utilities Board reviewed an application for facility design and construction to build a plant up in the oil sands on a lease that had been attained by the company, and it had met all of the facility requirements. The approval that came forward was an OC from the AEUB, the Alberta Energy and Utilities Board. It goes through as an order in council in a standard procedure. So that is the answer to the concern over the approvals going through.

I want to remind hon. members that the government of Alberta does not get involved in the financing of the project. We are not involved in that. These are not loan guarantees. In fact, they are research funds that came forward. From my understanding of the contract with AOSTRA, if the project becomes commercial, there are repayment schedules that are attached to that contract insofar as the repayments on the licensing side of the technology, and if in fact there's full commerciality on the \$300,000, it could come back as three times the investment that was made by AOSTRA.

MR. DALLA-LONGA: Mr. Speaker, before I ask my second question, I'd like to table some documents, four copies. One is the 1993 10-K extracts from the company, wherein it acknowledges that the AOSTRA loan was partially responsible for keeping the company financially viable. The second document that I'd like to file is the extracts from Solv-Ex's 1993 financial statements disclosing concern about "the Company's ability to continue as a going concern." That was in the audit report. The third filing that I'd like to table is Solv-Ex's 1995 proxy statement confirming that Can-Amara Oil Sands Inc. is a subsidiary of Solv-Ex.

My second question, Mr. Speaker, is once again to the Energy minister. Is the minister aware of any other assistance, financial or otherwise, that was given by the government to Solv-Ex?

MRS. BLACK: Mr. Speaker, first of all, the government of Alberta is not involved in the financial viability of this company. That is the responsibility of the owners of that company and its shareholders. We are not a shareholder in that company, and we are not involved in its financial viability. So its financial statements do not become part of a research program or a facility review by our regulatory board.

The second thing is that I am not aware of any other research grants going forward to Solv-Ex from the government of Alberta.

MR. DALLA-LONGA: Mr. Speaker, I never said that the government was a shareholder.

My next question is to the minister. Did AOSTRA or the cabinet or any of its consultants in the Department of Energy not take into account the solvency and viability of the companies involved when they were handing over taxpayers' money or responsibility for development of Alberta's resources?

2:00

MRS. BLACK: Mr. Speaker, I would hope that the hon. member would have reviewed the annual reports for that time frame as they pertain to the Alberta Oil Sands Technology and Research Authority. This authority was charged for 20 years with looking at technological development to improve and help enhance the development of the oil sands. They got involved with a number of projects in co-operation and financial support with the private sector. A number of those projects have been extremely successful. I can think of the SAGD program, that is now commercial and being used, and the Underground Test Facility, just to name a couple.

I would ask the hon. member if he would read the annual reports that are filed in this Legislature under the name of Alberta Oil Sands Technology and Research Authority and recognize that the intent of the entire authority was to help enhance the development of the oil sands and the technology, not to set up viable companies but to develop research that would enhance the development of those oil sands.

### Employment Statistics

MR. SHARIFF: Mr. Speaker, my questions today are to the minister responsible for labour market issues, the Minister of Advanced Education and Career Development. As I meet and talk with my constituents, they indicate to me that they like what this government is doing with deficit and debt reduction; however, they're really concerned about what they read and hear about jobs. They expressed their concerns about the unfortunate side effects of job losses as a result of our aggressive strategy on fiscal responsibility. Yesterday in this House we also heard the Member for Clover Bar-Fort Saskatchewan go on at length about how bad, in her mind, the employment situation is.

MRS. ABDURAHMAN: Point of order.

MR. SHARIFF: To the minister: how can you justify the aggressive fiscal policy when there is so much suffering as a result of high unemployment? How, Mr. Minister? How?

MR. ADY: Mr. Speaker, I too heard the doom and gloom comments of the Member for Clover Bar-Fort Saskatchewan yesterday, but the labour market statistics that were released today by Statistics Canada don't seem to be telling the same story that the hon. member is. Let me say that last month 20,300 additional Albertans found work in this province, dropping our provincial seasonally adjusted unemployment rate to 7.1 percent. Alberta now has the lowest unemployment rate in this country. That's a distinction we have not had since February of 1991, over five years. We have 30,000 more Albertans working now than we did one year ago, 30,000 additional people working.

Also of importance to this city and hopefully to those members, since many of them are from Edmonton: Edmonton's unemployment rate is the 11th lowest of all the cities in Canada – of all the cities in Canada – and there are many cities in Canada. But also

important: Calgary has the third lowest unemployment rate of any city in Canada, Mr. Speaker.

So the answer to the hon. member's question: no, Albertans are not suffering from high unemployment levels. In fact, the opposite is true. Job statistics are telling us that Alberta is the place to be.

MR. SHARIFF: Mr. Speaker, there have been numerous media stories reporting that the unemployed have given up looking for jobs. Could the minister confirm that our relatively low unemployment rate is due to fewer and fewer people in our province actually looking for work?

MR. ADY: Well, Mr. Speaker, I suspect that the hon. member has been listening to CBC, because that's the kind of drivel that poured out this morning on the news. In actual fact, that may well be the case in other regions but not in Alberta. Our labour force is growing. In fact, last month the number in our labour force and looking for work increased 12,300 in Alberta, but the new jobs created in March outnumbered this increase in the labour force which has given us our new lower unemployment rate of 7.1. This trend also holds true for our youth. Last month there were 2,000 more 15 to 24 year olds seeking employment in this province, but again in this group there was increased employment by 5,000 in this province of that age group, which brings us to the lowest rate in Canada of 11.9 percent for that very sensitive age group. What we're currently experiencing is more people entering the Alberta labour force, and fortunately these people are finding jobs in Alberta.

THE SPEAKER: Final supplemental.

MR. SHARIFF: Thank you, Mr. Speaker. Can the minister confirm that the jobs that we've seen created are just part-time, low-paying, dead-end jobs? I am really concerned about the types of jobs being created and their impact on families.

MR. ADY: Well, I can only speculate on what the hon. member has been reading, but let me tell you, Mr. Speaker, that job growth is allowing more Albertans to switch from part-time employment to full-time employment in Alberta. In March full-time jobs went up by 24,000. Part-time jobs declined by 4,300. That's a very positive trend for employment in this province.

Although statistics can't conclusively tell us the quality of a job, they can tell us the occupations and industries that are seeing job growth, and it's been pretty even across the board. To give some examples, there's been some job growth in manufacturing, in business services, in accommodation and food, medicine and health, processing, retail trade, transportation and storage. Even religion has seen an increase, and I think the hon. members across the way should spend a little time on that, and they'd get more credibility.

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

#### **Interprovincial Patient Transfer**

MR. BRUSEKER: Thank you, Mr. Speaker. My questions today are to the Minister of Health. Joel Scott is a six-year-old constituent who recently underwent brain surgery at Toronto's Sick Children's hospital in the hope that he'll make it to seven. While being transported back from Toronto via air ambulance, the doctor's advice was that Joel should be transported lying down flat on a stretcher, but Alberta Health out-of-province services decided

instead to transport Joel by wheelchair so they could put freight on the plane in the space that would be created. Sixty miles out of Calgary Joel begins to hallucinate, and yellow fluid is seen coming from underneath the bandages. My question is to the Minister of Health. Which is more important to the department: a patient's health needs as determined by his specialist or transporting freight?

MRS. McCLELLAN: Mr. Speaker, I find obviously the manner in which this question is provided most distasteful. The hon. member opposite knows full well that I'm not able to discuss an individual health concern in this Legislature. However, I can tell the hon. member that he's several days late in reviewing this incident, because it actually was looked at by the minister some days past.

2:10

I cannot comment on the individual or the graphic words used by the hon. member, but I can say that the sending physician is always involved in the manner of transportation. I would challenge that that was the methodology of sending someone in this case or others.

Lastly, Mr. Speaker, this is absolutely not a funding issue, if that's the inference that is being made.

MR. MITCHELL: Do your job, Shirley.

MRS. McCLELLAN: The hon. Leader of the Opposition suggests that the minister should do her job. I am doing my job, and I think I'm doing it in a much more appropriate way than the opposition.

MR. BRUSEKER: My supplementary question to the same minister: what additional costs will the government now incur since it's been determined that this child is going to have to go back to Toronto again for additional treatment?

MRS. McCLELLAN: Mr. Speaker, I have a little problem with someone who either hasn't the ability to phrase a question directly or doesn't want to phrase a question directly and wants to make an inference by leaving out parts of the question. The hon. member should know that Alberta Health pays for medical treatment outside of this province if it's deemed necessary in all cases.

MR. BRUSEKER: I guess the minister doesn't understand that someone in her department blew it and I'm trying to find out what she's going to do to fix it.

Joel's father has asked me to ask you this question, Madam Minister. Will you review Joel's entire case so that if another case like this comes along unfortunate mistakes like I just outlined won't be repeated?

MRS. McCLELLAN: Mr. Speaker, I could ask the hon. member when the person asked him to bring it up with me. I have already initiated the review some days past. There's something wrong with the time chronology in this whole thing.

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

#### **Seat Belt Use**

MRS. FORSYTH: Thank you, Mr. Speaker. I want to focus on one of Alberta's laws. I know we have a seat belt law in the

province, and I understand that there is a fine for not wearing your seat belt. What really concerns me when I'm driving is people who do not have their children buckled up, and I see them standing or sitting on someone's knee. I understand that less than 50 percent of riders under the age of six are properly buckled up in safety restraints. My question today is to the Minister of Transportation and Utilities. Does the minister have any statistics on children who have received injuries which would not have occurred or been less serious or perhaps deadly had they been secured properly?

DR. WEST: Mr. Speaker, we don't perhaps have detailed statistics on individual cases. There is some difference between the material that you're reading. From 1990 to 1994, during which we have kept statistics for surveillance of seat belts, we have found that children under six years old have been buckled up at about an 84 percent average, although there has been some concern voiced by the individuals involved with this policy that probably 70 percent of those would be considered not buckled adequately to our standards.

One thing that can be noted, whether it's children or not, is that something has been going on in our province over the last several years, because the deaths on our highways have dropped on an average of about 150 a year compared to what they used to be. If you take that over a long period of time, that's a tremendous amount of lives that have been saved. Now, there's a combination of events: safer highways, seat belts have come in in that period of time, and enforcement has been sterner on impaired driving.

But again to indicate to the hon. member, we will continue to monitor the seat belt legislation as it addresses young children.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Yes. My next question is to the same minister. Are there any provinces in Canada with harsher penalties for vehicle child safety restraint infractions?

DR. WEST: The answer to the question is yes, and I'm going to file today the provinces and their fines. They vary. Alberta and Prince Edward Island, of course, are the lowest in fines at \$25. They go all the way up to discretionary fines from \$80 to \$100 in Quebec and \$45 to \$500 in Newfoundland. Plus in those provinces they give two demerit points. In New Brunswick they also give a demerit point.

Although some of them have seen some increase, if you take the average over a long period of time, you will find that they don't necessarily have a better percentage of seat belt buckling up because of the increased fines.

MRS. FORSYTH: Will the minister commit to harsher fines for people who do not buckle up children in a vehicle?

DR. WEST: Well, I'll say no here on the Assembly floor today because of what I just said a minute ago. You can demonstrate that you have a \$500 fine for not buckling up, but you can't demonstrate that you have a better record of buckling up than we do. We are doing a review of the safety measures in the province. We're combining the Driver Control Board and Motor Transport Board. We've brought over from registries the various education components of driver training and education, and I will commit that we will continue to carry forward a strong message,

as it relates to this area, that people buckle up.

I can think back to the days where perhaps on the farm and that sort of thing I drove with my young three year old standing up beside me. I was very fortunate. I'm saying that they are very precious individuals, and people should take tremendous precautions when they have their children in their vehicles to make sure they are as safe as they are themselves.

THE SPEAKER: The Member for Edmonton-Norwood.

### Social Assistance

MR. BENIUK: Thank you, Mr. Speaker. Since June of 1993 the Department of Family and Social Services has undergone significant restructuring in terms of administration and delivery of services. One of the most important changes was to provide individuals on assistance the opportunity to receive educational upgrading and job retraining. My constituency office has received numerous calls from these individuals stating that after some initial return-to-school anxiety, they are happy and are looking forward to a positive future. My first question is to the Minister of Family and Social Services. Given that the number of recipients on social assistance has reportedly decreased by approximately 50 percent, could the minister explain why we are continually hearing that social workers in his department are experiencing an increased caseload?

MR. CARDINAL: Mr. Speaker, those are some of the questions that have come up in the last two weeks in this House. It's a very good question. It gives me an opportunity to possibly clarify some of the concerns and questions out there. First of all, you know, most of the reduction in caseload, close to 50 percent, are employables, trainables, and young healthy Albertans that were ready to go back to the workforce. That program, of course, has been very, very successful in the last two and a half years.

Mr. Speaker, the second phase of the reforms is in relation to children's services. This is where there are some concerns that there may be an increase in some of the workload for some of the staff, but as I indicated before, we had 600 frontline child welfare workers, and we are increasing that by 75 immediately. In addition to that you will notice that the number of children apprehended in fact dropped while the number of families with home support services, where we are keeping families together at home with the children, providing the support services that are necessary, has increased.

Therefore, I feel that the increase in child welfare home support services should not add additional work to the workers, and I'm very comfortable that I believe our plan works. In 1993 there were I believe 14.7 cases per worker; today it's just a little over 15, Mr. Speaker. So there isn't much of a change.

### 2:20

MR. BENIUK: To the same minister: what is the current status of the remaining 50 percent on social assistance? That is, are they in various stages of returning to work or school? Is there a reason that they are not being channeled into some form of educational upgrading, training? Or is it simply a rotation of individuals entering, leaving, and then re-entering the system?

MR. CARDINAL: I believe we open up about 8,000 files a month and close about 8,000 files, Mr. Speaker. So there is a turnover in the people accessing the system. I believe there are about 48,000 cases left. I would say over 30,000, in fact maybe

35,000, of those cases are people that are not expected to work. Some may work but most are not expected to. That would leave just over 10,000 that we will continue working on to get back into the workforce.

We are reviewing the whole process of maybe setting up a category for those people we do not expect to work and spend less time on those in relation to getting them back into the workforce but possibly looking at increasing their benefits, because they are a very high-needs area. On the other hand, for the balance that are very employable and trainable, the programs that are in place now are very sufficient to look after those.

MR. BENIUK: To the same minister: given that the main programs offered through educational institutions run from September to either April or June, there will be a two- to four-month period where these former Family and Social Services recipients will no longer be receiving money through student loans. What are these individuals expected to do for living allowances during the summer break if they are unable to secure a job?

MR. CARDINAL: Part of the reforms of course were to redirect dollars to the very high-needs areas. What we have done in the past two and a half years is redirect close to a hundred million dollars, Mr. Speaker, to Advanced Ed and Career Development to put over 35,000 students back into various forms of academic upgrading programs and counseling programs. We are reviewing of course a granting process to make sure that once people are into a training program, they don't have to come back on social assistance and open files. So we are reviewing that.

What we are finding that is interesting, Mr. Speaker, is that very, very few of the individuals that enter the training programs or the work programs come back and open files. Therefore, they are out there working during the summer, I suspect, and continuing with their education in the fall.

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

### **Contract Tendering Policy**

MR. DUNFORD: Thank you, Mr. Speaker. I'd like to explore today the tendering process between private contractors and the government of Alberta, so my questions are to the minister of public works. Recently a couple of constituents, an architect and a contractor as a matter of fact, expressed some surprise and some concern when a last minute bid came forward and was successful. My question to the minister is: when we have a bid process that invites tenders, is that bid process exclusive to those that have been invited or is it open to all bidders?

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

MR. FISCHER: Thank you, Mr. Speaker. That does depend a little bit on the size of the contract. On the smaller contracts, under \$75,000, the tendering is usually by invitation only. On projects that are \$75,000 to \$200,000 it would depend on the specifics of that particular contract. Over \$200,000, then it's a normal open public tendering system.

Mr. Speaker, the reason for that invitation, of course, is to allow as much local involvement as possible. We do try to make this a fair and open system, but we also have to ensure that we have qualified bidders and that we get the most value for our taxpayers' dollars.

THE SPEAKER: Supplemental money. [interjections] Or supplemental question. [interjection]

MR. DUNFORD: Well, it didn't bother me. I've only been here for a short time.

THE SPEAKER: Supplemental question, hon member. [interjection] Is there a question, or should we move along?

MR. DUNFORD: To the same minister: what function does a pre-tendering meeting fulfill?

MR. FISCHER: Well, Mr. Speaker, the pre-tender meetings are used to familiarize all of the prospective bidders with the specifics of the project so that they will have the best possible understanding of just what the job does involve, and it gives them a better opportunity to estimate the price.

THE SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. Will the minister consider making pre-tendering meetings mandatory?

MR. FISCHER: Well, Mr. Speaker, yes. That is a good question, and we have been reviewing that. It is a surprise sometimes when people outside of a pre-tendering meeting get a contract. We are reviewing it, and we have got the idea that we could pre-tender and make it mandatory so that all of the potential bidders would come to that meeting. However, there are a lot of reasons, and in many cases it's not entirely necessary, but it would be proper that if we were having a mandatory meeting, then all of the bidders would know that. We are reviewing that, and we're going to come out with some solid recommendations on that.

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

### **WestView Regional Health Authority**

MRS. SOETAERT: Thank you, Mr. Speaker. You know, how often do we have to stand in this Assembly and point out to the Minister of Health that the funding level for WestView regional health authority is simply not enough? WestView with largely the same population base as the Palliser regional health authority receives \$41 million less in funding.

AN HON. MEMBER: How much?

MRS. SOETAERT: Forty-one million dollars less. No wonder I have at least one or two calls every day from concerned residents frustrated with the lack of long-term beds, minimal mental health programs, and insufficient palliative care resources. My questions are to the Minister of Health. When will the minister develop an equitable funding model so that WestView will get their fair share of money?

MRS. McCLELLAN: Mr. Speaker, considerable work has been done on the new funding model, and I think the hon. member is aware of the progress that's been made on that. There is a committee who has been studying this for some time. They have brought forward a recommendation for a population funding model but looking at some indicators or qualifiers in it such as age

and gender, because obviously the most dollars are spent in the first years and last years of your life. Also, it is a fact that women utilize more health care than men, so that's part of the indicators.

Mr. Speaker, we asked the committee to also look at issues that were important to the hon. Member for Fort McMurray such as costing factors: does it cost more to deliver health services in certain parts of the province? We think that information is important and valid, so that process is ongoing.

We have said that when we implement a new funding model, it will be phased in and that we would begin that phase-in this year. Indeed that has begun with the \$40 million of community dollars. If the hon. member wants to talk with her regional health authority, she will find that that has been indicated in that funding model.

We've been working with the WestView regional health authority over the past two years on this issue and in fact have given them some additional funding to assist them.

**2:30**

One of the difficulties we have with the WestView regional health authority, Mr. Speaker, is that over 60 percent of their hospital utilization or health services are utilized outside of their region. Now, obviously we cannot fund a region for providing services that they don't provide. It is a matter that if you're going to drive by your service and utilize Edmonton or somewhere else, we simply cannot fund. So we look at how much is utilized in Aspen region, how much is utilized in the Capital region. Surely the hon. member would want the Capital region funded for the services that they provide.

MR. MITCHELL: It's not fair, Shirley. It's not fair.

MRS. McCLELLAN: Mr. Speaker, fairness is providing dollars for health services that are provided, not just saying, "You have an entitlement because you have all these people," but you're shipping all your work out somewhere else. That is not the way you do a funding formula.

However, Mr. Speaker, we have worked with WestView, and in fact I spoke with the chair of the WestView regional health authority on this matter as late as noon today.

THE SPEAKER: Supplemental question.

MRS. SOETAERT: Thank you, Mr. Speaker. Madam Minister, how can you expect them to provide the services when they don't have the money to do it? They just don't have the money to do it.

MRS. McCLELLAN: Mr. Speaker, if the hon. member understands the formula under which regions are funded and have been historically – and I should say that the funding model for acute care was developed by people in the hospital business themselves, not by the Department of Health. The acute care funding model depends on you to provide the service. You are not going to be funded under that model if you are not providing the service. It is based on services delivered and needs. It is not a lack of facilities. In fact, in WestView region, not to leave the wrong impression, there are some very fine programs. Hinton has had a program with surgeons providing services out in that area and has been a part of our internship program for training for family physicians.

The fact remains that you must fund the services, and if the

Capital region is going to provide acute care services and others to that region, I have got to ensure that the Capital health authority has those dollars. I will repeat one more time for the hon. member: we have recognized that there has been a funding disparity in WestView; we responded last year and again this year to ensure that that is met.

Mr. Speaker, until the new formula is in place, perhaps there'll still be questions, but I do not want the hon. member to assume that a new funding formula will necessarily give a region more money if they're not providing health services.

MRS. SOETAERT: We can't to go to Westlock, Mr. Speaker.

MR. KOWALSKI: Or Barrhead.

MRS. SOETAERT: Or Barrhead. The Member for Barrhead-Westlock would like us to, but we do live in the Spruce Grove area.

My final supplemental: is it the minister's plan to underfund the WestView regional health authority so drastically that they, too, are forced to make deals with operators such as Hotel de Health and other for-profit companies?

MRS. McCLELLAN: Mr. Speaker, that question is an insult to the providers of health care in the WestView region. In fact, the providers of health services in that region have provided very good services. Again, the choice will be made by residents.

If the hon. members remember, one of the principles of Bill 20 . . . [interjections] Mr. Speaker, I don't want to be critical, but if the hon. member wants the answer, probably one part has to be open and the other closed.

Mr. Speaker, if we are going to solve the issue of funding, the residents of that region will have to decide where they want services. One of the principles of Bill 20 was that people can access health services where they want. There are no boundaries around health services. If a person wants to visit a doctor in another region, they may. If they want to go for other services in another region, they may. The people in that region are exercising their rights.

THE SPEAKER: The time for question period has expired, but there's been an indication that the hon. Minister of Energy wishes to supplement an answer previously given to the hon. Member for Calgary-West.

The hon. Minister of Energy.

#### **Solv-Ex Corporation** (continued)

MRS. BLACK: Thank you, Mr. Speaker. Just because of the questions that came from the Member for Calgary-West today with regard to a company – and I really think it's unfortunate when company names are actually mentioned in this House. I do believe it's important to clarify the question and the record because of the financial implications that could have to a publicly trading company. I really stress to this House that it's very dangerous to mention company names, particularly when they are publicly traded.

The information that was filed by the hon. member, Mr. Speaker, was received by the securities commission of the United States in September of 1993. This is not something that is a current filing with the commission. Attached to it were some financial statements that pertain to the company that were for the



year as of August 12, 1993, and they were filed and prepared by the firm of Peat Marwick.

MR. SMITH: Peat Marwick?

MRS. BLACK: Yes. I'm sure the hon. Member for Calgary-West is familiar with that firm.

I do want to stress, Mr. Speaker, that in the statements the opinion that was given by the audit firm clearly says:

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of . . . [the corporation] and subsidiaries,

et cetera, et cetera.

It also talked, Mr. Speaker, about the liquidity of the company. Back in 1993 . . .

THE SPEAKER: Order please, hon. minister.

DR. WEST: How do you keep any clients, Danny?

THE SPEAKER: Order. [interjections] Order. The Chair feels that this . . . [interjection] Order, hon. Minister of Transportation and Utilities. Please.

#### **Speaker's Ruling Tabling Documents**

THE SPEAKER: The Chair feels that in this incident the hon. minister is really just saying what's in the tabled documents. It indicates why we have the Routine, hon. members. Every day in this Legislative Assembly the Routine provides for Tabling Returns and Reports, a time for tabling, and it is becoming all too common for hon. members to table documents at the time they're asking the questions. That is going to be restricted very much in the future. You have your chance during the Routine to do your tablings. This also applies to ministers if they have documents they want to table. [interjection] Hon. Minister of Transportation and Utilities, you were one who tabled during question period today.

Hon. Minister of Energy, it's not really proper just to read out and say what's in these tabled documents. The point is that they should have been tabled before you were asked the question so you could've responded to them during question period, and that's the point the Chair is trying to make.

We will avoid these surprise tablings from now on, hon. members. If you have them in your possession when you enter the Chamber, table them at the proper time in the proceedings.

The hon. Minister of Public Works, Supply and Services says that he would like to answer a question that was asked by the hon. Member for Edmonton-Meadowlark a week ago.

#### **2:40 Occupational Health and Safety**

MR. FISCHER: Thank you, Mr. Speaker. The Member for Edmonton-Meadowlark asked me about one of many construction companies that we have in this province. I should remind her that I don't know if she can expect the minister to have all of them on the tip of his tongue when she asked that question. However, the question was asked whether Northgate Trailer had been awarded any more provincial contracts since their serious accident earlier on, and I have to say that, no, there were no more contracts awarded since they had their accident.

I should mention that our government construction contracts require that contractors comply with the Alberta occupational

health and safety that's administered by Alberta Labour, and they have to have an account with the workers. Preferred rates are charged by WCB contractors who maintain safe work site practices. Penalties, including fines, are assessed to contractors who do not comply with these legislative requirements. As I mentioned previously, these contracts can be terminated when contractors refuse to comply with their contract requirements.

THE SPEAKER: Before proceeding to Members' Statements, might there be unanimous consent in the Assembly to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

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

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

MRS. HEWES: Thank you, Mr. Speaker. I'm pleased today to introduce a school and a program of which I'm particularly proud. There are 45 people in the group - 35 are students - from the Forest Heights elementary school. They're part of the DARE program. DARE is an acronym for drug abuse resistance education. It's an excellent program achieving great successes. The students are accompanied this afternoon by Constable Rein Tonowski, who is the co-ordinator for the DARE program, from the Edmonton city police department, fondly referred to as Mr T.; Wayne Newbert, who is the DARE co-ordinator of the Edmonton public schools; and two teachers, Marion Fritz and Amanda Burnett, from the school.

I should also tell you, Mr. Speaker, that Amanda Burnett not only is a wonderful teacher; she happens to be the daughter of the Member for Clover Bar-Fort Saskatchewan.

Mr. Speaker, this is an excellent program. These students are expected to be ambassadors to help their peers and others understand drug abuse resistance. I'm very proud of them. They're in the members' gallery, and I'd ask them to stand and be welcomed by the Legislature.

#### **head: Members' Statements**

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

#### **University of Calgary**

MRS. BURGNER: Thank you, Mr. Speaker. Thirty years ago the University of Calgary was successful in establishing itself as an autonomous institution, and I would like to take a few minutes to highlight some of the recent successes by that university as they enjoy this week of celebration.

As a comprehensive research institution the U of C directly and indirectly creates more than 1,000 new jobs annually through research-related activity. After only 30 years it has become one of Canada's 10 most research-intensive universities, ranking second in the country in terms of royalty revenues from technology transfer activities and eighth when you calculate the ratio of sponsored research to operating costs.

As well, in partnership with corporations and government the U of C has created more than 30 endowed chairs, five in the last year alone.

The university is also one of the most accessible to Albertans,

and in the fall of 1995 it increased the undergraduate enrollment by more than 8 percent, or 1,363 students, as a result of the access fund.

The U of C has now more than 70,000 alumni actively contributing to our economy and to the Alberta advantage. With more than \$137 million in endowed funds, the U of C is now ranked sixth in the country, a significant accomplishment for a relatively young institution.

The entrepreneurial attitude of Calgarians is very much evident at the University of Calgary, where new partnerships and other educational institutions are forging new opportunities for learners, and an enhanced learning environment is being created through curriculum redesign and the introduction of new technologies.

The MBA program in enterprise management, Mr. Speaker, has been so successful that Calgary was rated the number one entrepreneur program in Canada in an international survey in 1996.

Mr. Speaker, its focus is not just on the research and technology aspect. They are also focused on the faculty. The Betz report, which has been tabled and is in review at the university, is looking at reforms within the faculty. They also have an enrollment management group looking at the future enrollment and retention of students within the university, an important initiative.

Mr. Speaker, I think it's appropriate that we recognize such a strong achievement over 30 years and congratulate the University of Calgary on their 30th anniversary.

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

#### Drug Abuse Resistance Education Program

MRS. ABDURAHMAN: Thank you, Mr. Speaker. DARE, drug abuse resistance education, is an innovative law enforcement/education partnership program set up in co-operation between the city of Edmonton police department and Edmonton schools. Since its beginning involving three schools, the program has spread to include the RCMP, the military police, and other school jurisdictions. DARE instructors do not use scare tactics or traditional approaches that focus on the dangers of use. Instead, the instructors work with children to raise their self-esteem, help them learn how to make decisions on their own, and help them identify positive alternatives to substance abuse. DARE uses uniformed law enforcement officers to conduct the class. Uniformed instructors not only serve as role models for the children but also have a high credibility on the subject of drug use. Moreover, by relating to students in this role, officers develop a rapport that promotes positive attitudes towards police and a greater respect for the law.

Here are some quotes from Forest Heights students who've graduated from the program. I quote: I think every grade 6 student should take DARE, because it's fun and it teaches you to avoid violence and stay drug free. I chose to be drug free because I want to be trusted by others, respected by my siblings, and get a good job someday. To stay drug free is really important to me because I will be a better example for my kids, and they will have more fun with me. What I mostly want to say to Constable T. is that I will never do drugs. I will not do drugs because I care. I care about my body, and I want to have a family and not beat them like some lunatics, plus I want my family to feel good about me. End of quote.

DARE represents a long-term solution to a problem that has

developed over many years. By helping children develop mature decision-making skills that they can apply to many different situations as they grow up, DARE seeks to promote a change not only in attitudes towards substance abuse but also towards violence and conflict resolution.

Thank you, Mr. Speaker. I commend all the members in the members' gallery from the DARE program. Thank you.

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

#### Job Creation

MR. YANKOWSKY: Thank you, Mr. Speaker. Private-sector investment in this province does equate to jobs for Albertans and to jobs in my constituency. Alberta has consistently recorded Canada's highest per capita level of investment. This investment has been key to Alberta's growth and expansion in many sectors. Alberta's many advantages contribute to our success in not only attracting direct investment, international technology and expertise but in strategic alliances with Alberta companies.

The benefits of doing this are already paying off in direct job creation in projects such as the Union Carbide and Nova Corporation petrochemical plants at Joffre and Prentiss, expected to create 900 construction and 230 permanent jobs; the consolidation of Sepp's Fine Foods into a new \$1.6 million food processing plant in Innisfail, expected to create 40 new jobs. In the Edmonton area there are also many examples of just how important investment is, examples such as Laporte PLC and Raylo Chemicals, investing \$31 million and creating 60 full-time jobs for a new manufacturing facility; companies such as Borden Industrial Packaging and Products, through their \$10 million expansion of their chemical operations; the construction of the \$40 million Francis Winspear centre; J.B. Food Industries and H.P.I. Beverages building a new \$3.5 million beverage packaging, expected to create 45 new jobs; Ingram & Bell, investing over \$2 million and creating 15 new jobs in setting up their Canadian distribution warehouse in Edmonton.

#### head: Projected Government Business

2:50

MR. BRUSEKER: Mr. Speaker, pursuant to Standing Order 7(5) and of course Motion 14 passed last night, I'd like to ask the Government House Leader what it is we're going to be doing when we come back on April 15.

MR. DAY: Well, the Opposition House Leader is earning his paycheque by asking me that question. Next week, in fact, the government members will not be here. They'll be out doing the business of government in their constituencies. The week after, of course, we'll return. With some 12 Bills now at committee and nine in third reading and some more just introduced, I'll be daily consulting with the Opposition House Leader in terms of looking at what the order of business will be. As he knows, there are a number of Bills before the committee today, so it would be difficult to project exactly. So we will continue on a daily basis with the good consultation which we have had to this point.

THE SPEAKER: The hon. Government House Leader indicated that he might have a point of order?

MR. DAY: Mr. Speaker, as usual you are ahead of me. I was rising on a point of order regarding tabling during question

period, and you already were ahead of me on that one once again, sir.

**Point of Order  
Provoking Debate**

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

MRS. ABDURAHMAN: Yes, Mr. Speaker. On (h), (i), and (j). I believe that the manner in which the Member for Calgary-McCall asked the question and also the manner in which the responses were given to that question clearly misrepresented the questioning that I had to the minister of economic development. The manner in which it was presented in this House, I would suggest, was "likely to create disorder" or entice debate from this side of the House.

Mr. Speaker, I would like to make it quite clear – and *Hansard* will clearly show that – that the questioning by the Member for Clover Bar-Fort Saskatchewan centred around bankruptcies and what this government was doing to ensure confidence in the marketplace. I clearly indicated that investment did not always equate to jobs, and we only need to look at what is happening in the corporate sector, at Dow Chemical, where we're looking at a substantial investment yet at the same time a substantial reduction in the work force, which is now being moved forward. We can also see an expanded investment by Betz Chemical and Dearborn, where we're seeing the possibility of 500 jobs being introduced.

Mr. Speaker, when a member stands in this House and through the manner in which the question was asked and the question was replied to, it clearly misrepresents what had taken place in this House, I believe the member has a right to an apology. I also believe the over 500 people who are presently looking for active employment in Strathcona county, in the city of Fort Saskatchewan, and the thousand people who have gone through the Job Action Team want to see a government that's proactive and is creating jobs. The Premier of this province has indicated that that's a top priority.

Mr. Speaker, I would seek an apology from the Member for Calgary-McCall and also from the minister of advanced education. Thank you, Mr. Speaker. [interjection]

THE SPEAKER: Hon. minister, this involves the hon. Member for Calgary-McCall, and he has indicated he wished to respond.

MR. SHARIFF: Mr. Speaker, I am really surprised at the point of order being raised here. The issue was about jobs and how it impacts people and how it impacts families. What we hear in this House again and again and what my constituents tell me they've heard in the media is an issue of concern that affects anyone and everyone in this province. Let me repeat the statement that I made in this question. I said that yesterday in this Assembly we also heard the Member for Clover Bar-Fort Saskatchewan go on at length about how bad the employment situation is in her mind. What is wrong with that?

Mr. Speaker, as far as I'm concerned, I am equally concerned about what goes on in Alberta's homes. Jobs bring bread to the table. They are practical issues, and I believe that it was appropriate for me to ask the minister that question. I do not believe that an apology is due. I do not even believe that this is an inappropriate point of order. Maybe the minister wants to supplement this.

MR. SMITH: On the point of order, Mr. Speaker.

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you very much. Under 23(h) and (i) I'm responding to the point of order and the comment that in fact investment does not necessarily equate to jobs. I just want to, if I may, Mr. Speaker, say that if I can quote from a study by Alesina & Perotti . . .

THE SPEAKER: Order please. This is getting into a debate, which is really what has been going on here. The Chair feels that this point raised by the hon. Member for Clover Bar-Fort Saskatchewan has been used to clarify her position, and there's been reclarification by the hon. Member for Calgary-McCall. Debate about employment and unemployment and participation rates and all those things has been going on for a long time, and no doubt it will continue to go on.

head: **Orders of the Day**  
head: **Government Bills and Orders**  
head: **Committee of the Whole**

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the Committee of the Whole to order.

**Bill 13  
Registries Statutes Amendment Act, 1996**

THE CHAIRMAN: We have before us first Bill 13 as moved by the hon. Member for Innisfail-Sylvan Lake. I wonder if we have any comments to be made at the outset or any amendments.

The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you very much. I would like to acknowledge at this time and convey my sincere thanks to the hon. member who moved this Bill for getting back to me on a number of questions that had been asked not only by myself but by members of the Official Opposition. It was indeed appreciated, Mr. Chairman, and it was timely, so thank you very much.

With those comments, what I'd like to do at this time, Mr. Chairman, is to put forward some amendments to Bill 13. Although I've acknowledged I did get answers to the questions, it still did not relieve some concerns within this Bill. If we could have those circulated so that people could peruse them.

I need some guidance from the Chair. Amendment 1(a) and 1(b) is in essence dealing with the exact same amendment but to different sections of the Bill. Will that be done as one vote in debate, Mr. Chairman?

**3:00**

THE CHAIRMAN: If they're substantially the same, then it facilitates debate; sure.

MRS. ABDURAHMAN: They are identical, and the intent is the same. I would suggest that that is the way we should proceed, Mr. Chairman.

THE CHAIRMAN: So all of the amendments will be done as one?

MRS. ABDURAHMAN: No, just the two. The first two.

THE CHAIRMAN: Okay. So that's 1.(a) and 1.(b), and then 2 would be a separate one?

MRS. ABDURAHMAN: Well, they deal with different subject matters, so I would suggest we should vote on this separately, Mr. Chairman, although they're the same amendment but dealing with different sections. It may be that I may get some support from the government members to have section 5(24) and (27) struck out, yet I couldn't achieve 7(2) being struck out.

THE CHAIRMAN: We'll begin with the numeral 1, which we will call A1, which is substantially all of the first page, and go from there and decide whether we want to have a second or a third amendment.

The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Yes. At this time, so that it's recorded in *Hansard*, I'd like to move the following amendment. Section 1 is amended in subsection (8) by adding the following after proposed section 267.1(2) of the Business Corporations Act:

- (3) Where the Minister proposes to make a regulation pursuant to this section, a copy of the proposed regulation shall be forwarded to the Standing Committee on Law and Regulations.
- (4) The Standing Committee on Law and Regulations shall examine any proposed regulation to ensure that
  - (a) it is consistent with the delegated authority provided in this Act,
  - (b) it is necessarily incidental to the purpose of this Act, and
  - (c) it is reasonable in terms of efficiently achieving the objectives of this Act.

And 1.(b), Mr. Chairman, is not quite identical, so I believe it should be read into the record as well. Section 1 is amended in subsection (10) by amending proposed section 283.3 of the Business Corporations Act by renumbering it as section 283.3(1) and by adding the following after subsection (1):

- (2) Where the Minister proposes to make a regulation pursuant to this section, a copy of the proposed regulation shall be forwarded to the Standing Committee on Law and Regulations.
- (3) The Standing Committee on Law and Regulations shall examine any proposed regulation to ensure that
  - (a) it is consistent with the delegated authority provided in this Act,
  - (b) it is necessarily incidental to the purpose of this Act, and
  - (c) it is reasonable in terms of efficiently achieving the objective of this Act.

That ends the amendment, Mr. Chairman.

In the Official Opposition's position and as the MLA responsible for bringing forward these amendments, it is quite clear that truly the democratic process has not worked for many years in this Assembly. Indeed, Mr. Chairman, we have a Standing Committee on Law and Regulations that has not met for many years, yet this government continues to have that on the books and goes to the point of even appointing a chairman. The chairman takes great relish in indicating that he has a zero budget; he has not expended any moneys on this committee. I find that incredible when we as members of this Assembly are elected here to represent Albertans and to ensure that the democratic process is truly alive and well in this Assembly.

Yesterday, Mr. Chairman, we debated a Bill, the Citizen's

Initiative Bill, that would bring direct democracy into this Chamber, to the government of Alberta, to this Assembly, ensuring that when a government or an Assembly is not behaving in a responsible manner and a sufficient amount of people met the requirements of that Bill, they could indeed petition this Legislature. I believe that if the Standing Committee on Law and Regulations indeed were used in the manner for which they were legislated, we would have much better legislation through regulations, and truly all Albertans could be heard through that committee.

So, Mr. Chairman, with those comments I would ask for support of amendment 1(a) and amendment 1(b). At this time I believe that some of my colleagues would also like to speak to this amendment.

Thank you.

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

MS CARLSON: Thank you, Mr. Chairman. I rise to support this amendment. When we had a similar amendment before us the other night, the government did not feel that it was necessary to support it, and I would ask them this time to think twice before they defeat this. There's no doubt that openness and accountability are very important to all people in this province. It certainly is to us on this side of the House.

We believe that regulations should be forwarded to the Standing Committee on Law and Regulations and that there should be ample opportunity for people to review them and to have adequate input. It stops decisions from being made behind closed doors and in secret. Given what the government is telling us on a day-to-day basis here in the House, I would expect them to support that.

So with that, Mr. Chairman, I'll take my place.

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

MR. BRACKO: Thank you, Mr. Chairman. Again I get up to speak to the amendments, amendments that are very important for democracy in our province. By taking it to this committee, we'd be showing Albertans that we're moving in the right direction, the democratic direction, the direction which involves more people, which would involve a thorough look at each rule and regulation from both sides of the House by elected members from all parts of this province.

This would go on to show that it's very important that we proceed in this way to bring more people into the democratic process, to show that we can and will use the best of our citizens. Every person's abilities and talents should be utilized, and when more people take part, more people buy in. If they're allowed that responsibility, they'll buy into the process. We have to move forward and involve our best people, involve those who may not feel there's a need at this time.

As you look back, you can see many reasons why we need this committee. The mistakes of the past should be corrected, and one of the ways of correcting these mistakes would be through a thorough look at rules and regulations. How will they affect the Bill or law brought in? Anytime you make a change, there are always positive actions and there are negative actions. One must remember that. There'll be positive changes, negative changes, and you have to look at whether the positive outweigh the negative. There are some people who'll be affected in different ways. Some it will benefit; some it may put at a disadvantage.

It's important that there be fairness. Albertans are asking for fairness right across the province, for level playing fields in business.

Even with the liquor stores we see that there needs to be fairness. Here is a typical example: the liquor industry not knowing what is going to happen because the rules and regulations are there, but they're changed. One day the Premier says that it's this way; the next day it's the minister of transportation saying that it's the other way. Flip-flop and flop-flip on the issue. It causes anxiety; it causes concern. When people invest anywhere from \$50,000 to \$750,000 in a business, they want to know the rules. They want to know that there's a level playing field out there.

We still don't know what the situation is going to be. Are the large retail stores going to be allowed to sell liquor in the future in their stores, or do they have to continue to have a separate outlet? People need to know; businesses need to know. This way, if there's confidence in it, they can move forward. If there isn't, they hold back in their investments. We want to build the business community, encourage young people to invest, to go into business.

New programs are being developed where more and more people who are taking courses for degrees in commerce and business go directly into establishing their own businesses and are being very successful. So we need rules. We need to make sure that there's a level playing field. This is done through a fair look at the rules and regulations taken to the committee, which has a chairman who has not called one meeting in my time in this Legislative Assembly. This would be an ideal place for the government to take leadership, to move forward.

### 3:10

We see also the Citizen's Initiative Act, which again was debated in here. I listened to the debate and read through the debate. It's calling for more Albertans to participate in the democratic process. Who can argue against that? Is there one member here that would argue against more Albertans being allowed to take part in this democratic process? We need to have everyone involved, to take ownership, to take responsibility for what happens. Therefore, Mr. Chairman, to get them involved, they've got to feel more a part of it. They've got to feel that they have a say.

All across this province, wherever I go, I hear people saying: "The government doesn't listen. Politicians don't listen to us. We tell them; it's like water off a duck's back." Or they say, "The politicians aren't there; they don't even come out to see us." In many parts of rural Alberta I get that continuously. "The politicians aren't there," or "They come in, you know; they've flown in, and you hear them fly out." They meet with a few select people, but not with many of the constituents, especially in the outlying areas, the centres where there's less population. I'll take any member here with me, and they can listen to the same story across this province, from the far north in High Level up to Zama City, where they still don't have a road, Mr. Chairman. They're contributing tremendous resources to this province through the oil industry, through other industries up there, and they're not even afforded a road. They've asked me to plead for them, to lobby for them to ask the government to assist in building a road up there, for fairness.

So, Mr. Chairman, we know that we have to move forward. It's got to come eventually. People are not happy. They're more educated; they're more knowledgeable. They want the government to represent their views, and they want to be part of it.

They want to know that there's fairness and that the rules and regulations that are developed may not favour one sector of the population: the rich, the affluent. They want to know that there is the same fairness for each person in this province as there is for anyone else. We see that many times this is not the case.

With that, Mr. Chairman, I strongly support these amendments and will continue to fight until they become a reality. It was 1985 when we fought for a balanced budget, the first time this government went \$3.4 billion into debt. That's when some of us stood up and said: this cannot happen. It was a 10-year fight, but eventually we were able to force the government to balance their budget. Ten years. We will do the same if that's the case with this rules and regulations committee. We're going to move forward and we won't stop until this takes place, so I would ask the members on the opposite side to be part of it. Quit fighting the democratic process. Quit fighting the need for more people to be involved. Quit fighting something that is going to take place eventually.

I know I'm supported by the Member for Cypress-Medicine Hat, as he presented the Citizen's Initiative Act. He wants more people to take part in the democratic process. He stood up yesterday and eloquently spoke up for all Albertans, and I know he will support this committee. [interjection] You bet.

With that I conclude, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. Speaking to the amendment, hon. members will know that we continually and once again where appropriate ask the government to amend its Bills and its legislation to give some legitimacy to this legislative Standing Committee on Law and Regulations. The process for some reason seems to be foreign to this particular government. It is in applying and implementing the members of this Assembly who are members of the Standing Committee on Law and Regulations. It makes for good government, and it makes for better government.

In each of the circumstances where we are looking to the future, we ought to be having the Standing Committee on Law and Regulations engage in an activity for which it has been constituted, by virtue of amendments to the legislation to give that standing committee the authority to do exactly that – that would be not only for the legislation that comes before us today – where there is a consistent pattern by this government to pass legislation that in many cases is very hollow in that there is not a legislative enactment for particular issues that ought to be entrenched in legislation and that are being left to regulation.

The difficulty for Albertans, of course, Mr. Chairman, is that without having had the draft regulations, without having mechanisms and processes in place to do some due diligence on those draft regulations, the process is lessened by that. It makes for government that is not as good as government can be. It is a responsibility that has been given to each Member of this Legislative Assembly to ensure that the laws that are passed in the province of Alberta have the benefit of debate and are not simply concluded behind closed doors by virtue of regulation, whether those regulations are ministerial regulations or whether those are regulations passed by the Lieutenant Governor in Council.

This trend, this pattern of this particular government to leave its pieces of legislation hollow and to bypass the legislative process, to have many of the substantive issues that ought to be in legislation bypass the Legislative Assembly to be done behind closed

doors through regulation, is a trend and a pattern toward government that is less open and less accountable. I think all members of this Assembly, Mr. Chairman, would agree that that is not in the best interest of Albertans and not what Albertans have been asking for in their government.

What Albertans have been asking for is open and accountable government. The irony, of course, Mr. Chairman, is that this government went to the people of Alberta and said: we will be open, and we will be accountable. Contrary to those statements, in each piece of legislation that comes before this Assembly, we see time and time again that the government will leave much of the substantive issues and much of the substantive law to regulations passed by the Lieutenant Governor in Council or by ministers behind closed doors.

We've had debate in this Assembly, Mr. Chairman, where we have asked various departments, many departments for the entire inventory of ministerial regulations. The policy of the government, the position of the government is that in some cases those ministerial regulations have been inventoried and that in some cases those ministerial regulations have not been inventoried. We don't know what ministerial regulations have been passed in all departments. What's truly amazing is that there is not a requirement, whether by policy or otherwise of this government, that all ministerial regulations are immediately published and gazetted so that the people of Alberta will know what regulations have been passed by what ministers. That, too, is a process where the government acts contrary to what it says. That is not part and parcel of open and accountable government.

The way you resolve the issue, the way you by virtue of amendments hold the government to its statements of being open and accountable is to put forward amendments that will then entrench in the legislation the fact that regulations, once drafted, must then come to the Standing Committee on Law and Regulations, one of the all-party committees of this Legislative Assembly, made up of members from the government side and made up of members from the opposition side, to do a thorough vetting and a thorough review of the draft regulations.

It will provide insight, it will give greater detail, and it will give greater understanding to the people of Alberta so that the debate on the substantive issues that the government chooses to have bypass this Assembly can still have some benefit of debate through that standing committee. It gives the opportunity for Albertans to have greater transparency, a greater understanding of this trend, and a greater understanding of what ultimately the law will mean when the legislation itself is hollow on those substantive issues.

**3:20**

It's important, I think, Mr. Chairman, for people to understand that this government chooses to act contrary to its words, that it chooses to bypass the Legislative Assembly by providing much greater depth and breadth to the creation of regulations for the laws that will govern the people of the province of Alberta. The purpose, of course, of this legislation is to debate those issues that are entrenched in law. It is less of a service to the people of Alberta when regulations more and more govern the people of Alberta, where those determinations, those decisions do not see the light of day of this legislative Chamber.

As I say, Mr. Chairman, the vehicle and the mechanism for us to do this now, having recognized that the government of Alberta is not acting in an open, transparent, and accountable way in the legislation that comes forward to this Assembly, is to respond by putting forward amendments that will ensure that some level of

openness, transparency, and accountability is put back into these hollow pieces of legislation by requiring the government to submit any proposed regulations to the Standing Committee on Law and Regulations.

The amendments that are put forward and proposed enshrine in the legislation the parameters under which the Standing Committee on Law and Regulations must operate in its review of draft regulations that are put to it. By virtue of the amendment, entrenched in the legislation, that "Standing Committee on Law and Regulations shall" – and the wording of the amendment is "shall" – "examine any proposed regulation to ensure that" that regulation "is consistent with the delegated authority provided in this Act," that it's "necessarily incidental to the purpose of this Act," and that "it is reasonable in terms of efficiently achieving the objectives of this Act." Those amendments, those statements, Mr. Chairman, become increasingly important because of the erosion of the democratic process by virtue of the expansion of the delegated authority that is provided through legislation.

[Mrs. Forsyth in the Chair]

This government is moving quickly. They've made no attempt to not admit that their intent is to delegate authority away from the elected and accountable officials of this Legislative Assembly. We have in the past raised concerns, we continue to raise concerns that when a delegated authority is given by virtue of the legislation, it can be given to any person. That is a quantum leap from the kind of delegated authority provisions that have occurred in previous legislation. The delegation rule has generally been to a particular employee, a senior management position within a department to carry out the responsibilities of the minister.

So we've made a quantum leap now in terms of the delegated authority provisions that are contained in the Act. While I do not agree with the broad expanse of the delegated authority provisions contained in the government's new legislation, there should at least be the check and balance process put in place where the Standing Committee on Law and Regulations can review proposed legislation brought forward to determine if it is indeed consistent with the delegated authority provided by the legislation.

As these matters move behind closed doors, there is of course always the question as to whether or not the government moves too far, not only in giving the delegation in the first place through legislation but whether a regulation is consistent with that that is drafted and of course under the current system simply passed by order in council through Executive Council, which then becomes part and parcel of the law of the province of Alberta by virtue of the fact that it is a regulation under the particular legislation.

The other aspect is that again in the current process there is some concern about the direction the government is taking with the committee, chaired by the Member for Peace River, that is involved in the massive deregulation of the legislative framework for the government of Alberta. We continue to hear time and time again the rhetoric from the government that regulations will be done because of and for the Alberta advantage. Well, Madam Chairman, that is not the purpose of a regulation. The purpose of a regulation is not to enhance the Alberta advantage. The purpose of a regulation is that it is necessarily incidental to the purpose of the Act.

If I can give an example that, while not specific, is specific to a particular department. If we assume that the Minister of Environmental Protection passes a ministerial regulation or a regulation by order in council, he must show that that regulation

is necessarily incidental to the purpose of the legislation. For example, the legislation would be the Environmental Protection and Enhancement Act. That would be the reason for passing that regulation. He would identify the section of the legislation that empowers the passing of that regulation, and he would have to show that the passing of that particular regulation is incidental to the purposes of the Act, which is protecting the environment.

Now, there could be a great debate, Madam Chairman, as to whether or not protecting the environment is the same as the minister saying that it is being done for the Alberta advantage, because that is not necessarily the same thing. If the Minister of Environmental Protection or the hon. Member for Peace River is looking at new regulations and saying that the acid test is whether or not it's good for the Alberta advantage, then that is an inappropriate reason to be passing that regulation. It can only be done because it is necessarily incidental to the purposes of the legislation for which that regulation is passed. That needs to be enshrined in legislation, I would submit, because we have the hon. Member for Peace River with that committee delivering on an agenda that is different than the agenda for the purposes of which a regulation is passed.

The third aspect of the amendment that's being put forward this afternoon is that the Standing Committee on Law and Regulations would have to examine a proposed regulation to ensure that "it is reasonable in terms of efficiently achieving the objectives of" the legislation. So not only do we have to pass the test that that regulation is indeed necessarily incidental to the purposes of the Act and not for some other reason, such as a political slogan; it then has to be reasonable in terms of efficiently achieving the objective.

Now, I would suggest, Madam Chairman, that that is in and of itself something that would be debatable. Some members of that committee would analyze and assess that regulation and determine that it is reasonable. Other members of that committee would presumably look at that to analyze and assess the regulation and determine that it was beyond reasonable in terms of efficiently achieving the objectives of the Act. But that's the whole point.

### 3:30

That's the whole point. That's the whole point, Madam Chairman: that debate should then be allowed to take place. Under the status quo that debate can't take place in the Legislative Assembly of Alberta because the government chooses to take that debate behind closed doors. Well, if it's not going to occur in the legislative Chamber as a component of a piece of legislation, then at least the debate should take place amongst the members of the Standing Committee on Law and Regulations. Let's at least have some forum where there is debate rather than simply passing this skeletal legislation, sending all matters of substance to the minister or to the Lieutenant Governor in Council and simply having those regulations drafted and rubber-stamped by the Premier or by the acting chairman of Executive Council. That's not the best way to get good government for the people of Alberta.

A better way, to use another of the government's political phrases, would be to allow the Standing Committee on Law and Regulations, which functions effectively in virtually every other jurisdiction in the country of Canada including at the level of the federal government – give that committee a reason to exist. Give those members the opportunity and the ability to engage in debate about the text of the regulation, and allow that committee to serve its role and serve its function within the Legislative Assembly for the benefit of the people of Alberta.

It is for those reasons, Madam Chairman, that these amend-

ments, which members will recognize they have seen before, are important to all of the pieces of legislation in their current form. Whether they come before us as an amending Bill, such as Bill 13 that we're working on now, or in new enactments, new empowering legislation, there must be the ability and the opportunity and the entrenchment in the legislation that the Standing Committee on Law and Regulations will be put to work and will be called upon to go through the process of reviewing draft regulations. The amendment, once again, for reasons that I have stated is relevant and appropriate here. It is relevant and appropriate for every piece of legislation coming to this Assembly so that we can become less complacent about the Standing Committee on Law and Regulations; we can become more contemporary; we can be seen to be listening to the people of Alberta, who have said: "We want our governments to be open. We want our governments to be accountable. We want our governments to be transparent, and we want to be involved in the process of governance in the province of Alberta."

Madam Chairman, those are the reasons that I state why this amendment is important and why all Members of this Legislative Assembly should support this amendment.

Thank you.

THE ACTING CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: Question.

THE ACTING CHAIRMAN: Oh, Edmonton-Centre.

MR. HENRY: Thank you very much, Madam Chairman. I, too, would like to rise to speak to Bill 13 with regard to the amendment that has been proposed by the hon. Member for Clover Bar-Fort Saskatchewan. The essence of what this amendment is trying to do, in my view, is to try to make this democratic process work and ensure that we have full transparency in our decision-making. As this government more and more has moved to government by regulation rather than by legislation, I think it's vital for us to be able to push the government to try to bring some transparency to that kind of decision-making, which is currently not public and not . . .

DR. WEST: Point of order.

### Point of Order Offending the Practices of the Assembly

DR. WEST: Very seldom is 23(l) used, but I rise on the occasion of looking at the notice of amendments to Bill 13, and it says, "In the interests of saving paper, all amendments have been produced on the same page, but will be debated and voted on separately." So I look, and that's true. "In the interests of saving paper," and I turn the page and find a blank page with one sentence on the top of it. I'm finding that that "introduces any matter in debate which offends the practices and precedents of this Assembly." We are working on being fiscally responsible for the people of Alberta, and you make a statement that is misleading to the House let alone misleading to the procedure in saying "in the interests of saving paper." You have the audacity to do this. It's ridiculous. [interjection] Well, it's the truth.

MRS. ABDURAHMAN: Mr. Chairman, to the point of order. The minister of transportation has stood up and correctly pointed out that a staff member has made an error, that could have been corrected. Now, I would not ask any staff member to go back

and redo this because in essence you're using up more paper, minister of transportation. I think the point that is being made, that it doesn't reflect what was on the front page: I would accept that. Now, when an error has been made, there are two things you can do. You can correct it and use more paper or you can acknowledge that an error was made and bring it forward. I apologize for that. I accept the responsibility for it. I was not going to say, "Please, go back and redo it," and use more paper.

THE ACTING CHAIRMAN: I recognize the hon. Minister of Transportation and Utilities.

DR. WEST: I'd just say that I accept that apology. I understand, and she is very correct in what she says. I'm not asking that this go back and be corrected. That would be even more ridiculous. I'm glad that it's been acknowledged. So often we take criticism in the House, and government too, and the system for being wasteful of taxpayers' dollars. I'd say: thank you for your apology.

THE ACTING CHAIRMAN: Thank you.  
Edmonton-Centre, would you like to continue?

MR. HENRY: I'll continue. The only misleading statement was by the minister of transportation in saying that that was a point of order. He had a point in debate. He knows how to stand up and enter into debate. I'd ask you, Madam Chairman, to rule in the future that interruptions to enter into debate like that are not in fact points of order but contributions to the debate.

THE ACTING CHAIRMAN: Okay.

MR. HENRY: Thank you very much, Madam Chairman. I will continue with the debate, and I'll try not to put the minister of transportation to sleep again.

### Debate Continued

MR. HENRY: What I was saying before I was interrupted by the minister of transportation was that it's important, as the government moves towards more and more government by regulation and less by legislation, that that process be fully transparent. There is a reason why the Standing Committee on Law and Regulations was created and is indeed in our Standing Orders. That was to try to bring some transparency and also some more public debate and public forum to the drafting of regulations that of course flush out legislation more and more. Unfortunately, this government has chosen and the chairman of that committee has chosen not ever to call that committee and not ever to allow a set of regulations to be referred to that committee.

It should be standard practice in this Legislature that whenever the government is considering regulations subsequent to legislation that has been passed by this Legislature, those regulations, prior to being passed by an order in council by the Executive Council, be referred to the Standing Committee on Law and Regulations so that they can be examined and debated. Too often we find government members, some government members all too much in a haste to try to get their agenda through and to push through and make sure that there's little or no opposition to what they're doing. In doing so, yes, they may slip by some opposition or they may deny some public opposition opportunity to organize and come to government. That I understand is a political strategy. Beyond that, if we go with too much haste with regard to

developing and drafting and passing regulations, then we tend to make mistakes.

We've seen repeated examples in this Legislature where government has had to bring back Bills that it has passed in the last two years, bring back amendments to those Bills after refusing sometimes amendments from the opposition that would have had the same effect. We've had regulations having to be redrafted and redrafted and amended and amended. It seems to me that if we had a more transparent process, if the Standing Committee on Law and Regulations exercised its ongoing mandate to review each set of regulations before they were proposed to Executive Council, we could catch some of the mistakes that we've seen all too often in this Legislature.

3:40

I'm afraid that hon. members sometimes forget that when we make decisions in this Legislature with regard to legislation or regulations, those decisions have a direct impact on the real lives of people and firms and companies out in the world beyond the dome. It's simply not an academic exercise where we're all sitting here saying, "Oh, let's draft this and pass this particular piece of legislation or particular set of regulations or amendments," and, poof, once that's done there's no impact. That's when the impact really happens: after we make a decision or after Executive Council then makes a subsequent decision on a particular Bill to put in or not to put in a particular regulation. Again, it is important that the Standing Committee on Law and Regulations review.

The second point that stresses the importance of why the Standing Committee on Law and Regulations should be reviewing regulations prior to final approval by Executive Council is that we need to be very, very sure that when regulations are being passed by Executive Council, they do indeed deal with issues that are within the purview of the particular Bill or Act that's been passed by this Legislature, that they don't go beyond those. We know what happens and we've seen this in some jurisdictions. Because of this question as to whether a particular regulation is beyond the scope of the Act or is beyond the scope of the enacted Bill, we've seen court actions that have followed up on that. If we had a more transparent process whereby these regulations went to the committee, if there were perhaps public hearings to look at the regulations in terms of some wording changes or in terms of some clear interpretations, we could avoid lengthy and sometimes costly court action.

Also, it's important that our regulations be efficient. We all know that too often – I want to stress that I think all members of the Legislature agree that we need to be efficient and we need to be really effective in government – in our actions, in our policies, and in our planning – and that the danger is that once we go through the three stages of the Bill here and the prior stages of drafting and consultation, once it's passed, we don't hurry through the regulations and therefore undo what we've tried to do in the Legislature in terms of bringing efficiency and in terms of being able to target our resources with regard to government operations.

I can't understand why a government member would not vote for this particular piece of legislation. The hon. Member for Clover Bar-Fort Saskatchewan has made it really clear why she thinks this amendment is worth while. I would urge all government members and members of the opposition to support these amendments.

Thank you.

THE ACTING CHAIRMAN: Members, can we have unanimous consent to revert to Introduction of Guests?



HON. MEMBERS: Agreed.

THE ACTING CHAIRMAN: Opposed?

The hon. Member for Cypress-Medicine Hat.

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

DR. TAYLOR: Thank you, Madam Chairman. I'm very pleased to introduce through you to this House three members sitting in the public gallery. Although they are fine Conservatives, I'm sure, I'm not quite sure why they're sitting there, unless they want to see their father and husband hard at work: an obvious reason why they must be there. I'd like to introduce Doris, Courtney, and Nathan Doerksen. I would ask them to stand. You can see, when they stand, that the boys obviously get their good looks from their mother.

**Bill 13**  
**Registries Statutes Amendment Act, 1996**  
(*continued*)

[Motion on amendment A1 lost]

MRS. ABDURAHMAN: Madam Chairman, I'd like at this time to move a further amendment, and we will call it A2. It can be found on that single sheet that the minister of transportation was referring to. It deals with: "Section 7(2) is struck out." So I would move that an amendment to Bill 13 be that "Section 7(2) is struck out," and this can be found under the Societies Act on page 28 of Bill 13.

Section 7(2) states that annual reports and audited financial statements no longer need to be filed annually. Filings are only required where changes in address of membership occur.

[Mr. Tannas in the Chair]

Mr. Chairman, I would suggest and convey a great concern about this section actually being removed from the Bill. I believe that it behooves us to ensure under the Societies Act that the annual reports and audited financial statements are indeed filed on an annual basis. I just don't understand why you'd want to get away from that practice.

You know, there's a real concern, as we are in a societal time where charitable organizations, marketing agencies, telemarketing people – we see more and more the possibility that scams can be done in the name of a charity. I would think, Mr. Chairman, that we would want to keep close tabs and ensure that the people who fall under the Societies Act are indeed keeping annual reports and audited statements in a credible fashion and that they're open to scrutiny.

So I would ask members of this Assembly to support this amendment, because really these documents should be filed on an annual basis so that the businesses of these societies can be tracked. I should be able to go in and have a look and make decisions on whether I wish to donate money or participate in business with that company or charitable organization.

Mr. Chairman, I'm somewhat disappointed that this amendment was brought forward for the Societies Act. So that's the reason why we're now moving the amendment that's before you, that "Section 7(2) is struck out," and that we go back to what was in the Societies Act previously.

Thank you.

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

MS CARLSON: Thank you, Mr. Chairman. I rise to speak in support of this amendment. There are, I think, many, many good reasons why this section should be taken out of here. It states that financial statements will no longer be filed annually for societies, and I see that as being a real problem in this province. There's no requirement federally from an income tax perspective for societies' statements to be filed anywhere, and while they are circulated amongst their membership and to their funding bodies, I do believe that societies should also have information that is accessible by the general public at any given point in time. If we were to leave this in here and not support this amendment, then I believe that that would create a problem in terms of openness for people to be able to access the information and to indeed keep societies accountable in terms of their actions. I think we've seen in the history of this province occasions when that has caused not just some concern but great problems.

So I have to definitely support the amendment brought forward by my colleague, because we need the people of the province to have some trust in societies to be open and accessible to all people. There is absolutely no reason why we shouldn't require that they be filed annually and every reason to require them to be filed annually.

With those comments, I'll take my seat. Thank you.

**3:50**

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

DR. PERCY: Thank you, Mr. Chairman. I rise to speak in support of this amendment. As one who uses financial records extensively in the process of this House in preparation of questions or preparation of debate, I find the fact that the annual reports of societies need not be filed to be of real concern, because it makes it very difficult, then, for us in terms of our jobs as critics, in terms of holding the government accountable, to get the information that we need. You know, that's one problem with it, but the more important problem is that the public at large now is restricted in terms of accessing information, and there has been nothing that has been presented with this Bill that really justifies this particular exclusion.

So I would think it's very much in everyone's interests to continue to ensure that societies file their financial statements annually and not when there's a change in membership or when there's a change in address. I mean, the real issue here is that the business of these societies ought to be able to be tracked by the public and by members of government.

So I would urge all members to support this amendment, because it's certainly consistent, again, with openness and transparency, and it's a constructive amendment that I think everybody should and ought to support.

With those comments, I'll take my seat.

SOME HON. MEMBERS: Question.

THE CHAIRMAN: Okay. The question is called. We have, then, before us in committee amendment A2, which amends section 7(2) of the Societies Act amendment. It's proposed by the hon. Member for Clover Bar-Fort Saskatchewan. All those in support of this amendment, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 3:53 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Collingwood	Percy
Bracko	Decore	Sapers
Bruseker	Henry	Sekulic
Carlson	Hewes	

Against the motion:

Beniuk	Haley	Renner
Black	Hierath	Severtson
Burgener	Hlady	Shariff
Cardinal	Jacques	Smith
Coutts	Jonson	Stelmach
Day	Kowalski	Taylor
Dinning	Langevin	Thurber
Doerksen	Lund	Trynchy
Dunford	Mar	West
Forsyth	McFarland	Woloshyn
Friedel	Oberg	Yankowsky
Gordon	Pham	

Totals: For – 11 Against – 35

[Motion on amendment A2 lost]

MR. DAY: Mr. Speaker, I move that the committee rise and report.

[Motion carried]

[The Speaker in the Chair]

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports progress on the following: Bill 13. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? So ordered.

head:

### Government Motions

#### Ethics Commissioner's Reports

17. Mr. Day moved:

Be it resolved that the Assembly, as required under section 26(3) of the Conflicts of Interest Act, deal with the reports of the Ethics Commissioner dated November 10, 1995, and February 14, 1996, by receiving them.

Mr. Bruseker moved that Government Motion 17 be amended by adding the following after "by receiving them": "and by referring the Ethics Commissioner's report dated November

10, 1995, to a justice of the Court of Appeal of Alberta to review the report to determine whether the report is accurate, complete, and thorough and whether the evidence supports the conclusions reached by the Ethics Commissioner and to report the findings to the Legislative Assembly."

[Adjourned debate April 3: Mr. Renner]

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. I'm pleased to speak again to Motion 17. Last evening when I adjourned debate – at that point we had been discussing this issue for some two hours – I expressed that I felt I wanted to take an opportunity to review *Hansard* and have a look at the discussion that had taken place throughout the evening, and I encouraged all members to do so. Frankly, I did have an opportunity to look at *Hansard*, and if I could make an observation of the debate last night, it would appear that we really have a stranglehold in this House. The opposition members clearly feel that there is a problem and say that the report should be referred on to the Court of Appeal, while members on this side of the House very clearly indicate that they feel that the report from the Ethics Commissioner is appropriate and should be received.

Mr. Speaker, I have some concern that we spent two hours on this last night. We could well spend another six or 10 hours. I don't see any chance for either side convincing the other on the issue. It would appear that everyone is well entrenched in their views. When you start reading the speeches from last night, there's a good deal of repetition on both sides, quite frankly. I don't think there was a lot new that came from either side.

Mr. Speaker, there is a lot of important business to be conducted in this House, and I think the most logical resolution to this problem is that we should now call the question on this matter and, if need be, ring the division bells. Members can stand up and have their vote recorded. I don't see it gaining anything by every member in this House speaking for their 20-minute allotment, saying the same thing over and over just so they can have their name in *Hansard*, have it recorded so that their opinions are on paper. Let's call the question right now, ring the bells, and record the vote.

4:10

MR. SAPERS: Mr. Speaker, I'd like to remind the hon. Member for Medicine Hat that we are dealing with an amendment right now to the motion, so if we were to call the question on anything, hon. member, it would be on the amendment only.

The reason why this amendment is so important is because the original motion just doesn't do justice to the issue at hand. We are talking about an issue which has called into question the very integrity of the Premier of the province. This is a question that needs to be resolved with as much debate as it takes, hon. member. Whether it be 20 minutes or two hours or six hours or 16 hours is not the issue. The issue is making sure that we get to the bottom of this, that everybody is satisfied that the truth is known and everybody is satisfied that all aspects of this issue have been fully addressed. Certainly in my constituency there is no shortage of residents who phone me and write me and come and visit me in my office to ask about this issue, who want to know about this issue.

MR. DUNFORD: Name three.

MR. SAPERS: The Member for Lethbridge-West is saying, "Name three." Spend a day in my constituency office, and I'll show you how constituency work is done, hon. member.

Now, what we're dealing with is a report from the Ethics Commissioner which answers some questions but unfortunately leaves many other questions unanswered. The Ethics Commissioner's report on page 3 makes the statement that there was "a private placement of 1 million shares at \$1.00 per share," but in fact documents show that there were 2 million shares. The Ethics Commissioner's report states: "It is important to note that Multi-Corp Inc.'s shares were not trading" on the stock exchange on the date the Premier was opening the Hong Kong office of Multi-Corp. However, there was no prohibition against private deals going ahead. There are several other questions. We're told that there were some 30 schedules prepared for the Premier's travel. We don't know whether Clark reviewed those 30 schedules and which one in fact was the one that was filed as the official schedule of his journey.

The amendment to Motion 17 speaks directly to determining whether or not the report was "accurate, complete, and thorough and whether the evidence supports the conclusions reached." Why would we in this Assembly want anything less? Why would we want to provide anything less than the whole truth and nothing but the truth to the people of this province? Isn't that the standard by which we should all be operating? Isn't that the standard by which we should expect a report to be evaluated? Of course it is, and every hon. member knows that it is, because we've all heard from our constituents about this issue.

Mr. Speaker, what we have in the Ethics Commissioner's report is a retelling of a series of events which frankly don't make sense. For example, we're told that Mr. Novak "never spoke directly" with the Premier's wife, but then we're also told to accept the fact that they arranged somehow to provide for a payment of shares at some later date. If they never spoke, how was it that they agreed to come up with a cost per share and a transaction of shares . . .

#### **Speaker's Ruling Repetition**

THE SPEAKER: Order please. The Chair really would remind hon. members - I know it's difficult - that there's no sense getting tedious on the repetition. The Chair has heard these facts three times already. Now, if the hon. member has something new to contribute to the debate, the hon. member is quite free to do so, but please don't go back and rehash what your colleagues have already said several times.

MR. SAPERS: Thank you, Mr. Speaker. I am reflecting the comments brought to me by my constituents.

THE SPEAKER: The Chair doesn't care what you're reflecting. If you're repeating what's already been said, it's repetition. If you'll look at Standing Orders, you'll see that there are injunctions against repetition. If you are not familiar with what's already been said in *Hansard* because you weren't present when those comments were made, please refresh your memory. If you were present, please also refresh your memory. There are injunctions against repetition, hon. member.

MR. SAPERS: Well, Mr. Speaker, I understand your direction, and I must tell you that I'm somewhat surprised. I always felt that this was a bastion of free speech.

THE SPEAKER: Hon. member, order. It is certainly a bastion of free speech, but it's within the rules of the House. Is the hon. member unfamiliar with our Standing Orders? Is the hon. member unfamiliar with the same injunction made with respect to the Standing Orders of the House of Commons, as reflected in *Beauchesne*? If he is, he had better get familiar with them.

The Chair said that you are perfectly at liberty to raise something new, to give some new dimension to this debate, not tediously repeat what your colleagues have already said. The Chair has been very liberal on this to date, but that liberalism has certain bounds, and we are now getting to those bounds. The hon. member should pay attention to the Standing Orders and add something new if he wishes to participate.

MR. SAPERS: Thank you, Mr. Speaker. I thought I was familiar with the rules of this House, and apparently, based on your comments, I will have to familiarize myself with the rules as they continue to emerge.

#### **Debate Continued**

MR. SAPERS: Mr. Speaker, Motion 17 is an incomplete motion, and regardless of whether it is considered to be tedious or not, Motion 17 can only be saved by making it as complete as possible. That would be by in fact having an outside, independent judicial review of the contents of the report. It is simply not good enough for this Assembly to debate whether or not the report should be received. We must have an opportunity to determine whether or not the report is thorough, complete, and accurate. We must have an opportunity to determine whether or not the report's conclusions can in fact be justified by all of the other findings in the report.

I apologize to you, Mr. Speaker, if you find my comments to be unduly repetitious, but these are questions that prey in my mind quite heavily, and they are questions that have been raised on several occasions both inside and outside this Legislature. I cannot distance myself, in fact, from the intensity of concern which has been reflected to me as a Member of this Legislative Assembly and the necessity to stand here and take my place to speak on behalf of my constituents on this matter.

Now, what we're dealing with is an amendment that has been very, I think, thoughtfully put forward by this House. It has been spoken to for a couple of hours, Mr. Speaker, but certainly not exhaustively. The Member for Medicine Hat says that the power of debate would have no power of persuasion. That, to me, is a very hollow and shallow assessment of what takes place inside the Legislative Assembly. The fact is that if we did not believe that debate had the ability to change minds, then one would not have any belief at all in the legislative process. I happen to believe that what we do day in and day out in this Assembly during debate is of utmost importance and does in fact have impact. I think good argument and new information will in fact carry the day. I'm very hopeful, Mr. Speaker, that members on both sides of the House will want nothing less than the most full and complete airing of this issue, and of course that will be accomplished by supporting the amendment to Motion 17.

Contrary to the Member for Medicine Hat's assertion that nothing could be said that would change the entrenched positions on both sides, I happen to believe that people's minds in this Assembly are generally open. I would hope that all members view this not in partisan terms, Mr. Speaker, that they don't see this simply as an opportunity for one political party to take sides against another but instead as an opportunity for all Members of

the Legislative Assembly to come together and do what is right, do what is best for the people of this province. That, in this member's estimation, would be to give full and complete support to the amendment to Motion 17.

Thank you.

**4:20**

THE SPEAKER: The hon. Minister of Energy.

MRS. BLACK: Thank you, Mr. Speaker. At this time I would like to move that we adjourn debate on Motion 17.

THE SPEAKER: The Deputy Government House Leader has moved that debate be now adjourned on Motion 17. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: Carried.

MR. DAY: Mr. Speaker, given the weekend before us and the fact that many members from out of town need to travel to their constituencies for Good Friday services and other functions, I would now move pursuant to Motion 14, which was passed yesterday, that the Assembly stand adjourned.

[Pursuant to Government Motion 14 the Assembly adjourned at 4:23 p.m.]