

## Legislative Assembly of Alberta

Title: **Tuesday, April 30, 1996**

**8:00 p.m.**

Date: 96/04/30

[Mr. Clegg in the Chair]

THE ACTING SPEAKER: Please be seated.

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

**Bill 12**  
**Persons with Developmental Disabilities**  
**Foundation Act**

[Adjourned debate April 30: Mr. Sapers]

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

MR. BRUSEKER: Thank you, Mr. Speaker. I just want to make a few comments about Bill 12, Services to Persons with Disabilities Foundation Act. I realize the title has been amended now, and we're moving along. It's good to see that the government listens to our suggestions once in a while. They always listen, don't always act on them though. That is the difficulty. If they would act a little more often, that might be a positive step too.

AN HON. MEMBER: Question.

MR. BRUSEKER: Just in fact a couple of questions that I wanted to raise, hon. Member for Red Deer-South. That's a good point.

I guess when I look at this particular Bill, Bill 12, and also Bill 14, which is the Health Foundations Act, it seems that there's a move here by the government to move away from public funding of things that had been funded in the past and move more towards, I guess, what might be considered sort of a private responsibility. I guess it begs the question: what is the philosophy or the direction that the government is moving towards or heading in with respect to core issues like this? The Bill, Bill 12, services to persons with disabilities, and now developmental disabilities as amended, is a Bill that proposes to pass this on to a private foundation that is semiprivate because it's going to be an agent of the Crown.

I guess in speaking to this particular Bill, one has to ask exactly what the purpose is to set up this foundation, because when one looks at how the money would be received and directed and utilized by the foundation, it seems that as part of the Bill they're putting in a floor level for the minimum size of donation. It seems to be one of the tenets of this piece of legislation, Mr. Speaker. It seems that if a person chooses to make a donation to this foundation, he can't direct where that money would be used in terms of a particular individual or a particular centre, a particular use.

[The Deputy Speaker in the Chair]

So I guess it begs the question: if indeed the foundations Act does not pan out in the manner in which the government has, I guess, envisioned it to pan out, what's plan B? It seems that they're anticipating that money is going to start rolling into this foundation from presumably private and perhaps corporate donations. I'm not sure exactly which because that's not made clear. I would guess that from the standpoint that there is a

minimum floor level hinted at in some regulations that are going to be again created down the road, which we again don't see with this Bill, haven't seen in the two previous reading stages, we're looking at really the development of, in a sense, new health care policy in the creation of new directions by the minister and by the government in terms of who and how health care is going to be delivered in the province of Alberta.

This Act and the Health Foundations Act, which is Bill 14, both of them, if you review the individual clauses, look remarkably similar in that we are creating here again an agent of the Crown. The trustees that will be heading up this particular foundation are going to be appointed by the minister. I'm not sure exactly how that selection process is going to be made. I presume that in this case it will be the Minister of Family and Social Services, who has introduced this particular Bill, but I guess there are still lots of unanswered questions out there, Mr. Speaker. I'm not just sure yet exactly where the government is going with the creation of this foundation and the Health Foundations Act. Indications are that there may well be other Acts creating other foundations for other purposes.

The obvious question, then, is if the foundation sees a successful year and is very successful in its corporate fund-raising drive or what have you, will we then see that we might see a drop in the grant from the provincial government in terms of their budget for funding this area as well? I would say that for persons with developmental disabilities, for the Health Foundations Act, because they're very similar, Mr. Speaker, one would expect that there would need to be a requirement for a fairly steady level of funding. If one year the foundation has a tremendously successful year and the next year is not so successful, what could be the ramifications for programs that fall under the auspices of this foundation?

I guess the other thing that I have to wonder about is: with all of the different fund-raising activities that are going on now, already today, before we pass this Bill, when we add another charitable organization group called the services to persons with developmental disabilities foundation which is going to be out there raising funds and then we're going to have the health foundation out there raising funds – there are only so many funds to be raised, Mr. Speaker. So then the difficulty becomes how likely to be successful is all of this going to be?

It's a little bit vague. As I understand it, this is really just sort of the bare-bones skeleton of what has yet to be fleshed out, and I must confess a certain unease, Mr. Speaker, at passing what is really just a skeleton with so much left to be detailed and diagrammed and spelled out, if you will. From that standpoint I guess I'm just raising those concerns and expressing some severe reservations about the concept and the philosophy behind this Bill, and indeed Bill 14 as well, another foundations Act.

So with just those few comments, Mr. Speaker, I did want to get on the record with those concerns and mention those at third reading stage. Thank you.

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

MR. HENRY: Thank you very much, Mr. Speaker. I, too, would like to make a few comments on the Persons with Developmental Disabilities Foundation Act, Bill 12, at third reading.

I've got some concerns, number one, about ministerial accountability. As I understand it, in this Act the services to persons with disabilities, which are now run directly by the minister of

social services, are going to be transferred to this foundation for operation. It seems to me that one of the principles of our democratic system is that there is an elected person, a minister of the Crown, who is responsible for the services that come under the mandate of his or her portfolio. Now, with transferring the services to persons with disabilities to a foundation that's incorporated by the Assembly, I have to wonder what then becomes of the ministerial role with regard to accountability?

If I were to stand up in question period after this Act is proclaimed and say to the minister, "We have a problem with services to a person with a disability," or "I have a constituent who has a problem," does the minister do what so many ministers have done once they've devolved things out of their department, go: "Well, it's not me. Go talk to the other guys. I don't have any responsibility here"? Is there going to be a level of public accountability or not? I haven't heard in the debate the minister of social services respond at all to that point. [interjections]

Mr. Speaker, I don't believe them.

**8:10**

AN HON. MEMBER: You're quite humorous, Mike.

MR. HENRY: I'm being told I'm humorous, and believe me, this is not a humorous issue. In fact, I could tell the minister about the failings of his department today, where his department fumbled two cases that I dealt with today. I believe that if he can't solve them, he needs to be held accountable for those. This particular Bill would allow the minister to escape that particular responsibility. We're talking about individuals who have developmental disabilities.

This Bill also has to do with institutions such as Rosecrest and Michener Centre. Many years ago when it first became the thing, if I can put it that way, when it became publicly popular to deinstitutionalize individuals, to move them out of institutions into the community, I lived in central Alberta, and I volunteered as the vice-president of a major agency that provided services to persons with developmental disabilities, people who came out of Michener Centre. They were fine services, and they were high-quality services. As we saw there more and more deinstitutionalizations, as we saw as the years went on less and less resources being put into the community for those individuals, for the first time, I believe, we started seeing street folk. We started seeing a kind of inner city in the city of Red Deer, as we have certainly in Edmonton and I daresay in Calgary as well. That's a direct result of government deinstitutionalizing without transferring resources and without accepting responsibility for developmentally disabled individuals to help them live in dignity in our community.

This government's history has been, when they can, to simply be a Pontius Pilate and wash their hands of the situation and say: "It's not my fault. None of my actions contributed to this. I have no power in this." This Bill has the danger of allowing the Minister of Family and Social Services to do exactly that, even more so with persons with developmental disabilities.

The second point I'd like to raise, Mr. Speaker, is this government's consistent fantasizing that there's an unlimited amount of charitable dollars out there. There used to be a time in this province when government provided services to individuals who required support and who required protective and supportive environments. The government was responsible for that, and charitable dollars went to other kinds of initiatives.

What they've seen over and over is a retreat by the government from responsibility for services that have historically been the responsibility of government in this province and more of an off-

loading onto the charitable sector. It is no secret that in this province charitable institutions and nonprofit groups are stretched to the limit with regard to not only providing services but raising dollars to help promote those services, to help ensure those services are available for those who need them. Yet we have the government in the face of this reality pulling back from its responsibilities and actually setting up entities that come into more competition with existing long-term charitable organizations. The government has to realize this.

Albertans are good-hearted. Albertans open their wallets when it is needed in our communities, but there is a limit to that. There is a limit to that, especially when more and more we see government taking funds out of individuals' pockets through increased user fees and other forms of hidden taxation in our province. Charities are going to have more competition because of this Bill. You're going to have another entity out in the community raising dollars.

Here's the reality, Mr. Speaker. A foundation with a \$12 million budget to start with will have the ability to develop sophisticated development activities with regard to fund-raising that will allow them to compete aggressively and allow the foundation to compete, some might say unfairly, with organizations that don't have the resources to hire the professional staff to do the proposal writing, to do the pitches, to set up the connections with those in our communities who have money.

All you have to do, Mr. Speaker, is go to the Clifford E. Lee Foundation or the Muttart Foundation in Edmonton or the Edmonton Community Foundation and look at the list of applications they have compared to what they had 10 or 15 years ago, and you'll see that there are more and more community groups strapped for less and less money. I worry that this particular foundation will be a way of competing with existing foundations. I worry – and this has been expressed by families of individuals with developmental disabilities – about the composition of this board. The government truly wanted to turn these services over to the community and truly wanted them to be operated by the community. Then they would allow the communities to elect or otherwise select the members of the board of directors. But, no, this allows the minister and the cabinet exclusive authority with regard to appointing members of the boards of directors.

This is reminiscent of health authorities, Mr. Speaker, wherein the government says, "Oh, well, we're going to turn this over to the community," refuses to allow elections of the health authority board members, and then controls their actions by controlling the purse strings. We're afraid the same model is going to happen here.

Again, families of individuals who have developmental disabilities have expressed the concern that as families, as members of the communities they may not have enough input into how the membership of the board of directors is indeed selected. We all talk in this Legislature about wanting to encourage more family involvement. In fact, those family members, the primary composition of the community groups, may find themselves with this Act actually having less impact in terms of the development of community services, because right now they can apply political pressure to the minister, to the backbenchers, to the members of the opposition, and they can push us to examine issues. They can develop a public issue which then the government of the day and the opposition would have to respond to, but with this Bill the government is going to be able to say: "Oh, don't come and talk to our caucus. Don't come and talk to me as minister about this one. You know, this is an arm's-length board. Maybe you

should go talk to them.” Yet we know the government will control that board, because the government will determine who is on that board. It's not the community that will determine that but the government, and the government will determine in large part the amount of dollars that are committed to this board's enterprises. We have seen that with school boards, we have seen that with hospital boards, we've seen that with social welfare agencies, right through where this government has cut and then said: “Oh, we're providing adequate funds. Let them set their own priorities and work it out.” Even if it isn't enough money to do what they're mandated to do by the government, the government will say, “Well, there's nothing we can do; it's the local priorities,” yet the government holds the purse strings. That's what this Bill is going to allow again the government to do.

I have grave, grave concerns about allowing the government to continue on this course where it essentially devolves itself of responsibility and thrusts it onto the community without – and I repeat: without – giving communities the control. If this government really believed in community control, if this government really believed in developing communities and allowing them to have an impact on the things that affect the daily lives of the members of their communities, they would give them that control.

I see the Minister of Family and Social Services shaking his head. We all know that he doesn't want to give control. We know what he's doing with services for children as well. We know what he's doing with services for children, where he's going to control, where he's asking communities to do all sorts of work out there . . .

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

THE DEPUTY SPEAKER: I wonder if we could have softer . . .

MR. DINNING: Noise?

THE DEPUTY SPEAKER: Yes. Thank you, Provincial Treasurer. Softer conversations as opposed to long-distance conversations, which require the raising of the volume. Thank you.

Edmonton-Centre.

MR. HENRY: Thank you very much, Mr. Speaker. I will take it that you're talking to the members across and not to the Member for Edmonton-Centre in terms of being softer.

#### **8:20 Debate Continued**

MR. HENRY: I do want to talk about what the minister is doing with children's services in this province, because it's part of the pattern of what he's going to do, what he wants to do with services for persons with developmental disabilities. What he's doing there: he's asking the community to take on enormous responsibility. I applaud the communities in the Edmonton area, the ones that I know about, for the work they're doing. They're doing tremendous amounts of work, yet they have absolutely no control. The information they get from government is inconsistent, yet government acts without consulting them. In fact, they're asked to develop service plans without even knowing what the budget will be for the delivery of those services, and there's no co-ordination.

So we get to the Bill with regard to the services to persons with disabilities, particularly with developmental disabilities, and the problem we're going to have here is that the government is going to create these foundations, transfer the dollars and the services,

but not transfer the control. You've not seen an innovative idea from a member across the way to maybe transfer certain kinds of tax points, maybe 1 percent of corporate taxes or personal income taxes or certain royalties. Then these kinds of organizations would have some surety and would have some guarantee. What the government can do with this foundation is that they can cut the services, and they can direct the foundation to do its bidding whether or not that foundation wants to do so.

This is reminiscent of an experience I had with another Conservative government back in the early 1980s sitting on a home care management committee in Red Deer. A lot of the services we were providing were to disabled individuals. The government all of a sudden had a particular program that they had botched the administration of, where the expenditures were out of control, and they came to this organization and said: “We'd like you to take it over, and by the way we're going to cut the dollars back dramatically, and you can take the flack for that. Just cut all sorts of people off the services.” Well, after considered debate and after looking at the budget figures, which would not allow an adequate service level, the organization, which received almost all of its money from the provincial government, said, “Thank you very much; we're not able to do this.”

Three months later the government representatives came down and said that now that you're doing this – and the point I want to make, Mr. Speaker, is that the individuals in the organization had no choice because it was beholden to the government for almost its entire revenue. When the government took a program that the group determined was outside its mandate and when the government chose to inadequately fund that program, it left that organization no choice but to divert resources into developing this new program. The records will show that children's dental services in central Alberta had to be cut in order for the funds to support this program that had previously been fully funded by the government. That can happen under this Bill, and there is no accountability back to the government. The Minister of Family and Social Services can just sit there and say: “Oh, it's not my fault. Let somebody else look after it,” even though he will have the entire control over what happens.

Mr. Speaker, I do want to say a couple of words about Rosecrest and the Michener Centre and with regard to the government's increasing move again for deinstitutionalization. I want to say some general comments that relate to this Bill. I believe that regardless of political ideology in this particular Legislature, the ideology on this side of the House or the two or three on that side of the House, we would all agree that we would like to have – I see one member awake from Edmonton-Manning; thank you – people living in their communities, people who need support, whether it be through developmental or physical or other kinds of disabilities, people in their communities as much as possible close to families, close to friends, and I think we all share that we'd like to see that.

We have to recognize that for some, albeit a minority of those individuals, the place for them is in a group setting, which doesn't have to be institutional necessarily in nature but isn't totally independent living. When we got on the bandwagon in about 1977-78 in this province with services to persons with disabilities and we decided to thrust everything out into the community – and initially it was the developmentally and physically disabled that we were working with in those years – we made the mistake of assuming – and I can't understand how as a province we would do this, and all people were a part of that – that every individual could become fully independent.

We have to recognize that different people, including ourselves and perhaps someday members in this Legislature, need different levels of support sometimes at different times in their lives. Sometimes some people need more than others in order to be able to function in the community. For some people the community is and has been their entire life a protected setting. Some might call that institutional. I don't want to suggest that we go back to the old wards where we simply warehoused people, but we have to recognize that there's a small minority of individuals who have a better quality of life where we have a level of support that allows them to function in a group setting, that allows them to function on a day-to-day basis. It would worry me if the government made a unilateral decision and simply said that we weren't going to have institutions in our province for the developmentally disabled. Institutions don't have to be warehouses. Institutions can be homes, and institutions can be properly, fully funded. I worry that what the government's going to try to do here is simply devolve itself of the responsibility, tighten the funding, and have a whole pile of people dumped in the community without adequate resources to ensure that they have a quality of life.

Mr. Speaker, every individual in this province, whether they have an IQ of 75 or 125, has the right to live in dignity in our province. Our responsibility, which I sometimes wish the minister would show more, is to ensure that every individual is given the opportunity to have that dignity and that quality of life. I fear that in our province, as we rush towards devolving government out of everything – and I will be the first, the very first to acknowledge that government was in some services that it didn't need to be and that we should be pulling out of some services, but I worry that devolving everything wholesale to communities without giving those communities the control is a recipe for disaster.

Thank you very much, Mr. Speaker.

**THE DEPUTY SPEAKER:** The Chair, before recognizing Sherwood Park, would like all members to share the joy of one of his colleagues who has perceptibly aged in the course of the debate today and congratulate him on yet another birthday: Calgary-Buffalo.

With that happy birthday notice out, we'll call on the Member for Sherwood Park.

**MR. COLLINGWOOD:** Thank you, Mr. Speaker. I guess I'll start with congratulating the Member for Calgary-Buffalo for a special celebration today. I guess it just goes to show that we're all getting older.

I would like to add some comments with respect to third reading of Bill 12, and I'd like to make my comments on behalf of some of my constituents I recently met with who are very active in our community with offering support through the services to persons with disability programs.

My colleague for Edmonton-Centre made reference to the fact that what those individuals and individuals like these people are looking for is an opportunity for input into the whole process of the community level of services to persons with disabilities. Now, I listened intently to the Member for Edmonton-Centre, and what he described is the fact that these individuals now have some ability and some opportunity to come and meet with the Minister of Family and Social Services, to come and meet with myself, meet with the Member for Edmonton-Centre, meet with their local MLA about issues that concern them, and they can use that as a vehicle for their input into the whole process.

My sense, Mr. Speaker, in talking with people from my community, is that that's not really what they're looking for. What they're looking for is an opportunity to be recognized in their own right and to become fully involved as full participants in decision-making processes about the programs that are offered to persons with disabilities. That kind of involvement would and could have been reflected in Bill 12 if the Minister of Family and Social Services had given some consideration to the election of board members to this particular foundation. Not just for this foundation in terms of community-driven involvement but certainly for purposes of this foundation, the opportunity was there for the minister to recognize those concerns and those statements from the volunteers and the families who are involved with persons with developmental disabilities, and he could have found some way to involve them in this particular foundation. What the minister chose to do, of course, is what the Minister of Health has chosen to do, what is inconsistent with what many Albertans are saying, and that is to make it community driven in reality, not just in rhetoric. Don't just have the minister appointing trustees to this board. Elect people at the community level.

**8:30**

It is, as I say, not what the Minister of Family and Social Services has chosen to do. He has chosen to do the typical government thing, and that is to wield the power for himself and use the power to appoint trustees to the board of this foundation. It's unfortunate, Mr. Speaker, that the minister has not heeded the concerns and the views of the families who live day to day with relatives and children who suffer from developmental disabilities and who in their everyday life do all they can to provide support for those individuals and, as again my colleague for Edmonton-Centre indicated, provide them with a quality of life and dignity in their circumstances. Not a concern for the minister. The minister chooses to do something completely different and didn't give recognition to the community-driven aspect of this kind of foundation.

Now, Mr. Speaker, I note that in the amendment there was the removal of some of the provisions of the objects clause or the purposes of the foundation clause in that the foundation now cannot solicit or raise funds for what was described as "any other activity." The services to persons with developmental disabilities foundation now is restricted to solicit and raise funds "subject to the regulations." Of course, we never see the regulations. Who knows what they're allowed to do and what they're not allowed to do. But the foundation can "solicit and raise funds for capital projects, pilot projects, [or] research," and not for any other activity.

Now, my colleague for Calgary-North West raised the question: where's the government coming from in this particular Bill? Why are they coming forward with creating this kind of foundation, this foundation having agent-of-the-Crown status so that it will have for the donors to this foundation greater tax relief than in other circumstances? It strikes me that by taking out that terminology – and in fact I agree with taking out that terminology – it suggests that what this foundation will therefore have to do is that if there are any capital projects the foundation wants to undertake, that will be their business and that will be their concern.

It says to me, Mr. Speaker, that the government is going to move away from participating in support for persons with developmental disabilities, in providing needed funds for capital projects. If the foundation or if those who are part of that community in helping persons with developmental disabilities want

to improve services through capital projects, then that will fall into their domain and that will be their responsibility. The government will simply say: "We have no money for capital projects. If you want the capital project, go and raise it." So that's to my way of thinking where the government is coming from by virtue of the fact that it has removed those words "any other activity."

Another interesting aspect of this particular Bill is that the board of trustees, once appointed by the minister through his backroom selection process, will then collectively get together, and by virtue of the legislation here, it will empower them to sit around the table and decide how much the foundation is going to pay them for "remuneration and travelling, living and other expenses incurred in the course of their duties as trustees."

Well, that's an interesting measure, Mr. Speaker. I know that when we all talk to our constituents, they all ask us the question: who gets to decide their own pay except MLAs? Well, I guess I have an answer for them now. The minister is allowing the trustees of this foundation to set their own pay, because that's what section 7 of this particular Act says. Now, I can hear the minister shaking his head that that's not what it says, but as I read it, it says:

The board of trustees may, by resolution, authorize the Foundation to pay to its trustees out of the funds of the Foundation remuneration and travelling, living and other expenses.

Mr. Speaker, as far as I can tell, that's pretty plain language. That says that the board of trustees authorizes the foundation to pay the trustees. So they do, hon. minister, get to set how much money they're going to make in providing services as trustees to this foundation. That has been expressed as a concern: why it's being done that way. The minister certainly has an opportunity to respond to that particular question. But the question has been raised, and as I say, we get it all the time, as all members do when we're in our constituencies. So now I have an answer for them.

Mr. Speaker, the move to the creation of this foundation as an agent-of-the-Crown foundation is one further step in a direction where the government is downloading responsibility to the public. They are saying to the public and to the corporate sector: "It's your responsibility, not ours. If you want these people to have a quality of life, if you want them to live their life with dignity, then it's your responsibility to provide that to them. It is not our responsibility." That is the essence of this particular Bill. That is the direction the government continues to go. It ignores or fails to recognize that there are many competing interests out there for the same kinds of corporate donations, that the corporate sector, as again my colleague from Edmonton-Centre indicated, has been very, very generous for many important activities in the province of Alberta.

But there is a limit, and with the direction and the policies of this government in moving in that direction, I suspect that in very short order we're going to see that the corporate sector and individuals are going to say: "Enough is enough. We simply can't carry the load that the government has, by virtue of its authority and by virtue of the reasons that we have government, or be there for persons who cannot enjoy the same kinds of privileges that we do and who suffer from a developmental disability that is beyond their control. It is collectively we as a society that say, "This is a responsibility of government; it's not a responsibility of some other sector." It's inappropriate for government to simply download that responsibility, supposedly on the argument that they're streamlining and deregulating and downloading and downsizing so they can balance the budget and

rid us forever of deficits that they and they alone created.

So, Mr. Speaker, I am concerned about some aspects of the Bill. I expect that this foundation will have some growing pains. I suspect that in the future we will see the kind of scenario played out that my colleague from Calgary-North West indicated; that is, there may be some good times, and there may be some bad times. What then happens to the foundation if it is unable to sort of carry on with some certainty about the future and its support from the community?

So, Mr. Speaker, with that I'll close my comments and reiterate the statements that were made to me by my constituents. They want a say. They want involvement. They want participation. They're not getting it here, and it's something that the minister still has to continue to deal with.

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

AN HON. MEMBER: Question.

THE DEPUTY SPEAKER: No. The Chair had thought that somebody was rising to speak on this side of the House, and I had actually received a note from Edmonton-Rutherford that he wishes to speak.

Edmonton-Rutherford.

8:40

MR. WICKMAN: Mr. Speaker, I have supported this Bill. I'll continue to support the Bill. I support the Bill from the point of view of what's better for the persons involved. I had the experience – I wish every member of this House had the same experience – of spending a good portion of a day in Michener Centre visiting with some of the residents in there and hearing some of the difficulties that were perceived. When we look at the history of this Bill, a portion of the responsibility of this Bill goes back to the parents, the guardians that were involved with the residents of Michener Centre. There was a fear, whether it was a perceived fear or a real fear, that the government was going to close down Michener Centre and that these people in Michener Centre were going to be displaced in the community. There was a fear that the services weren't in the community for those persons, and services were not in the community which could have provided for the community-based living that would be the ultimate goal, I believe, of any other person. Until that is there, we always have to remain with that choice.

As a result of that perceived or real threat of the closure of Michener Centre, parents arose, and there were dozens upon dozens of phone calls that were received by members of our caucus. And there were groups in the community that supported the closure of Michener Centre without first exploring the possibilities of the resources that were being provided for in the community.

So when it comes down to me, whom do I trust more to place these persons that are developmentally challenged in the hands of, these persons that are not capable in all cases of thinking for themselves, that have to place their whole lives in the hands of somebody else in terms of responsibility? Do we give that responsibility to government, or do we give that responsibility to parents, to guardians? When we look back five, 10 years down the road and we try to second-guess as to what course of action may have been the best, I'm comforted in knowing that if there are parents, if there are guardians involved, they're going to fight to protect the interests of those residents. I'm not convinced that government necessarily is going to continue to fight. In our mad

rush of budget restraint and budget balancing, those that are the least capable of looking out for themselves are the ones that are generally tossed by the wayside or the ones that are first impacted. So, Mr. Speaker, from that point of view I do place more trust in the parents and the guardians that will become responsible for the operations of these facilities.

There are some shortcomings in the Bill; there isn't any question about it. Some of the shortcomings have been pointed out, but again there is a degree of trust. There's a degree of trust in that I trust that the minister is not going to allow the operations of this board to fall under the direction of one particular organization in the community, regardless of which organization that may be. I trust that the minister and the government aren't going to take advantage of the clause in the Bill that allows for the 100 percent tax receipts in terms of contributions made, because it would be, quite frankly, very easy to raise dollars when that additional benefit is there in terms of allowing a 100 percent write-off on income tax rather than the 17 percent or 24 percent that's allowed now, depending on the taxation category or depending on the amount of dollars one has contributed to various charities. I would hope that with any dollars this foundation goes out and raises, the same amount of dollars aren't taken away from their budgets. The way that I interpret the Bill, the intent is to continue to provide those resources that have to be provided. It's the operations of those facilities that those dollars of course are directed to, that those dollars are raised for.

Mr. Speaker, the two amendments that had been made which I had proposed and that the minister had adopted and incorporated into the Bill are welcomed. The change in the name of the Bill was very welcomed by groups like the Premier's Council on the Status of Persons with Disabilities. Taking out the reference in terms of other activities restricted the mandate in terms of the Bill, and it reduced that perceived threat by some of the groups in the community that possibly this Bill would allow for the foundation to encroach on their turf.

In the additional amendment that I had proposed in the Bill and that was not accepted by the minister, reference was made to how it would enhance the method of selection of the members of the foundation as to some protection to ensure that the representation is spread throughout numbers of groups rather than allowed to get into one particular hand. The Member for Sherwood Park raised the possibility of members being elected. There are pros and cons, and I guess that if one believes in a true, true democratic system, you overlook the disadvantages of that system in that it does allow for a single issue group to take control much easier. That, I guess, is one of the downfalls, if there is such a thing as a downfall that is related to a democratic system, and I guess that's one of the chances we always take.

Nevertheless, the proposed change in that direction was not approved by the government side. I can live with that. Like I say, in any Bill there can be shortcomings found in it, such as in this particular Bill, but I will support the Bill again on third reading. Five, 10 years from now when we look back, I certainly again hope, to the minister, that it has turned out that we in fact have done the right thing.

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

**MR. DICKSON:** Thanks very much, Mr. Speaker. I have a significant Chinese Canadian community in my constituency, and they tell me in the Chinese folklore and the Chinese calendar that

if you have the good fortune to be born in 1948, the year of the rat, you're imbued with a certain spirit of optimism. I bring that spirit of optimism when I look at the Bill, because I have a lot of questions, a lot of concerns. I applaud the minister in supporting the initiatives that have been accepted at the committee stage, but I wanted to touch on a couple of the concerns I still have.

As has been said many times by members certainly on this side of the House in second reading debate and at the committee stage as well, there's a disquieting element in Bill 12 in the sense that so much is vague, so much is enabling without being defining. The kinds of concerns I have would be these. It was curious that when the minister spoke on April 2, he talked about dollars that would be subject to the foundation would be those "intended . . . for capital and pilot projects and research." I think that's an accurate quote from *Hansard* on April 2.

One of the problems I have when it comes to pilot projects and research, I think we've seen in lots of areas where those things are divorced from the delivery of service. There are missed opportunities. I've always found that, frankly, some of the most productive kind of research happens when it's actually done in conjunction with the direct delivery of service, because it's your direct service deliverers, providers, who tend to have the on-the-job experience. They have the experience in the trenches, if you will. Too often when you start hiving off the research capability and having separate managers than you have for program delivery, some problems ensue. You don't get the free flow of information back and forth. It's happened in the corrections area. It's happened in different areas. So I'm a bit uncomfortable that we seem to be marching right down that road here.

Now, it may be that the minister can devise some means to interconnect the two and ensure that they don't work at cross purposes, and I'd encourage him to do that. I know he wants to make the thing work. Well, I think this is something he's going to have to address because it seems to be that doing it in the fashion we have creates something of a problem.

Other speakers have noted the difficulty with who's really running the show here, whether it's the minister or the community. The difficulty I have is: if in fact the minister is running the show, as he said at second reading and at committee stage, why are we going through this process of setting up these local boards? It seems to me we're sort of riding two different themes in this Bill, and at times the two themes are fairly inconsistent.

I've always supported trying to solve problems as close to the level where the problem arises. I think that's a reasonably popular sentiment. But what we're doing here is we have a foundation corporation, we have a board for the foundation, and I don't see, Mr. Minister, that that is any closer to the people who are going to be the consumer of the service provided for by Bill 12 than what we have right now. I don't see how that provides a more community-based kind of management than what a listening, reflective minister and the people working for him provide. So to me I find that odd.

**8:50**

Section 6 has the board of trustees still being appointed by the minister. We don't know what minister. I still have a problem with allowing ministers to be designated under section 16 of the Government Organization Act. That's not user friendly. It's not consumer friendly.

The minister's going to be turning over 12 million tax dollars, as I understand - I think it was \$12 million he said the other day - as start-up costs. That's not bad seed money in any arena, Mr. Speaker. Once again who's it being transferred to? Well, it's being taken out from the under the direct control of the minister

and being given to a group of people appointed by him. To me there's some question in terms of where the net benefit is to developmentally disabled Albertans.

The concern with respect to section 7 has already been touched on with trustees in effect being able to fix their own pay, living, and other expenses.

Section 10 still is of interest and gives me some concern as well.

The Member for Edmonton-Gold Bar on April 2 had raised a concern that the minister talks about boards. There's only one board talked about, Mr. Minister, in this Bill. I think you'll agree with me. So the minister clearly has another plan which Bill 12 is simply one part of.

MR. DINNING: It's a hidden plan.

MR. DICKSON: The Provincial Treasurer is even more paranoid than this member of the opposition. I'd never suggest it's a hidden plan. I might suggest it's an unformed plan. I'm encouraged a little bit. The minister's waving around what appears to be about – what is that? – four pages and one of the pages is blank, Mr. Minister. Is that the situation?

Mr. Speaker, the minister clearly has a plan, but it seems to me that we're getting sorts of dribs and drabs. We get elements of the plan. Why wouldn't he come forward and provide us with all of the detail so that when we deal with this part of the plan we see exactly how it fits? So we're not left in a situation of having to read the *Alberta Gazette* when it comes out and see what the regulations are.

I come back and say again that at page 1022 in *Hansard* the minister said that there will still be “full control by the ministry on an ongoing basis.” Mr. Minister, in fact it's that kind of control, then it seems to me that takes away the most important reason for creating this foundation in the first place.

The other concern I have is that the foundation is set up and virtually there are no limitations. One of the really curious provisions appears in the regulations, section 14(a), where the Lieutenant Governor in Council can restrict and regulate “the Foundation's exercise of its powers.” Well, what kind of a limitation is that when there's nothing else in here that says what those powers are? In fact by just the application of simple logic, the power to restrict also effectively gives it the power to expand. So what you have is a board that has virtually unlimited power, and as long as the minister is complicit in whatever additional power is given, it is largely unfettered.

So, Mr. Speaker, those are the concerns that I have with the Bill, not concerns that would lead me to vote against the Bill, but I want to be clear on the record that I think there are some problems. More importantly I might characterize them as challenges that the hon. minister is going to have to address to ensure that when his complete plan is implemented, it's going to advantage developmentally disabled Albertans, and that is the test.

Thank you very much for your patience.

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: The question has been called. Are you ready for the question?

The hon. Minister of Family and Social Services is requesting the opportunity to speak.

MR. CARDINAL: Question, Mr. Speaker.

[Motion carried; Bill 12 read a third time]

### Bill 20 Fuel Tax Amendment Act, 1996

MR. DINNING: I would like to move third reading of Bill 20, Mr. Speaker.

In so doing, I want to say a special thank you to the hon. Member for Medicine Hat for his able stewardship and navigation of this Bill through the caucus and more particularly through the legislative process, Mr. Speaker.

THE DEPUTY SPEAKER: Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Speaking to third reading of Bill 20, the Fuel Tax Amendment Act, 1996. I recall we had some lively debate in Committee of the Whole when the government introduced its amendment to actually pull back on its desire to tax yet again truckers in the province of Alberta for fuel consumed for temperature control in their units. It should be remembered that originally the government had full intention of taxing these truckers in the provisions of the Bill that were originally introduced and passed in second reading. At that particular stage in second reading where the government all votes collectively in favour of the principle of the Bill, the principle of the Bill was in fact to levy yet another tax on the truck drivers in the province of Alberta who operate units that have temperature control.

Now, since that point in time, after second reading and in Committee of the Whole, the government did introduce amendments to take out the specific provision dealing with liquid petroleum gas and dealt further with some of the issues that we were debating with respect to the rebate that would then accrue consequential to the change that was being made by eliminating that particular taxing provision that had been included for the reefer units.

Now, I recall the Member for Medicine Hat saying: no, no, it's been this way all along, nothing new, nothing different; we're just trying to clarify it, because in the past that may be what we meant, but it's not what we said, so now we're going to do it.

Now, the particular section in here that is the one most offensive – and I can't put my finger on it immediately.

MR. SEKULIC: Page 4, (3.1).

MR. DINNING: Page 4, (3.1).

MR. COLLINGWOOD: Thank you, Edmonton-Manning, and also from the Provincial Treasurer, who puppeted those comments very, very well. Yes. All right. So the section that we were dealing with in Committee of the Whole, that the government did not deal with, is subsection (3.1) being added, which gives retroactivity to this particular arrangement.

9:00

So while there are those who are now addressing the issue through other processes in the courts to find out whether or not there is a rebate or there isn't, the government is saying: “No, we're going to make that retroactive. We're not going to give you the benefit of having that right determined. We are not going to say from today forward or from the proclamation of the Bill forward that the rules will now be clear by virtue of this addition, even though our own rules are very, very cloudy from that point

back. We're not going to give you the benefit of having that ruling. We are simply going to snuff it out, and we're going to take it away from you, because we're going to club you with subsection (3.1) to be added by virtue of Bill 20." That issue, of course, didn't get resolved, Mr. Speaker. The government gave no indication, made no attempt to recognize that the rights of those individuals continued, at least in terms of their argument that there was an entitlement. Now the government is saying, no, we're simply going to wipe that out, and too bad for you.

So the government continues with many of its heavy-handed, Big Brother, odious provisions of retroactivity in legislation. As the government all vote in favour once again, we are going to have that kind of a provision contained in the legislation in the province of Alberta, and we will again recognize that the government fully intended to tax these individuals and bailed out in Committee of the Whole and removed that particular section.

So with that, I suppose I could echo the comments of the Provincial Treasurer, that the Member for Medicine Hat did carry this through the Assembly, but not without some criticism about what in fact the government is attempting to do or at least has started attempting to do in taxing these truckers and what the government did not do, and that is take away or remove their inclination to make legislation retroactive, which is the worst of all approaches to legislation for the people of the province of Alberta.

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

MR. SEKULIC: Thank you, Mr. Speaker. [interjections] Hearing some of my colleagues opposite, I think they're wanting me to keep it as concise as I usually do, so I shall.

MR. KIRKLAND: Can you do it in the 20 minutes?

MR. SEKULIC: No, no. I think I can do it in less. I use my time wisely, Mr. Speaker.

When I first rose to speak to the Bill at second reading, I supported much of what Bill 20 proposed, and I still do believe in the principle, most importantly the concurrence and harmonization, I guess, under the international fuel tax agreement. That does make sense, and I think it simplifies much of the process. However, since that time there have been elements of the Bill which have been brought to my attention and I know to the attention of this caucus by external third-party groups that may be affected by this legislation. In particular, one letter that one of my colleagues received pertaining to this Bill speaks to this clause that my colleague from Sherwood Park referred to . . . [interjections] Mr. Speaker, it's no longer Sherwood Park; they elected a Liberal. It's interesting that we're referring to retroactivity here when we speak of Sherwood Park.

So going back, what this concerned Albertan writes, who has some interest in this legislation, is that Alberta Treasury officials have . . . [interjection] It's strange that the Treasurer should also be taking some time on the floor here. Alberta Treasury officials have for a number of years refused payment of bona fide rebate applications in spite of the clear wording of the Fuel Tax Act. They did so without legal grounds. The introduction of the new provisions, 3.1 and 5(1)(a)(i) and (B) now appear to be an attempt to retroactively legitimize those actions.

Mr. Speaker, it appears that there are some legitimate concerns from interested parties outside the Assembly that this Bill will be affecting once passed into law, and it would be, I think, appropriate for the Treasurer to stand and perhaps respond to this concern

in particular. In fact, the author of this letter is from Calgary and perhaps even a constituent of the hon. Treasurer, and he wasn't one of the six people at the last town hall meeting and consequently may not have had the opportunity to ask the Treasurer at the time the question. So I know that the Treasurer will now take an opportunity to respond to this Calgary constituent on this issue of retroactivity.

With those comments, Mr. Speaker, I'll take my place.

MR. RENNER: Mr. Speaker, in an attempt not to sound like a broken record, one more time I would like to discuss the issue of retroactivity. This time I would like to read from another Alberta Treasury information circular, this one dated September 1987. Members will remember that I read from a different circular the last time I spoke to this issue. I will read the bottom part of the information circular, wherein it says:

Some commercial vehicles used in the above operations may be licensed for on-road use.

And "the above operations" refers to forestry, mining, seismic, oil well servicing, all off-road use of vehicles.

These vehicles must use clear, tax-paid fuel. If the same vehicle is also used off-road, fuel use may be prorated and a refund claimed for the fuel used off-road. Refund application forms may be obtained from Revenue Administration and should be filed for any period covering at least three . . . consecutive months.

Once again, I think it's perfectly clear that the intention of this legislation when it was introduced in 1987 - and the circular that was printed by Alberta Treasury in 1987 made it very clear - is that off-road use of vehicles may use tax-free fuel, that vehicles that are used sometimes on the road, sometimes off the road must use clear, tax-paid fuel and then may apply for a rebate for the off-road use. The amendments contained within Bill 20 merely clarify what has been the intention since 1987.

THE DEPUTY SPEAKER: Hon. member, presumably you'll table copies of that at some opportunity.

MR. RENNER: I'd be happy to do so.

[Motion carried; Bill 20 read a third time]

**Bill 21**  
**Financial Institutions Statutes**  
**Amendment Act, 1996**

MR. DINNING: Mr. Speaker, I am honoured to move third reading of Bill 21, the Financial Institutions Statutes Amendment Act, 1996.

Once again, this time with even greater gusto, I want to applaud the efforts of the Member for Medicine Hat, who has in a conscientious, thorough, exhaustive, and I would say at times incredibly boring way led my caucus colleagues through a review of the Insurance Act. It's not often, as you can appreciate, Mr. Speaker, that any one of our colleagues on a Bill of this vitality could lead my colleagues through this Bill over the last three years, and it has finally come to this House of Assembly. I want to say a special thank you to my friend and colleague the Member for Medicine Hat. I would so move third reading of the Bill.

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: Are you ready for the question?  
Calgary-Buffalo.

MR. DICKSON: Thanks, Mr. Speaker. A couple of queries with



respect to Bill 21. The attempt is to streamline and address some of the issues that come up on a day-to-day basis in the administration of the Insurance Act. Some of these things I know are things that the superintendent of insurance would like to see in place.

One of the questions is that when you start tinkering, if you will, or working around the margins of a problem, as my colleague from Edmonton-Whitemud is wont to say, one wants to ask, for example: whatever happened to the study done by the hon. Energy minister, before she became Energy minister, looking at no-fault insurance? That was one of those things that never saw the light of day.

MR. DINNING: It was filed.

MR. DICKSON: Not the formal report that had been undertaken by the Black committee. [interjection] That report had never been filed in the Assembly.

THE DEPUTY SPEAKER: Order. Through the Speaker.

9:10

MR. DICKSON: Well, Mr. Speaker, the Provincial Treasurer has a contrary view, but there are still plenty of substantive questions that people ask in terms of the insurance regime that we have in this province that aren't addressed in Bill 21.

One of the other concerns here is that we still continue to make reference to the Surrogate Court and the Surrogate Court rules. As we've said before in the Assembly, why is it that we still have a proliferation of courts that serve little purpose? You have Court of Queen's Bench judges who take off one hat and put on the hat and are now a Surrogate Court judge. The Minister of Justice knows the reasons why we have the extra level of court, but it's not in keeping with a commitment to plain language, it's not in keeping with a commitment to deregulate, and it's not in keeping with a commitment to make the institutions of government – and that includes the court system – more accessible to consumers and to Albertans.

The treatment of extraprovincial corporations is an interesting one. We've got here in effect a delegation of accountability. The dilution or diminution in expectations of extraprovincial companies I think is hard to reconcile with expectations of Albertans who still recognize that these are corporations that have almost a quasi-public responsibility because of the role they play in addressing losses experienced by Albertans and because of the dollars involved in both premiums and lost payouts. I think that stepping back a little bit from the detail of the new treatment of extraprovincial corporations, what we find is that it's consistent, I suppose, with a government which in other respects has scaled back its oversight responsibility, has delegated much of its governing responsibility.

The provision in terms of regulations in section 94.14 – that would be the new section in fact, section 28. When one looks at the extent of regulations that are given to the Lieutenant Governor in Council, we contrast that with the provision that exists in the current Insurance Act, where you have statutory conditions. We thought it was important enough as a province and in the past as a Legislative Assembly to incorporate statutory conditions right in as an appendix to the Insurance Act. In a very significant way what we're doing now with this very vast regulation-making power is we're once again seeing another example of government taking lawmaking out of the Legislative Assembly, conferring it on ministers and ministerial advisers. The only vehicle for publication and access becomes the *Alberta Gazette*, not *Hansard*

and not the Order Paper of the Legislative Assembly of Alberta.

The other provision that gives me, I guess, some concern: when we look at the provisions for exemptions from application of the Act in section 2, it still seems to me like that is overly broad, unnecessarily vague. It would seem to me that it's important that people in this area know what the law is, that they shouldn't have to go to *Alberta Gazette* to try and find out after the fact what the regulations may be. So I think that section 1(2) of the Act is problematic in that respect.

I think that on page 29 there's some concern with the fact that we move from a standard evaluation which doesn't have to conform precisely with the minimum expectations set out by statute. I think as well the flexibility that used to exist in the old section 101 is lost. I'm not sure that's a positive, and I'm not sure that advantages Albertans. I touched on 94.14 before. Those are the principal concerns that come to mind.

[Mr. Herard in the Chair]

I know there's been industry consultation. I know there's been input from those people in the industry, but we're still left with the situation that we're here to ensure a broad public interest perspective. I would hope that this kind of Bill, once passed, does not become law and is not proclaimed for at least a six-month period to ensure that the government has the full benefit of every consideration from all interested stakeholders.

Mr. Speaker, those are the principal concerns that I've got. We'll leave it, then, to others to offer their observations of Bill 21. Thank you.

[Motion carried; Bill 21 read a third time]

## Bill 25

### Alberta Corporate Tax Amendment Act, 1996

MR. DINNING: Mr. Speaker, I move third reading of Bill 25 with special thanks to the Member for Grande Prairie-Wapiti for his navigation of this Bill through the Legislative Assembly.

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

MR. SEKULIC: Thank you, Mr. Speaker. I rise to speak in third reading of Bill 25, the Alberta Corporate Tax Amendment Act, 1996, and once again I'll try to keep my comments concise and precise.

Mr. Speaker, we've raised, I guess, once again both sides of the issue on this Bill. There are positive elements, and I know that when I stood in second reading I spoke of them. I didn't focus as much on what were the perceived weaknesses to this Bill at that time. [interjection] Yes, he does. At this point I think we have to look at those weaknesses and attempt to address them in an appropriate manner prior to this Bill actually passing in third, and as the hon. Treasurer knows, there's only one thing that you can do in third reading to try to bring about any corrections to the real weaknesses which exist within this legislation. So at this time I'd like to move an amendment, if that's the correct terminology. [interjection] Sir? It's the hoist.

MR. DINNING: Circulate it.

MR. SEKULIC: Yeah. I'll have it circulated so that all of my colleagues in the Assembly . . . Being new to passing out such

motions, I've also given my copy of it. Nonetheless, I do know the intention of it. It takes a big man to admit a mistake, Mr. Speaker. Sorry; a big person.

DR. TAYLOR: That's a sexist comment.

9:20

MR. SEKULIC: Well, I corrected it rather quickly. [interjections] There are some things that must be left alone, Mr. Speaker, and so I shall.

Nonetheless, some of the weaknesses were addressed, and I know my hon. colleague from Edmonton-Whitemud perhaps put it best. It's critical that any government which purports to be accountable and responsible or for that matter to have fiscal integrity, fiscal accountability should look to eliminate duplication wherever possible. Wherever duplication or waste rears its ugly head, I would expect that each and every member of this Assembly would do the right thing and eliminate it. Mr. Speaker, this is an area where that ugly element of duplication has reared its head: duplication of efforts by two levels of government which need to sit down and negotiate, despite their differences, for the benefit of small business, for the benefit of Alberta corporations which will be affected if they fail to do that.

Now, I think that the provincial government should continue to negotiate or reinstate negotiations with the federal government so that we could do away with the Alberta corporate tax itself. It doesn't make a lot of sense to amend something that we view as being redundant and duplicating what is already out there. I know the hon. Treasurer knows that to be the case. What we're talking about here I think is potentially upwards of \$10 million of duplication that can be eliminated if all of the members of this Assembly, who I believe now have in front of them the amendment - I will just read into *Hansard* this amendment, Mr. Speaker. It reads that the motion for third reading of Bill 25 be amended by deleting all the words after the word "that" and substituting the following:

Bill 25, Alberta Corporate Tax Amendment Act, 1996, be not now read a third time but that it be read a third time this day six months hence.

Mr. Speaker, the aim is clearly to provide the Treasurer with a window of opportunity, and always a positive and proactive opposition we look to provide the hon. Treasurer with a window of opportunity to in fact do away with the need for this Bill completely and to verify that there are \$10 million worth of savings for Alberta corporations and perhaps a significant amount of cumbersome paperwork that can be done away with if the Treasurer negotiates with the federal government.

Mr. Speaker, I believe that this amendment is both positive and proactive. I would encourage all of my hon. colleagues in this Assembly to support it. Each and every member that believes that statement which I earlier stated, that wherever duplication rears its ugly head, must . . .

AN HON. MEMBER: The Liberals rear their ugly head.

MR. SEKULIC: Duplication, hon. member. Duplication.

Wherever duplication rears its ugly head, we must do everything we can to eliminate it, Mr. Speaker. I think this provides the fiscally responsible members of this Assembly, in particular the ones to my right from Red Deer-South and Cypress-Medicine Hat, who often speak of accountability for those tax dollars that their constituents send to this government and over which the Treasurer usually is rubbing his hands as he receives them - we

can somehow reduce the number of dollars that go to this Treasurer or for that matter any government level if we eliminate that duplication. This is an opportunity for those hon. members that I just mentioned to do exactly that.

With those comments, Mr. Speaker, I would hope that I hear support and receive support for this amendment.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm delighted to join in debate on the amendment put forward by my colleague from Edmonton-Manning. I, too, am looking forward to the Member for Cypress-Medicine Hat and the Member for Red Deer-South jumping up and joining in the debate to stand and speak in favour of the amendment, to take this opportunity to address head-on an issue of overlap, duplication, and waste. After all, we know that the government of the province of Alberta has set out as its entire business plan, as its entire policy to rid us of overlap and duplication and to use every means at its disposal to find ways of streamlining government. The Premier's executive assistant has coined the phrase Government Lite.

Well, here's a perfect opportunity, Mr. Speaker, for the government to do just that. Now, the Provincial Treasurer, of course, would have to initiate this. The Provincial Treasurer would be the one who would have to say, "I too agree that we should avoid overlap and duplication, and I will initiate discussions with the federal government to remove us from this overlap and duplication and to find a streamlined and harmonized approach to the collection of these taxes."

As my colleague from Edmonton-Centre says, our caucus will be happy to participate in those discussions, Mr. Speaker, because we, too, are looking for ways for government to streamline its operation and to avoid overlap, duplication, and waste of taxpayers' dollars that those taxpayers send to this government for its operation. Of course the irony there is that we have a Bill, that we're dealing with here, that gives this government the power to tax corporations. And why do they need those tax dollars? They need those tax dollars so that they can operate their corporate tax system, which is a system that is overlap and duplication with another system that is already operating. The irony, of course, is that we are dealing with a tax Bill.

This is a perfect opportunity for us to now so-called hoist this Bill, not have it read a third time today but have it read a third time six months hence to give the minister the opportunity to work towards that goal. Mr. Speaker, he could involve myself and my colleagues on this side of the House. He could involve the Association of Alberta Taxpayers, which is also interested in ensuring that governments reduce waste, overlap, and duplication, of which we have a perfect example here.

I commend my colleague the Member for Edmonton-Whitemud for bringing forward this amendment. I commend my colleague for Edmonton-Manning for introducing the amendment, and I'm looking forward to all members of this Assembly standing and supporting in this Assembly any initiative - any initiative - that will give us the opportunity to look for and find ways to eliminate or eradicate overlap, duplication, and waste of taxpayers' dollars.

MR. DUNFORD: Bruce, you've got to thank Don for signing it.

MR. COLLINGWOOD: Oh, I'll thank the Member for Edmonton-Mill Woods for signing it as well. Thank you, hon. member. I wouldn't want to leave that particular member out of

the fine, fine work that he's done in putting forward this amendment this evening.

So I'll close, Mr. Speaker, by suggesting that this is our opportunity to attack head-on overlap and duplication rather than taking the approach the Provincial Treasurer takes and that is to perpetuate overlap and duplication in this Bill. This will be our opportunity to essentially collectively instruct the Provincial Treasurer to get on with it and to work through that negotiation with the federal government.

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

**MR. DICKSON:** Thanks, Mr. Speaker. I speak in support of the amendment. It would seem to me there'd be only two reasons not to support this amendment. One would be that the government might say: "We've already attempted to negotiate with the federal government any economies and overlapping jurisdictions and congruent regulatory regimes. We've done everything we can. There's nothing more that can be done." The only other explanation, if one were going to oppose the amendment, would be: "We simply don't care. It's too much trouble," or "We're simply not going to make the effort to attempt to sit down with the other sovereign level of government and try and find a way of perhaps avoiding overlapping regulation in an attempt to come out with a joint plan." I haven't heard anybody speak on behalf of the government, so I don't know which explanation the government is relying on, but it would have to be one or the other.

**9:30**

We find in this division of powers between federal and provincial government so many areas of overlap, whether it's federal drug prosecutors or provincial agents of the Attorney General both doing basically the same task under different statutes, different appointments. How many times have people said, "There's a way of harmonizing that; there's a way of streamlining that system." We find it in all kinds of other areas, areas of shared responsibility like immigration, where the province of Alberta is now saying: are there some things we can do in co-operation with the federal government? We see the same thing in terms of retraining, general employment kinds of schemes; there are opportunities for federal/provincial collaboration. We see the Canada/Alberta Service Centre set up to provide a whole range of programs for people out of work and looking for unemployment insurance support or looking for provincial social assistance.

Those people in Calgary can now go to Fisher Park industrial park on Fisher Road in southeast Calgary and can find a whole range of services. Well, that sort of thing comes because there's a reason for the two governments to talk about ways of trying to reconcile what they're doing, harmonize what they're doing, and I think this amendment gives us in this province exactly that kind of an opportunity. I think the Provincial Treasurer would embrace this in a minute, Mr. Speaker, because he's a smart guy and he would be one who really believes all of those things he said in the budget speech a scant couple of months ago.

If we were really interested in trying to reduce the size of government, we've got a chance to take Bill 25 and have another look at whether these 23 pages of legislation are really essential. The most basic kind of requirement we always ask in terms of regulations is: is it necessary? Because we have an area of overlap with the federal government, it's just prudent, it's responsible and ultimately efficient to look at that and see what sorts of economies might be achieved through that.

This amendment, if passed, imposes that kind of discipline on the Assembly, Mr. Speaker. It imposes the discipline of requiring that that kind of opportunity be discussed and examined. What's the worst thing that happens? Well, the worst thing that happens is that we find there's still a need for Bill 25; there's still a need for the Alberta Corporate Tax Amendment Act. If that's the case, we come back in the fall and we deal with it, and we deal with it with dispatch. It means that we have to ask all of the questions now, and certainly my colleague from Edmonton-Whitemud and the Member for Edmonton-Manning - I won't go through thanking them each for their contributions, other than to say that Parliamentary Counsel has once again been taken for granted. This may be as good an opportunity as any to thank the excellent counsel that all members receive from Parliamentary Counsel day in and day out of the session. How much importance do we attach to those little initials that appear in the bottom right-hand corner of every amendment, Mr. Speaker? Without those initials, where would we be? Well, not very far. And where would this government be if they didn't take the kind of sober second thought that this amendment would offer them?

Mr. Speaker, for all of those reasons I encourage members to support this particular amendment. If indeed it turns out that no further economies can be realized, no further efficiencies can be realized in a collaborative effort with the other sovereign level of government, we would then come back and we would have that assurance, we would have that confidence. And when Bill 25 would next appear on the Order Paper six months hence, we'd be able to embrace it with a kind of gusto and a kind of enthusiasm that some of us have trouble mustering now when there are those questions unanswered. So let's explore those matters. Let's chase those things down and provide Albertans with the kind of reasoned consideration they're entitled to and they certainly expect from every member in this Chamber.

Thanks very much, Mr. Speaker.

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

**MS CARLSON:** Thank you, Mr. Speaker. I, too, rise to support this amendment, and I'm hoping that the Treasurer will also either rise to support this or give us his reasons for not supporting it, because when he's had a mandate over these past three years to whenever possible reform and increase efficiency, reduce overlap and duplication, it clearly seems quite strange that he would have moved away from the table when talking with the federal government on returning the Alberta tax collection to the federal level.

I remember 10 or 12 years ago when the Alberta government reclaimed their ability to collect the Alberta tax. I remember the costs that were added to the system then, not just to the government and therefore to all the taxpayers of the province but in particular to small businesspeople. That cost has only escalated over the years. I would think anything that can be done to reduce that and to in fact provide an advantage to these businesspeople rather than a disadvantage is something that the Treasurer would clearly be supporting in an active fashion.

My colleagues have done a very good job of talking about the cost to the government and therefore the taxpayers, but I'd like to speak for a moment on the cost to the businesspeople, what this overlap and duplication with the Alberta government collecting their share of the taxes on their own comes to. Right now the average cost of processing a cheque for the average small business, depending on size and the number of staff they have,

runs anywhere from \$15 to \$25 just to process one cheque. You've got to do the backup paperwork, there's the cost of the cheque, there's the cost of the banking charges, and there's the stamp, the envelope, and the time incurred by the bookkeeper or the business owner to actually process this. If you multiplied that by the number of cheques they have to send in a year and by the number of businesses in this province, then it does clearly become a disadvantage for businesspeople.

Then there's the costs of having the tax return processed. It isn't the same type of tax return as the federal return, so it does require another set of skills and it requires somewhat different information. It's several pages long, can be many pages long depending on the kind of tax payable by the businessperson, and in most cases is not preparable by the business owner himself. He's got to send it out to some sort of an accountant, and therefore the fees for having that prepared are extremely high. It's certainly a duplication when you already have to prepare a federal return. Then there's the cost of putting that in, and then there are auditing costs. We have federal auditors and we have provincial auditors. Often a company can be faced with the burden of an audit by both levels of government in that year, which is burdensome in the extreme, particularly for small businesses. Two audits in one year by both levels of government can in fact shut some businesses down, depending on how many employees they have and the size of the business.

I would think that's something that the Provincial Treasurer in particular would be very concerned about and definitely would listen to the lobby on behalf of that industry. There is a lobby on behalf of that industry that is active for all small businesspeople in this province to eliminate the Alberta government collecting those taxes and having only one level of government doing that.

I'm quite surprised that the Provincial Treasurer has been participating in discussions this evening other than this one at hand and has absolutely no concern over what's happening here, Mr. Speaker. This is something that the small businesspeople in this province, who employ 97 percent of the people in this province, are concerned about him paying attention to, and they are concerned about him making the kinds of changes they've been asking for not for six months or a year but for years; in fact, since the provincial government starting collecting this tax on their own.

There's a great dissatisfaction with the fairness and equity of this tax system as it is enacted. This is the chance for the Treasurer to get back to the table with the federal government, to iron out the few problems he's brought to our attention that he's got with them and, before this Bill comes back in front of this Legislature, be able to satisfy the needs of the small businesspeople in this province, who are the major employers.

9:40

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

MR. CHADI: Thank you, Mr. Speaker. For a moment I thought maybe you forgot about me again, but I'm pleased to join in this debate speaking to the amendment on Bill 25. Listening to members on this side of the House speaking to the amendment and the need for this amendment at this point in time, one can only agree with the Member for Sherwood Park in suggesting that this is a window of opportunity that's now been created for the Provincial Treasurer to continue the negotiations with his federal counterpart to get the federal government to recommence collecting this tax that Alberta corporations pay.

Mr. Speaker, when we were first elected to the Legislature back in 1993, I can recall – perhaps it was the very first throne speech that I heard in this Assembly. I heard at that time that the federal government and the provincial government have commenced negotiations to see to it that the federal government will once again collect the corporate income taxes in this province. At that point in time I was thrilled to hear that, and I agreed with the government of the day. I agreed with those words. I can recall the Provincial Treasurer on a couple of occasions, whether it was in Committee of Supply or in his Budget Address, speaking about the ongoing negotiations with the federal government at the time. Once again, I applauded those efforts.

All along here I thought that negotiations were still going on, but not long ago the Provincial Treasurer rose in this Assembly and he said that in fact the negotiations have been cut off, that in fact they've ceased, the reason being that we couldn't come to terms with the federal government because the federal government would collect the corporate income taxes on a monthly basis. That was one of the excuses, one of the reasons, Mr. Speaker, given in this Assembly. I can't recall another reason that was given, but I expect I'll hear from the Provincial Treasurer a little bit later on. He seems to think that he can't speak to an amendment and can't speak to a hoist amendment because it would close debate. I would have dearly loved to hear the Provincial Treasurer speak to this amendment prior to me getting up to speak because I want to know his reasoning and the logic behind him not agreeing to this amendment, without closing debate.

In any event, Mr. Speaker, we spend close to \$15 million a year in the collection of taxes. Now, the collection of taxes includes all sorts of different taxes, and I understand that. With respect to the corporate income taxes alone, I believe the Provincial Treasurer has suggested something around \$5 million or \$7 million, in that range. The fact is that I once asked the Provincial Treasurer how much it would cost us if the federal government were to collect this tax, and he made it clear that it would cost nothing, that they would charge us nothing. Yet we steadfastly refuse to continue the negotiations and continue to pay \$5 million or \$7 million per year or whatever the case may be to collect these taxes here in the province of Alberta.

Now, having said all of that, it's not only the \$5 million and \$7 million that concerns me. What concerns me are all the different corporations in this province that have to duplicate their tax returns in creating a tax return for the Alberta government as well as a tax return for the federal government. I'm sure that accountants would be really thrilled with the Provincial Treasurer. I'm sure there are chartered accountants in this room today. I believe the Member for Grande Prairie-Wapiti is a chartered accountant or an accountant. I'm certain that as an accountant he would dearly enjoy continuing the practice, because it's just more work for him, more money for him, less money for corporations.

Most of those corporations, particularly in Alberta, where a lot of small business seems to still be struggling along, can do with less expense, Mr. Speaker. I can tell you that working in a constituency such as mine, the amount of people that come to me looking for assistance, looking to find out if there is still government assistance by way of government funding, grants to small business, this sort of thing – it happens all the time in my constituency, and I couldn't possibly be the only one. I'm certain that most constituencies represented by members of this Assembly have the same problems.

What I'm trying to say, Mr. Speaker, is that we could eliminate one small part for those corporations by reducing the amount of

money that they would have to pay to create those tax returns, thus eliminating a bit of expense there, thus eliminating a number of areas for the corporations in this province in terms of the audit procedures that take place. They're duplicated by the federal government already. Now, I'm not sure why we'd want to continue collecting the tax, creating the bureaucracy that we have in this province and maintaining that bureaucracy, knowing full well that the federal government would charge us nothing.

Mr. Speaker, this is the opportunity now. I don't know why it's so important that we pass Bill 25, and I'd like to hear from the Provincial Treasurer why it's vitally important that it be passed today and not be delayed for six months to give us time to continue with the negotiations with the federal government. I know I've made it clear to the Provincial Treasurer on a number of occasions that I would love to be part of a group that would go and negotiate with the federal government. He's going to stand up in a few moments and he's going to say, you know, "his federal cousins" or "their federal brethren" or their this or that. I've got nothing to do with the federal government or my federal brethren. I could care less what they do. As a matter of fact, I'm really disappointed at the fact that the GST, for argument's sake, is not being eliminated in this province, and by the sound of the applause of the members on this side of the House you can tell, Mr. Speaker, that they all agree.

AN HON. MEMBER: All three of them.

MR. CHADI: They all agree, and they disagree with the federal government's stand on not abolishing the GST as they said they would. The electorate in the next election, I would think, would tell them about the Alberta resentment with respect to that tax. Obviously Mulroney found out about it, and the Tories found out about the resentment that Alberta had for the GST.

So I don't want to hear about my federal cousins. I ain't got any, Mr. Treasurer, and I don't want any. But I care about Albertans and I care about my constituency and I care about the corporations in this province and the taxes that they pay in this province and the amount of money that we spend here needlessly. I don't think that there should be a member anywhere in this Assembly today that doesn't support this amendment when it says that we're going to save some money for Alberta. I know that deep down the Provincial Treasurer believes in it. I know that. Put together a committee, Provincial Treasurer, and let's get to Ottawa and let's deal with this once and for all. I'll tell you something. You'll find that the opposition will back you 100 percent on that issue, 100 percent. This isn't a partisan issue, Mr. Speaker, and speaking to the hoist amendment gives me latitude to speak on the entire Bill here, and I'll continue to do so.

I believe I've made my point, and I would like to listen to the Provincial Treasurer now. I'll take my seat.

Thank you.

DR. TAYLOR: Now, here's somebody with a Liberal cousin.

9:50

MR. HENRY: The hon. Member for Cypress-Medicine Hat is correct. I have many Liberal cousins both here and elsewhere.

Mr. Speaker, I do want to speak to this amendment because I think there's a reason that the Provincial Treasurer has not been able to get any sort of agreement with my cousins in Ottawa with regard to eliminating duplication and saving the Alberta . . .

AN HON. MEMBER: You have cousins in Ottawa?

MR. HENRY: I'm afraid I do.

He's not been able to get agreement. That's because this provincial government doesn't like dealing with Liberals.

MR. DINNING: Hear, hear.

MR. HENRY: And we all know we have a Liberal government in Ottawa. I see the Provincial Treasurer yelling out in agreement with me. We all know that the Provincial Treasurer likes to politicize any issue he can get hold of, and we all know that if there was another government in Ottawa, he'd be down there on his hands and knees begging for a deal. But really in order to satisfy his ego and his penchant for getting into petty politics, he would like to waste \$5 million of taxpayers' money rather than come to a deal.

We all know what this \$5 million could do with regard to the Alberta taxpayer if we indeed had an agreement to eliminate the duplication and overlap. It would, for instance, replace the money that we're losing because this government is violating the Canada Health Act. It would replace that kind of money, and this government could provide more hip surgeries, more kindergarten for children who need it. This government could provide more assistance or, I daresay, even pay down the debt a little bit faster. But no. The Provincial Treasurer would rather sit there and get his petty political way and grandstand and say that Ottawa won't negotiate than go down to Ottawa and try to get a deal with Ottawa that would save corporations in this province money with regard to the processing and the reporting of income and also save the taxpayer about \$5 million a year.

You know what concerns me most, Mr. Speaker? It's that corporations aren't expected and shouldn't be expected to simply swallow the extra overhead caused by the Provincial Treasurer. They pass it on. As in any marketplace scenario they pass that on to the consumers. So the Provincial Treasurer is costing not only the Alberta taxpayer a direct hit of \$5 million. He's costing the person who goes to the corner store to buy something a couple of extra cents so that that corporation can hire an extra accountant and keep another set of books in order to fill out his forms that are slightly different from the federal government forms.

Mr. Speaker, we all know that members of this front bench, the Treasurer and the Premier, were out campaigning very strongly for a Prime Minister who put into existence one of the most complicated taxes that was a burden not only on individuals to pay but especially on small businesses in this province. In 1988 both of those individuals were out campaigning, knowing full well that that Prime Minister would bring in a tax that would be administratively heavy for corporations both big and small.

Here we have it again. The Provincial Treasurer one more time is running around saying: "The sky is falling. We have to pay down the debt right away. We have to pay down the debt right away." When he can in perhaps one visit negotiate an agreement with Ottawa that would save these taxpayers \$5 million not once but this year, next year, and each year after that, he simply refuses to do it. He'd rather sit there and play his little petty political games and say: "It is all those bad guys in Ottawa that are causing our problems. It's all those folks." It's a cheap political trick, and the Alberta taxpayer I know will see through all of this.

I do appreciate that this Bill will allow for corporations to do electronic filing. Of course, the federal government's been doing that for several years, but now the provincial government with regard to corporate income tax is moving up and going to allow

that. I don't think that's enough to make us want to push it through right now. We might want to wait some time to give the Provincial Treasurer a little bit of extra leeway so that he can go down to Ottawa and perhaps sit down with the finance minister. Goodness knows, in his tenure in this country the federal Finance minister has shown himself to be a man of integrity, has shown himself to be a man who can negotiate, and has shown himself to be a man to keep his promises. If we could only have that from this government, I daresay we might be much further ahead in this province.

So, again, I'm wondering what the government's rush is. It looks like the provincial government's looking for an excuse not to co-operate with Ottawa. We all know that the hon. Provincial Treasurer comes from an era when Alberta governments said: "What we need to do to get re-elected is pick a fight with Ottawa, because we all know that westerners resent the east and resent Ottawa. Let's play our little political tricks and play on those long-seated resentments and play on those fears. Let's create an issue out there and then run on that issue and hopefully get re-elected." Well, that's where this Provincial Treasurer's legacy comes from. I daresay that he was a senior public servant in a patronage appointment when those kinds of battles were happening in our province, and now he has graduated from petty patronage to major patronage to become the Treasurer.

DR. TAYLOR: How do I get some of that patronage?

MR. HENRY: I see the hon. Member for Cypress-Medicine Hat would like some of that patronage. I daresay that with the way this government operates, he's going to have to be a much better boy than he's been lately. [interjections]

THE ACTING SPEAKER: On the amendment, please.

MR. HENRY: This is the government that's a champion of free votes.

Again speaking to the amendment and why we should wait six months. I mean, we all know we make mistakes. We all know that individuals make mistakes and governments make mistakes. Goodness knows, the Provincial Treasurer has made his fair share of mistakes, but we need to give him I think one more chance and allow him a little bit more time so that he can go down to Ottawa and swallow his ego a little bit, swallow a bit of pride and say: "Gee, guys, maybe I do owe it to the taxpayers to try to save \$5 million, plus I do owe it to all the small businesses and corporations in Alberta to cut down on their administration. I know I'm mad at you about this and mad at you about that, but maybe I will try to put a bit of that aside and then deal with the issue and try to put partisan politics aside." I daresay history would be made, Mr. Speaker, if this Provincial Treasurer ever did that, because we know that every single issue this Provincial Treasurer has gotten his hands on he's made into a partisan political issue. This Provincial Treasurer has not shown us yet – but I don't give up hope – that he has the capacity to be statesmanlike and rise above the partisan politics of the day and do what's in the best interests of Albertans, and with the Alberta . . . [interjections]

THE ACTING SPEAKER: Order please.

DR. TAYLOR: He's a dog of a Treasurer.

MR. HENRY: He's a dog of a Treasurer, somebody said after the

Provincial Treasurer howled, literally howled like a wolf in this particular Assembly. The record will show that.

The hon. Member for Cypress-Medicine Hat says that the Treasurer was howling like a dog. Maybe he's being like a wolf and he's going again after the pocketbooks of Alberta taxpayers.

So again, on the amendment, Mr. Speaker. What would it take for the Provincial Treasurer to say that maybe this one can wait six months?

AN HON. MEMBER: A patronage appointment.

MR. HENRY: The members to my right are baiting me with suggestions that the Provincial Treasurer wants a patronage appointment. Well, I daresay, Mr. Speaker, that it will have to be within the province of Alberta if he's going to get that.

MR. WOLOSHYN: Send him to the Senate.

MR. HENRY: The hon. government Whip is suggesting that we send the Treasurer to the Senate. Well, I wouldn't wish that on the Senate, Mr. Speaker.

So, Mr. Speaker, if we could wait six months. I know the commitment's from our side. The Provincial Treasurer is having problems going to Ottawa because of prior encounters and getting doors opened, always having problems articulating his case, but I'm sure there's a member or two on this side – I'm sure the Member for Edmonton-Roper will be glad to hold the hand of the Provincial Treasurer and go down to Ottawa and will be able to open a few doors. The amendment will give six months to allow that to happen. The Provincial Treasurer should know that it's a beautiful time to go to Ottawa in May, with the apple blossoms and the tulips out. I'll bet you the Provincial Treasurer has never had that particular opportunity. [interjections]

**10:00**

THE ACTING SPEAKER: Order please.

MR. HENRY: Thank you, Mr. Speaker. I see the Treasurer grinning. Perhaps he's just looking in anticipation at what it would be like to hold a Liberal hand and go down to Ottawa and actually make the case to the federal government about negotiating and finding something that works. Who knows? The Minister of Health might also join the excursion down to Ottawa and be able to save us another \$5 million by, again, negotiating in good faith and negotiating a way out of the reductions that we're seeing in funding due to the Canada Health Act infractions.

But back to the hon. Treasurer. If the hon. Treasurer took some time in the next six months and went down to Ottawa and tried to negotiate on the basis of the issue rather than partisan politics, he could save \$5 million right now. Well, \$5 million is the total amount this provincial government has put into technology in education over the last years. Five million bucks. It would be \$5 million a year we could have for technology in education. I can see the Minister of Education sitting on the edge of his seat. He should nudge his partner two doors down, and say: "Go down to Ottawa. Save 5 million bucks. We can pump that money into our schools and get us up to speed with regard to technology." Goodness knows, we're far behind most other provinces in that regard.

AN HON. MEMBER: No.

MR. HENRY: The facts will show, Mr. Speaker, that we are far

behind most other provinces with regard to technology in education.

The Provincial Treasurer simply has to stand up here and acknowledge that maybe there's a better way rather than using taxpayers' money frivolously, rather than causing an extra administrative burden for corporations that gets passed on in increased costs to consumers in this province, that maybe he has a responsibility to the bottom line and not just to the PC Party of Alberta to make him and that party look better. If he were to do that, I'm sure we could go down to Ottawa and get a deal. Then we could come back this fall. In six months we could come back into this session and leave this Bill until then.

I daresay – and I think I speak for all the members of the opposition – that if the hon. Treasurer were to go down to Ottawa and come back with a deal to have one corporate tax collection system, saving \$5 million of Alberta taxpayers' money plus saving countless dollars in terms of corporate administration, and we redebated this Bill, there would be unanimous support in this Legislature, I think, for this Bill at that point. Now, wouldn't it be something for this Bill to be able to get unanimous support in this Legislature? How many things in our Legislature do get unanimous support, Mr. Speaker? I bet you that in terms of substantive issues we could count on our fingers and toes the number of issues in the last three years that have gotten unanimous support.

I'll pledge to the hon. Treasurer that I'll work very hard with all of my colleagues. The hon. Member for Edmonton-Ellerslie I know will speak very forcefully at our caucus meeting to encourage our caucus members to support the hon. Treasurer's Bill when we come back in the fall if he's able to stand up and say: "I've swallowed my ego. I've swallowed my partisan political inclinations. I've gone down to Ottawa, and I've saved the Alberta taxpayer \$5 million. I've saved Alberta consumers countless more dollars in reduced corporate administrative expenses." Then, Mr. Speaker, we'll see true democracy at work.

Thank you.

MR. DINNING: Mr. Speaker, I have been galvanized to rise and respond to the balderdash distributed in this House heretofore.

SOME HON. MEMBERS: Question.

MR. DINNING: Just hold your horses, boys.

SOME HON. MEMBERS: Question.

MR. DINNING: No. I want to make sure that it's clear and on the record, Mr. Speaker, that the men and women across the way who represent constituents in Edmonton . . .

MR. HENRY: Point of order.

THE ACTING SPEAKER: The hon. Member for Edmonton-Centre is rising on a point of order.

**Point of Order  
Questioning a Member**

MR. HENRY: I'm just wondering if the hon. minister would entertain a question.

MR. DINNING: No, Mr. Speaker.

**Debate Continued**

MR. DINNING: I would go on to say, Mr. Speaker, that the Edmontonians represented by the men and women across the way are badly served in that they believe that if we simply did not have an Alberta Corporate Tax Act, we then could ask Ottawa to administer our Alberta Corporate Tax Act. That is basically what the members across the way are saying. You can hear me when I say that the logic is missing. There is no logic. We must have an Alberta Corporate Tax Act to have an Alberta Corporate Tax Act administered.

Some provinces have done an agreement with Ottawa to have their corporate income tax Act administered by Ottawa. We chose not to. And you're right, Mr. Speaker: we did fall down in our negotiations. Our negotiations between Alberta and Ottawa broke down for three basic reasons. The Member for Edmonton-Roper knows the reasons. He's spelled them out. I simply was not going to until the Member for Edmonton-Centre rose in his place and offered three years later to help us in our negotiations with Ottawa. What they did for the past three years, Mr. Speaker, is the square root of zip. They did absolutely nothing to help us get an agreement with Ottawa that would have lightened the load for Alberta corporate income tax payers. For them now to stand up and suggest that they would help when they're not even allowed onto Parliament Hill anymore because of comments like Edmonton-Roper just made that he doesn't like the federal Liberals anymore. He doesn't agree with what they've done on the GST. Well, thank God he's finally woken up to what a Liberal government could really do. That's why he wanted at various points in the last number of months to leave his own Liberal caucus: so he could shuck off that old Liberal label that he will be stuck with for the rest of his life. Clearly he knows he would be uncomfortable as a member of a Liberal government, so that's why he's . . . [interjections] You can just see the discomfort, Mr. Speaker.

So I would simply say that I would ask the hon. members across the way to vote against this hoist, and then let us get on with the business of the day.

THE ACTING SPEAKER: The hon. Member for Edmonton-Manning has already spoken to this issue.

The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I too have been galvanized by that little speech by the hon. Provincial Treasurer. It's important to note that the negotiations he was talking about were with Don Mazankowski, who as I recall was informed in a letter on May 14, 1993, by this Treasurer that they wanted to have this work together. Of course, that would be a Progressive Conservative treasurer speaking to another Progressive Conservative treasurer. Now, there were some other negotiations that went on, and certainly it's important to note that negotiations did break down for three different reasons. I think the Member for Edmonton-Roper already referred to them. There was not sufficient flexibility, a discretionary pool of some \$70 million, and the feds also wanted the money to be remitted on a quarterly or monthly basis.

But the thing that the Provincial Treasurer has missed, Mr. Speaker, is that . . . [interjections] Well, he's missing a lot of things, but I'm just talking about one item that he's missed in this particular case. This is a significant cost to small businesses. They have to produce two separate tax forms. Now, the Provincial Treasurer has said himself that this costs about \$5 million to

collect the Alberta corporate income tax. Well, Mr. Speaker, I thought we were making headway. As Provincial Treasurer we used to have What's-a-Million Dick. He's been replaced by What's-Five-Million Jim, because that's exactly what he's costing us in terms of cost to the provincial government.

**10:10**

You know, Mr. Speaker, it's interesting. We have as reported by a reporter in the *Lethbridge Herald*, whose name is Delon Shurtz, a quote from the hon. minister of environment, saying: "It just seems . . . to make a lot of sense. There is so much overlap and duplication out there and the public has to pay for it." Of course, there he was talking about the provincial government taking over parks, and he's saying: gee, maybe we should take over the administration of parks to save some money. Yet over here we've got the Provincial Treasurer saying: oh, no, let's not have the federal government take over the collection of corporate income tax, because that would eliminate duplication and overlap. So here you have one minister saying, let's get rid of duplication and overlap, and there you have another minister saying, let's preserve duplication and overlap, because it allows him to keep control over what's been collected in terms of corporate income tax. Mr. Speaker, talk about not knowing what is going on amongst their own members on their own front bench.

That quote, by the way, was from yesterday's *Lethbridge Herald*, page A3.

MR. SMITH: Yesterday's news.

MR. BRUSEKER: Yesterday's news. Well, that's your minister of environment for you.

I guess the important thing that we need to consider here is that if we allow the Provincial Treasurer to take a deep breath and have a second go at redoing these negotiations, perhaps what he could do is save that \$5 million that he is currently spending unnecessarily. The Member for Edmonton Centre has suggested that could go into technology for schools. If the Provincial Treasurer has some concern with that, maybe he could give it to the Minister of Education to help top up that ECS fund once again. I think there are any number of ways that \$5 million could be used to the benefit of Albertans and to the children of Alberta rather than spending it on something as unnecessary as the province wanting to maintain control over the collection of corporate tax.

Now, Mr. Speaker, the Provincial Treasurer said that we were simply saying, "Well, let's eliminate the Alberta Corporate Tax Act altogether." Well, that was not the point we were making at all. Obviously he was not listening carefully, so I will try to reiterate what he didn't hear the first time. What we were saying is, "Yes, there is a need for Alberta corporate taxes to be collected, but if we are going to collect those taxes, let's do it in a streamlined and efficient manner." One of the concerns that this government has had, and we, too, on this side of the House have had, is the whole issue of duplication of all of the administrative costs, the duplication and the overlap that occurs in many departments both provincially and federally. Here is a small area, a very focused little area, where if we could get the Provincial Treasurer focused, perhaps we could save \$5 million.

So we're not saying, "Let's eliminate the Corporate Tax Act." Let's change it. We are in the midst of proposing changes to the Alberta Corporate Tax Act through this Bill. If we are in the process of making those changes, then let's make changes that make sense, and when I say "sense," you can spell that both

ways, Mr. Speaker, both s-e-n-s-e and c-e-n-t-s, because those cents would add up to \$5 million worth of sense. I think that is something that Albertans should be concerned about, that we've got a Provincial Treasurer . . .

AN HON. MEMBER: Not bad, Frankie, not bad. That's pretty good.

MR. BRUSEKER: Not bad?

We've got a Provincial Treasurer who is being from my perspective rather stubborn and saying: to heck with it; we're going to go ahead and spend the \$5 million. Well, as long as that kind of negotiation goes on with this one department, what might be the attitude of other ministers in other departments who see similar areas where savings can be realized and new directions can be forged that will save the taxpayer money? As they all like to say many times over and over, after all there is only one taxpayer, and that's what this is all about.

So the hoist amendment proposed by my colleague from Edmonton-Manning on behalf of my colleague from Edmonton-Whitemud makes a lot of sense. And it's signed by the Member for Edmonton-Mill Woods, as I'm reminded by the Member for Lethbridge-West. I think we've covered the bases now. I support the amendment, Mr. Speaker, because I think it makes sense to simply say, "Let's put this on hold." It really won't change anything if we put this on hold for six months. Let's put this on hold. Let's allow the Provincial Treasurer and the federal treasurer, Mr. Paul Martin, the opportunity to get together to see if they can hammer out these details and save the Alberta taxpayer \$5 million. That's money that can help our small businesses to flourish and grow. [interjection] But it'll save money. The small businesses will save an expense, and the revenue can then be directed towards the Department of Education. So it could be a win/win. It could be a win for the Minister of Education, it could be a win for the small businesses, and it could even be a win for the taxpayer. The taxpayer, after all, is who we're looking out for in this Legislature.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Wapiti.

MR. JACQUES: Thank you, Mr. Speaker. I thought I should make a few comments after sitting here listening to the diatribe that has been put forward by various members on the other side.

I can recall many occasions when the Treasurer has come to caucus and even to Treasury Board very despondent, almost with tears in his eyes, coming back from Ottawa having failed to make an agreement with his federal counterpart. He was very concerned, Mr. Speaker, and I think the reasons, et cetera, have been put forward.

The interesting thing is listening to the absence of rationale tonight. The two issues they're trying to connect simply aren't connectable. The issue with regard to the amendments to the Income Tax Act have nothing to do with the collectibility. In fact, you know, in the unlikely event – and it will be a very unlikely event – that this motion was ever passed, you would have small businessmen one month from now, two months from now, three months from now, four months from now, five months from now, six months from now saying: what rules are we going to use? What rules? Are we going to file different sets now? I mean, this is the rationale that we're coming to here. The issue



of collectibility has nothing to do with the essence of the amendments that are being passed by the main Bill, Bill 25. If the members would kindly maybe get that through their skulls, it might sink in.

It was interesting: "They're not our cousins. They are not our cousins. They're not our uncles. They're not our sisters. They're not our brothers. We're in no way related to them, and we're willing to go down there and help."

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

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

**Point of Order  
Allegations against Members**

MR. HENRY: Twenty-three (h), (i), and (j). I freely acknowledge that I have many Liberal cousins down there, as the member so aptly put it. I am quite proud of many of my cousins who happen to be members of the Liberal Party. I daresay, Mr. Speaker, it might be a prerequisite to be in my family to be a member of the Liberal Party.

THE ACTING SPEAKER: What is your citation, please?

MR. HENRY: Twenty-three (h), (i), and (j). He's suggesting that we refused to acknowledge our Liberal cousins, and believe me, I have many of them.

Thank you.

**Debate Continued**

MR. JACQUES: Mr. Speaker, the interesting aspect about all of this is that if the concern is so genuine for the taxpayers of this province, for the small businesspeople and the guy who is the blue-collar worker, who doesn't have the business, if you're really so concerned about that issue and the federal Liberals, then I would take up the challenge by the Member for Edmonton-Roper and ask every one of your colleagues over there to go to Ottawa and support the Treasurer on the 5 and a half percent GST.

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

THE ACTING SPEAKER: Citation, please?

**Point of Order  
Factual Accuracy**

MR. CHADI: Standing Orders 23(h), (i), and (j).

AN HON. MEMBER: And (k).

MR. CHADI: And (k) and relevance – what is it? – *Beauchesne* 459. The hon. Member for Grande Prairie-Wapiti is talking about whether or not individuals on this side of the House would go and accompany the Provincial Treasurer to Ottawa to go and discuss the GST. We're on the amendment here. First of all, that's with respect to relevance.

With respect to (h), (i), and (j), he talks about how members on this side of the House refused to go or did nothing to assist the Provincial Treasurer in dealing with his counterparts in Ottawa. The invitation was on the table for three years already. I have suggested to the Provincial Treasurer three years ago that I would dearly like to be part of a committee to negotiate with the federal

government, and it's still on the table. I pleaded with the Provincial Treasurer in Committee of Supply when we were in 512. It happened on numerous occasions.

THE ACTING SPEAKER: Hon. member, we obviously have here a disagreement between members.

Hon. Member for Grande Prairie-Wapiti.

MR. JACQUES: Thank you, Mr. Speaker, and obviously I'm just responding to the very issues that have been raised by various members over there. Nothing new.

**10:20 Debate Continued**

MR. JACQUES: I really challenge the hon. Member for Edmonton-Roper and his colleagues that if they are really concerned – and I agree that it should not be a partisan issue – then they should be willing to go to Ottawa and support the Treasurer's position of 5 and a half percent. That is a fundamental issue to all Albertans.

[The Deputy Speaker in the Chair]

If you are really concerned with trying to help Albertans, then join with the Treasurer, go with him to Ottawa, sit down with the Prime Minister, sit down with the federal Finance minister, and support the Treasurer's position. That is what it's all about. In the meantime let's go on with this main Bill so that the taxpayers who are corporate taxpayers in this province can get on to file on harmonized rules and not be held up for a political issue for another six months.

Thank you, Mr. Speaker.

[Motion on amendment lost]

**Speaker's Ruling  
Dilatory Motions**

THE DEPUTY SPEAKER: The Chair is going to rule on the hoist motion, which is the last, if I can say this right, dilatory motion made because there's going to be a vote on the stage of the Bill after that motion in this Assembly. The other reasoned amendments and recommittal motions will not foreclose a hoist motion.

[Motion carried; Bill 25 read a third time]

**Bill 27  
Public Health Amendment Act, 1996**

MR. DUNFORD: Mr. Speaker, I rise this evening to move third reading of Bill 27, the Public Health Amendment Act, 1996.

I want to say to you, Mr. Speaker, and I want to say to all the members of the House assembled this evening and to the Clerk and to the pages and to the security staff that that concludes the very finest speech I have ever made in this House.

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

MR. COLLINGWOOD: Thank you, Mr. Speaker. I would like to sincerely thank the Member for Lethbridge-West, and I agree entirely with him that that is the best speech he has ever given in this Legislative Assembly.

Mr. Speaker, in speaking to third reading on Bill 27, one of the issues we have been dealing with in the passage of this particular Bill is the transition of the governance of waste management facilities in the province of Alberta and the fact that what Bill 27 will do is repeal the waste management regulations as they currently exist under the Public Health Act. The point I made to the Member for Lethbridge-West in second reading and in Committee of the Whole is that there were not in the context of Bill 27 appropriate transitional provisions to deal with the repeal of waste management regulations under the Public Health Act to the inclusion of waste management regulations under the Environmental Protection and Enhancement Act.

By way of background, Mr. Speaker, in second reading and prior to commencing Committee of the Whole, the Member for Lethbridge-West indicated that he had recognized that there was only the one side of the coin in Bill 27, and between second reading and Committee of the Whole the government, through the Minister of Environmental Protection, introduced Bill 39, which is the Environmental Protection and Enhancement Amendment Act, 1996, which does contain provision for the legislative framework and the regulatory framework for waste management under that particular piece of legislation.

Now, one of the comments the Member for Lethbridge-West made is how it would be handled and how it would be dealt with so that there would not be a gap between the repeal of the waste management regulation and the coming into force of a new regulation by order in council under the Environmental Protection and Enhancement Amendment Act. The way to deal with that is that those sections of Bill 27 would not be proclaimed until such time as the transition had been finalized. The difficulty that I have with that comment, Mr. Speaker, is that section 26 of this particular Bill indicates that the Act comes into force on proclamation.

We have seen in this House many times pieces of legislation, Bills that come forward that will specifically indicate or identify if certain sections of the Bill are not going to be proclaimed while other sections of the Bill are going to be proclaimed. We have legislation and we have Bills on the Order Paper even now that make reference to some sections being excluded from proclamation and that will be proclaimed at a later date. That is not the case that we have with Bill 27.

Now, what that means, Mr. Speaker, is that if I take the Member for Lethbridge-West's word that the sections that deal with the waste management regulation will not be proclaimed, essentially what the member is saying is that none of the Bill will be proclaimed, because there is no provision here in this Bill to proclaim some aspects of the Bill and not other aspects of the Bill. So all of the other areas that the Public Health Amendment Act deals with, the changes that are contemplated through the rest of Bill 27, can't come into force, can't be proclaimed because they're going to be held up by the whole transitional process in moving waste management regulation from public health to Environmental Protection. That to me is a rather inefficient way of doing this because now the whole Bill is going to be held up from proclamation after it receives third reading from the government members, who will all vote in favour of it. It will now be held up because there was not some thought given in Bill 27 to finding the appropriate way of dealing with that transition from public health over to the Department of Environmental Protection.

I had indicated in debate in committee and I think in second reading, Mr. Speaker, that the Department of Environmental

Protection is not yet at a point where the transition is going to happen quickly. The discussions are ongoing; the work of the waste management regulation transition committee is ongoing right now. There is still a great deal of work to be done. The expected time line for their work is not until the fall, so here we are in third reading of Bill 27 where we can't even go forward with this until the transition committee has done its work.

I will mention to the Member for Lethbridge-West that I had commented that I had written to Mr. Wayne Inkpen, who is involved in the transition committee, and just recently I received correspondence from the minister referencing some of the comments that I had made about the transition and about the new approach to the regulation of waste management facilities that are going to be contemplated under Bill 39, which will give the legislative framework, and then through to the regulations, guidelines, codes of practices and so on that are still forthcoming through the Department of Environmental Protection in this transition.

One of the comments the minister made to me: concerns have been expressed about public input, and this issue is being addressed by the transition committee. Well, I'm going to take the minister to mean, Mr. Speaker, that there is still going to be some public input as to how the new waste management regulation is going to be formulated, that that process still has yet to take place. So if we're going to continue to have or if we're going to at least start having some public consultation about the new way the Department of Environmental Protection wants to regulate waste management facilities in the province of Alberta, we're nowhere near a point yet where we are going to be able to use proclamation on Bill 27, because as soon as we do that, as soon as we proclaim Bill 27, once it passes third reading to be in force, then the waste management regulation is repealed. The government could have corrected that by changing section 26 so that the Act could come into force on proclamation except for section 22, (c) and (d), but the government didn't do that. So now the government will be holding this Bill in abeyance until such time as the full transition takes place.

### 10:30

The other way to do it, of course, is as I had indicated to the Member for Lethbridge-West previously. We have before us now, which has been tabled in the Legislature, Bill 39, which is awaiting second reading, that deals with the other side of the coin, that deals with the amendments to the legislation that will allow through the Environmental Protection and Enhancement Act the legislative framework and the regulatory framework for waste management landfill operation in the province of Alberta. We could have in Bill 39 built in a transitional provision that once the new regulation came into force, then the old regulation would be repealed.

I note that in Bill 39 in section 53 there is a significant discussion about transition from the waste control regulation as it currently exists, being Alberta regulation 250/85. There is provision here to recognize that some of the approvals or permits to operate under the waste management regulation will continue under the new regulation, when it's created, and there is other provision for applications that are being submitted under the waste management regulation. The regulation will continue to apply despite its repeal. So the Department of Environmental Protection, the minister did deal with the issue of transition from waste management regulation 250/85 into the new regime and could have in that provision recognized that then the waste management regulation 250/85 could be repealed at that point in time.

I have to say, Mr. Speaker, that we are not – and I've said this before to the Member for Lethbridge-West – dealing with the substance of how we are going to manage waste facilities in the province of Alberta because we're going to do that in Bill 39. The government didn't do it very well in Bill 27 because it is still leaving the gap, and if it chooses not to leave the gap, then it has to sit on that Bill until the waste management aspect of Bill 27 has been dealt with. That's unfortunate. When you look at this particular Bill, there are only four lines in this Bill that deal with waste management facilities regulation. The rest of the Bill that the government has introduced, which is nine pages long, deals with many other aspects of public health in the province of Alberta.

My understanding is that there has been some agreement by stakeholders with the amendments that are proposed in Bill 27, and it's unfortunate that they are all going to be held up because of the waste management facility issue that the government brought in under Bill 27, didn't think it through, has to sit on it and wait. They can't proclaim the Act until the transition is completed, until Bill 39 is through, until the regulation is done. Then we can go on. [interjection] No, hon. Minister of Health, I'm not suggesting that it's perfect or imperfect. What I'm pointing out to hon. members is that there's now a problem.

MR. DINNING: Ad nauseam.

MR. COLLINGWOOD: Once again, hon. Provincial Treasurer, I'm not sure that the Minister of Health heard me on this. The problem, hon. Minister of Health, is that you can't proclaim Bill 27.

MR. DINNING: Yes, you can.

MRS. McCLELLAN: Just read that section.

MR. COLLINGWOOD: Madam Minister . . .

THE DEPUTY SPEAKER: Through the Chair.

MR. COLLINGWOOD: Through the Chair, Mr. Speaker. Section 26: "This Act comes into force on Proclamation." You haven't dealt with it in the legislation. You haven't said except for section 22. [interjections] Mr. Speaker, through the Chair, the minister is now saying: we'll do whatever we feel like regardless of whether it's contained in the legislation or not. That's the approach the hon. Provincial Treasurer and the hon. Minister of Health are going to take in the proclamation of Bill 27. So while there were what appeared to me to be some technical problems, the Minister of Health says: not a technical problem; we'll just do whatever we feel like whenever we feel like it.

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: Are you ready for the question?  
Oh, the hon. Member for Calgary-*Buffalo*.

MR. DICKSON: Thanks, Mr. Speaker. I'll learn to get a little faster on my feet. With respect to Bill 27, some of the concerns that have been raised before in second reading are still outstanding. It's rare that I'd ever disagree with my colleague from *Sherwood Park*, but when he talked about section 22(c) and the

transition in terms of the waste management facility, I'd go a little further. It's not in my perspective a question of whether it's a seamless transfer; it's a question of whether we move from a more comprehensive to a less comprehensive form of regulation.

I said this at second reading, and I've had further contact with the same constituent who has expressed this concern. The concern put simply is this. There is a higher level of scrutiny, a more rigorous kind of scrutiny now under the auspices of the Department of Health than what is contemplated under the Department of Environmental Protection. It's not simply a question of moving from regulation regime A to regulation regime B and you have a different master, a different supervisor. The point is that we're talking about a degradation in the quality of inspection.

MRS. McCLELLAN: No, they're not.

MR. DICKSON: Well, the Health minister would disagree, I take it from her expression and her barely audible comments, Mr. Speaker. But the point is: as persuasive as the Minister of Health consistently is in and out of the Assembly, I have to say that I'm concerned if I have a knowledgeable constituent who raises this concern and shares with me some of the material from other people who track environmental waste and waste management facility inspections and monitoring. I take that kind of concern seriously, and I suspect that the Minister of Health, when she gets a call from a constituent, would be no less concerned in terms of raising and sharing with other members in the Assembly and the responsible minister those same kinds of issues. I would think, just as the hon. Minister of Health would continue to press the point until she received a satisfactory response, I wouldn't want to give my constituents in *Calgary-*Buffalo** any lesser quality of service than the hon. minister, and I aspire to meet that same quality of representation.

MRS. McCLELLAN: Okay. That's enough.

MR. DICKSON: Moving on. The minister insists that I stop picking on her, Mr. Speaker, but I do want to express that concern. It's not just a question of whether it's a seamless transfer; it's a question of whether there's going to be any reduction in the quality of inspection, in the frequency of inspection. I'm told by people I understand to be knowledgeable, independent of government, that that's exactly what is facilitated by Bill 27, section 22(c). While the sponsor of this Bill has been kind enough to answer some of my other questions, as he did at the committee stage, this is one that's still outstanding. Until I can go back to my constituent and say that he has no reason to be concerned that in fact there will not be any kind of degradation in the quality of inspection, it's my obligation to continue to raise this point.

The other concern I have – and my fear or my anxiety is aggravated somewhat when I see what was said at page 1387 of *Hansard* on April 24. For those members that are following along at page 1387, it's the right-hand column, about the ninth line down. At that time the Member for *Lethbridge-West* said:

Just to go over some of them again, it is anticipated, then, that the transfer to Environmental Protection would streamline and simplify the regulatory process governing waste management facilities.

Doesn't that indicate in very clear and relatively unambiguous language that it means a reduced level of inspection? That's the way it's simplified. You simply reduce the monitoring facility.

10:40

MR. DUNFORD: I didn't say that at all, Gary. I didn't say that. Read what I said. What I said is right there. I didn't say anything about reducing. I said "streamline and simplify."

MR. DICKSON: The member takes issue with what I'm reading into his quote.

MR. DUNFORD: Well, if you're going to quote me, read what it says. Don't read me what you think it says.

MR. DICKSON: We have a very agitated sponsor of the Bill, and I'm glad to see that he's still sufficiently animated that he's going to defend the Bill with the same kind of vigour at 10:40 in the evening as he does at 3:30 in the afternoon.

Once we move beyond that, the sponsor of the Bill may not have heard what the Member for Calgary-Fish Creek and I heard, which was that when he made the observation on April 24, what he was saying, Mr. Speaker, was that we're going to "streamline and simplify." What I said very clearly – I wasn't suggesting these were now the words of the sponsor, but I said that I take that to mean a reduced level of regulation. I take that to necessarily translate into a diminished regime in terms of inspection. How else do you manage to simplify and streamline a waste management facility regulatory process?

MR. DUNFORD: That shows your limitations if you take that view. You've got a totally different definition than I have.

MR. DICKSON: There's a fairly basic rule that's understood in most Legislatures which simply says this: if somebody comes forward and proposes a change, the burden of proof is on the proponent to demonstrate that this represents a net benefit for Albertans. That is, I think, a pretty basic proposition. I think that applies to every legislative initiative. Isn't that what we're about here? That member has to be able to satisfy us and through us satisfy Albertans that Bill 27 is going to represent a net benefit. I don't hear that kind of explanation, and I'd be disappointed if this member, who I always think takes his responsibilities very seriously and in a very conscientious fashion, wouldn't accept that basic proposition.

Now, the other concern I've got, just leaving section 22(c), has to do with what's happening with public health. I wanted to share with the hon. Minister of Health the concern that was relayed to me when I had occasion to meet with the staff in a public health unit in a rural area in Alberta this last summer. I talked, I think, to seven staff in this regional health unit, and this isn't opposition hyperbole if I say that these people were disconsolate. These were hardworking health professionals that had been involved in doing the very best job they could in terms of providing public health service to people in this rural area in the province of Alberta. They were fed up and they were frustrated, hon. minister. Why? Because what they were finding was that they didn't have the resources, they didn't have the support to be able to do the job.

When I see something entitled the Public Health Amendment Act, 1996, one would think that there may be something in here that's going to address the concern of those public health nurses, the public health staff who were committed to doing the best job they could and were frustrated because they weren't getting the kind of support in terms of management, in terms of budget and the other kinds of necessary tools to be able to discharge their responsibility.

When I look at Bill 27 and see the provision for all of this to be neatly tucked under the regional health authority – and I'm looking specifically at section 15 on page 5. That's the inspection provision. Then we've got the earlier provisions that talk about effectively rolling public health under the regional health authority. I don't see anything in here that addresses the concern those nurses relayed to me. I don't see any provision in here that is going to resolve some of the other difficulties. It seems to me that if we spent a little less time tinkering with the superstructure, the top part of the system, and a little more time focusing on those people that provide service not just in health care, not particularly in health care but in other areas as well, we'd be further ahead. If we listened to what those people who actually deliver service told us were problems and showed as much enthusiasm and as much energy as this minister and the government commit to enabling the regional health authority and allowing them to do this and allowing them to do that, if we spent more time focusing on the people actually managing delivery of health care service, maybe we wouldn't have the range of concerns and complaints that this Minister of Health hears and that certainly I expect every MLA hears.

So that concern continues, Mr. Speaker, apart from Bill 27 and in spite of everything that's been said. I just want to quickly ensure that I've covered off the other concerns I had. I acknowledged before, I think, that the Member for Lethbridge-West at page 1388 of *Hansard* had responded to my concern relative to repeal of regulations respecting livestock and poultry. We have the explanation, and I appreciate that. But the other concerns I've got are still outstanding, and I'm hopeful that explanations will be forthcoming. If not, I'm simply going to have to tell that constituent who raised the concerns I shared with members at second reading that the Government House Leader is going to champion those concerns after the Legislature ends and he's going to do the follow-up.

Mr. Speaker, those are the observations I wanted to make. Thank you very much.

AN HON. MEMBER: Question.

THE DEPUTY SPEAKER: Are you ready for the question?

The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you. Sorry to disappoint the members across. [interjections] I'd like to enter debate. Thank you.

I just have a few brief comments, and they're on the same line as some of the comments made by the Member for Calgary-Buffalo. I have a concern that the responsibility for inspection and approval of landfills is going to be transferred from essentially public health authorities to essentially the Department of Environmental Protection. I also have a concern that what this Bill will essentially do is take out of that kind of licensing or review all but 30 of the 550-odd landfills that are currently in operation in our province, so what you're talking about is a massive deregulation. Nothing can be more dangerous for our environment and for the people in our environment than having mistakes or having poor decisions made on landfill, and I want to share with the members on the government side an experience that we had in the city of Edmonton.

The city of Edmonton has for as long as I can remember been trying to develop a new landfill site. It's been a difficult process, and various mayors, including one former mayor that sits in this Legislature, and aldermen worked very hard and had trouble coming up with a solution that not only served the citizens of Edmonton but surrounding communities as well. The solution

they came up with was one that – and it took more than a decade to come up with this particular solution; it was difficult. So by the time they came up with a solution, the mind-set in the region of Edmonton was: “Let’s just get the sucker done. Let’s just find a place to put the garbage and stop, get this off the public policy agenda.”

So a decision was made and was supported in the larger communities around Edmonton to build the dump at Aurum, northeast of Edmonton. The concept at that time, because it was close to the North Saskatchewan River, was to essentially put a plastic liner inside the landfill that would prevent any seepage or leakage of any undesirable bodies into that water supply, which of course affects all sorts of towns and villages downriver. I remember thinking about that and just using logic to say, well, gee, do we really have the technology that would allow the kind of plastic that would make sure there wasn’t seepage, and what happens with ground shift and all the other kinds of things? I credit the Member for Edmonton-Highlands-Beverly, who at that time was chairperson of the Edmonton Board of Health. When she was chairperson of the Edmonton Board of Health, she had her officials look at the site, and the public health people said that this was not environmentally sound, that there was a problem.

#### 10:50

This was facing incredible political odds. Many of her personal friends who sat on city council at the time, many of the communities around Edmonton were screaming at the Edmonton Board of Health to approve it. “We’ve finally got everybody agreed after 10 or 15 years of ongoing negotiation. We finally have gotten everybody to agree. Let’s get the sucker built and forget it.” But the environmental experts on the public board of health were able to be protected from that kind of political pressure, nonpartisan political pressure. If those bureaucrats and those experts were in the department of the environment or were responsible to a minister, it would be harder, much harder to resist the political pressure to cave in and maybe find a way to do it.

Well, the hon. Member for Edmonton-Highlands-Beverly, whom we on this side and I believe on all sides of the House know to be a person of integrity and a person of principles, stood by the advice of her experts. As the chairperson of the Edmonton Board of Health and the last signature required to get that project moving, she said: because of valid public health concerns, I’m not going to sign it and it’s not going ahead. There was outcry from all over saying, “You can’t do this; we need approval,” and whatnot. She said: there has to be a better way; there has to be a better way because this is not good for the environment, not good for the North Saskatchewan River, and Edmontonians have a responsibility to the villages and towns downstream who pull their water from the North Saskatchewan River.

In summary, we had a situation where there was intense political pressure to move in a certain direction, but the facts said that that direction was the wrong direction for environmental health concerns. Because we had an independent body of politicians around, small “p” politicians, they were insulated from that political pressure and they were able to do what’s right. What’s been the result? Well, the result has been that it took another five years or so. It took more than five years, but what we ended up with, Mr. Speaker, is a solution to the landfill in the Edmonton region that is a responsible solution, a solution that’s economically responsible, a solution that’s responsible ecologically, and a solution that works for the entire region. That would not have been possible – in fact, what we would be dealing with and what the hon. Minister of Environmental Protection would be dealing with today if we’d gone ahead with the Aurum dump is

perhaps some environmental disasters, some questions as to whether we had seepage into the North Saskatchewan River.

So I have to express that grave concern that we’re transferring this responsibility from independent boards of health which primarily focus on health to a politically vulnerable provincial government department. In addition, I want to express the concern and want it on record here that I believe every member who votes with the government on this particular Bill has to take personal responsibility for the fact that 527, I believe, landfills in this province will no longer be regulated. They essentially will be self-regulated. We’ve just had a small disaster where somebody poured a toxic waste into the Edmonton landfill site, and it had to be cleaned up and whatnot. And that’s with regulation. What are we going to have when we have no regulation and we have no monitoring? We’re going to have mistakes made. We’re going to have that very small percentage of unscrupulous operators out there dumping toxic wastes into the landfills because they’re not regulated.

The hon. Member for Stony Plain can throw his head back and say, “Oh, that will never happen in Stony Plain.” But if it does happen in Stony Plain or if it happens in Redwater or if it happens in Edmonton, that member is going to have to accept some responsibility for that.

Thank you very much.

[Motion carried; Bill 27 read a third time]

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

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

[Adjourned debate April 22: Mr. Bruseker]

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

MR. BRUSEKER: Thank you, Mr. Speaker. In debating the Bill earlier on, I went through the different sections of the Bill and had a chance to deal with various parts of the Bill. I just once more want to deal with the Regional Health Authorities Act, which is another piece of Bill 30, Health Statutes Amendment Act, 1996, that is proposing an amendment in here. Now, it’s interesting that in this section of the Act what it proposes to do, which I find absolutely incredible – and this is really interesting. We have these individuals that are appointed to the regional health authorities, and in turn these regional health authorities may themselves delegate responsibility off to others who are in turn hired by them. We’re going to have appointed people delegating any power or duty conferred or imposed under this or any other Act that they can in turn delegate off to a committee or to an employee or someone else. So we can have an appointed authority turn around and delegate their authority to yet someone or something else to look after the regional health authority.

[Mr. Clegg in the Chair]

We obviously have here a government that is so interested in getting out of the business of being in government that they’re now going to hand off twice over, if you will, to other individuals to look after the regional health authority. I would say, Mr. Speaker, that that should be a concern for Albertans as well. Not only do we not have elected people looking after the Regional

Health Authorities Act, but we're now going to delegate it off to second levels.

So, Mr. Speaker, when I look at all of the different sections of this Bill and all of the different concerns I have raised over the various sections that I have discussed during second reading, I would urge all members to vote against Bill 30 at second reading.

Thank you.

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

MR. SEKULIC: Well, thank you so very much, Mr. Speaker.

AN HON. MEMBER: Succinct Sekulic.

MR. SEKULIC: I'll do my best, as always, Mr. Speaker.

I rise with many concerns regarding Bill 30, the Health Statutes Amendment Act, 1996. You cannot turn on the TV and find a news channel in Alberta without health care stories, and they're affecting all age groups. Health care without question is the single most important issue in Alberta today. I think there is no doubt that health care in Alberta needed reforming. I can't question the fact that health care in Canada needs to be reformed. Because of the importance of this area, a well-thought-out process, a well-thought-out plan needed to be put in place before we even took the first step on that journey of reform, Mr. Speaker.

Now I'll try to reflect the comments of my constituents, Mr. Speaker, because I want to try to put across some of the sentiment that's coming from the constituency. So any kind of political affiliations certainly have no basis for the comments that I'm going to be making.

Mr. Speaker, even within my constituency some time back – and I know many of the members of this Assembly are aware that the city of Edmonton had a number of councillors that I believe had a working group. I think they had four town halls in the city. [interjections] It's not the previous councillors; it's the current councillors in fact. I know that the government has some friends there, in fact at least one cheerleader, Mr. Speaker.

11:00

Nonetheless, the city of Edmonton councillors had a health working group, and they held a session in my constituency on March 11 of this year. Unfortunately, due to House duties and because we were debating Treasury estimates that night – my job is here; I was elected, sent by those people to be here – I couldn't be in attendance. So I had an individual record some of the comments at that meeting on my behalf. Mr. Speaker, quite frankly, I can't tell you what political affiliation the person who did the recording is. For all I know, it could've been a Conservative Party member. I know many Conservative Party members are very, very concerned with the direction that health is going.

Mr. Speaker, some of the issues that came out . . .

AN HON. MEMBER: They'd never admit it.

MR. SEKULIC: Well, the government members in this Assembly wouldn't admit it. At least one did. I think it was the hon. doctor that at some point in the past admitted there were concerns.

MR. CHADI: You hon. doctor, you.

MR. SEKULIC: The hon. doctor.

The issues came forward from constituents, from real Albertans, from normal Albertans, Mr. Speaker. Let's not give them

these political affiliations. They made comments like: there are shrinking health services; what used to be insured is now being deinsured. They said that the shift in and to home care wasn't a smooth transition, that in fact it seemed like the cracks were greater than the plateaus on which people would land, that there were decreased services for Albertans suffering with disabilities and that they in fact were falling through the cracks.

The whole issue of mental health seemed to be in total – and I have to use it because I've stood before in this Assembly and said the very same thing – disarray, absolutely total disarray. These are not Albertans that . . .

MR. DUNFORD: The sky is falling.

MR. SEKULIC: No, hon. Member for Lethbridge-West, the sky is not falling.

You know, quite frankly, those Albertans that suffer from mental illness seem to be a group that's been neglected at a supposed benefit of saving some money. Well, I have to say that my insight into the issue is that those are short-term savings. It's like bottlenecks: you can see that the fluid may come out at a less rapid rate; nonetheless, you know that there's a vast or a large amount of fluid there waiting to come out in any bottle when you tip it upside down. I suggest that perhaps the same thing is happening here. We're just slowing the flow for a temporary period, but we know that the lists and the needs are there and that at some point in the future a responsible government will have to address those real needs that exist. We hear them in the Assembly.

I said when I started my comments that if you were to turn the news on at 7 o'clock in the morning or at noon or at 6 in the evening – in fact I was just in the back room here, where they do have a TV, and turned on the news, and yes, one of the lead stories is health care: how long can it continue to be neglected?

Mr. Speaker, the Capital health authority recently pleaded for 37 and a half million dollars so that they could deliver a bare-bones service to Edmontonians, a service area of over 900,000 people. Now, apparently there was a news release today; I'm still not aware of what's come out of that. I'm not sure what came out of that, Mr. Speaker, but here's where the Capital health authority, one of the larger regions in Alberta, is pleading for 37 and a half million dollars to provide bare-bones service, and the Premier is pointing the finger at them and saying that they're responsible and perhaps only giving them a quarter of it and saying: deal with it.

Going back to some of the other comments regarding health, Mr. Speaker, we see that those individuals, those Albertans suffering from mental illness, those that are now receiving home care and services at home, which I suggest is a good idea, are seeing reduced transportation benefits through DATS. Although the volume of need is increasing, the resources with which the various organizations can address those needs are diminishing, so it seems like there's almost – well, not seems; there is a neglect of these areas.

Mr. Speaker, on the issue of putting more individuals into the community, releasing earlier from hospital, deinstitutionalizing, we're seeing a growth in residential care facilities, yet there was no forethought to put in place a regulatory structure to protect those individuals now going into an increased private-sector involvement in the delivery of health care.

Mr. Speaker, the one comment that grabbed me most as a summary of this meeting was that when they opened the floor up to questions from my constituents, in fact to all the residents of northeast Edmonton, one comment that came – and I'll read this

– was: Peter, many horror stories from mostly the seniors in attendance; there may have been two good stories to 10 bad ones. Now, I didn't write this, and in fact I didn't ask for someone to go, but those individuals who went felt – and I have received a number of calls about what took place at that meeting.

Now, so many times we hear in this Assembly – in fact we just heard it moments ago – that the sky is not falling and that there are good-news stories. Well, here it is, Mr. Speaker. The ratio is two good-news stories to 10 bad ones. Based on the media reports, what's that saying? If enough people call you a jack-blank, you should go out and buy a saddle? That's the same issue here with health care. After a while, when you hear it from enough different sources, you have to start questioning the validity of those comments and start believing them to be true, because I believe it is. It's not perpetuated propaganda of some sort; it's real Albertans suffering the real consequences of health care reforms that should have taken place over a greater period of time. Once again, I am not questioning whether reforms were needed; I am questioning the manner in which they were done and the speed at which change was implemented.

Mr. Speaker, one of the questions that came from that audience that evening was: why no observation period after surgery?

MRS. McCLELLAN: Are you going to talk about the Bill?

MR. SEKULIC: Of course, Shirley.

Why no observation period, Mr. Speaker, after surgery is what some of these Albertans asked.

There's the question: will we have a two-tiered system?

MRS. McCLELLAN: It's not in the Bill.

MR. SEKULIC: Mr. Speaker, the hon. Minister of Health says that this isn't in the Bill. You know what? There are so many pieces of legislation pertaining to health in the last three years in this Assembly, and every time you raise a question on behalf of a constituent, when you raise a concern on behalf of an Albertan, they say that it's not in the Bill. In fact, if it is in the Bill, they say that it's not true. So I'm just not sure where and when Albertans will have a voice when it comes to their input into their parliamentary democracy. [interjection] I hear a socialist piping up. When a right-wing government makes a socialist their Whip, then you know there's got to be real reforms happening in that jurisdiction.

Mr. Speaker, there are other issues, and I will keep these next few comments, the real concerns of real Albertans, brief, because I do want to get on to addressing some of the specifics in the Bill. Some of the other questions that came forward from Albertans are: why are elderly people being bused out of their homes to be bathed or to have interaction with other seniors, Mr. Speaker? So it appears that although many of us agree with some of the directions of the health model, there are real weaknesses, and the cracks are so large that many people are falling through.

11:10

THE ACTING SPEAKER: The Minister of Health on a point of order.

#### Point of Order Relevance

MRS. McCLELLAN: Mr. Speaker, I just want to refer to *Beauchesne* on relevance. I appreciate the hon. member bringing the concerns of his constituents to this Legislature, and I think he does it with sincerity. However, we are dealing in second reading

on this Bill, and it is the principles of this Bill that I am most interested in, as I know is my colleague the mover of this Bill, in getting that input to ensure that this Bill does carry forward in a good way. So I would simply ask that we could go to the Bill, to the principles. I've observed the time that the hon. member has spoken, and he has not referred to the Bill in question yet.

THE ACTING SPEAKER: On the point of order, hon. Member for Edmonton-Manning.

MR. SEKULIC: Of course, Mr. Speaker. Speaking to the point of order, I would do everything within my power to respect the minister's wishes. However, what she's asking me to do is speak to the principle of the Bill. Clearly, if one goes through Bill 30, the Health Statutes Amendment Act, they'll see that there are no principles embodied in this Bill. It is the Bill that she imposed upon me. She's asking me to do the impossible, and my request of her is in fact to do the possible. So I would love to adhere to her request, but I simply can't.

THE ACTING SPEAKER: I would love for you to do her request too, because I have been listening since one minute after 11, and it's now 12 minutes after 11. I was very happy when I heard about two minutes ago that you were going to get to the principle of the Bill. Please do, or we'll go on to the next speaker.

MR. SEKULIC: Mr. Speaker, I will honour your ruling. I must, however, correct you on one. I said that I would be speaking to the Bill and not the principle of the Bill because I would challenge any government member to rise and explain what the principle of the Bill is. It just hasn't been put on the floor yet. So I will take my place shortly, and I hope the Minister of Health will take up her own challenge and tell this Assembly what the principle of this Bill is.

#### Debate Continued

MR. SEKULIC: Mr. Speaker, the Bill addresses a number of areas, and that's why it's so very difficult to say that it has but one principle. The Bill is trying to bring together a complex web of difficulties and trying to do patchwork, in fact a series of band-aid solutions which I don't think Albertans ever requested.

The one area that I wanted specifically to address was on page 28 with the Regional Health Authorities Act. It's section 3(2). The good component of this amendment is that it has in fact removed requisitioning powers from the RHAs, and I think that's a positive change, a positive improvement. The bad component, or the negative, the drawback to this amendment is that the minister can now delegate responsibility to community health councils. That's not in fact necessarily at first sight something that's entirely negative. However, when you think about all the 83 members, we've been sent here to do the job, to carry out that job, not now to assign these duties to volunteers. This is far too large a task now to simply distribute and then most importantly to be able to point at a volunteer and say, "You've messed the system up." The Capital health authority is asking for \$37.5 million, and the hon. Premier of this province points at them and says: well, we think perhaps they're not managing their dollars properly. Mr. Speaker, exactly that. We assume the job, but we don't take on the responsibilities. We don't take on the duties. Well, if that's the case, stop taking the salary.

One severely handicapped gentleman in my constituency who attended that meeting which I referred to earlier said that – and these are his own words – home care is a joke. He said that he

needs care day and night as a result of his disability and that he had to hire a lawyer to get the care he needed. When Albertans have to hire lawyers to get the services that tax dollars were intended to pay for, there's a problem. Although that may make some lawyers happy and the hon. Minister of Justice may see some benefit at some point in the future, colleagues that he graduated with from law school may see benefit from the fact that Albertans in an increasing number have to hire lawyers to receive what used to be a service offered through government, it's just not the way it should be.

Mr. Speaker, I just want to close on these comments because I do have real concerns on health in Alberta. I do think that we have been afforded an opportunity to represent our constituents, and I think that we should not be abdicating that responsibility by putting that responsibility onto a greater number of volunteers. I believe that volunteers are already overtaxed not just in the financial sense but overtaxed in terms of energies. They all have families, and they all do this work after their work hours. I think we do have a large number of public servants that are well paid and I think very well trained and very capable to do this work. We should not be removing this load from where that load should be.

So, Mr. Speaker, I won't be able to support this Bill. However, I am looking forward to the advice that you gave me. I am looking forward now to hearing the Minister of Health rise and provide this Assembly with an outline of the principle of Bill 30.

MRS. McCLELLAN: It's already been done. Read *Hansard*.

[Motion carried; Bill 30 read a second time]

### Bill 32 Alberta Heritage Savings Trust Fund Act

THE ACTING SPEAKER: The hon. Provincial Treasurer.

MR. DINNING: Thank you. I'm proud to move second reading of Bill 32, the Alberta Heritage Savings Trust Fund Act. This has been the subject of some debate in this Assembly, in the heritage fund committee, and in all parts of the province actually over the last number of years.

Alberta is very fortunate to have a heritage savings trust fund today with assets close to \$12 billion. It was started some 20 years ago, Mr. Speaker. It was started at a time when we thought oil was going to be up to some \$80 a barrel. Well, here we are today at \$22 and change, and Albertans still have a heritage fund that they can be proud of. It was established in 1976 with three basic objectives:

1. to save for the future
2. to strengthen and diversify Alberta's economy
3. to improve the quality of life [for Albertans].

It's gone through a number of phases over that 20-year period, with some five different divisions of the fund as well as a cash management function. It invested in forestry and petrochemicals and agribusinesses and heavy oil upgrading and high technology and tourism but more recently, Mr. Speaker, has narrowed its focus. In 1982 all of the income earned on investments had been transferred to the general revenue fund to pay for programs and services, and from 1987 the government stopped putting resource revenue into the fund. Since 1987 the real and nominal value of the fund has actually gone down each year because of expenditures in the capital projects division and the reduction in purchasing power over time due to inflation.

Mr. Speaker, we as a government committed – Premier Klein made the commitment that we would review the mandate of the

heritage fund. We began that process in December 1994 with the creation of a government committee chaired by the Member for Lethbridge-West, who was joined by the Member for Red Deer-South, the Member for Lac La Biche-St. Paul, the Member for Calgary-East, and the Member for Edmonton-Whitemud to undertake a public review. I know that perhaps later on in second reading my colleague the Member for Lethbridge-West will want to comment on this. He undertook an excellent review, traveled across this province, listened to a number of Albertans in public meetings and through a questionnaire, and clearly the response was overwhelmingly in favour of keeping the fund but not at the status quo. So we then released in January of this year a document that set out the recommendations for changing the heritage fund consistent with the results of the review conducted by the Member for Lethbridge-West as well as the province's consolidated fiscal plan and the Balanced Budget and Debt Retirement Act.

**11:20**

So the bottom line is that the key changes to the fund's investment framework are, one, the establishment of a fund mission statement to crystallize the rationale and purpose for the fund, which is basically to provide prudent stewardship of the savings from Alberta's nonrenewable resources and also to change the existing divisional structure of the fund and replace it with two portfolios: a transition portfolio and an endowment portfolio. The transition portfolio will contain investments that support the income needs of the fiscal plan, and the endowment portfolio would be invested to maximize long-term financial returns.

Clearly, Mr. Speaker, the heritage fund is an integral part of the province's fiscal plan, so a transition period is needed before an investment strategy of maximizing long-term returns can be fully pursued. Therefore, over a period of 10 years assets will be transferred from the transition portfolio to the endowment portfolio so that by December 31 of the year 2005 all assets of the fund will reside in the endowment portfolio. We will begin, however, to inflation-proof the fund to protect against the eroding effects of inflation and thereby help ensure the same level of security and support for future generations of Albertans. In other words, the heritage fund will begin to grow again.

Mr. Speaker, I won't go through the Bill in detail. It does what Albertans told us to do, which was that we should get on with the job of protecting the heritage fund. It's something that Albertans were proud of. They didn't feel that the status quo was satisfactory, so as a result we're launching with this Bill a new era for the heritage fund, something that Albertans are fiercely proud of, and we think that we are sending the heritage fund in the right direction.

Mr. Speaker, with those words I would move that we adjourn debate on Bill 32.

THE ACTING SPEAKER: The hon. Provincial Treasurer has moved that we adjourn debate on Bill 32. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

[At 11:25 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]