

Legislative Assembly of Alberta

Title: Wednesday, April 16, 1997 1:30 p.m.
Date: 97/04/16
 [The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Welcome. We'll begin with the traditional prayer.

Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others.

We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and future of Alberta.

Amen.

Would you please remain standing, hon. members, as it is our custom to pay tribute on the first day to former members of this Assembly who have passed away since we last met. With our admiration and respect there is gratitude to members of their families who shared the burdens of public office and public service. They are unable to be with us this afternoon. Our prayers, however, go with them.

Frederick Alexander Kidd July 29, 1921, to March 22, 1997

THE SPEAKER: On March 22, 1997, Frederick Alexander Kidd passed away. Mr. Kidd represented the constituency of Banff for the Progressive Conservative Party. He was first elected in the 1975 general election and served until 1979.

During his years of service he served on the following committees: Select Standing Committee on Public Affairs; Select Standing Committee on Law and Regulations; Select Standing Committee on Public Accounts; Select Standing Committee on Privileges and Elections, Standing Orders and Printing; and Select Standing Committee on Private Bills.

Dr. Hugh Macarthur Horner February 1, 1925, to March 25, 1997

THE SPEAKER: On March 25, 1997, Dr. Hugh Macarthur Horner passed away. Dr. Horner was first elected in the 1967 general election, re-elected in 1971, 1975, and 1979. He represented the constituencies of Lac Ste. Anne and Barrhead for the Progressive Conservative Party.

During his years of service he served as Deputy Premier from 1971 to 1979, minister of agriculture from 1971 to 1975, minister of transportation from 1975 to 1979, and minister of economic development from March to September of 1979.

In a moment of silent prayer I ask you to remember these former members as you have known them.

Rest eternal grant unto them, O Lord, and let light perpetual shine upon them.

Amen.

You may be seated.

head: **Introduction of Visitors**

THE SPEAKER: Hon. member.

MS BARRETT: Thank you, Mr. Speaker. Many of the members of the Assembly and you, Mr. Speaker, as well, will remember the Member for Edmonton-Kingsway who served from 1986 to 1993. He's in your gallery today. Alex McEachern expects to

be a regular visitor, so he'll just be in your gallery for today. He's volunteering to do financial research so we can watch the Provincial Treasurer. We thank Alex for doing so. Please join me in welcoming Alex McEachern.

head: **Presenting Petitions**

THE SPEAKER: Opposition House Leader.

MR. SAPERS: Thank you, Mr. Speaker. It's my pleasure to be able to present a petition on behalf of 4,572 postsecondary students, faculty, and community members from throughout the province of Alberta, who are petitioning the government to follow the Liberal policy and cap tuition fees in postsecondary institutions at no more than 20 percent of an institution's cost associated.

head: **Notices of Motions**

THE SPEAKER: Hon. member.

MS BARRETT: Thank you, Mr. Speaker. I rise today to give oral notice of my intent after question period today, pursuant to Standing Order 30, to request that the ordinary business of the Assembly be adjourned to debate a matter of urgency and public importance, that being the refusal of Canada Safeway to return to the bargaining table to negotiate a settlement to the labour dispute with its unionized employees.

head: **Introduction of Bills**

THE SPEAKER: Government House Leader.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Being a little new to the game, I assume that what I need to do is ask for unanimous consent to waive the application of Standing Order 38(1) to allow my honourable friend to introduce Bill 201.

THE SPEAKER: The hon. Government House Leader has requested that unanimous consent of the Assembly be granted to waive Standing Order 38(1)(b) to provide for the introduction of Bill 201, Parenting After Separation Act. Might we have the Assembly's unanimous consent?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Edmonton-Beverly-Clareview.

Bill 201 Parenting After Separation Act

MR. YANKOWSKY: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Parenting After Separation Act.

[Leave granted; Bill 201 read a first time]

MR. HAVELOCK: Thank you, Mr. Speaker. I'd like to also ask for unanimous consent to waive Standing Order 38(1)(b) to allow the Member for Grand Prairie-Wapiti to introduce Bill 202, the Crown Contracts Dispute Resolution Act.

THE SPEAKER: The hon. Government House Leader has requested that unanimous consent of the Assembly be granted to waive Standing Order 38(1)(b) to provide for the introduction of

Bill 202, the Crown Contracts Dispute Resolution Act. Might we have the Assembly's unanimous consent?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Grand Prairie-Wapiti.

**Bill 202
Crown Contracts Dispute Resolution Act**

MR. JACQUES: Thank you, Mr. Speaker. I request leave to introduce a Bill being 202, the Crown Contracts Dispute Resolution Act.

[Leave granted; Bill 202 read a first time]

head: **Tabling Returns and Reports**

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

MR. MAGNUS: Thank you, Mr. Speaker. As chair of the Council on Professions and Occupations I have a number of annual reports that I'd be pleased to table with this Assembly today. They are the annual report of the Certified General Accountants Association, the annual report of the Society of Certified Management Accountants, the annual report of the Institute of Chartered Accountants, the annual report of the council of the chiropractic profession, the report of each of the associations of the dental disciplines, the annual report of the association of the forestry profession, the annual report of the association of the occupational therapy profession, the annual report of the Opticians Association, the annual report of the association of the psychology profession, the annual report of the Safety Codes Council, and the annual report of the veterinary medical workers.

Thank you, Mr. Speaker.

THE SPEAKER: The Member for Edmonton-Mill Creek, followed by the Minister of Education.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to table copies of two documents, dated April 4 and April 11 respectively. They are essentially letters from me to the Premier of the province requesting him to ask the Auditor General to conduct a special investigation pursuant to section 20(1) of the Auditor General's Act regarding the loss of \$244 million in taxpayer moneys surrounding the involvement of the government with the Millar Western Pulp loans.

MR. MAR: Thank you, Mr. Speaker. This is my first opportunity to rise in this House and to convey to you my personal congratulations on your election as Speaker.

Mr. Speaker, in accordance with the Government Accountability Act I am pleased to table today Alberta Education's annual report for the year ended March 31, 1996.

Mr. Speaker, I also have a letter written by the Premier to Mr. Talib Rajwani. Mr. Rajwani is a grade 12 student here in the city of Edmonton who participated in an international debate contest and won first place in the world competing against some 49 students from other parts of the world. This letter is a letter of congratulations, signed by the Premier, to Mr. Rajwani.

1:40

THE SPEAKER: The Minister of Transportation and Utilities.

MR. PASZKOWSKI: Thank you, Mr. Speaker. I, too, would like to convey my sincerest congratulations and best wishes to you in the role of Speaker of this House.

Mr. Speaker, it's my pleasure to table with the Assembly today four copies of the 1995-96 annual report of Alberta Transportation and Utilities. Should members be interested in obtaining a copy, they will be available through my office.

Mr. Speaker, I'd also at this time like to table with the Assembly four on behalf of my colleague the hon. Stan Woloshyn, Minister of Public Works, Supply and Services, four copies of the '95-96 annual report of Alberta Public Works, Supply and Services. Should members be interested in obtaining further copies of this report, they can be made available through Mr. Woloshyn's office.

Thank you.

THE SPEAKER: The minister responsible for science, research, and information technology.

DR. TAYLOR: Thank you, Mr. Speaker. You've already been wished congratulations. I wish you good luck.

I am pleased to table four copies of the Alberta Science and Research Authority annual report and four copies of the Alberta Research Council annual report. Members can obtain further copies by picking them up at my Legislature office.

Thank you.

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

MR. DUNFORD: Thank you, Mr. Speaker. Congratulations, as well.

I'm pleased to table the Students Finance Board annual report for 1996.

THE SPEAKER: The Member for Calgary-Buffalo caught the eye first, then the Minister of Economic Development and Tourism.

MR. DICKSON: Thank you, Mr. Speaker. It's my wish pursuant to Standing Order 37(3) to table two documents. The first one's a written report from a meeting on February 27 of representatives from 40 different school councils in the Calgary public system. The report is powerful and persuasive. I commend it to the Minister of Education and indeed all members.

The second tabling, sir, is a package of 182 letters to the Minister of Education from Calgary parents. These are parents concerned about special education programs and restricted criteria for funding those programs.

MRS. BLACK: Mr. Speaker, I too would like to congratulate you and wish you all the best in your term as Speaker. I know you'll do a very fine job.

At this time I'd like to table the annual report for Alberta Economic Development and Tourism for 1995-96, Alberta Lotteries' annual report for '95-96, the Alberta Liquor Control Board's annual report for '95-96, Alberta Opportunity Company's annual report for '95-96, the Alberta Tourism Partnership's annual report for 1996, the Alberta Heritage Foundation for Medical Research's triennial report, and the Alberta Motion Picture Development Corporation's annual report for 1995-96.

THE SPEAKER: The Member for Edmonton-Gold Bar, to be followed by the Minister of Municipal Affairs.

MR. MacDONALD: Mr. Speaker, I would like, with your permission, to table four copies of a letter which was sent to the Minister of Labour earlier today. This letter urges the Minister of Labour to mediate in the Safeway strike.

MS EVANS: Thank you, Mr. Speaker, and congratulations.

I'm pleased to file with the Assembly four copies of the Alberta Municipal Affairs 1995-1996 annual report. It includes the Alberta Social Housing Corporation and special areas. Members of the Assembly who wish to receive copies of this report should contact my office.

THE SPEAKER: The Premier caught my eye first, Mr. Minister, and then we'll follow with the Minister of Family and Social Services.

MR. KLEIN: Thank you, Mr. Speaker. I, too, would like to add my congratulations to you and to wish you good luck and lots of success in your new role as Speaker. It's going to be an interesting four or perhaps five years. Who knows?

Mr. Speaker, it gives me a great deal of pleasure to table the annual report of the Alberta Public Affairs Bureau.

DR. OBERG: Thank you, Mr. Speaker. I am pleased today to rise with two tablings. My first tabling is the 1995-96 annual report for Family and Social Services. The report covers the fiscal year ended March 31, 1996.

Mr. Speaker, my second tabling is on behalf of my colleague the Minister of Health. I'm pleased to table four copies of the 1995-96 annual report and statistical supplement for the Department of Health.

Thank you.

THE SPEAKER: The Provincial Treasurer, followed by the Minister of Agriculture, Food and Rural Development.

MR. DAY: Mr. Speaker, first of all, way to go, big guy.

I'd like to table Treasury's annual report for the fiscal year ended March 31, '96.

MR. STELMACH: Well, thank you, Mr. Speaker. It is my pleasure today to table with the Legislative Assembly the following annual reports: Alberta Agriculture, Food and Rural Development annual report – you will also note that the Alberta Agricultural Research Institute report is included in the document – the annual report for the Agriculture Financial Services Corporation, Alberta Agricultural Products Marketing Council report, Alberta Dairy Control Board annual report, and the 1996 Surface Rights/Land Compensation Board annual report. Additional copies are available at my office.

Thank you.

THE SPEAKER: The Minister of Labour, followed by the Minister of Environmental Protection, then the Minister of Energy, and then the Government House Leader.

MR. SMITH: Thank you very much, Mr. Speaker. I echo the thoughts of my leader, the Premier. It's often said that what interests my leader fascinates me greatly.

I am here today, Mr. Speaker, to table with the Assembly the annual report of the Department of Labour, the annual report on the operation of the Freedom of Information and Protection of

Privacy Act for 1995-96, the annual report of the Alberta Boilers Safety Association 1996, and the annual report and financial statements of the Workers' Compensation Board for 1995.

MR. LUND: Thank you, Mr. Speaker, and congratulations in your tough elections.

In keeping with this government's and department's openness and accountability I would like to table with the Assembly the 1995-96 annual report of the Department of Environmental Protection.

DR. WEST: Mr. Speaker, I'd like to table six copies of the annual report of the Ministry of Energy for '95-96. This also contains the following organizations: the Alberta Petroleum Marketing Commission, the Natural Gas Price Administration Act, the Natural Gas Pricing Agreement Act, the Petroleum Marketing Act, and the Take-or-pay Costs Sharing Act. It also has the Alberta electrical marketing agency, pursuant to the former Electric Energy Marketing Act, and the Alberta Oil Sands Technology and Research Authority, pursuant to the Oil Sands Technology and Research Authority Act.

MR. HAVELOCK: Thank you, Mr. Speaker. Let me also offer my congratulations to you. I look forward to receiving your rulings in the future on a number of matters, which I'm sure will favour the reasonable position which will be adopted by this government.

I'd also like at this time to table four copies of the Alberta Justice annual report for 1995-96.

MRS. McCLELLAN: Mr. Speaker, may I add my congratulations to you.

Mr. Speaker, I have a number of tablings. Firstly, I am pleased to table today the Community Development annual report for the fiscal year ended March 31, 1996.

I am also pleased to file copies of a news release and information sheet about the celebration of volunteer week. Volunteer week is from April 13 to 19, and I know that all members of this Assembly commend our volunteers in this province.

Mr. Speaker, I am also delighted to file letters of congratulations sent by me on behalf of the government to three Albertans who won Juno Awards in March. These distinguished and very talented Albertans are Terri Clark, who was recognized as Canada's best new solo artist; Paul Brandt, who won the Juno Award as male country vocalist of the year; and Jeth Weinrich, who was recognized as the director of the best music video. I certainly congratulate them on behalf of all Albertans.

1:50

I also want to table a letter of congratulations that was sent to Alberta's own Kevin Martin and his curling team of Don Bartlett, Rudy Ramcharan, and Don Walchuk. As everyone knows, Mr. Martin and his squad are representing Canada in the world championships and are doing very well today. Mr. Martin is from the Ottewell Club in Edmonton.

Mr. Speaker, I also send the best wishes of Albertans to the Sandra Schmirler rink from Saskatchewan, who are representing Canada, but I would like especially the Assembly to recognize all these fine Albertans who have achieved in these past months.

MR. HANCOCK: Mr. Speaker, I am pleased to add my congratulations to the long list you've now received.

It's a pleasure in my first duty as minister in the House to table

the 23rd annual report, the 1996 report of Alberta Federal and Intergovernmental Affairs and as well delighted to table the 1996 annual report for the Métis Settlements Appeal Tribunal.

MS BARRETT: Mr. Speaker, I just wanted to add my voice of congratulations on your election as Speaker, and I was feeling a little left out, but I don't actually have anything to table today.

head: **Introduction of Guests**

THE SPEAKER: The Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's a great honour today for the first time in the 24th Legislature to introduce a special group from the Vulcan Hazel Cameron elementary school. Of particular interest to you, Mr. Speaker, is their teacher, who was born and raised in your riding. She's brought a group up here for each of the five years that I've had the pleasure of sitting as their representative, and today I'd like to introduce those people to you and to this newly elected group here. I'm sure they're anticipating a much quieter, more refined group that they can watch in question period. Accompanying the group today are two teachers, Mrs. Sharon Cockwill and Mr. Brad Robert, and a number of parent/teacher helpers. There's Dawn Griffen, Dawn Lundberg, Wendy Miller, Louise Markert, Veronica Matheson, Rose Wisener, Dave Munro, and, last but not least, Darryl McDonald. Would you please show them a warm welcome. Thanks for coming all the way down from Vulcan.

THE SPEAKER: The minister responsible for children's services.

MS CALAHASEN: Thank you very much, Mr. Speaker. I, too, want to wish you congratulations on this great job before you, especially with these bright, young faces that you have to deal with in the next four or five years, as the Premier said.

It's my pleasure today to introduce to you and to members of this Assembly an individual who is from Slave Lake. He's the Métis zone president, and he's here to view what kinds of activities occur in this House. He's seated in the members' gallery. His name is Wayne Cunningham, and I'd ask that he rise and receive the warm welcome of this House.

THE SPEAKER: The Member for Calgary-Buffalo.

MR. DICKSON: Thank you, Mr. Speaker. It's my privilege this afternoon to introduce to you and through you to members of the Assembly a number of guests: firstly, Joan Forder, who's chairperson of the registered massage therapists society, and accompanying Ms Forder are 14 students from the Rocky Mountain Academy of Therapeutic Massage in Calgary. I'd ask these guests to rise and receive the customary warm welcome of members of the Assembly.

THE SPEAKER: The Member for Edmonton-Beverly-Clareview.

MR. YANKOWSKY: Thank you, Mr. Speaker. It is indeed a pleasure for me to rise and introduce to you and through you a number of visitors in the members' gallery. There may be some in the visitors' gallery also; I'm not sure. They are wearing these white buttons on their lapels. They are here to observe question period and also to listen to the debate on Bill 201, which will take place later. They are seated in the members' gallery, and if there are any in the visitors' gallery, I would like them to rise at this

time and accept the customary very warm welcome of this House.

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

MR. DUNFORD: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the Members of the Legislative Assembly four student leaders that are seated in the members' gallery today. We have Mr. Nathan Angelozzi, who is the president of the students' union of Southern Alberta Institute of Technology. We have Ms Bobbie Saga, the vice-president of the students' union for Mount Royal College. We have Bryan Boechler, the issues management chairman from Mount Royal College, and also Wes Pierunek, who is the president of the students' council from the Alberta Vocational College here in Edmonton.

THE SPEAKER: The Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to members of the Assembly someone who makes my job a lot easier back in my constituency of Medicine Hat, my constituency assistant, Ms Elaine Hanson. She's seated in the members' gallery, and I ask all members to welcome her.

head: **Statement by the Speaker**

Oral Questions and Members' Statements

THE SPEAKER: Hon. members, as a result of the distribution of seats between parties from the March 11, 1997, provincial general election, there are a few matters that have had to be reviewed concerning question period and Members' Statements. It seems appropriate to comment on these matters before we start the first question period of the new Legislature.

A number of the issues have been discussed by House leaders. The Chair has met with all three House leaders and wants to thank them all for their efforts. There are a few administrative matters that remain unresolved after those meetings and discussions. The Chair now wishes to clarify those points and generally advise members of the practices that will be followed.

First, the practice in question period of one main question and two supplementary questions without preamble will continue.

With respect to the order of questions it seems to be agreed by all three House leaders that the first three main questions, each with two supplementaries, will be asked by the Leader of the Official Opposition or his delegate. There is some difference of opinion as to who should have the fourth question as both the Government House Leader and the New Democratic House leader submit it should be the leader of the New Democratic Party or her delegate. The Official Opposition House Leader submits that a private member on the government side should have the fourth question, with the third party having the fifth.

After reviewing and researching the matter, it accords more with the traditions and precedents of this House for the leader of the third party to have the fourth main question with two supplementaries and any private member on the government side to have the fifth main question. Members interested in this matter may wish to refer to Speaker Carter's rulings of June 13, 1986, and June 1, 1989. After the first five main questions of the day and the supplementaries have been asked, the Chair will recognize members in a fair and representative manner.

In terms of identifying who will be asking questions, the practice will continue of submitting lists of those members wanting to ask questions to the Speaker no later than 1 o'clock every afternoon the House sits.

With respect to Members' Statements, which occur on Tuesday and Thursday afternoons under Standing Order 7(4), there has been no agreement between House leaders about making changes to the Standing Orders. As the distribution of seats has changed in the Assembly, there is some change required in the order of these statements. Accordingly, on Tuesdays and Thursdays two private members of the government side may make statements and one member from the Official Opposition. Every fourth week, or eighth day for Members' Statements, a member from the New Democrats may make a statement.

The Chair is attempting to accommodate all parties in the interests of fairness in accordance with the practices and traditions of this House. Events may necessitate returning to these subjects at some later date.

Before starting upon our first question period, the Chair wants to remind all members that an appropriate level of order and decorum hopefully will be respected at all times. In terms of the rules for question period members may wish to acquaint or reacquaint themselves with *Beauchesne's* chapter 10, paragraphs 407, 420, and especially paragraph 408, which emphasizes that brevity is a virtue in both questions and answers.

Thank you.

The Leader of the Official Opposition also requested an opportunity, prior to the commencement of the first of his three main questions, to make a statement, a positive statement.

2:00

MR. MITCHELL: As always, Mr. Speaker.

Mr. Speaker, in the interests of streamlining the debate in this Legislature, as I know you are so intent to do, I would like to extend congratulations to you on your victory not simply on my behalf but on behalf of all 18 members of the Official Opposition caucus.

I would also, Mr. Speaker, like to extend congratulations to the Premier and to his members on their election victory. I would like to state very clearly that we are looking forward to working with him and his front bench and his private members in their pursuit over the next four or five years, as he indicated, of responsible, accountable, balanced, and fair government.

THE SPEAKER: To the Leader of the Official Opposition, thank you very much for that comment.

In terms of absolute fairness, because that might be viewed by some to be a statement of sorts, would the Premier like to respond?

MR. KLEIN: Mr. Speaker, thank you so very, very much. I do thank the hon. Leader of the Official Opposition for his kind words of congratulations.

I can say, Mr. Speaker, that the election was a fairly fought election. It was a very clean election, and I didn't see and observe very much nastiness during the campaign.

I, too, would like to congratulate the Leader of the Official Opposition and members of his caucus on their respective victories, and I look forward to a good deal of time, to fair thrust and parry in keeping with the fine tradition of this Legislative Assembly. So, Mr. Leader of the Opposition, it's going to be, as I said to the Speaker, an interesting four or five years.

head:

Oral Question Period

Alberta Growth Summit

MR. MITCHELL: Mr. Speaker, in yesterday's throne speech the government, in re-announcing its Growth Summit, once again turned a blind eye to the disadvantaged. Participants at the Alberta Growth Summit were listed but with the notable exception of the poor, food bank users, children at risk, or children living in poverty. Alberta has the third highest level of child poverty and it has the fourth highest level of single mothers living in poverty in the entire country, and this government has once again failed to establish poverty as a priority. Will the Premier make it the summit's responsibility to address income distribution generally and child poverty specifically?

MR. KLEIN: Mr. Speaker, the Growth Summit will deal with a wide range of social issues including child poverty. As a matter of fact, it was proposed in the initial plan that is now being prepared by a former colleague of the hon. Leader of the Opposition, Dr. Percy, that Bettie Hewes, another former colleague, chair the social policy section of the growth conference. I'm sure, knowing Mrs. Hewes, that if in fact she becomes the person who leads this particular component, she will make sure that child poverty is indeed highlighted as we discuss a number of social policy issues.

MR. MITCHELL: Mr. Speaker, congratulations to the Premier for proposing that Bettie Hewes should be a member, and we'd like to . . .

MR. KLEIN: We haven't done it yet. We haven't made any appointments yet.

MR. MITCHELL: Well, in the event that he hasn't done it, Mr. Speaker, could I ask the Premier to confirm that in fact he will ensure that somebody of Mrs. Hewes' stature and other representatives of the poor, of the disabled, of child poverty and injured workers will also be included in the Growth Summit?

MR. KLEIN: Mr. Speaker, not only can I confirm that this in fact will take place along with numerous other issues, but if the leader of the Liberal opposition wants to get further confirmation, I'm sure that all he needs to do is to pick up the phone and talk to Dr. Percy, who is very, very involved in preparing the program.

MR. MITCHELL: Mr. Speaker, I'd also like to ask the Premier to commit that he won't simply ensure that the representatives reflect the issues but he will ensure that the mandate given to the Growth Summit will include a specific list of issues like child poverty, the disadvantaged, injured workers, the difference in wage levels dropping, poor working conditions, and so on so that the summit will have a clear mandate and clear authority to deal with and address those kinds of issues properly.

MR. KLEIN: Mr. Speaker, I simply don't see a problem with the Growth Summit addressing those kinds of issues, because they are indeed issues that are associated with growth. You know, growth has many, many positive aspects if it's handled right, but it can leave in its wake, if not managed properly, some very, very sad consequences, and we want to make sure that that doesn't happen. Those issues to which the leader of the Liberal opposition alludes are certainly some of the sad consequences that are related to growth if that growth is not managed properly.

Student Performance Bonds

MR. MITCHELL: Mr. Speaker, children trying to learn in overcrowded classrooms in schools, special-needs students without the help they need, inadequate English as a Second Language support: in the face of all this, what the government chooses to act upon is performance bonds for students who need a second chance. To the Premier: is it possible that students are having more difficulty achieving in high school not because they are lazy and not because they lack motivation but because cutbacks may have hurt their education so much that many of them are not prepared for high school?

MR. KLEIN: Well, certainly there have been cutbacks. There has been a significant reduction in expenditures. Much of that has been restored in very specific areas such as ECS and some other areas, but overall, through equity funding, a program devised by this government, many, many school districts are now much better off than they ever were before. Mr. Speaker, it's not so much how much is being spent; it is the proper allocation of resources and making sure that those dollars get to the classrooms.

Relative to the specifics of the question, I will have the hon. Minister of Education supplement.

MR. MAR: Mr. Speaker, I must say that I'm a bit reluctant to comment on the proposed amendment to the School Act specifically because it has not yet been tabled. In general terms, a number of school boards have indicated that they are interested in performance bonds. Some school boards don't feel that it's appropriate, but at the end of the day, we do want to encourage students to complete courses and take that seriously. We do want to encourage lifelong learning, but that doesn't mean lifelong high school. As a result, for those students who come back to complete a course that they have not completed earlier, to place a performance bond up front gives them some sense of commitment to their own education.

So, Mr. Speaker, the issue of performance bonds is one that some boards have felt is a good policy, and they'll have that flexibility

MR. MITCHELL: Mr. Speaker, has the Premier considered that cuts to education may have made it more difficult for special-needs students to succeed in school and that a performance bond could well become yet another penalty for these students?

MR. KLEIN: Well, I don't see really how the two are related, but again I will have the hon. minister supplement.

2:10

MR. MAR: Mr. Speaker, the province of Alberta has participated in national and international testing because we're interested in finding out how Alberta students stack up compared to students in other parts of the country, in other parts of the world. I'm happy to report that the SAIP results, which many members of this Assembly will be familiar with, came out recently in the area of science. Alberta students placed number one in the country. With respect to international results, there was the TIMS report, the third international math and sciences study, which was done in the area of science. Alberta students came out number three in the world.

So, Mr. Speaker, as the Premier has said, it is not so much how much money you spend as where you spend it. Three out of

four dollars in this province are spent on instruction in the classroom. That is most appropriate.

Thank you.

MR. MITCHELL: The bonds don't address the kids that succeed. They address the kids that fail.

Mr. Speaker, what other proposals has the Premier considered that would motivate students to succeed the first time rather than to penalize them when they attempt for a second time?

MR. KLEIN: Mr. Speaker, that very issue was highlighted in the Speech from the Throne. Relative to the mechanisms to bring that about, again I will have the hon. minister supplement.

MR. MAR: Performance bonds are not intended in any way, shape, or form to discourage students from going back. Indeed, Mr. Speaker, many school boards have established policies with respect to the waiving of fees in those cases where individuals cannot afford them. I would expect that within their policies with respect to performance bonds they will do the same thing. In appropriate circumstances where the performance bond is an impediment for financial reasons, I expect that boards will have such a waiver policy.

THE SPEAKER: The Member for Edmonton-Mill Creek.

Millar Western Pulp Ltd.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and congratulations. I look forward to seeing you at your annual golf tournament.

Mr. Speaker, the fourth largest government financial fiasco in the history of this province just unfolded to the tune of \$244 million in losses to Alberta taxpayers surrounding the Millar Western Pulp project. Yet while this deal was being restructured by the current government in 1993-94, the Provincial Treasurer at the time said in this House on March 28, 1994: "Albertans will get their investment back in spades."

MR. SAPERS: He was wrong.

MR. ZWOZDESKY: Well, he may have been talking about spades for the province's financial graveyard.

My question is to the Premier. Mr. Premier, when you were restructuring this loan, why didn't you choose the option of saving Alberta taxpayers \$108 million by getting the province off the hook back in 1994?

MR. KLEIN: I can just visualize what the reaction of the Liberal opposition would have been at that particular time had this government violated the business financial assistance limitation Act and given that company another \$20 million in loan guarantees. That, Mr. Speaker, is what the hon. member is suggesting we should have done. He is suggesting that we should have broken the law.

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

THE SPEAKER: Hon. member, points of order will be dealt with at the conclusion of question period.

At the same time, interesting questions, interesting answers, and you know, Member for Spruce Grove-Sturgeon-St. Albert, I would really like to hear both.

MR. ZWOZDESKY: Mr. Speaker, some answers are worth listening to and clearly some may not be. Nonetheless, that wasn't the question I asked the Premier.

I would like to ask the Premier: in the interests of openness and accountability to Alberta taxpayers will he table whatever options were considered by him and his cabinet back in 1993-94 during the loan restructuring negotiations that could have and should have saved us anywhere up to \$108 million?

MR. KLEIN: Mr. Speaker, I will ask the hon. Provincial Treasurer to supplement, but certainly we are willing to file virtually all documents available to us on this particular matter.

MR. DAY: Mr. Speaker, the question is a good one in terms of filing all information and possible options. I think we should be reminded that under this Premier's administrative capabilities and his commitment to openness and full accountability, in 1993 it was his stated desire, which later became legislation, that all such agreements should be fully public and fully accounted. With that in mind I am happy to table today the entire agreement right here before me. The entire agreement will be tabled for the member's perusal. I know he's interested in it, and I'd like to table it right now.

MR. ZWOZDESKY: Thank you. I appreciate the Premier's answer and the Treasurer's willingness to disclose those documents.

In that same spirit, Mr. Speaker, of openness, accountability, and straightforwardness out of government, let me ask the Premier my final question. Will you, in keeping with that spirit, Mr. Premier, now ask the Auditor General to step in, conduct a special duty review so that all Alberta taxpayers can get to the bottom of this latest business blunder, the fourth largest in our history? Let's clear this thing up so that everybody knows what we did.

MR. KLEIN: Mr. Speaker, I will say to the hon. member what I said to the media and through the media to the public. The Auditor General, in the course of his examination of government expenditures and government financial management, would naturally offer an opinion on this particular situation. Why would we order him to do something special relative to this situation when, in fact, he would audit it in the normal course of his duties?

Safeway Labour Dispute

MS BARRETT: Mr. Speaker, more than two weeks ago Safeway workers in Alberta voted strongly against what Safeway was calling its final offer. Since then the workers have asked Safeway to get back to the bargaining table but, bizarrely, Safeway's position has been, "No, we don't want to do that; we want you to vote again" on the so-called final offer that they voted on two weeks ago. My question today is to the Minister of Labour. What is he doing, what specific actions is he taking to get Safeway back to the bargaining table?

MR. SMITH: Thank you, Mr. Speaker. I would point out to the leader of the ND opposition that I have a letter dated for tomorrow, April 17, from the Labour critic from the Liberal party, supposedly sent to me April 16, asking for the same thing. I'm not sure about that.

To address the issue, labour disputes are not positive for

anyone. They're not positive for workers, employers, or customers. Alberta has one of the best records in Canada due to its legislation and the co-operation of workers and employers in this province. As late as yesterday morning we were in touch with both parties. We have offered the mediation, facilitation that the Department of Labour is known for. They have used mediation once before, and we have left that offer open to both parties at any time convenient to either.

MS BARRETT: Well, Mr. Speaker, I'm glad to hear that the offer for mediation was presented. However it's pretty clear that Safeway isn't interested in that offer. Instead, it would rather be told what to do by its multinational headquarters out of California. This is not Alabama north. So my question to the minister is this: is he prepared to take any further action aside from an offer; in other words, use the powers of his office to get Safeway back to the bargaining table?

MR. SMITH: Mr. Speaker, Alberta's approach to labour relations has resulted in a fair balance that exists between employers and unions. In fact, there is very little power that a government minister could exercise to force people to talk to each other. There are numerous records of independent people making independent choices in an independent Alberta, and I think that's the overarching legislation that has resulted in fewer labour days lost to work stoppages than any other province in Canada.

2:20

MS BARRETT: Mr. Speaker, it's not just the employees of Safeway who are being hurt. It's consumers. And I'll tell you what: it's even the retail operators where Safeway is an anchor in the building. So my question is to the Premier: will he ask the Labour minister to please use the powers of his office to convince Safeway to get back to the negotiating table? A pretty easy task.

MR. KLEIN: Well, you do the best you can. I mean, I'm not trying to be facetious, but I can tell you that the Department of Labour has some of the best mediation services available anywhere, and those mediation services are available to the employers and the striking Safeway employees. A good example of how those mediation services worked was during the threatened illegal strike by nurses, where Department of Labour mediators worked virtually night and day to resolve that. I'm sure that they would be willing to work night and day if there is a willingness on both sides – on both sides – to avail themselves of the services of the Department of Labour and the fine mediators they have over there.

THE SPEAKER: The Member for Edmonton-Glenora, followed by the Member for Grande Prairie-Wapiti.

Therapeutic Massage Academy

MR. SAPERS: Thank you, Mr. Speaker. The Rocky Mountain Academy of Therapeutic Massage closed its doors last week leaving about 40 students stranded, locked out of their education but still on the hook for their tuition. These students are collectively owed more than \$100,000, not to mention the faculty that haven't been paid either. Yet this government has done nothing to ensure that these students get their money back or are able to continue their education. My questions today are for the new minister of advanced education. Why was this school accredited and allowed to collect tuition without ensuring that an adequate bond was posted to protect the interests of the students?

MR. DUNFORD: Mr. Speaker, thanks to the hon. member for the question. We understand from the introductions earlier today that there are students here in the gallery, and I want to extend to them, of course, my sincere best wishes that we're able to arrive at a satisfactory arrangement for all of the people that have been affected.

The question that has been raised dealt with an institution that has been accredited. However, Mr. Speaker, I'm sure you're aware and of course other members in the House are aware that accredited institutions can also run courses that perhaps might not be licensed by the department. My understanding is that that is the situation that we have currently, and we're investigating what powers we have as a department to try to come to grips with that, because the students, after all, are our main concern.

MR. SAPERS: Thanks. The students, Mr. Speaker, have already had the government's best wishes, but what they haven't had is any action yet. They want their money back, Mr. Minister. Why has the government done nothing, not even meet with the students, not even return their phone calls, to ensure that they get reimbursed or that they can continue with their education?

MR. DUNFORD: Mr. Speaker, the information that I have is that, in fact, a brief meeting has been held with perhaps one or more of the students. We've had a direct call into our office from perhaps one of the members that might be acting as a spokesperson. I want to offer the opportunity right now to any person that has been affected and has a concern, that was a student within this particular institution we are now addressing: they can call my office at any time, and we will attempt to deal with it in the best manner that we can.

MR. SAPERS: Thanks, Mr. Speaker. I'm sure the students will immediately take you up on that offer, and I'd be happy to accompany them. They're here; we can see you after.

Why does the minister continue to drag his heels in bringing in legislation to govern this whole industry of private-sector involvement in postsecondary education and preventing this kind of thing from happening again and protecting our students?

MR. DUNFORD: Mr. Speaker, one of the things that we're most proud of here in Alberta is the ability that we've had to offer adult learning from both a public-sector and a private-sector standpoint. We feel that here in Alberta we have a very strong private-sector operation in adult learning. We have something over 130 private licensed institutions and somewhere in the order of 35 licensed training providers. We are a model here in Alberta for the rest of the country. That doesn't mean we can't do better, and we'll continue to take advice from wherever we can to ensure that we have a very strong private-sector vocational training system here in Alberta.

THE SPEAKER: The Member for Grande Prairie-Wapiti, followed by the Member for Edmonton-Gold Bar and then, if there's time, the Member for Calgary-Glenmore.

Early Release of Criminals

MR. JACQUES: Thank you, Mr. Speaker. Outrage, dismay, shock, and anger are some of the words that my constituents have used in terms of their reaction to the federal government's policy on statutory release and the application of that policy to Roderick Martineau, a convicted killer of an elderly couple in Valleyview,

Alberta. All my questions are to the Minister of Justice. Will the minister please explain why Martineau, a convicted double murderer, has been released from jail on four separate occasions over the last two years?

MR. HAVELOCK: I'd like to thank the member for that question. It's actually a question I've asked myself on a number of occasions, Mr. Speaker. Unfortunately, this is a federal matter. This is a federal serving inmate, and he is actually not the responsibility of Alberta Justice. It is my understanding, as the member has indicated, that Martineau has been released on statutory release. Because it is a federal matter, we have urged Albertans – and certainly my office will be contacting Justice Minister Rock to express our concern that this type of program has allowed for the release of Mr. Martineau for a fourth time. It is a concern, and we intend to take that up at the federal level.

MR. JACQUES: The minister in his response has referred to statutory release. Would he please explain how that policy is being applied today by the federal Liberal government?

MR. HAVELOCK: Yes, Mr. Speaker. One point I'd like to make also is that much like a number of the problems we're having in this area at this point in time, this is a federal Liberal government policy, and on a number of these issues they just don't seem to be listening to us at this stage.

However, to answer the question directly, the federal Corrections and Conditional Release Act requires that inmates be released to the community after serving two-thirds of their sentence. They are released by federal law at that time. There is actually no Parole Board hearing or investigation as to whether or not the prisoner should be released. It's automatic according to the law.

THE SPEAKER: Hon. member, the hon. Government House Leader did indicate certainly in his position as Justice minister and Attorney General that this is a federal matter, and other than for the technical aspects of the release, it may very well be outside the purview of the Government House Leader of the province of Alberta.

MR. JACQUES: Thank you, Mr. Speaker. My question is to the Minister of Justice in terms of his responsibility on behalf of all Albertans and all Canadians who are offended by this type of legislation. What action has he taken to present to the federal Liberal minister, Allan Rock, to amend that particular legislation?

MR. HAVELOCK: Well, Mr. Speaker, if we were to look at a number of the initiatives in this area – for example, the faint hope clause is another one which comes to mind – the Justice department has over the past number of years expressed concern on behalf of Albertans to the minister that these issues need to be changed. We need to change law in order to reflect what law-abiding citizens of this nation actually require and expect from their justice system. We will continue to push for changes of this nature to ensure that the Martineau release and other releases of a similar nature do not happen in the future.

Again, unfortunately all we can do is push for change, and you have my commitment and the department's commitment that we'll do that.

2:30

THE SPEAKER: The Member for Calgary-Buffero, then the Member for Calgary-Glenmore.

Crossroads Regional Health Authority

MR. DICKSON: Thank you, Mr. Speaker. When the government first created regional health authorities in 1994, it said that it was appointing people who were excellent financial managers, first-class communicators. Last Friday the health minister announced a formal review of two of his regional health authorities, and in the case of the Crossroads RHA he cited communication problems and budget problems. My question is to the hon. Premier this afternoon. Why did the Premier or his designate not take action when problems first became apparent or at least when the auditors first identified a problem last August?

MR. KLEIN: Mr. Speaker, I could take that question under notice, or I could pass it on to the minister acting for the hon. Health minister, the hon. Minister of Family and Social Services.

DR. OBERG: Thank you. Mr. Speaker, it's certainly an honour today to stand and represent the Minister of Health, who is attending an opening of a world-class trauma centre, in Calgary. I feel that the best way this question could be handled is to give it on notice to the Minister of Health so that he can respond directly to the hon. member.

MR. DICKSON: My follow-up question, then – and hopefully that'll be answered perhaps in the same way, if not earlier, Mr. Speaker – would be this: why would it be that when we have 282 people in the finance section of the Health department, it took the Minister of Health nine months to determine that he had a problem in the Crossroads RHA?

DR. OBERG: Again, Mr. Speaker, I will certainly pass that issue on to the Minister of Health with due concern that has been expressed.

MR. DICKSON: Finally, Mr. Speaker, perhaps this question could be communicated to the hon. minister as well. Given that the government had actual notice of problems in mid-1996, why on earth would the Minister of Health proceed to reappoint nine of the original 11 members on this troubled RHA?

DR. OBERG: Thank you. Mr. Speaker, for the second supplementary my answer will be very similar. I think that it is an important issue that the hon. member has raised, and the Minister of Health will get back to him.

Interest Rates

MR. MELCHIN: Mr. Speaker, I'm honoured to stand and first congratulate you on your election, and I'd like to say that it's an honour for me to stand and for the first time to be here in the Legislature. It's quite an honour for me.

Mr. Speaker, Budget '97 was tabled just over two months ago and things have changed somewhat in the financial world since then. My constituents are wondering if the Treasurer has been painted into a corner. With the U.S. interest rates moving up and threatening Canadian rates, has the Provincial Treasurer taken steps to revise the Budget '97 forecast?

MR. DAY: Mr. Speaker, I can tell you that the business of trying to forecast what's going to be happening in the financial world is a tough one at best when you see even in the private sector the difficulty that goes with that. Certainly the pressure on us is

extreme, and we do go to the private sector for those kinds of evaluations.

If the member would like to reassure his constituents, I can tell you that the consultation that took place over the months ahead of Budget '97 did in fact anticipate that in the U.S. there would be a short-term – and we hope it's short term – interest rate fluctuation upward, and unfortunately we are at some point affected by that. Actually, it's projected that that upward rate could be as high as 75 basis points. It's about 25 right now. So that was anticipated and actually is contemplated, and there will not have to be a change in that particular projection at least for Budget '97.

MR. MELCHIN: Mr. Speaker, there is now pressure on both the three-month treasury bill rate and the 10-year government of Canada rate. What steps has the Treasurer taken to deal with this change, which clearly must be affecting Budget '97, which was tabled in February?

MR. DAY: Well, the member's financial background is truly being reflected here in the questions. I can tell you again that in trying to anticipate – and we try and get these projections right. We don't always do it, but hopefully we'll continue with our conservative – I love that word – estimates and try and get it right. The three-month treasury bills have moved and are projected to move from 3.2 actually to 4.3. That's reflected also in the budget so people won't be off guard. On the 10-year government of Canada rate, given what we had anticipated happening, you'll see that there is a projection there from 6.9 percent to 7. So these projections will remain valid throughout the year, and the member can assure his constituents that these have been projected, anticipated, and hopefully it won't go beyond that.

THE SPEAKER: There was a little misunderstanding in terms of certain lists. That series of questions certainly did come from the Member for Calgary-North West, and I will make sure that the Blues do record that appropriately. To the Member for Calgary-Glenmore. We called you twice. It's wonderful to see you here, but it was not your day today to ask a question.

Edmonton-Calder, to be followed by the Member for Redwater.

Millar Western Pulp Ltd.

(continued)

MR. WHITE: Thank you, Mr. Speaker, and again congratulations on taking the Chair you now occupy, recognizing the difficult task you have of recognizing all of us, those that are still here and those that are new to the House.

Many Albertans knowledgeable in the area of forestry agree that the Alberta government has overallocated the forest resources of the province of Alberta. In September '95 this government approved a forest management agreement with Millar Western Pulp Ltd. that allocated the company extra timber for a hardwood veneer plant at a rate far below the regulation stumpage rate. However, that agreement has never been signed. To the Minister of Environmental Protection: will the new FMA that is going to cabinet very shortly be the same as that of September '97, or will it be a new edition?

MR. LUND: Thank you, Mr. Speaker. In the preamble to the hon. member's question he made a statement that is just not factual. As a matter of fact, last summer – I believe it was in August – we released the results of the most recent study that has

been done on the fibre supply in the province of Alberta. In fact, it was determined that there was some 44.5 million cubic metres of fibre grown in a year.

Now, Mr. Speaker, we are determined that our allocations will be done on a sustainable basis. That means that the annual allowable cut can never exceed the annual growth. As a matter of fact, it's well below. The total allocations in the province of Alberta, even with the new mills and the proposed mills, would only be in the neighbourhood of 24.5. You can see that from 44.5 annual growth, the total allocation is 24.5. If that is overallocating, I'm afraid I could never agree with it.

As far as the question, the discussions are ongoing as far as what will be in the new FMA, so I cannot give a definitive answer at this point.

MR. WHITE: Supplementary, Mr. Speaker. Will the minister assure the House, then, that the sweetheart deal that has been offered in the original agreement, that cut rate substantially below the regulation rate in stumpage fees, will not be included in this particular arrangement?

MR. LUND: Mr. Speaker, I'm not sure if the hon. member is aware of the timber that would be used in the proposed veneer plant, but in fact it's black poplar, and that is one specie that has not been utilized in the past. There has not been found a market for it. This company is proposing that they would produce a new product that would in fact use that specie. In all FMAs that are new and/or renewed, we have in there a clause that allows us to adjust the stumpage rate to the market.

2:40

MR. WHITE: Mr. Speaker, why would the minister allocate timber to a veneer plant that will need aspen as well as balsam poplar, the black poplar as you described it earlier, when there's already a shortage of aspen in the area under question?

MR. LUND: Well, Mr. Speaker, if the hon. member would care to, I'd be only too happy to invite him to my office, and we can go over the allocations. Obviously there are some things that perhaps he doesn't understand, so I'd be only too happy to give him the information that he is so desperately in need of.

THE SPEAKER: The Member for Redwater, followed by the Member for Edmonton-Rutherford.

Propane Prices

MR. BRODA: Thank you, Mr. Speaker. [interjection] I am standing.

It's my pleasure to be here for the first questions in this Assembly. My question is to the Minister of Transportation and Utilities. I've had several constituents ask me a question during the campaign and since the election as to whether there will be any rebates available on residential propane costs, which had risen by more than double during the winter months and with this winter being especially cold.

MR. PASZKOWSKI: Thank you and welcome to the hon. Member for Redwater. We're very, very pleased to see you part of the government caucus, obviously.

Mr. Speaker, certainly a very important question to many residents of this province. This has been a difficult winter, and compounding the difficulties of the cold and the length of the

winter, there have been some breakdowns in the production system in that two major propane plants in North America went down due to mechanical failures. As a result there was a tremendous amount of stress placed on the supply of propane throughout North America as well as a lot of stress placed on the other alternatives, which are natural gas and heating oil. Consequently, the price pressures were there not only on propane but on heating oil and on natural gas as well, and all three basically reflected quite a dramatic rise in costing.

At this time, Mr. Speaker, there is no consideration being given to providing any subsidies for any particular element of the heating phase as far as residential is concerned.

MR. BRODA: Mr. Speaker, a supplementary question. Is there a program for those individuals who don't have access to natural gas?

MR. PASZKOWSKI: Yes, Mr. Speaker. There is a remote area heating allowance, that was originally instituted in 1980 and has been basically extended to the year 2000 at this time. The remote heating allowance allows for those people who are not able to access the alternatives such as natural gas. For those in remote areas, for those where there's a tremendously large cost factor in accessing natural gas, there is a remote heating allowance, and that heating allowance basically allows for up to 4,000 gallons of propane and 2,800 gallons of heating oil. So yes, there is a provision for those that aren't able to access the natural gas element. By the way, there is something in terms of over 130,000 homes in Alberta at the present time that are serviced with natural gas in the rural areas of this province.

MR. BRODA: Mr. Speaker, to the same minister: is there any compensation for farmers who incurred high propane costs during the grain-drying season?

MR. PASZKOWSKI: At this time the only benefits that will be there are through the remote area heating allowance. There is no provision for residential; there is no provision for farmers at this time. But I would like to point out that indeed propane prices do reflect the energy prices. Energy prices generally were high throughout North America this past year. Energy prices have dropped and dropped fairly dramatically. Propane prices have dropped accordingly as well. But at this time there is no provision for any allowance for either the rural or the residential.

THE SPEAKER: Edmonton-Rutherford, followed by the Member for Calgary-Fort.

VLT Plebiscites

MR. WICKMAN: Thank you, Mr. Speaker. I, too, wish to congratulate you for achieving such an honourable position.

Mr. Speaker, my questions today are to the minister now responsible for lotteries. VLTs were thrust onto municipalities without the benefit of local plebiscites. However, to remove the VLTs, the municipality now must not only hold a plebiscite but must bear the cost of that plebiscite. To the minister responsible: will the minister consider reimbursing the cost for municipalities to hold such plebiscites, such as in the case of Rocky Mountain House?

MRS. BLACK: Mr. Speaker, as I am new in this portfolio and looking at lotteries and gaming for the first time, I've had a

tremendous amount of interest in that area. So I will beg the indulgence of the hon. member to bear with me as I go back over a little bit of information for the benefit of not only myself but new members in this Legislature.

A while back in the last session there was a review committee that went through the province and talked to people about lotteries and gaming. It was headed up by my colleague the hon. Member for Lacombe-Stettler, who, by the way, is assuming the position of chairman of the secretariat on lotteries and gaming for me. Part of the results of the consultation that took place throughout Alberta in the local communities was that people wanted to make decisions from the bottom up instead of from the top down. The lottery terminals were already in those communities, so decisions should come from their own communities and be reflected up through the process. That's the process that we've adopted in the mechanism for making determination on whether VLTs remain within a community or not. I know you've been indulgent with that lengthy background, but it is for the benefit of new members, Mr. Speaker, so I do thank you.

Clearly the position that we have taken at this point is to allow the local communities to make decisions as to whether the VLTs stay within the communities. That has been usually done by, first of all, having a petition to ask their local, duly elected municipal body to hold a plebiscite. That plebiscite, then, can be held and the results then reflected on to the provincial government. That's the process that we've adopted really as a result of the consultation.

THE SPEAKER: Thank you very much, hon. minister. I'm sure we'll have opportunities in the supplementals.

MR. WICKMAN: Mr. Speaker, to the same minister, who failed to answer my specific question. I'll try a different approach. Will the minister allow municipalities to remove VLTs simply by passing a council resolution rather than having to go to the expense of a plebiscite?

MRS. BLACK: Well, Mr. Speaker, the position that we have adopted is to have the communities make those decisions, and the best way to have the grass roots making the decision is through the plebiscite format. It is the responsibility of the municipalities to hold that.

To the first question, no, I'm not prepared to fund the local municipalities' plebiscites.

MR. WICKMAN: My last question, Mr. Speaker: will the minister do the honourable thing for all Albertans and rid this province of those machines?

MRS. BLACK: Mr. Speaker, I believe that that is a decision made by the people of this province. We have honoured their request in one site to date, and if there are other requests in fact, we will honour those.

THE SPEAKER: The Member for Calgary-Fort and, if there is time, the Member for Lethbridge-East.

2:50 School Transportation Fees

MR. CAO: Mr. Speaker, my personal congratulations on your new role. Keep this House in good shape. Also, I'm very honoured to be among you here to represent my constituency.

As we care a lot about education, my question is to the hon.

Minister of Education. The Calgary board of education has in its proposed budget projected a substantial increase in the fees of transportation for students in the 1997-98 school year. The question: is the increase in busing fees a result of the government cutbacks to education?

MR. MAR: Mr. Speaker, the short answer is no. The government has not reduced the amount of money that we grant to school boards for transportation. Transportation comes within a block of funding separate from instruction. We pay school boards for transportation of students who live 2.4 kilometres or more from the school. That's paid for by the province. Some boards choose to provide transportation for students residing less than 2.4 kilometres from school. In the case of the Calgary board of education their transportation radius is 1.4 kilometres. Those boards choose to provide that additional transportation as a service to parents, and to pay for this service, school boards may transfer funds from the instruction block to transportation or may charge a fee for the service.

MR. CAO: Mr. Speaker, my second question to the minister. Calgary parents are facing a potential threefold increase in transportation fees. Can the government limit the amount of this increase?

MR. MAR: Mr. Speaker, it is true that there is an increase that is contemplated in the budget for the Calgary board of education for transportation fees from this year to the 1997-98 year. However, I would point out that historically the fees have been even higher. As an example, in 1994-95 the board charged family fees; that is to say, regardless of the number of students you had, the most you would pay for the students in your family was \$600. In 1997-98 that will be \$150. For an individual student an eligible Calgary transit pass in 1994-95 was \$280; in '97-98 it'll be \$180. So while there has been an increase from this year, the board has done its best to reduce the cost overall from previous levels.

MR. CAO: My third question: if the parents are paying for the portion of the fee, who is paying for the rest?

MR. MAR: Mr. Speaker, the taxpayers of this province pick up the tab for the balance.

THE SPEAKER: Thank you very much, members. Question period has now come to an end.

We have been provided with notice of a Standing Order 30 motion. Also, then there's a point of order.

Hon. member, leader of the ND opposition.

head: Request for Emergency Debate Safeway Labour Dispute

MS BARRETT: Thank you, Mr. Speaker. Just to address the urgency of the matter here, it's coming on three weeks since the employees at Safeway in Alberta very strongly rejected what Safeway called its final offer. I appreciate the Minister of Labour's offer of mediation to Safeway, but since then they have not accepted that offer, and if one party isn't willing to accept that mediation, then there's no point in an offer. Since then Safeway has said - this being controlled by its California offices, by the way - that they want to put the last vote back to the Safeway

employees again, though they had already rejected that.

Now, the matter of urgency relates to the economic havoc that's being caused not only to the people who are on the picket line trying to defend their interests, to not lose money, considering they gave massive concessions four years ago to the company, during which time, by the way, the profitability of the company has increased by 75 percent; it's causing economic problems for the suppliers to Safeway and the suppliers to other grocery retailers as well. They don't know if they're supposed to ship a thousand pounds of potatoes to IGA, to Save-On-Foods, or to Safeway from one day to the next.

There's also the issue of the retailers in malls that have Safeway as the anchor. They're losing business because this strike is being supported overwhelmingly by the public. All you have to do is look at their parking lots. Now, is it fair, I ask you, that other retailers have to suffer because Safeway won't go back to the bargaining table? I think this is an urgent matter, particularly in the larger cities of Edmonton and Calgary but in smaller areas as well, because there are fewer choices for consumers when it comes to grocery retail for the purposes of their shopping.

Point of Order Relevance

MR. HAVELOCK: Mr. Speaker, a point of order. I know that we are here to debate the urgency of this motion, yet I have yet to hear much debate on actually what is the urgent nature. I understand that the hon. member is concerned about the issue, and I believe she's in good faith relaying some of the concerns associated with it. Perhaps let's stick to the urgency part of the debate.

THE SPEAKER: Government House Leader, the leader of the ND opposition has the floor putting forward her arguments for Standing Order 30. She'll be adjourning very, very quickly, and then I was going to be asking any other additional members if they wish to participate in this discussion.

Debate Continued

MS BARRETT: Actually, Mr. Speaker, you're right. I was just about wrapped up. He knows me too well. I never speak for my full 20 minutes on anything.

I'll re-enumerate. Just to recap, then, the points of urgency are consumer discomfort, the lack of income for the workers, and that the associated retailers, whether they're parallel retailers within the grocery industry or whether they're retailers who are in malls that have got Safeway as their anchor, are all being disrupted. That's particularly true in Edmonton and Calgary, but remember that in smaller communities there are fewer choices for the consumer if they won't go in droves – and they won't – to the Safeway. I think that speaks to the urgency of this motion. I encourage members of the Assembly to support me.

Thank you, Mr. Speaker.

THE SPEAKER: Well, on the question of urgency the Speaker makes that ruling.

Government House Leader, would you like to make some comments before I deal with this matter?

MR. HAVELOCK: Mr. Speaker, just to take a little different tack on the issue, if I could. As you will recall, this issue was raised and discussed during question period today, and I believe that the Minister of Labour did provide a reasonable answer to the

questions that were raised. We need to recap that this is a private-sector dispute, and as long as the parties in this province are obeying the laws of the province – and there is no indication that they aren't obeying those laws – for me the sense of urgency is somewhat diminished. In fact, the government has no authority to order either of the parties to do anything that they do not wish to do. All Albertans would like to see this dispute come to an end certainly, but it is not the role of this government to take sides.

I would also point out that there is a wide latitude for debate in the House under the address in reply to the Speech from the Throne, for example, so if the hon. member wishes to raise some of these issues, she certainly could at that time. In light of what we've heard today, in light of the minister's response earlier, I clearly feel that this is not an urgent matter, and therefore I would ask that you rule as such.

Thank you.

MR. MacDONALD: Mr. Speaker, I would like to take a few minutes of this Assembly's time to address the hon. Member for Edmonton-Highlands.

THE SPEAKER: Edmonton-Gold Bar, thank you very much. Please, the tradition is that hon. members sit when the Speaker rises.

We're not into a debate here of great length; we're into a question dealing with urgency of a motion. That is the subject matter at hand here this afternoon, not the subject of the debate. The subject is the urgency of it, so your comments specific to that, please.

MR. MacDONALD: First off, Mr. Speaker, I would like to apologize for standing.

There are two issues of urgency here. The first one is that I'm grateful to the Member for Edmonton-Highlands for realizing that potatoes do sprout in the spring.

The second one is the urgency of this labour dispute: how it affects members of this community, particularly seniors, the disabled. This has gone on; it's in the fourth week now. Small businesses around big stores, the Safeway stores, are suffering from the lack of foot traffic. This government is ignoring its responsibility by allowing this strike to go on. If it did not have replacement workers, Safeway would probably be back at the bargaining table. This is an urgent matter, and it must be discussed in this House.

3:00

THE SPEAKER: Hon. members, could I draw your attention to the actual wording of the Standing Order 30 notice of motion. If all hon. members would look at the wording of the motion, perhaps we can make some comments with respect to that. I am prepared to rule on the issue of leave for this motion to proceed under Standing Order 30, and, hon. members, the Standing Orders are important in this case.

First, the hon. Member for Edmonton-Highlands has given the Chair the proper notice of her intention to seek permission to present this motion under Standing Order 30, so the requirements of Standing Order 30(1) have been met.

Secondly, though, before the question can be put to the Assembly, the Chair must rule whether the motion meets the requirements of the provisions of Standing Order 30(7), which requires that "the matter proposed for discussion . . . relate to a genuine emergency, calling for immediate and urgent consideration."

It's always important in these matters to draw a distinction between matters which are important and matters which require urgent consideration. This matter appears to the Chair to be an ongoing labour dispute. Certainly the matter could have been raised and was raised during the question period on any day we sit, and this is the first day we sit. There also will be considerable leeway granted to members in the debate on the Speech from the Throne, which will begin this evening, as I understand.

Accordingly, this issue does not meet the test of urgency required under Standing Order 30, and the question will not be put.

Opposition House Leader, you have a point of order?

Point of Order Imputing Motives

MR. SAPERS: Yes. Thank you, Mr. Speaker. During Oral Question Period the Premier in response to a question put by my colleague from Edmonton-Mill Creek made two errors in fact in his response, and one of them, I believe, violates Standing Order 23(i). The first error in fact was the question relating to the restructuring of Millar Western loans guaranteed by the government. The Premier in response suggested that the government had a law on the books that would have been violated if something had happened. In fact, the restructuring happened before that law was passed; there was about a two-year difference. So the Premier was not entirely forthcoming in that answer, or he made an error; I'm not sure which.

Secondly, of course, 23(i) talks about false motives, and the Premier may have misheard my colleague or may have purposely distorted the comments; I'm not sure. He'd have to answer to that. But at no time did my colleague ever suggest or counsel that the government break the law of this province, which we are all sworn to uphold. So I would like the Premier to withdraw the allegation that he was counseled to break the law by the Official Opposition, and secondly, I'd like some clarity as to why he misstated the facts surrounding the 1996 legislation which would have prohibited increased government handouts. Of course, Mr. Speaker, this is a government that has a history of flaunting laws from time to time, most notably the Canada Health Act, so it's not unknown to them. I would like an explanation.

THE SPEAKER: Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I have had an opportunity to review this with the Premier. Actually, to clarify his statement, he does understand that the law in question was actually put into place and passed subsequent to the 1994 agreement. So for that, he does wish to withdraw the remark to the extent that he misunderstood when the law came into place. However, I would like to add that at the time this matter was debated amongst the government caucus members, it was certainly against government policy to advance any further moneys, and that policy was reflected in the legislation being enacted shortly thereafter.

THE SPEAKER: So I take it the misunderstanding has been rectified here and that all's well.

There are no additional points of order that I'm aware of.

head: **Orders of the Day**

THE CLERK: Written Questions.

MR. HAVELOCK: Mr. Speaker, my understanding is that the

written questions are on notice and – correct me if I'm wrong – inaccessible until next week and that therefore we were going to skip over this matter and proceed to Public Bills and Orders Other than Government Bills and Orders.

THE SPEAKER: That's correct, Government House Leader. There aren't any pursuant to the orders that we have. In terms of Written Questions or Motions for Returns the same thing will apply.

head: **Public Bills and Orders Other than
Government Bills and Orders
head: Second Reading**

MR. HAVELOCK: Mr. Speaker, what I would like to seek is the unanimous consent of the House to waive Standing Order 73(1) to allow us to proceed with debate on Bill 201, the Parenting After Separation Act, at this time.

THE SPEAKER: The hon. Government House Leader has moved that unanimous consent of the Assembly be granted to waive Standing Order 73(1) to provide for second reading of Bill 201, Parenting After Separation Act. Would those in favour of the motion, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed? Carried then.

Bill 201 Parenting After Separation Act

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

MR. YANKOWSKY: Thank you, Mr. Speaker. It is indeed a pleasure for me to rise and introduce Bill 201, the Parenting After Separation Act.

Mr. Speaker, family breakup is a very painful and complicated issue. The parties involved often go through an emotional roller coaster while trying to maintain some form of stability. Divorce is not an easy situation, and it is usually complicated if the parties involved are entrenched in bitter disputes involving their children. Couples that find themselves in these situations often try to lash out at one another, and they usually end up in highly emotional and lengthy trials in our courts. This type of environment is certainly very stressful and draining emotionally for all of the parties involved.

While the parties are going through this very difficult period, the ones most affected by divorce are of course the children. The children of separating couples are the ones that are often forgotten and are caught in the middle of the fighting. In these kinds of situations, Mr. Speaker, children often end up as pawns as the disputing parents struggle for power. Children's needs are forgotten and usually become secondary to the struggle. Divorce is such a highly charged ordeal that parents often don't even realize they are involving their children in these disputes. Parents are unaware of the damage that can be done to the children. In fact, they are actually emotionally scarring their children, scars that will tend to stay with them for the rest of their lives.

Mr. Speaker, divorce in Alberta is a harsh reality. In fact, Alberta has the highest divorce rate of any province in Canada with a ratio of two divorces for every three marriages. With divorce or separation couples must begin to separate their lives:

money, possessions, and most importantly their children. In fact, custody of and access to the children are the most difficult areas to deal with. During all of the pressures of divorce parents often forget to provide the attention, the care, and the patience that their children need as they are often preoccupied with the ordeal of separating.

Divorces that are disputed are also very time consuming for the parties, the courts, and are very expensive. By the time these cases get to court, parties are often involved in very bitter custody and access disputes, and they have become entrenched in their positions. Children's needs are often underrepresented in the adversarial proceedings between the parties.

3:10

Mr. Speaker, Bill 201 addresses these problems, and as such I am honoured to sponsor this Bill. We must do something to help these families in need without jeopardizing the well-being of their children. Bill 201 provides an important mechanism for divorcing parents and their children, and that is information on important issues involved in divorce, alternative sources of dispute resolution, and the effects of divorce on the children.

Mr. Speaker, the purpose of Bill 201 is to provide an information and orientation course to the couples who are disputing interim child custody, access, and support. Bill 201 requires parties to divorce action where interim access, custody, or support for children is in dispute to attend the parenting after separation course, which provides information about the impact of divorce on their children. In addition, this course includes information about mediation as an option to resolving the parties' dispute.

During the orientation seminar the parents are also provided with a general introduction to the services offered by Alberta Family and Social Services and the function of mediation. Furthermore, educational information about the separation and divorce process, parenting roles, children's needs, and conflicts and communication problems is provided. The course is six hours in total, with two sessions of three hours each. The objective of the seminar is to provide information about the children's reactions to their parents' separation and discusses legal, emotional, and financial implications of separation on parents and how to cope with these concerns.

The course also provides information about mediation versus the adversarial approach to dispute resolution and indicates the options that are available to the parents and the children, including custody access, joint custody, and parenting plans. The course serves to help parents learn to maintain a relationship with their children during and after separation and divorce.

As you can see, Mr. Speaker, the course addresses many of the facets involved with divorce. This is very crucial information for the parents to have before they file for divorce. This is information that will help parents resolve some of their disputes before they go to court or even, quite possibly, avoid going to court altogether.

Experiences in Alberta and other jurisdictions indicate that for the course to be beneficial, it must be mandatory. The courts viewed attendance at this course as very, very important. The future of the children's well-being is at stake, so this is why it is so important. Therefore, Mr. Speaker, after the course is completed, the parties must obtain a certificate of completion or a certificate of nonattendance.

Once in court the judge may order the parties who did not attend the course to attend the course, adjourn the family law proceeding until the party has attended, or allow only the party who has attended the course or who has obtained an exemption to

continue with the family law proceeding. The judge may also strike out the pleadings of the party who has not attended the course.

The courts view attendance with such importance because the judges know that the course works. In fact, Mr. Speaker, this course began at the urging of Madam Justice Trussler, who submitted the proposal to the then Justice minister, Brian Evans, to develop a mandatory parent orientation seminar for separating couples disputing custody of and access to their children. The proposal was subsequently approved by the departments of Justice and Family and Social Services, and Alberta became the first province in Canada to offer a mandatory parenting after separation course.

Alberta's experience in providing a parenting orientation seminar has developed over the past few years. A voluntary parent orientation seminar has been offered by court services in Edmonton and Calgary for the past three years. In February of 1996 the parenting after separation course was made mandatory right here in Edmonton. Mr. Speaker, the course has been a resounding success, to say the least.

The report, *Alternative Methods of Resolving Family Law Matters, Alberta Experience*, indicates that during a six-month period over 1,576 individuals attended the course. The overall evaluation of those who attended the course was extremely positive. Mr. Speaker, on a scale of one to 10 with 10 being the highest, an overwhelming 92 percent rated the course at seven or higher. At the end of the six-month period it was recommended that the course be instituted in other judicial districts across Alberta and that attendance at the course be made mandatory.

Mr. Speaker, many of the people who attended the course found it to be insightful and that it helped them to realize the complex issues that involve divorce and the effect of divorce on their children. In fact, many participants recommended that everyone should have to take this course.

The comments given by the participants of this course have been very positive. One person commented that when she started the course, she was feeling angry, and she thought she was doing the very best that she could for her daughter. Halfway through the first session, being very attentive to what the instructors were saying, she was suddenly overwhelmed by what her daughter was going through. That's what it's all about, Mr. Speaker: helping people to realize the effects of divorce on others and hopefully making it a less stressful, more open process. Others commented that the course opened up the lines of communication so that they could get to the issue at hand, parenting, and that, most of all, their children would benefit. Another person called the course a necessity to cut court costs, personal legal costs, and to minimize damage to the children.

So you see, Mr. Speaker, these comments from everyday Albertans indicate that this course is indeed very necessary. Not only do parents and children benefit directly from this course, but they also receive further information about various agencies, counselors, mediators, as well as other courses that they can attend, and that makes for healthier, less adversarial proceedings. Divorces happen, but they don't have to be hurtful and emotionally scarring, especially when children are involved.

Mr. Speaker, the course is not limited to just those parties who are divorcing but to family members and friends as well. This is very important since family and friends usually provide an emotional crutch to divorcing parents and to their children. Furthermore, divorcing parties need not attend the course together. In cases where abuse is involved, kidnapping, or other

serious matters, it's of course very important that you don't get the two parties together in one place.

Mr. Speaker, let me be clear about one thing. The main purpose of this Bill is to place attention on the needs of the children. As innocent bystanders they must of course be first and foremost. Children of divorcing couples are the ones who suffer the most when their parents separate or divorce. They don't understand why mom and dad are fighting and why they can't all live together anymore. In many instances the children feel responsible for the breakup of their parents.

3:20

There is no doubt that divorce can be extremely difficult on the children especially when parents go through a bitter divorce. Mr. Speaker, the parenting after separation course will not only assist divorcing or separating parents with their children and the problems that accompany divorce but also serve to try and reconcile some of the hostile feelings between parents. That goes a long way to helping children understand that they are not responsible for the divorce and that they're still very important to their parents and, most importantly, that they are still loved.

Mr. Speaker, I feel parents that are about to embark on a difficult divorce would greatly benefit from the parenting after separation course. Why? Because Bill 201 would provide parents with the necessary tools to learn to work together even though they are living apart, despite the animosity and high emotions. Although there may be some resentment to taking the course, in the end, both parents will probably feel the course was very informative, and with this new insight their children will benefit. That has certainly been the case here in Edmonton, and I expect the sentiment to be the same across Alberta.

Through this course parents would learn to put their children's interests before their own anger. As a result, they are more able to provide a stable family environment. Children will generally feel better if they feel that they have two parents to love them, even if those parents are living apart. Many of us know that working together as parents requires that both parents share responsibility for their children's care, respecting the other parent's rights and privacy and developing a method of communication for discussing their children's educational, psychological, and medical needs. This kind of co-operative relationship is a foundation for a healthy childhood. It often takes place within a close family, but it can also occur before and after divorce. Passing Bill 201 would ensure that conducive atmosphere.

Furthermore, Bill 201 provides the necessary tools for parents to understand the complex issues of custody, support, access, and the means to come to some form of compromise. By providing this information before a divorce, parents will be able to make better informed decisions. This will save a lot of time, money, and anguish in the courts. More importantly, the course provides valuable information and support mechanisms for parents to provide the proper care and attention to their children during and after the divorce process.

On February 1, 1996, the Department of Justice introduced the parenting after separation course on a pilot basis. This course has run successfully in the Edmonton area for over a year with outstanding results. Bill 201 is very timely and will fit the expansion aims of this program. I look forward to working with all stakeholders, including the Minister of Justice and the minister of social services, on this very important issue.

Mr. Speaker, last year I introduced Bill 203 to the Assembly, the Family Dispute Resolution Act. Bill 201 encompasses much of the research, the amendments, and compromise that came out

of Bill 203. I have personally worked with various groups who have indicated their support for this legislation. Bill 201 is an accumulation of all of these activities.

I know that no matter how much we try, we will not be able to help out all of the families and children caught in this situation. I know that no matter what kind of legislation we put in place, many children will still go through the pain of divorce. After all, we cannot legislate for people to get along and live happily. What we can do, Mr. Speaker, is provide couples with the tools and information they need to help themselves. We can and should help them go through the process of divorce in a less adversarial manner. We can and should help keep the welfare of their children first and foremost.

Mr. Speaker, I want to urge all of my colleagues to take a hard look at the benefits that Bill 201 has to offer to our families in conflict. Bill 201 will formalize what to some extent is being done by Family and Social Services right now. We have seen the success of this course in the United States and in Edmonton, and I firmly believe it will be a tremendous success across Alberta. Therefore, I strongly urge all members of this House to support this Bill. In doing so, we will be telling Albertans that we care about providing the best services possible for those going through the terrible ordeal of divorce, that we care about people making informed decisions, and most importantly, that we care about our children. In supporting this Bill, we would also save Albertans time and resources in lengthy and bitter trials.

Mr. Speaker, I think it is very important to provide legislation that outlines to parents, lawyers, and the courts what this course requires. This is our responsibility to the people of Alberta.

Thank you, Mr. Speaker, for this opportunity to speak to a most necessary Bill. I'll look forward to the debate.

THE SPEAKER: Thank you, hon. member.

The hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you, Mr. Speaker. The government set the date for our return to the Legislature and, consequently, knew that Bill 201 would be put forward immediately. I received a copy of Bill 201 a short time ago and have not had the opportunity to speak to my constituents nor to my colleagues.

As a new MLA I am disappointed I did not receive a copy of the Bill prior to 1:40 p.m., because I believe that I could better represent my constituents if I had the opportunity to speak with them on the merits of this Bill. The role of the Legislature is to adequately represent the interests of all Albertans, and to do that, there has to be a sense of openness. The Premier in his Speech from the Throne has alluded to this issue. As a result, I welcome the opportunity to address this Bill in principle only.

I believe it is essential that divorcing parents recognize the need to provide their children with a fully extended family, provided that family is in a safe environment. The parenting after separation program has received, as the hon. member has said, positive feedback from attendees and the legal community. The course sets out the framework for parenting agreements and mediation should divorcing couples have issues they cannot resolve. Mediation is a process that is encouraged through the program with the use of the courts being discouraged. The courts should only be used in divorce as a last resort.

After reviewing the Bill in more detail with my colleagues, I may request some amendments. I cannot support this Bill in its form at this point. Questions come to mind. Who will pay for the course? The previous Justice minister has alluded to the fact

that the attendees will be eventually responsible for that cost. There's nothing in the Act that describes what a parent information course is. Is this to be set out in the regulations? If there's a backlog in the course, will people have to undergo their own personal expense to get an exemption and be forced to wait until space is available? The wording in section 2 does not make it clear whether the parties have to attend the course together. Although the Member for Edmonton-Beverly-Clareview has stated that they will in fact not have to do this, it needs to be set out in the Act. Is the discretionary clause 5(2)(a) a clause to specifically have women stay in abusive relationships for the sake of the children? That is a question that does not allow them the ability to possibly get out of those relationships. Is it wise to block access to the courts through this process?

As I said, I can't support the Bill. I oppose it, but I urge the hon. Member for Edmonton-Beverly-Clareview to reconsider the issues I've brought forward. I believe that this Bill might otherwise prove to be a very proactive piece of legislation.

Thank you.

3:30

THE SPEAKER: The Provincial Treasurer.

MR. DAY: Thanks, Mr. Speaker. I commend the member for introducing this particular Bill and this initiative. I also thank new members, especially the Member for Edmonton-Norwood, a brand-new member in the House, for rising and speaking to this Bill. It's always a challenge early on in the session, and I congratulate her for that.

I would suggest to her, in her concerns about the amount of time in which she had to prepare, that the order of the Bills and what Bills are coming out has been publicly known for several days now. In fact, when this Bill was discussed and debated in the last session, it received extensive, extensive media attention, and I would wonder if she wouldn't want to have a word with her own staff and research people to maybe be more attentive to her needs. She did a very good job on short notice, and she really should be talking to her staff people about that.

This particular Bill is motivated by a concern for children, a concern for families, and needs to be looked at as such. It also needs to be looked at, I believe, in the light of the fact of – and this is not a debate on divorce, obviously, but it is beyond debate to know that the effects of divorce are significant on children and on the parents themselves and on the families and, as one member has alluded to, on friends and in fact on society. As we do have the freedom to end marriage relationships, we do need to weigh carefully what steps could be taken to minimize – to minimize – the impact on society of the effects of divorce, not in a pejorative way, because no relationship is without its difficulties and people should understand that and see it as such, but in a caring way, which is the manner in which I believe the member has brought this Bill forward.

When over 1,500 people, who having been forced, literally, to take this course, were asked what they thought about it and when you have, I understand, over 92 percent of those people who took the course rating it on a scale of 10 at seven or higher, is there not a message there? The message is that this was helpful to them.

All of us have been impacted either personally or very immediately in our own families by the reality of divorce, and at those extremely emotional times and those times of great upheaval between people I think we can safely say that we don't always think clearly and don't always think with the full amount of our

mental capabilities and faculties while we're going through an emotional turmoil, an emotional roller coaster. We know and we've seen – it's been too painfully articulated and spelled out – either in our own experience or in the literature the pain that the children go through, and sometimes the parents, though loving and concerned about their children, because of the upheaval they're caught in, are not thinking clearly about the best steps that could be taken for their children.

So this course is simply saying that there should be and needs to be a period of time when parents sit down, not together necessarily. I think there was some apprehension and some misunderstanding at the outset when this Bill was introduced the last time that somehow couples who are in fact separating or are divorcing are going to be chained together and dragged to a course. They don't even have to go to the course together, but they have the opportunity to sit down in a relatively neutral atmosphere and to hear not only what's offered to them in terms of mediation services and counseling but to hear in an impartial, caring but objective manner what some of the things are that their kids will go through and what some of the steps are that could be taken to alleviate and diminish some of the pain that automatically does go with the pain of a relationship parting.

You know, Mr. Speaker, about 10 minutes before question period today I received a call from my daughter-in-law. She had been trying to get ahold of my wife but was unable to get ahold of her. She had been trying to get ahold of her husband, my son, who was at work and not immediately available. Then as a last resort she phoned her father-in-law. Well, I was third on the list, so I don't feel too badly about that. She is about to give birth; in fact, if I can use the technical terminology, her water had broken. I think that's the jargon. [interjection] My colleague the Minister of Community Development is cheering me, but I know that she is secretly envious because we already both have a grandchild on the scene about the same age, and now I am launching ahead of her with number two about to arrive.

MRS. McCLELLAN: Only by about four months.

MR. DAY: I understand grandchild number two is four months behind for the Minister of Community Development.

So you're saying: what relevance does that have to this discussion? Well, I'll think of something in a minute. I'll tell you the relevance. The relevance is very clear, Mr. Speaker. My daughter-in-law and son are bringing a child not just into the world, but they're bringing a child into a relationship. As the child develops and has developed over the last nine months or, I guess, eight and a half, because there is some suggestion of prematurity here, as there's been a very complex development process in the last nine months, so the complexities of personality development will continue not just for the next nine months but in fact for the rest of this child's life. Everything that my son and daughter-in-law do in relationship to their own relationship is going to have an effect on the personality, on the maturity, on the development of this child – everything they do. I hope everything they do will be positive, but there may be some things that they do of which they are uninformed in terms of what the consequences will be on the development of that child. That's just natural, and it's understood.

[The Deputy Speaker in the Chair]

You know, it's been suggested to us, Mr. Speaker: okay; if we're going to have a mandatory course at this stage where people

want to separate, then if the arguments for that are consistent, we should have a mandatory course for people marrying so that they know what they're getting into. You know, I'd look forward to some discussion on that and a Bill on that. There may be some merit and argument for that.

I base my speculation from that point of view on what I heard and continue to hear from a group of women that I meet with in Red Deer at Red Deer College. They're called women in transition. These are women whose relationships, for whatever reasons, have ended, and they are trying to move on. They're at college, and they're trying to enhance their education abilities and develop their job skills. When I ask them, they tell me in many cases that the young men with whom they were in a relationship didn't have the foggiest idea of the consequences of walking out of that relationship. They tell me that at the very least in high school there should be mandatory courses at least for young men if not for young women also in terms of the effects of developing and then fracturing relationships.

These women in transition, as they refer to themselves, have told me that their former spouses or boyfriends or whatever it might be in many cases had been shocked when they found out, for instance, that there was going to be maintenance enforcement. They were shocked when they heard that at least until this child's adult life they would have to provide for this child financially, even though they were out of the relationship. They were shocked.

There is no doubt in my mind that people going into relationships need to be better informed and need to be more aware of the consequences of both the positive and the negative steps and the things that may happen inside a relationship.

Mr. Speaker, the area of cost has come up here. Well, we'll stay away from social cost here, but just being brutally mercenary, looking at the legal costs alone that are unfortunately incurred by people rushing to their legal counsel and rushing into court to settle these differences – and I'm sure anybody who's been an MLA for any period of time knows – those costs easily run into the tens of thousands of dollars if not higher and result in very bitter and acrimonious situations. Think of the cost saving alone. Many of those individuals who sit in my office pursuing legal aid tell me: "We had no idea what we were getting into. If somebody would have just warned us of the horrendous cost let alone the consequences in terms of our own family, if somebody could have just talked to us, it would have spared us tens of thousands of dollars and other ramifications from within the relationship itself." Cost has to be weighed in terms of the cost that's being incurred now.

3:40

We also have the federal government – and it's not often, Mr. Speaker, as you well know, that I stand in this Assembly and commend the federal Liberal government. Very rarely do I do that, but I believe we should give credit when credit is due. The federal government has come forward with a quarter of a million dollars and said: as you expand this program, here's some money to fund it. If it goes across the province, that funding alone could cover costs for another year or two. So I commend the federal Liberal government for that particular initiative, for providing the dollars there. You know, you talk about an infrastructure program; this is our social infrastructure that's being shored up here.

The other question that I believe we need to ask the people who don't want the course to be mandatory is: why not? Is it the fact that a freedom is being taken away? Should we not look at the

freedom being taken away on one side of the scale as being opposed to the freedoms that may be indirectly taken away from a child: the freedom to have the best opportunity at personality development, at emotional development, at emotional stability? What about the freedom for that child to have the best chance to come through the separation, and if it turns out to be a divorce, the best chance of survival and ongoing positive development? Those are the freedoms that I believe we have to balance here, Mr. Speaker.

Again, I would like in closing just to ask us to reflect upon the people who've taken the course, over 1,500 who were ordered to do this, and that incredible response rate. At the start of that course the response would not have been that high. People were saying: "We're being forced to do this. We don't like this, but we're going to do it." Think of how they've come through that course, what they've learned, what their children have been spared, even though difficulty still lies ahead for them, what they've been spared, and what has been minimized in terms of what these parents have learned.

I think this is a tremendous initiative. It's been proven successful. There's at least one other province in which this is mandatory right across the province. There are a number of states in which it is mandatory. Think of the children. I would encourage my colleagues: think of the children when you contemplate your vote on this particular Bill.

Thank you, Mr. Speaker.

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

MS LEIBOVICI: Yes. Thank you, Mr. Speaker. It's a great pleasure to be back in this Legislative Assembly addressing issues on behalf of my constituents, and I would also like to congratulate you on your re-election to the role of Deputy Speaker.

It's unfortunate that we started this debate on Bill 201, a private member's Bill, with the Treasurer setting what I think is not a very good example with regards to one of our new members. He seemed to indicate that this Bill was in the Legislative Assembly before and that in fact this Bill was the same that's reappeared on the Order Paper. If he had listened to his own Member for Edmonton-Beverly-Clareview, he would have recognized that that Bill which was Bill 203 had been pulled from the Order Paper and that the member was supposed to go back and do his homework and change and try and address some of the issues that had arisen under Bill 203.

It is unfortunate, however, that that has not occurred, that those changes have not been made, and that in fact the press release that was sent out by the government on behalf of the private member indicated something very different than what's indicated when you look at the actual wording within this particular Bill. Now, for the new members on the government side, the private members, this should be a good lesson to them as to what they're told and what in effect happens when a Bill is drafted and when it's put forward. I'm not sure who wrote the fine speech for the Member for Edmonton-Beverly-Clareview, but the reality is that if he had looked at his own Bill, he would have seen that in fact there are certain items that are not addressed in the Bill that he seems to think are. He would have also picked up on the typo that's on page 3, where it says: "4(f)prescribing the forms to be used under this Act respecting he content of a parent information course." Of course, that should be "the content," but I'm sure he'll bring that forward as an amendment in Committee of the Whole stage.

The reality is that what surprises me about this particular Bill is that we have a government that consistently talks, especially the member who's in charge of deregulation, about the government getting out of the business of being in people's faces, of being in their lives. Here we've got a Bill that does exactly the opposite.

Now, I'm glad that the Provincial Treasurer did bring up the issue of: well, if we have a Bill, Parenting After Separation Act, then we should have a Bill that deals with parenting before married Act, or we should have a Bill that says that maybe we need to talk about what it means to get married. Then perhaps we need to have a Bill that maybe says that before you want to conceive, you should actually go to a course and should ask someone's permission in order to do so. As you can see, we get more and more ridiculous when we try to do something like this.

In fact, what we're trying to do is we're setting up a curriculum in this Legislative Assembly. Now, can you imagine if we were to be sitting in this Legislative Assembly and were to try and set up a curriculum for what history should be taught in school? Maybe English. Maybe we want to decide what the English courses should be about. That's what it gets down to.

We've heard it's six hours now. Well, maybe at some point in time the course may be eight hours. Maybe it'll be 10 hours. Maybe at some point in time the course will deal with issues other than parenting after separation. I don't know. It goes on and on and on as to what this opens up the door to.

Now, I've also heard from both the Provincial Treasurer and the Member for Edmonton-Beverly-Clareview that it's the children that we're worried about. That really is a surprise, because if we were really worried about the children, one thing that this government would do is endorse the rights of the child. That is something that was put forward by the former Member for Edmonton-Gold Bar, whom the Premier so glowingly spoke about in question period, and consistently this government has refused to recognize the rights of the child.

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

Point of Order Imputing Motives

MR. HAVELOCK: Yes, a point of order, Mr. Speaker.

THE DEPUTY SPEAKER: Do you have a citation for that, sir?

MR. HAVELOCK: Yes, 23(i), imputing motives, allegations on the part of the hon. member from Bovar.

MS LEIBOVICI: From Bovar?

MR. HAVELOCK: Did you not say the hon. member from Bovar?

MS LEIBOVICI: Gold Bar.

MR. HAVELOCK: I'm sorry. I apologize. [interjections]

Speaker's Ruling Private Members' Bills

THE DEPUTY SPEAKER: Order. The Chair will also observe for all hon. members that this is private members' public Bills day, not a government day, and the Bill that we have before us is

not a government Bill. That's for all hon. members, and no one need take any adverse inference from that.

The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Good point and a very valid point that I'm sure the new members will appreciate as time goes on.

Debate Continued

MS LEIBOVICI: If I remember correctly, it was the Provincial Treasurer that stood up, and whether he was standing up in his role of Minister of Labour at that time or as a private member speaking to the rights of the child, he felt that that wasn't required in this particular province. He felt that that was something that could not be endorsed by himself. Yet here I have him standing up and saying the needs of children are very important.

There are some other issues of needs of children that are very important to the Member for Edmonton-Beverly-Clareview. The issue of poverty: it would have been nice to have seen a Bill brought forward perhaps dealing with that. The issue of maintenance enforcement: I know that's an issue dear to that particular member's heart, and perhaps it would have been suitable for that particular member to bring forward a Bill that would make maintenance enforcement something that we don't need to deal with on a daily basis in our constituency offices. There are other issues that could, I think, more appropriately address the needs of the child. I think what this Bill does is it perhaps addresses the needs of this particular member and those who will vote for it for a feeling that they're doing something, that they're doing something that's beneficial.

I've heard the comments by the two speakers prior to myself that indicated that the individuals who were forced to go are all happy. Well, I'd like to see what the questions were. I'd like to see what the measurement standards are. I'd also like to know who is paying for this particular course. I'd like to know how the courses were devised, what the standards are, how it is decided whether or not this course is the one that's most suitable. From the information that I've heard put forward by the Member for Edmonton-Beverly-Clareview, I could just as easily pick up a pamphlet and find out what the consequences are. There should be an information kit, perhaps, that says: this is what the consequence of divorce is.

3:50

I don't need and I have a feeling that most of the people who have attended the course do not need to actually sit in a room for six hours or for two three-hour sessions to be told something that they in fact can pick up and read. From my background I can tell you there will be no counseling that goes on in six hours, there will be no counseling that goes on in a room where you have individuals who are forced to attend, who are sitting with strangers. Perhaps there will be a feeding of information, but, again, why can't that occur with information kits?

Now, one of the things that the member indicated was that this course will happen before it goes to the courts, yet when I look at it, the only way that this course can be initiated is after it goes to the courts, after there has been a commencement of a judicial proceeding. That's after you've already gone and made up your mind that you are going to the courts for a divorce. That's when this Bill kicks in. So it's not preventative in essence because it's happening after the fact.

There is also an issue as to, well, maybe the parties will be together, maybe they will be there individually, or maybe they

will not be there at all. I would like to know on what grounds, if we're going to force everyone to go, you would exempt an individual from going. What's interesting when you look through the Act is that in Section 2(5)(b) a party who's exempted from going to the course can continue with the family law proceeding. So I'd like to know who would be exempted from attending the course.

If in fact we're saying that everyone should go, then everyone should go. There should be no exemptions. If in fact we're saying that the reason we're splitting up couples is because one partner is abusive to the other, then you put them into two separate sessions. There should be no reason that the individual shouldn't go. So there is something wrong with the principle, and unless I can hear from the member a good reason to exempt someone and then allow that person who's exempted to actually attend and to be able to continue with the family law proceeding, I question the principles that are involved in this particular Bill.

"May make regulations." Well, that was one of the questions that I had brought up, as to who pays. I think that's a key issue. I think there are some other issues that we need to know before we can in good conscience support this Bill. I'd like to know who has been consulted on this Bill and in the redrafting of the Bill by Edmonton-Beverly-Clareview. I'd like to perhaps follow some of the precedents that have been set with other private members' Bills in this Legislative Assembly, that if in fact this Bill is passed, it is held off until there are either public hearings or other methods of including the public in something that they will be forced to do.

I would like to see what kinds of longitudinal studies have been completed. One year is not enough. One year of studies is not enough to determine whether we're going to force individuals to do something with their lives, and I think that is the most serious principle that is in this particular Bill: do we as legislators actually want to sit down and force individuals to do something?

This is not something like seat belts that perhaps is going to affect their health. This is a matter of individual conscience. This is a matter of choice. This is a matter of the Assembly, the state, interfering in people's private lives. All of us have come through an election. All of us have door knocked with constituents. I think that if you went out tonight and randomly knocked on 10 doors and asked your constituents, "Do you want for me to interfere with your life?" they would say no.

If in fact this is something that is useful, then let the courts decide that. It's a family law court that is dealing with the issue of separation and divorce. A family law court does not run by the same rules as a criminal court does. It has a lot of latitude, and the judge can make the decision if someone needs to attend counseling, if someone needs to attend sessions that would be helpful in mediating a dispute between two parties. It is not necessary to put it into a piece of legislation where we are forcing people to do something with their private lives.

On that I will close. As the Bill stands right now, I cannot support this Bill. Thank you.

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

MRS. BURGNER: Thank you, Mr. Speaker, and I appreciate the opportunity to address this House. I have a terrible cold, so my voice is going to sound like it's full of emotion, but actually I've just got really bad bronchitis.

Mr. Speaker, it is a privilege today to speak on behalf of my colleague in support of this Bill, and I would like to talk at the

beginning a little bit about a personal scenario that occurred within my constituency during the election. I had a gentleman whom I've become acquainted with with respect to domestic abuse legislation come and talk to me about the effects of mediation and the program that he became involved with through the court proceedings that were developing in Edmonton. He made a very profound statement, and I share it with you today. He said: my former wife and I may never be able to walk down the street hand in hand ever again, but because of this program and this course we can walk hand in hand holding our child's hand. For him it gave him hope as a parent, it put a closure to some very serious issues he was dealing with, and the prospect of the future as a parent, separated now from his wife and dealing with custody and separation issues, was now profoundly positive. It gave him an entire new focus, and he credits a lot of that to Madam Justice Trussler's initiative that we are experiencing here in Edmonton.

Taking from that experience, I actually went and spoke to some other people about the impacts of mediation, and I would like to just clarify for some of my colleagues that this is not a counseling component as such. She was making some references to forced counseling. The mediation process is learning some skills. You're not dealing with the marriage breakdown in the sense that one deals with that as a marriage counselor would, but you're actually building skills, language, and tools to deal with issues that you are responsible for, namely your children.

Marriage breakdown, as we've heard in the House, is nothing new. It is tragic when it occurs. It has far-ranging implications, and we have a responsibility to look at the impacts on our children. It could be in the past, Mr. Speaker, when our society was less fragmented, that this support was there at the community level or within the family, but now when you add the layers of distance, job insecurity, alcohol and drug abuse, and a variety of other impacts that come into marriage breakdown, the ability to meet the needs of our children is seriously compromised.

4:00

I can give you an example that a teacher shared with me. In a particular school she worked at, dealing with just simply things like parent/teacher interviews – the animosity and the hostility within the family who was separated, and dealing with their child, was so intense that they couldn't even share together the opportunity to review their child's progress in school. So the ability for parents to look at issues that affect their children has an impact not only on their relationship, not only on the relationship with the child but also in a larger context within the school community, as those teachers try to deal with the impacts that are happening in the home.

There is a profound scenario that disturbs me in that we do not often recognize, when dealing with our children's issues with respect to divorce and the breakup of marriage, that the custody issues are not just a question of access. They have to do with financial situations, future decisions with respect to education, everything from as simple as community sports programs, sleepovers, the kinds of things that for most children are normal day-to-day happy experiences. When the parents have no language, no skill, and no framework to deal with those everyday aspects for children, it creates a great deal of frustration and limits the children's ability to develop and mature in their own relationships with their own friends, secure in the knowledge that as they progress into adulthood, they will be able to have opportunities that make them whole and fully developed.

I think the part that is frustrating for me is that while there is an immediacy about the Bill being tabled today – and I appreciate

that for our new members it is difficult to get up to speed – the parenting program was presented at the standing policy committee over the last few months, and that was an open public meeting. In fact, a number of the citizens of the community of Alberta did come and attend that. The document was made public. So the intricacies of this program and the aspects of mediation and the support it received and its cost analysis and its origins were all part of public policy discussions. I'd like to take this opportunity to remind all our members that those public presentations do afford us the opportunity to see where initiatives on public policy come from. In this case that presentation was well attended, and I am sure that if the new member was interested in getting a copy of that background document, if she wanted to contact our office, we could provide that for her.

I want to talk also about the delays in the court process. We know that our courts are overworked. We know that Legal Aid has limited funding for its needs. We know that the maintenance enforcement issues that do affect our children and our families are serious issues, and one of the aspects of mediation is to remove from the court a number of the issues which can be resolved in an amicable fashion and free up the courts for those types of issues that require the distinct jurisdiction that they are responsible for.

We understand that in parenting – and maybe it's often after the fact – there are a whole lot of obligations that we fail to be aware of as we enter blissfully into either marriage or parenting, hopefully in that order. Mr. Speaker, we do have programs in a number of our communities and churches when a couple chooses to get married so that they become aware of their responsibilities to each other as a couple. It's always in the expectation of their own individual love and the love they share with each other and the support of their families that they will grow and mature and have the capability to raise the children that the good Lord provides.

It's frustrating to trivialize the breakdown of marriage and not recognize that some of our parents are very young and maybe because of marriage breakups in their own families have never learned to deal with some of the anger management skills, language, issues with respect to their own maturity. These are skills and talents that we need as individuals whether we are parents or not. So I think it's important to understand that the strength of this program is not just in its ability to safeguard the long-term needs of our children, but we have publicly addressed the fact that we need to be educated as parents about our responsibilities. Consequently, Mr. Speaker, I don't think this should be seen as the intervention of government into the private lives of citizens, inasmuch as it really is an awakening of some responsibilities that heretofore have been dealt with within families, but that the actual impact of family breakdown is causing us to have to act in this somewhat interventionist component.

The concern that this is forced counseling. I think it has to be clearly understood that you have an obligation as a parent. Some of the federal legislation that's being discussed right now with respect to children even goes so far – for couples who are separating and divorcing, there's mandatory support required for our children's postsecondary education, and it's creating a fair amount of controversy. We know that some of our grandparents in looking at issues with respect to grandparents' rights are trying to identify their role in the raising of children and the responsibilities that they would willingly take on.

Mr. Speaker, I think that because of the number of family breakdowns and the trauma that has manifested itself in social concerns and social services issues and justice issues, we are

seeing an awakening within the community that we have to deal with these issues, and the place to deal with them is with the parents. One of the things that our former Minister of Family and Social Services, the Member for Athabasca-Wabasca, used to always say in dealing with our children is that they will always be the children of those parents, and no matter what the parents do and no matter what befalls them, they have only the recourse of the knowledge that they are the children of those families. Consequently, if there is no resolution of the disputes between those adults with respect to their children, those children are compromised their entire life in their ability to mature and deal with issues as adults.

In conclusion, I want to just finalize some details with respect to the program. Madam Justice Trussler did encourage the Department of Justice to look at this issue, and it has been successful. I could file in the Legislature this afternoon a number of quotations with respect to people who have taken the course and one just specifically that I think gives us some sense of the focus of this program. The quote is: it was very informational; I think it helped in decision-making and problem solving, and it made me a believer in mediation. Mr. Speaker, that's just one example. I applaud the judicial system for piloting this course and showing an interest in the welfare of children. I hope this will continue to be mandatory and catch people as early as possible in the process of separation and divorce. Hopefully this will become a national program to help all Canadian children.

Mr. Speaker, the question of cost has been raised, and we've identified that the federal government in its overview and initiative with respect to our children in this country is allocating resources to support this program. It also identifies that in our relationships with the federal government they are recognizing Alberta as a leader in this issue. So I would encourage my colleagues who have strong sympathies with the federal Liberal government to actually embrace this initiative. There is something that can be learned when we look at initiatives which reflect savings from a judicial point of view and costs of court services, putting resources to support that. Primarily I think the savings here are not just societal; they are for our children.

I encourage all of those who have reservations about the intrusiveness of government to think very seriously about the role of mediation. We use mediation now as a model in a lot of business disputes. I know our local chamber of commerce sponsors a major initiative, and we hear about mediation services being used on a regular basis and, a little earlier in the House, even in the labour disputes, of course, that are before us as a province. Mr. Speaker, no one challenges mediation. No one challenges mediation as an intrusion when we have had it established as a principle of legal practice over a number of years. It seems to be that we get cold feet because it's talking about mediation between individuals who are working through a breakdown in relationship, but we don't have any problem dealing with it as a process when we're talking about it in other contexts. So for those who are looking at mediation from an interventionist point of view, I would ask you to consider it and its success in those other aspects, and hopefully that will give you some encouragement that this is not socially engineering families in a nonproductive way.

Last but not least I would like to applaud my colleague for his commitment to this initiative and all of those who have taken the course, if at first not voluntarily, for the support they've given it afterwards, and I look forward to seeing support for this legislation in the Assembly this afternoon.

Thank you, Mr. Speaker.

4:10

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

MS BLAKEMAN: Thank you, Mr. Deputy Speaker, and please allow me to congratulate you on your re-election to your position.

I am a new member, and I have not developed the skills with which you all do well and so lengthily, so I will make a few brief points. I am in favour of anything that helps our children in Alberta today, but speaking to the principle of this Bill, I do wonder whether it will in the end be truly beneficial to children. I hope it would be. I am most concerned that it might be disadvantaging a spouse who is afraid to be in close contact with the other spouse, who may well be an abuser. As far as I am concerned, I really have trouble with this Act unless that is spelled out. As the critic for women's issues I would have to be concerned that as it reads now, this Bill could be seen as being punitive to abused women, that they would read it that they would be forced into this arrangement, and although the hon. member has said that's not the case, I need to see it spelled out. On behalf of those women who do suffer that kind of violence in this province, we need to see it spelled out in the Act so that we know it's safe.

One of the other questions is that I've heard people speaking quite a bit about mediation. I don't see mediation in this Bill. Maybe I'm missing something because I'm a rookie, but mediation is not in that Bill. Again, that would need to be addressed. You cannot put partners together in a mediation situation if there's any imbalance of power whatsoever in the relationship. You can have coerced spouses who will say and do anything for fear of abuse. So I am a little cautious about the whole idea of mediation here. [interjections]

THE DEPUTY SPEAKER: Order.

MS BLAKEMAN: Thank you.

I also have concerns about how the process works and if we could end up with a situation where there's a lineup getting into the courses. Are we then into a lineup where you're waiting for your court case to come up or you have to go in and pay more? For many women, especially those experiencing separation or divorce, this is a severe financial hardship. They're having enough trouble paying the lawyers to help them through this process without having to pay them for repeated trips to court.

I am interested in a Bill that is in the best interests of children, but given some of the problems that I've identified in the very short time we've had to look at this, I would have trouble supporting it in this form.

Thank you.

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

MR. LOUGHEED: Thank you, Mr. Speaker. I, too, am pleased to join the debate on Bill 201, the Parenting After Separation Act. The Bill deals with families under stress, the tragedy of divorce, and the effects of breakup on the family, especially with regards to children. The children of divorcing couples are often forgotten in the middle of a divorce dispute, but they are the ones that suffer the consequences more and for a longer period of time.

Mr. Speaker, the process of divorce and separation is very challenging for all family members, and parents are seldom

prepared for all the adjustments they must make. During the pressures of divorce, parents often are so preoccupied with the trial they neglect to consider the ramifications of their actions with regards to their children. It's highly disputed cases involving interim access, custody, or support of children that are the most trying for everyone concerned. By the time these cases get to court, the parties are often involved in bitter custody and access disputes and their positions are highly entrenched and solidified in sworn affidavits. These affidavits often have derogatory comments about the other party and are not conducive to continuing the role of parenting that children so desperately need. Children's needs are often underrepresented in an adversarial proceeding between parents. Children are caught in the tug-of-war between these parents. This often happens because the husband and wife are faced with total upheaval in their lives, and the most important people, the children, are often neglected. Divorcing parents must divide all their possessions and agree on the role children will play in each parent's life. The focus on access, custody, and support of their children further exacerbates an already very painful situation.

Mr. Speaker, Bill 201 seeks to serve as a preventative measure to alleviate some of the pain of this situation. Bill 201 would see parents disputing interim custody, access, or support of their children first attending a parenting after separation course before they proceed with their divorce action. As mentioned by my colleagues, the course provides parents with an introduction to the services offered by the Department of Family and Social Services and the function of mediation and counseling. The course also provides educational information on the divorce and separation process, parenting roles, and children's needs. Conflict and communication problems are also addressed. Parents are taught how to express and address their difficulties.

Mr. Speaker, by educating parents on the ramifications of their disputes involving their children prior to going to court, parents would be better informed and prepared to make rational decisions. This preventative measure, although not stopping the separation of families, provides much-needed assistance for all parties concerned, especially the children. By providing information on what alternative dispute resolutions are offered, including counseling and other services, parents are more able to deal with divorce while maintaining a loving, nurturing relationship with their children.

This parenting after separation course was a voluntary measure in Calgary and Edmonton four years ago and became mandatory in the city of Edmonton in February of 1996. Alberta was the first province in Canada to offer the mandatory course. Other provinces have followed Alberta's lead. The province of Saskatchewan requires divorcing parents to attend a mediation screening, and as well the province of Manitoba introduced a course with voluntary attendance this year as a pilot project.

Mr. Speaker, a lot of work and thought has gone into Bill 201. The content of the course was developed in conjunction with the departments of Justice and Family and Social Services and the courts. As my fellow colleagues have mentioned, the results of the course have been very effective. Parents have found with the completion of the course that they are more at ease with the issues involved. A majority of the participants in this course have expressed their approval. After each completed session participants filled out an evaluation form, and 92 percent of the participants rated the course very highly. In the preliminary evaluation of the parenting after separation course the Justice department was aware of at least one situation where the parties

settled their dispute after the course without going to court. At the end of the first six-month period of the course several parents who had filed for divorce and attended the course did not go to court. This is further assertion that this program shows it has a proven track record of success. This course has potential to reduce the time, costs, and hardship of disputed custody cases.

It also represents a much-needed service for Albertans. Unfortunately, divorce is a reality, and although we cannot avoid it, we can institute preventative measures which will mitigate for children the negative effects of divorce. The fact of the matter is divorce is a very costly endeavour, both emotionally and financially. Probably the deepest cost is to the children. This course, however, helps divorcing parents to deal with these issues, and that, Mr. Speaker, is why the legislation is so important.

4:20

Mr. Speaker, while the parenting after separation course may be difficult to quantify, the potential benefits are numerous. This Bill would assist Albertans by providing much-needed information on the effects of divorce on their children and a means to resolve disputes through avenues other than the courts. In doing so, this legislation provides the framework to ease the difficult ordeal of divorce on parents and children.

Even more importantly, Mr. Speaker, this course offers long-term benefits for children. The course offers parents information and support initiatives that will help the parent during and after the divorce process. With this new confidence both parents can contribute to their children's developments.

There are many reasons to support this legislation. The course has shown success in terms of support of the participants and a reduction in court costs. This sort of program has been successful in other jurisdictions in the States and, more importantly, here in Alberta in the city of Edmonton. Plans to expand the course to other jurisdictions are also now under consideration.

In supporting this legislation we'll be formalizing the parenting after separation course in Alberta. It's important to provide legislation in this matter to clearly state the requirements of the course to divorcing parents. This is a responsibility of this Legislature.

This Bill encourages people to resolve their own disputes. A Toronto judge urged Ontario lawyers to take responsibility for the scorched-earth tactics now being employed in family law courtrooms. She argues that as architects we have created a system that at best does not work to resolve domestic disputes; at worst it's highly destructive to the family. She urged her colleagues to provide a new model for divorce, one which would encourage people to negotiate divorce settlements between themselves. These comments need to be heard not only by the nation's lawyers and judges but also by us legislators. The Parenting After Separation Act before this Legislature is such a model that is being advocated.

In summary, Mr. Speaker, I'd like to offer two reasons why I made the decision to speak in support of Bill 201, this being the first time I have addressed you in this Assembly. The first is being made aware of situations where after taking the parenting after separation course couples have settled their disputes without going to court and, secondly, the plea by a mother of a blended family, a resident of Clover Bar-Fort Saskatchewan, who came to my office recently to urge me to seek ways of diminishing the negative effects of bitter divorce disputes. Bill 201 directly addresses this constituent's concerns.

The parenting after separation course is a preventive measure to help couples resolve their disputes, those disputes that involve

their children, before going to court. This course has already provided cases of successful dispute resolution. By supporting Bill 201, we are providing a mechanism which encourages parents to negotiate settlements between themselves rather than in the courts. More importantly, the course encourages parents to put the concerns of children first, and that, Mr. Speaker, is a better option. In that vein, I strongly encourage members of this House to support this Bill.

Thank you.

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

DR. MASSEY: Thank you very much, Mr. Speaker. I haven't quite decided whether I'm going to support the Bill or not, and the reason I haven't decided is because I'm angry. I'd like to take a couple of minutes to explain. The problem this Bill addresses is one that's brought home to us graphically every day. If we've watched television in the last few days, we've seen the TV coverage of an Ontario family destroyed – brutally destroyed – as a result of a marriage breakdown. That story in less severe form is repeated time and time again throughout Alberta and across this country and indeed across the continent. So I guess I can't help but support any kind of effort that would help those people who find themselves in that kind of situation. I can't help but support any effort that would help relieve them, aid them, make life easier for them, for their children, and I think that families in distress have been ignored in much of what has been done.

If you look at the divorce rates in our country and in our province, they're high. For those of us attending weddings, weddings of our families, friends, and even our children, you can't help but look at those happy couples at the altar and wonder how long those unions are going to last given the kind of experience that we've had the last little while.

What makes me angry, Mr. Speaker, is that this private member would bring forward this Bill when that member has been part of a government whose policies have been anything but family friendly. I look at the fiscal policies of the government and people on welfare who come into our constituency office for assistance, with the cutbacks and the humiliation that they have to suffer to get the kind of assistance they need. I look at what that kind of humiliation has done to their families. I look at the government proudly proclaiming that those people are off the welfare rolls. I talk, then, to those family members who come to my office and tell me that, sure, they're off the welfare rolls; they're now living with their parents.

I look at the wage rollbacks, at 8,000 nurses who lost their jobs in this province. What did the wage rollbacks, the loss of jobs do to their families? What's happened to the quality of life? What kinds of stresses were there as the result of those cutbacks? I look at the rollbacks for teachers and other professionals, to the public service. What was the impact of those on their families? Was it supportive? Did living with less, trying to live with less make family life happier for them? Did it ease the strains on their families? I look at the need for high-skill, high-paying jobs and then talk to people in my constituency where both parents are working and some of those parents working at two jobs because of the kind of economic climate that's been created.

I look at VLTs introduced by this government into our communities.

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

Point of Order Relevance

MR. MAGNUS: Thank you, Mr. Speaker. I'll cite *Beauchesne's* 459, relevance. We've been talking about VLTs; we've been talking about poor people in the office. What this Bill is about and where we are in session on this Bill is about the principles of Bill 201, which is the Parenting After Separation Act. I'd sure appreciate it if we could get somewhere close to the Bill.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods on the point of order. Then we'll make a ruling.

DR. MASSEY: I would argue on the point of order that families are relevant to this Bill.

THE DEPUTY SPEAKER: Well, if this were a government Bill, then certainly the hon. Member for Edmonton-Mill Woods would be fully within his rights to start calling upon the shortcomings, as he perceives it, of the present government. However, we are on a private member's public Bill, and that is a kind of different thing. Hon. member, although that may be relevant, in truth there is a question as to whether it's relevant to this private member's public Bill. So if you could get on to the private member's public Bill, 201, that would be helpful.

Debate Continued

DR. MASSEY: Thank you, Mr. Speaker. I thought the connection was abundantly clear that Bill 201 is designed to help families who find themselves distressed. They find themselves distressed because of the kinds of conditions that they're living in. So I think the context is extremely relevant to the Bill and would argue such. I think those families are stressed, if we are to believe what was tabled in the House earlier today by the member from Calgary, because they're being required to fund-raise for their youngsters' education in a way that they never were in the past. I think there are an abundant number of policies that have created a climate for families that is not supportive, which leads to the kind of marriage breakdown that this Bill tries to address.

4:30

I would ask the member I guess a question. He's used another program and used that program as an indicator of how successful this program might be were it instituted. I would ask him if there was consideration of a pilot program before the Bill was brought forward and, if there was in fact a pilot conducted, what the results of that were. I would also ask him if there is any desire on his part to bring forward some suggestions for a more comprehensive look at the family, a look at the family that would take separation into account but would look at strategies for making sure that we didn't get to the point where we had to have this kind of course for parents who find themselves in this sort of situation.

Thank you, Mr. Speaker.

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

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to rise to speak to this Bill this afternoon. I've had some dealings with the organization here in Edmonton that is involved in the situation in the Edmonton courts, and frankly I was most impressed with what I saw. As all members may or may not be aware, I'm a single person. I have never been married and I have

no children, so you would wonder how I would be interested in a Bill such as this. Well, it was just for that reason that as chairman of the standing policy committee on community services I felt it was necessary that I pay particular attention to this Edmonton project, and I took an evening to spend with that course. I think it's very necessary to just talk a little bit with the House on what such a program does and what it does not do, because we've heard a lot of discussion this afternoon that I think is somewhat irrelevant to the Bill at hand.

I support the principle of this Bill. I recognize there may be some shortcomings in the Bill, there may be some problems – and I'll get into those a little bit later – but I do support the principle of this Bill because I do think this Bill really does something to help children.

One of the discussions that took place the night I was at the course had to do with establishing relationship before and after separation. Something that really sunk in and came home to me was the discussion of the relationship between husband and wife, mother and father. After divorce, husband/wife relationship is split, but mother/father relationship is eternal, as you will always be the mother to that child and you will always be the father to that child even if you don't happen to be married at the time. I think that is something that was very clearly enunciated that evening. It was interesting just looking at the body language around the room. That somehow started to sink in with so many people that were there. When they realized that despite the fact they were having all kinds of personal problems with their ex-spouse, the relationship they had at almost a professional level, as mother and father, was always going to be there. And what this course is all about is helping people to get through that very difficult situation of dealing with being mother and father without being husband and wife at the same time.

Now, what this Bill does not do – and it's been alluded to – is it does not profess to bring about mandatory mediation. It does not profess to bring about mandatory reconciliation classes. All it does is tell parents who are in dispute over custody of their children that before you go to court, there are a number of things that you probably should be aware of. The courses would offer information to them. Sure, there might be information in those courses that says mediation is something you might want to consider. It doesn't force you into mediation. It just says: here's something you might want to consider. And I think it's important that this does take place if it's possible, because the whole reason why this has ended up in court in the first place is because there is dispute.

I want to draw members' attention to section 2(1) of the Bill, because to me that's very clearly important in our discussions this afternoon. What section 2(1) says is that

- (a) where a family law proceeding is commenced in a judicial centre prescribed in the regulations, and
- (b) there is a private dispute respecting the custody of or access to a child,

then this Bill would kick in. If a separation can be perfectly amicable – and I understand that some are – if everything is resolved without the necessity of going to court, this Bill does not come into the process at all.

This is not saying that every divorce is going to end up in one of these situations in this course. All this is saying is that if you can't resolve it on your own, if you feel that it is necessary that a judge is going to make decisions that will affect you and your family for all of eternity, then before you go that step, maybe you should spend a little bit of time learning about what some of your alternatives might be, what you should expect, what you can

expect from the judge, any number of things. That is what is determined in the regulations in this Act, what the content of the Bill is.

We have been led to believe by some of the speakers this afternoon, Mr. Speaker, that this is going to apply to all divorces in the province – it's not – and that this is going to somehow force parents into mediation, into sitting together in a room, and force a situation where you might have some spousal abuse. It's not going to do that. All it's going to do is sit the people down and say: "You have a situation on your hands. Here are some ways that you can deal with it. Here are some things that you really should know in advance: how it's going to affect you and, more importantly, how it's going to affect the future of your children."

Now, there are some concerns that I have with this Bill. I mentioned at the outset that I support the principle of this Bill – and in fact I intend to vote for this Bill at this stage – but I do have some concerns. I brought the concerns up in my discussions with the folks that are operating the courses here in Edmonton. The main one is that coming from a smaller jurisdiction, Medicine Hat – and in terms relative to the rest of Alberta, it's not that small. In Edmonton there are courses running every week. They can go two nights a week or on a Saturday and do it all in one day. It doesn't slow up the proceedings. I understand that there's never been a backlog; it's never been difficult for people to get into the course. The courses have been well attended, and it works very well in a jurisdiction the size of Edmonton. It would likely work equally as well in a jurisdiction the size of Calgary.

But if you get into a jurisdiction like we have in Medicine Hat, the number of proceedings that are dealt with do not substantiate that number of courses to be offered. In fact, you would have to include in Medicine Hat all the surrounding rural area. You would have people who are in Brooks or people who are in Manyberries or any of the smaller places in southeastern Alberta who would have to travel to Medicine Hat, and I suspect, Mr. Speaker, that just the pure economies of scale would dictate that this course could not be offered on a weekly basis. It would more likely be on a monthly basis.

I do see where that could have some potential problems, particularly if the two parents do not want to attend the same course together. I think that has to be part of the regulations that are developed for this, that parents who do not wish to attend the course together do not have to attend the course together. Then they will have a problem on their hands. They either have to wait for two months to attend the sessions or one of them has to go to considerable expense to travel to Calgary or Edmonton to take in the weekly proceedings. I see that as a shortcoming in the Bill. I see that as something that could be overcome, but I do recognize that that's a potential shortcoming in the Bill.

4:40

The other area where I have a little bit of concern in the Bill is on the actual cost of the proceedings. Let's be very frank and very honest. The cost of a divorce is substantial, and if this course were to cost an extra \$50 or \$100, in 99 percent of the cases it's immaterial in relation to the overall cost. However, there are cases – and I'm very much aware of cases – where that would be an inhibiting factor. It would be very difficult for either spouse. We often focus in on women, but there are also cases where the man, the father involved in this whole situation, has got financial difficulties. I do see some potential problems there. I would like to see those addressed in the Bill somehow because I

think the purpose of this whole thing is to encourage parents to think about the future of their children, to ensure that the children can make the best of what is a less than optimal situation.

I think that we as a society have begun to deal with single-parent families as almost the norm, not as in the days of my generation where 95 percent of the children had two-parent families and never dealt with something as traumatic as divorce and separation. I would venture to say that it's almost becoming the norm. When I go and tour schools and I talk to children in schools, it's always one of the things that impresses me the most and impresses upon my mind the most, that we are dealing more and more with situations where we've got either single-parent families or we've got blended families. Mom and dad are separated, remarried, and it gets very confusing.

This kind of legislation would allow for some careful thought process to go into: how we are going to deal with this for the rest of our lives? I have to reiterate, Mr. Speaker, that the whole process we're talking about here is about mom and dad. We're no longer dealing with husband and wife, but for all eternity there will always be mother and father involved in this case. I think this Bill is about maintaining that relationship between mother and father no matter what the relationship between husband and wife is, and it can change many times.

I think this is positive legislation. I recognize there are shortcomings in it, but I encourage all members to support this Bill at second reading stage. Thank you very much, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Castle Downs.

MRS. PAUL: Good afternoon. Thank you, Mr. Speaker. This is my very first time in this Legislature, so bear with me. I'm looking at this Bill 201 with a lot of interest. As a former crisis intervention counselor working at a women's shelter, it brought back memories, of course, of working with families in abusive situations. I do believe there is a bit of merit and good intent in the Bill. I find that there is difficulty when you look at forcing any sort of legislation with families that are in crisis. Even though the intent seems to be sliding towards the children, the children are not the only ones who are affected. Working in the shelter, I could never, ever envision taking ladies and families from that setting and saying that it is mandatory that you attend a six-hour course. There is absolutely no way. As good as the intention is, it is not practical. It is not feasible. It also incurs costs. Women who are in crisis are forever looking for money for food for the family.

In listening to the discussion, which hopefully is what it is at this point, I see absolutely no merit in a six-hour course being offered that is going to bridge a family back into a cohesive network. It just is not going to be done. It is not going to be possible. You can spend six months; you can spend six years. If the damage is already done in terms of abuse, in terms of family breakdown, it is not going to be possible. Also, we'd have to look at the framework of the course that is being offered. We have not been privy to that information as well.

There are, as I've pointed out, some good points. The hon. member before me pointed out the fact that it is costly. Also, we must be made aware that in getting or securing a divorce, you do not have to go through the courts. You file the papers in a courtroom. You do not have to seek legal advice of any sort. So where do these people slide in in terms of being regulated? We as legislators should not force people or families that are in crisis to take a six-hour course, thinking we're naive enough in thinking

that we're going to bridge any sort of cohesive family ties.

That is all I have to say. I will not be supporting the Bill. I find it difficult, and I've alluded to that already. Thank you, Mr. Speaker.

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

MRS. SOETAERT: Thank you, Mr. Speaker. Spruce Grove-Sturgeon-St. Albert, yes, and it's good to be back here. My congratulations to you as the Deputy Speaker.

Speaking to Bill 201, Parenting After Separation Act, my first point on this would be to urge all new members, especially the new members, to really have a look at the Bill. I'm quite proud of how spontaneous our new people have been. They had their first glance at it this afternoon in the Leg. They've looked through it, but it is disappointing to me that that information couldn't have gotten to us sooner.

MRS. McCLELLAN: Your phones don't work?

MRS. SOETAERT: No. If the House leader would be more cooperative – maybe that's the point.

I do want to encourage every new member to really have a look at this Bill and what it means. I know as new members sometimes you're overwhelmed with all the issues, so you just go along with whatever's before you. I truly encourage new members to really have a look and figure out what it will mean to the people in their ridings that come to their constituency offices. I'm glad there's something like this in front of us, because you know and I know that one of the biggest issues we deal with – well, you'll soon find out, if you don't yet. One of the issues that we deal with a great deal is maintenance . . .

MR. HLADY: Yes, Mom.

MRS. SOETAERT: I am a mother; thank you very much. I have four children, very proud of them, Member for Calgary-Mountain View. So maybe I could help you with advice on this Bill since maybe you . . .

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Order. There's only one hon. member allowed to speak at a time. We suddenly have four or five. The hon. Member for Spruce Grove-Sturgeon-St. Albert has the floor and no one else.

Debate Continued

MRS. SOETAERT: Thank you, Mr. Speaker. Speaking to Bill 201, I think divorce and separation, access and maintenance is one of the most painful issues in this province. I think it affects far more people than we realize. I've often spoken in this Leg. that we have to do something to ease that process. Some of this Bill I like. When you go to get married, it's not compulsory to take a premarriage course.

AN HON. MEMBER: It should be.

MRS. SOETAERT: Well, you can't make it compulsory, but you can certainly encourage people to take a course. Other people would want it compulsory, Mr. Speaker. I would say that if you

want a marriage to last, more than a weekend course might certainly be more what most of us need. So I encourage that kind of education, and I support courses that use preventative measures.

My concern about this is that it's compulsory. When it's compulsory, that means you have to go. That means somebody pays for the course. Now, if the government is going to be willing to pay for the course – and the Member for Medicine Hat mentioned 50 bucks. It's 85 bucks an hour for a counselor, so times that by six. Maybe the Treasurer can figure that out. The point is it's not a matter of another \$50. If you're talking about an abusive relationship, Mr. Speaker, I'm glad that the member clarified that they do not have to go together. Maybe that should be in the legislation, because my first glance was that it could be a very intimidating situation to have both people go together in the same room. If they're separated and divorced, there are obviously contentious issues there. Maybe they're not good together in the same room. I think that should be in the legislation, that it should be separate. Also, once again, it can't be compulsory.

I wanted to say something about being in the same – I'll think about it and come back to it.

4:50

The expense of it. Mr. Speaker, because it usually is women who end up leaving abusive situations, the issue that they deal with first is poverty rather than abuse. So when you talk about going to a counseling course, unless the funding is provided – or the mediation course. Just a minute. What's it called? What's the name of the course according to this? Parent information course. If it costs money, who's going to pay for it? In all reality many of those people who are in the middle of a divorce don't have a spare \$10. Maybe that's hard for people here who make a decent wage – though some would argue that too. But those of us who make a decent wage don't understand what it's like to not have 10 bucks at the end of the month. So I express caution and concern about that course.

The other thing about that course. Who is giving the course and what are their qualifications? That's another concern for me. Is it anybody off the street who can just grab the information book and distribute it to both? If this is going to be of value, I want to see some qualifications behind that person who can really help resolve the situation of the next step in the mediation process or the next step in going to court.

The other concern I had: the party that doesn't attend the course can obtain an exemption. I want that clarified. How do you get an exemption? That was mentioned earlier by Edmonton-Meadowlark. I want to know how you get an exemption, how that happens. "If a party ordered to attend a parent information course . . . does not attend, the court may strike out the pleadings of that party." Now, what if the person hasn't got the money to get to the course? What if they haven't got somebody to take care of the children, if they happen to be the parent with the children? Are they going to make this flexible enough for the realities of the real world, where people have to juggle babies and jobs and children and school and all the other realities of the real world? So I want to see that there's some flexibility. I find this quite harsh, that they would strike out the pleadings of that party for not showing up at this course. That seems quite harsh.

I have some grave concerns about this Bill. I support all the information that we can give people that will help them in the resolution of conflict. I support that. I don't see a government that supposedly won't even intervene in trying to find a mediator

for the Safeway strike forcing people to go to a six-hour course. How can you hop into the middle of a couple who's having disagreements? So, you know, it doesn't make much sense to me, and I hope all members will have a serious look at this Bill and see what it truly means.

There are parts of it I like. I agree to education. I agree to supporting couples ending their relationships amicably and as best they can for the children, but I think that when you make it mandatory, when you force people to attend a six-hour course, it's not going to work. So if you can get them there co-operatively, good for you and all the more power to you and all the more power to the couple who's trying to work out things for their children. But, Mr. Speaker, to force it upon people I have grave concerns about, so I don't think I'll be supporting the Bill. If it does go through second reading, I certainly hope there are strong amendments that the member I am sure is taking note of today from some of the people who have mentioned their concerns. I hope it does not pass in its present form.

Thank you very much, Mr. Speaker. Gee, it's good to be back.

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

DR. NICOL: Thank you, Mr. Speaker. It gives me great pleasure this afternoon to rise and speak to Bill 201, the Parenting After Separation Act. This Bill has got a lot of good points about it in terms of the potential it has to prevent the trauma for children that's associated with separation, with divorce, with the kinds of perceived conflicts that come up when parents split and have to deal with all of the issues that come about in terms of separation, including the ideas of custody, including the visitation aspects.

This is a good-idea Bill, and I think we need to look very seriously at the aspects of the Bill that will support the improvement of the situation for children, because they in essence are really the vulnerable participants in any kind of a separation situation. What we want to do is look at it from that perspective. We've heard a number of issues raised this afternoon. I hope those issues are not so serious that they can't let this Bill get into committee, where we can possibly add some amendments to it. The idea of looking at it from that perspective has to be considered.

We want to look at it essentially from the perspective of some of the issues that have been raised, including the mandatory aspect of it. I guess I would support in some ways the mandatory aspect of it, because if we're going to have parents get involved in this kind of counseling, in this kind of education process so they can really understand what the impact of their action might be on their children as they go about a divorce or go about a separation, we want to make sure that both parents are involved in this kind of learning experience. Because for one parent to go through it, either through a voluntary mechanism or through a mandatory process, we're going to end up, then, with an inequity created in terms of the aspect of how any kind of mediation or agreement may come about. I think we've got to look at the mandatory part of it very seriously and look at it in terms of the impact that it would have if we didn't have a mandatory situation.

The other concern that I've got is that the Bill deals only in terms of situations where custody or access to a child is in conflict in terms of the proceedings. This is what appears to be the description that we've heard so far. I'd like to see the sponsor of

the Bill look at it even in a broader context, in the sense that in some cases debate occurs over all kinds of different aspects of a separation. The allocation or the sharing of assets, the sharing of income sources, the sharing of RRSPs: these kinds of things also bring about a lot of conflict, and that can have an impact on the child. I think we need to look at it from the perspective of providing the court with the option that if they see a conflict situation arising that doesn't necessarily deal directly with the access or custody issue but see that conflict having an impact on the child, they should be able to recommend to the parents that they participate in this. I'd like to suggest to the sponsor of the Bill that they look at opening up that part of the Bill, which would not constrict it so much in terms of guidance, in terms of recommending participation.

The other aspects of the Bill that come about, in terms of dealing with some of the concerns I've got, basically show that some of the exemptions that may be allowed by the courts – I don't know whether we want to allow the courts to just deal with these exemptions kind of on a precedent-setting case. It might be appropriate if the Bill had an additional clause under section (4) which looked at some kind of guidelines under which the court might recommend or allow for an exemption from going through this mediation course.

5:00

We've heard a lot of concerns raised this afternoon in terms of the cost that may be borne by an individual that has to participate in this. Well, if the court sees that and sees some way they can get around it, I think that kind of an exemption criteria should be suggested possibly as a set of regulations that can be given to the court so that we don't have to go through a series of cases where the court has to set precedent to establish some primary reasons for a possible exemption. So basically those are the kinds of things that I hope we can be looking at as we proceed with this Bill.

I think that initially my reaction to it has been that it probably could be a very favourable Bill. I don't think that we want to ever use it as a kind of club over the heads of parents in the sense that it becomes a situation where it in essence exacerbates the situation of the divorce. The court should be allowed to look at a case and in essence waive participation in this if they see that it would only tend to increase the conflict or increase the potential damage that might occur to a child involved in any one of these cases. So what we've got to do, then, is look at it from the perspective of its real application.

I appreciated the Member for Medicine Hat's comments about access to the courses in small communities, and I would really emphasize that one of the concerns I think the sponsor of the Bill should be looking at is in terms of how we can expedite that kind of situation, how we can expedite access to the course for all people, all participants in the course.

So with those few concerns, I'll close.

THE DEPUTY SPEAKER: Thank you.

The hon. Member for Edmonton-Calder.

MR. WHITE: Thank you, Mr. Speaker. This Bill is an interesting Bill, and I quite enjoyed listening to some of the debate, particularly the Member for Medicine Hat when he separated the family unit into parents and husband and wife. That in effect is the essence of the Bill, the separation of part of a family, while not destroying the rest of the family: the children.

Anybody that's been close to any kind of divorce, either in

their own life or those of friends and relatives, knows that the child often becomes the weapon and is used to pry out money or other considerations or simply as a vindictive action. It is exceedingly difficult to separate the two. [Mr. White's speaking time expired] I gather I'm going to have to speak on this some other day.

Thank you, sir.

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Calder, but under Standing Order 8(5)(a), which provides for up to five minutes for the sponsor of a private member's public Bill to close the debate before all questions must be put to conclude the debate on the motion, I would now invite the hon. Member for Edmonton-Beverly-Clareview to close debate on Bill 201.

MR. YANKOWSKY: Thank you, Mr. Speaker, and it is indeed my pleasure to close debate on second reading of Bill 201. I certainly thank everyone who spoke to the Bill. There has been a lot of lively debate this afternoon, and I thank you for it. A lot of questions have certainly been put forward, and we'll try and answer as many as we can in the five minutes we have here.

Many of the members opposite complained that they are just seeing the Bill for the first time. Well, we checked into it, and apparently you have had the Bill for five days now.

MRS. SOETAERT: No.

MR. YANKOWSKY: You're not seeing it for the first time.

MRS. SOETAERT: Point of order, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert is rising on a point of order. You have a citation?

Point of Order Imputing Motives

MRS. SOETAERT: Section 23(i), I think, imputing false motives. We never got the Bill until today, an entire description of Bill 201. There were other renditions of what the member tried to present before, but Bill 201 in its present form we got today. Now, I'm not stretching the truth on that. That is the truth, and I wish the member would appreciate that.

THE DEPUTY SPEAKER: The hon. Government House Leader on the point of order.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. In defense of my colleague, our information is that actually the opposition has had the Bill for some days. That's our best information at that time. It seems to be just a misunderstanding at this point.

THE DEPUTY SPEAKER: Hon. members, we have a point of order and a response by the Government House Leader. It would appear that it's a difference of opinion. Right now it's not truly relevant to the summation, so if all members could delete that part from further debate, we'll get on with the summation on Bill 201.

Debate Continued

MR. YANKOWSKY: Thank you, Mr. Speaker. There have been a lot of questions, and there are only five minutes, so it's going to be difficult to even begin to answer all of those questions. I will start with who pays. That seemed to be a question that was

asked by many members. When the pilot project was instituted and so on, Family and Social Services was picking up the bill, and the federal government is now kicking in \$250,000 over the next two years for this course to continue. We can certainly look at adding this into regulations if the Bill passes second reading.

Now, we have to also consider the human factor. I have done some research into it, and the course would cost \$300,000 to go provincewide, which I think is a small investment if we consider the benefit to families. It certainly can be worked out if there is any problem with people being able to afford it. If there is a cost attached to it, I'm sure that that will be addressed.

As to the question that one year is not enough time to actually write a Bill and start a provincewide course – that is, since it's only been running in Edmonton for one year – the course indeed was made mandatory back in February of 1996 at the request of Madam Justice Trussler. Furthermore, studies have been done in the United States and Canada by Madam Justice Trussler in finding solutions that indicated that this course is indeed successful, and it's only successful because it's mandatory. When it was voluntary, 20 people per month attended, and once it became mandatory, we have over 1,500 now attending. It is working, and I did give you the measurements in my speech.

Let's go on. Why should we legislate private life and force people to take this course? If you are responsible enough to have children, I think you should be responsible enough to take care of them after divorce, and this course certainly helps you to do that. It was actually requested by the judiciary, Madam Justice Trussler, that this course be mandatory. They have the divorce cases coming up before them every day, and they felt that it was important enough that it be mandatory. Six hours out of one's life, I think, is a small cost to pay for reducing the effects of custody, support, and access rights to children.

As far as backlog in the course – a number of people talked about a possible backlog – I don't see any backlog. Right now the course is operating very smoothly. In fact, visitors are invited. Grandparents can be there and family members and so on, or even just friends of people that are involved in separation and divorce can be there. It's very flexible. It can be expanded. So right now we don't foresee any problem as far as a backlog.

Then there were questions also in regards to exemptions. That's under 5(b), extenuating circumstances and . . .

THE DEPUTY SPEAKER: You did move that?

MR. YANKOWSKY: I move second reading of Bill 201.

5:10

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Beverly-Clareview has moved second reading of Bill 201, Parenting After Separation Act. Does the Assembly agree to the motion for second reading? All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried. Call in the members.

Speaker's Ruling Clarification

THE DEPUTY SPEAKER: The tradition is that if there is some

dispute with the ruling of the Speaker as to whether the vote was for yes or for no, which means carried or defeated, three members standing up constitutes a bell. However, we have a couple of members standing up and the hon. Government House Leader, who's wanting to proceed to the next item.

[Motion carried; Bill 201 read a second time]

THE DEPUTY SPEAKER: Hon. Government House Leader.

MR. HAVELOCK: Yes. Thank you, Mr. Deputy Speaker. My apologies. Being so keen to get on with the job, I jumped ahead of the Clerk. My apologies for that.

[The Assembly adjourned at 5:13 p.m.]