

Legislative Assembly of Alberta

Title: Monday, May 12, 1997

1:30 p.m.

Date: 97/05/12

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Welcome as we begin a new week. Today's prayer was authored by former Speaker Gerard Amerongen.

Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

head: **Introduction of Bills**

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

Bill Pr. 1 TD Trust Company and Central Guaranty Trust Company Act

MRS. BURGNER: Thank you, Mr. Speaker. I request leave to introduce a Bill being the TD Trust Company and Central Guaranty Trust Company Act.

[Leave granted; Bill Pr. 1 read a first time]

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

Bill Pr. 2 The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act

MR. JACQUES: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 2, being The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act.

[Leave granted; Bill Pr. 2 read a first time]

THE SPEAKER: The hon. Member for Banff-Cochrane.

Bill Pr. 3 Trans Global Insurance Company Act

MRS. TARCHUK: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 3, being the Trans Global Insurance Company Act.

[Leave granted; Bill Pr. 3 read a first time]

THE SPEAKER: The hon. Member for Banff-Cochrane.

Bill Pr. 4 Trans Global Life Insurance Company Act

MRS. TARCHUK: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 4, being the Trans Global Life Insurance Company Act.

[Leave granted; Bill Pr. 4 read a first time]

Bill Pr. 5

Kenneth Garnet McKay Adoption Termination Act

MR. MITCHELL: Mr. Speaker, I request leave to introduce Bill Pr. 5, being the Kenneth Garnet McKay Adoption Termination Act.

[Leave granted; Bill Pr. 5 read a first time]

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

Bill Pr. 6

Canadian Union College Amendment Act, 1997

MRS. GORDON: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 6, being the Canadian Union College Amendment Act, 1997.

[Leave granted; Bill Pr. 6 read a first time]

Bill Pr. 7

Altasure Insurance Company Act

MS KRYCZKA: Mr. Speaker, I request leave to introduce Bill Pr. 7, being the Altasure Insurance Company Act.

[Leave granted; Bill Pr. 7 read a first time]

head: **Tabling Returns and Reports**

MR. DAY: Mr. Speaker, I'm pleased to table three items following requests from opposition members on Thursday. I'm tabling now a breakdown of the Bre-X investments by fund, a summary of the pension fund holdings – those holdings total \$12.5 billion – managed by Alberta Treasury, and the investment policies which are approved by each pension board. That includes the public service plan, the management employees pension plan, the local authorities pension plan, the universities academic pension plan, and the special forces pension plan.

THE SPEAKER: The hon. Minister of Community Development.

MRS. McCLELLAN: Mr. Speaker, thank you. Today I am pleased to file a set of agreements between the Minister of Community Development and the Friends of the Ukrainian Cultural Heritage Village Society. These documents, consisting of a master agreement, supplementary contracts, and other material, are an example of the relationship between government and the 18 friends societies across the province and clearly show that the friends organizations are autonomous, community-based groups of volunteers who are not appointed by government and who work hard to build up their communities.

THE SPEAKER: As per earlier procedural interpretations I am tabling today a memorandum from the hon. Member for Grande Prairie-Wapiti to the Speaker requesting that on Tuesday, May 13, 1997, as soon as House order dictates, Bill 202, the Crown Contracts Dispute Resolution Act, be brought for third reading.

head: **Introduction of Guests**

MRS. McCLELLAN: Mr. Speaker, in 1954 a historic event occurred in this Legislative Assembly when the late Winnifred Stewart became the first woman in Alberta's history to address the Alberta Legislature from the floor. A nurse by profession,

Winnifred Stewart devoted her life to improving the environment of our mentally handicapped citizens. She was a recipient of the Order of Canada and an honorary doctor of law degree from the University of Alberta. Dr. Stewart passed away in 1990 and willed her estate to a foundation with the express wish that that foundation continue the work that she had started on behalf of the mentally handicapped.

In the Speaker's gallery today are the volunteer members of the Winnifred Stewart Foundation. Mr. Speaker, I would ask them to rise as I call their names and remain standing. First, I would introduce President Frank McMillan, Bert Knowler, John Whalley, Shirley Pitts, Stan Fisher, Carolyn Graham, and Bob Jickling. I would ask all members of this Assembly to join me in welcoming these volunteers.

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

MR. STELMACH: Thank you, Mr. Speaker. Today I am pleased to introduce to you and through you to members of the Assembly a constituent of Vegreville-Viking, Mr. Quentin Connolly. Quentin is a grade II student from Tofield who is here today to study the workings of our government. I ask Quentin to rise and receive the traditional warm welcome of this Assembly.

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

MS CALAHASEN: Thank you, Mr. Speaker. It is indeed a rare occasion when I get to introduce people from my constituency. As a matter of fact, I have over 89 students and parents and teachers sitting in both the members' and the public gallery. They are accompanied by teachers Tracey Crain, who is a very good friend of mine, and Mr. Len Ramsey and parent helpers Connie Baird, Debbie Anderson, Pat Kerr, Lorna Baird, Kathy Benson, Darla Keller, Joanne Walde, and Jill Young. I'd ask that they all stand to receive the warm welcome of this Assembly.

1:40

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

MRS. FORSYTH: Thank you, Mr. Speaker. I'd like to introduce to you and through you a constituent of mine, Dr. Allan Jones. This is Dr. Jones' first time watching the proceedings in the Legislature, and I'd ask Dr. Jones to rise and receive a warm welcome from members of the Legislature.

MRS. O'NEILL: Mr. Speaker, I would like to introduce to you and through you to members of the Assembly 34 students from Neil M. Ross school in St. Albert. They are accompanied by their social studies teacher, Mr. Dale Rurka. They are seated in the public gallery, and I would ask them to rise and receive the warm welcome of the Assembly.

DR. PANNU: Mr. Speaker, it is my pleasure to introduce to you and through you to the members of this Assembly 15 students from the University of Alberta who are attending English as a Second Language courses in the Faculty of Extension. They are accompanied by Ms Shirley Scott, their instructor. I'll ask the visitors to rise and receive the warm welcome of the Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Health.

Canada Health Day

MR. JONSON: Thank you, Mr. Speaker. I wish to inform the Legislative Assembly that today is Canada Health Day, one of Canada's foremost national events focusing attention on health.

Mr. Speaker, for many public health centres, health facilities, and agencies May 12, the anniversary of Florence Nightingale's birth, is an opportunity to highlight their community's vision of health and health care and to acknowledge the commitment, dedication, and contribution of health workers across the country. Canada Health Day is therefore also an excellent time to emphasize the Alberta government's commitment to ensuring a high-quality, accessible, stable, and affordable public health system and to highlight actions that can be taken by individual Albertans to protect and maintain their health.

Mr. Speaker, four years ago this government launched one of the most ambitious series of modifications of publicly funded health services that we have seen in this country since the 1960s. As part of that change we needed to learn to expect more for our health dollars: more effective services, more choices, less bureaucracy, and a health system that focused on keeping us healthy and out of the hospital. This positive way of thinking accompanied by sound planning is leading us to our future health system, a health system that develops its programs and services around the needs of its citizens, where those same citizens are key participants in the design and delivery of health care.

This year our government is undertaking a number of initiatives that will help us continue to form our health system of the future, and these initiatives will also help ensure that we continue to meet the health needs of Albertans in the most efficient and effective manner possible. Albertans have told us that they want to know what they can expect from the health system and who's accountable for achieving goals set out in the health system. Therefore, we are developing an accountability framework. Standards will be set, and clear lines of accountability will be in place.

Mr. Speaker, Albertans have also told us that when they have a concern about health care, they want to be sure their concerns are heard. We are establishing a simple, effective, and easy-to-use appeal process so Albertans will know where to direct their complaints and so answers will be provided quickly.

Mr. Speaker, Albertans want to know that our health system is still working well after restructuring, so we are going to be asking nurses, doctors, and other people who work in the health system to share information about best practices or what's working well for them as well as, quite frankly, what isn't. As a result, health professionals will be able to learn from each other and keep improving how health services are delivered in Alberta.

Albertans have said that they want senior citizens to receive the care they need close to their homes and families, so we are looking at demand for spaces for seniors in long-term care facilities, and we are planning for future use so seniors will be able to get the care they need close to their families and friends.

Mr. Speaker, we want to be sure that we have the best information to keep improving Alberta's health, so we are going to put new information systems in place so we can do better research and make better health decisions. At the same time, we are going to introduce legislation to protect the privacy of personal health records, and we are launching a major health promotion initiative to help Albertans better understand individual actions that they can take to prevent illness and injury in the long term and in the long term ensure healthier lives for themselves and their families.

Mr. Speaker, our health system must be innovative, striving for improved quality and efficiency. It must place emphasis on care

as well as on cure and must combine physician care, hospital care, outpatient care, home care, pharmaceutical services, and a host of other options into a fully integrated program of public health care.

Clearly, Mr. Speaker, our commitment to Alberta's health system remains strong and will continue to remain strong as reform of the health system continues so that quality health services are available to meet the changing health needs and expectations of Albertans in years to come. Let today, Canada Health Day, be a celebration of all that we have achieved in the past in establishing in Alberta one of the best health systems in the world, and let it be a starting point for our efforts to ensure that our children and grandchildren enjoy the same high level of care.

Thank you, Mr. Speaker.

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

MR. DICKSON: Thank you, Mr. Speaker. Canada Health Day is an opportunity to celebrate the merits of our universally accessible health care system while also reflecting upon ways we can improve it. On this Canada Health Day we must also evaluate the role of government in shaping the type of health care system that best serves the needs of Albertans.

The public health care system in Canada has been the envy of the world and a source of pride to Canadians, but the true measure of the changes the minister spoke of a moment ago surely is the degree of confidence that Albertans have in their health care system, and every reliable indicator indicates more concern on the part of Albertans now than ever before. Genuine health care reform, Mr. Speaker, requires a comprehensive plan. To undertake the kind of change with such a major program would have an impact on Albertans' lives, and to do so without an adequate plan undermines the most essential kind of public support that such a reform requires if we're going to achieve any kind of lasting health care change.

We need to find a way of listening to the concerns and suggestions of health care providers much better than we have in the past. These individuals are integral to the creation of any meaningful health care reform and have to be there at the planning stages, the implementation stages, and the evaluation stage. Going to the professionals only after the major decisions have already been made simply undermines both professional and public support for change.

Keeping our health care system strong raises a number of specific challenges. How can we meet the need of rural Albertans living a long way from centralized acute care services? How can we ensure that our elderly are safe and have adequate long-term care? How can we support mental health programs in a way that's required? How do we address aboriginal health issues too long neglected? The ultimate success of any health care reform should be judged by the extent to which these Albertans are advantaged.

We have to find ways to make health care governance much more transparent. Standards have to be clear and unambiguous and enforceable, and whenever we must choose between administrative efficiency on one hand and respecting and protecting the rights of Alberta health care information on the other, the latter must always, always prevail.

Canadians value a health system such as they have, and discussions as to how the system can be augmented to meet the changing needs of our society should be vigorous and should be expansive. Health care reform is a worldwide phenomenon. Canadians and Albertans have overwhelmingly indicated their

intense feelings about the preservation of a strong medicare system. The challenge before all of us now is how to expand and improve the system as we approach the 21st century.

Thanks, Mr. Speaker.

head:

Oral Question Period

1:50

Organized Crime

MR. MITCHELL: Mr. Speaker, we have seen much of the Minister of Justice thumping his chest over his commitment to crack down on crime. [interjections] His colleagues are wondering whether he actually has a chest.

Let me start again. We have seen much of the Minister of Justice, Mr. Speaker, thumping his chest over his commitment to crack down on crime, yet his rhetoric isn't matched by his actions. The Minister of Justice himself says that gang activity with its potential for escalating violence and organized crime is of great concern in this province. To the Minister of Justice: if this is the case, then why has there been no directed funding specifically to combat organized crime from this government?

MR. HAVELOCK: Well, Mr. Speaker, I'll try not to thump my chest because I know that's intimidating for the Leader of the Opposition.

Nevertheless, quite frankly, Mr. Speaker, I've arranged a meeting with the chiefs of police from Calgary, Lethbridge, Medicine Hat, and Edmonton along with the K Division representatives, and I think we'll be getting together in June to discuss this very issue. I have indicated that we are concerned about it, and certainly if there is some necessity for funding, we will look at that. I'd prefer to look at our internal resources at this time. However, if we determine that we may need additional resources, then that's something that I have to bring forward to caucus.

MR. MITCHELL: Mr. Speaker, why does this province, the government of Alberta, spend less per capita on policing than any other province west of the Maritimes? The minister doesn't have to meet with chiefs of police to figure that out and to have done something about it in the current budget.

MR. HAVELOCK: Well, actually, Mr. Speaker, the police services in this province do an excellent job. One of the reasons we do spend less is because quite frankly we are more efficient with the dollars that are being used. Our crime rate is actually comparable. In fact, I believe that there is a number out there from last year where 21 percent of the population reported that they had in some way been a victim of a crime – now, most of those were not serious crimes at all – whereas the Canadian average is 24 percent. So one of the reasons why we're spending a little less is quite frankly that the level of crime in this province is less than most other provinces.

MR. MITCHELL: Mr. Speaker, why, if he is funding police services properly then, does Alberta have a rate of violent crime which is higher than the national average, and why is it that CSIS, among others, has established that organized crime is becoming increasingly prevalent in Alberta?

MR. HAVELOCK: Well, one reason, Mr. Speaker, is that – I believe it was in 1995 when we indicated that we wanted to drive further resources to serious and violent crime. We're continuing to do that. We're tracking these criminals very effectively and

certainly advising the general population as to what is going on if and when these offenders are released.

Regarding the gang violence increasing, we are, fortunately, not at a stage where Quebec or B.C. find themselves. However, again, Mr. Speaker, I'm aware there's a problem. We'll be meeting with the chiefs of police and K Division to review that issue. I might also add that the Premier is also very dedicated to taking a look at this, and if additional resources are necessary, we'll find them.

Crime Prevention

MR. MITCHELL: We all know, Mr. Speaker, that crime prevention is far better than crime control. Doug McNally, the former Edmonton chief of police, said this weekend that if you invest in youth, you cut crime. He said that the best way to prevent crime is to focus on children in the first six years of their lives, and he emphasized Head Start and quality child care programs. To his credit the Minister of Justice at the Crime Prevention Week kickoff this weekend said at least three times in his remarks that crime prevention through social development works. To the Minister of Justice: if he believes this, then why is he part of the gang that still refuses to fund hot lunch programs everywhere in this province where they are needed?

MR. HAVELOCK: Well, I'm not sure which gang I'm part of, but if it's this gang, quite frankly I'm proud of that.

Mr. Speaker, so the Leader of the Opposition understands: the majority of our budget is dedicated to, unfortunately, those individuals who cross the line and commit a crime. However, we are directing some resources into alternative sentencing, certainly working closely on youth justice committees. We actually have no interest, if we can possibly avoid it, in housing people in our secure facilities. We are looking at some attendance centres and the halfway houses, et cetera. That's where we'd like to dedicate our resources.

As concerns the hot lunch program and being part of a gang which does not support funding that, which I think is totally untrue, I would have to ask, I would think, that either the Minister of Education or social services address that, because it really does not fall within our department budget to get into hot lunches for children.

MR. MITCHELL: Mr. Speaker, to the Minister of Justice, who's just tried to explain that he's putting a lot of money into dealing with the symptoms of crime: could he please tell us why it is that only \$25,000 – only \$25,000 – of his budget this year has been committed to specific, concrete, new crime prevention initiatives in this province?

MR. HAVELOCK: Well, Mr. Speaker, most of the crime prevention initiatives are actually undertaken within the community and performed by volunteers. We will provide as much support as we can through the dissemination of information perhaps utilizing some existing facilities. I will admit that, yes, there's a \$25,000 line item in the budget with respect to crime prevention. Unfortunately, during budget cuts that typically is one of the first areas to be hit. Nevertheless . . . [interjection] If you'd quit chattering, you could hear it just for a change; okay? Why don't you get an operation and have your lips attached to your brain? [interjections]

MR. SAPERS: Point of order.

MR. HAVELOCK: Things were going much too quietly.

Nevertheless, Mr. Speaker, I think I've addressed that appropriately. [interjections] Besides, you can't hear my answer anyway.

MR. MITCHELL: So crime prevention, Mr. Speaker, is delegated to volunteers. I guess the new slogan will be: bingos for crime prevention.

What direct involvement does the Minister of Justice propose to take to ensure that in the redesign of the child welfare system currently under way the broader crime prevention issues are addressed?

MR. HAVELOCK: Well, Mr. Speaker, I'm happy to advise this House that Justice has been closely involved with the departments with respect to that initiative, and we'll continue to do so. I support it very strongly, and any assistance we can give, we certainly will.

THE SPEAKER: Third main opposition question, the hon. Member for Edmonton-Mill Woods.

Tolerance and Understanding in Schools

DR. MASSEY: Thank you, Mr. Speaker. There are over 20,000 students in 206 private schools across the province. Comments at a Red Deer conference attributed to a Pastor Keegstra have raised questions about what is being taught in some of these classrooms. My questions are to the Minister of Education. How often are private school classrooms inspected by the department?

MR. MAR: Mr. Speaker, certainly I've attended schools throughout this province, not only public schools and Catholic schools but also private schools, and I can say that private schools do a very fine job of educating their students.

There are two types of private schools. There are those that are accredited and those that are just registered. With respect to registered schools, Mr. Speaker, the requirements for them to report back to the Department of Education are less, but there are only 23 registered schools that are private schools in the province of Alberta. The balance of them, about 300 or so private schools, do have much more stringent requirements in terms of reporting to the Department of Education. They do file three-year plans; they do follow the Alberta curriculum. So there is a certain degree of accountability that those private schools have that the ones that are merely registered do not have.

2:00

DR. MASSEY: Thank you, Mr. Speaker. What is being done to ensure that all private schools in Alberta do not promote religious intolerance or racial discrimination?

MR. MAR: Mr. Speaker, certainly, as has been the case in the past with this government, we would be concerned about that: if intolerance were being taught in schools. As has happened in the past, when people have raised those sorts of issues with the department, we've looked into those things. If there are people who wish to raise that complaint with the Department of Education, I would certainly look into it.

DR. MASSEY: Thank you, Mr. Speaker. Given that intolerance is often taught very subtly over a long period of time, how can parents, as the minister suggested last week, monitor if it is being taught in the classroom?

MR. MAR: I'm sorry, Mr. Speaker. I'm not sure if I heard the entire question. Could I ask the hon. member to repeat it?

DR. MASSEY: Given that intolerance is often taught very subtly over a long period of time, how can parents, as the minister suggested last week, monitor if it is being taught in the classroom?

MR. MAR: Mr. Speaker, there's no doubt that parents play a very important role in monitoring what their children learn at school. It's important for parents to maintain a continual communication with their children, ask to see what it is that they're studying, ask them questions about what's going on in school. It is only through that process that parents will become aware of what's going on in schools and may or may not raise an issue of it. Fortunately, I'm happy to say that most parents who do maintain that kind of communication with their sons and daughters recognize that what's going on in most schools in this province is very, very positive indeed.

Health Resource Group Inc.

MS BARRETT: Mr. Speaker, the Minister of Health seems determined to make sure that Alberta becomes the first province to have a nonaccredited, private, for-profit hospital facility established and, if I understand it right, in operation as early as this July. This is the same government that cut nearly a billion dollars out of the health care system in order to create opportunities for American style, for-profit health care. Given the minister's broad powers under the Hospitals Act to regulate and approve hospitals, I wonder if the minister will inform the directors of the Health Resource Group that he will not approve the establishment of this private for-profit hospital at the Grace hospital site in Calgary, and if he won't, why not?

MR. JONSON: The proposal and the proponents that are being referred to have, as I indicated on several occasions previously in this Assembly, through the information that they have provided to us, indicated – and we have checked this over and will continue to monitor this very stringently. They have a proposal to operate a facility which conforms, to this point in time and according to the information that we have, with the provisions of the Canada Health Act. I have repeatedly said, Mr. Speaker, and will say again that this government is supporting and making every effort possible and will adhere to the provisions of the Canada Health Act with respect to these types of proposals.

MS BARRETT: Well, Mr. Speaker, the minister has the power to say no to the introduction of two-tiered hospitalization in Alberta. Why won't he say no? He's got the power under the Act.

MR. JONSON: Mr. Speaker, we have for decades in this province, including that period of time in which we have had the Canada Health Act, had various entities in the health care system which operate in what might be referred to as the private sector. They have not at all to this point in time been deemed to undermine in any way our public health care system. I expect that, as they have in the past, private endeavours will continue to be on the outside of the public health care system in Alberta, but they will continue to operate.

MS BARRETT: I don't understand. How can the minister justify a double standard with stringent rules for public hospitals as per

our Hospitals Act, which requires also checks and balances, and laxer rules for private for-profit hospitals being proposed for Alberta? Double standards.

MR. JONSON: Well, Mr. Speaker, in terms of factors of health and safety and the qualification of health providers and practitioners within such facilities, certainly they will have to meet the requirements of current legislation, be it in the professional realm or the occupational health and safety realm. That is certainly a given.

Friends-of Societies

MR. CAO: Mr. Speaker, many provincial historic sites and museums have affiliated friends-of societies. Recently a question raised by the opposition suggested that members of the friends groups are handpicked by the Minister of Community Development. My question today is to the Minister of Community Development. Could the minister clarify how members of the friends groups are selected?

MRS. McCLELLAN: Mr. Speaker, I'm delighted to respond to this and certainly to set the record straight. Friends-of societies are not selected by me or my department. These are individuals and/or families who wish to help preserve our heritage. Frankly, anyone who wishes to become a member of a friends society can do so by contacting them. I would just comment that the Friends of the Ukrainian Cultural Heritage Village Society, which I think a number of people in this Assembly are familiar with, has over 350 members, many of them from the rural areas and in fact some as far away as the province of Ontario.

These friends societies help maintain our cultural heritage facilities. They provide contract services to us, and certainly their volunteer commitment allows us to have a very low administration cost. Certainly any moneys that they raise, Mr. Speaker, they invest into the facility or the site that they are working with. I think that any suggestion that these friends or members of these societies are just political appointments does a grave disservice and injustice to these hardworking volunteers, and I think everyone in this Assembly should give these people a round of thanks for what they do in our province.

MR. CAO: Mr. Speaker, to the same minister: do these friends societies have the authority to spend government funds without the minister's approval?

MRS. McCLELLAN: Well, Mr. Speaker, the friends-of societies enter into co-operating agreements with the government. I tabled today an example of one of those, which is the co-operating agreement with the Ukrainian Cultural Heritage Village, and there are subcontracts within that. They are registered charitable organizations. They generate funds through fund-raising – it is my understanding that the Ukrainian village group raised over \$150,000 last year – which are used to restore historic buildings at that site. This is all in accordance with the master agreement which they enter into with the government of Alberta through the Department of Community Development.

MR. CAO: Mr. Speaker, to the same minister: what accountability measures for the friends groups are contained in the master co-operating agreement?

MRS. McCLELLAN: Mr. Speaker, the master co-operating

agreement very clearly specifies that friends societies keep proper accounts and records, have statements of revenues and disbursements, balance sheets, income statements, statements of changes in financial position. These are submitted to me on a quarterly basis. Depending on the nature of the contract, consolidated annual financial statements are also submitted to the department at the end of each year. The master co-operating agreement allows me, other government representatives, or the Auditor General to review the society's accounts and records at any time. So I am sure that accountability is well managed within those societies.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek, followed by the hon. Member for Calgary-Glenmore.

2:10 Treasury Branches

MR. ZWOZDESKY: Thank you, Mr. Speaker. On May 6 the Provincial Treasurer told this Assembly that this government does not get involved in Alberta Treasury Branch loans even though the government guaranteed the \$947,000 loan which Treasury Branches gave to the North Saskatchewan River Boat company. I'm now tabling copies of a May 13, 1994, letter from the law firm of Cruickshank Karvellas, who represent the Alberta Treasury Branches in this matter, wherein they demand full payment of moneys owed to the Treasury Branches by the North Saskatchewan River Boat company. This letter lists CCs to the Deputy Provincial Treasurer and to the deputy minister of parks and recreation and to Alberta economic development and trade, and it points out that the Alberta Crown did not favour an extension of the loan at this time. My question is to the hon. Provincial Treasurer. Will you explain why this letter was CCed to not one, not two, but three government departments when just a few days ago you said that your government does not get involved in Treasury Branch loans?

MR. DAY: Well, Mr. Speaker, of the tens of thousands of letters and memos that are circulated, if not monthly certainly annually, I'll make a great admission today: I have not read them all, especially the ones that are not addressed to me. One that went out to a number of deputies in 1994, I think he said, I'd be happy to take a look at and see if there are any implications.

I think we should be aware of the history of this particular situation. It was in April 1992 when the government approved what was then a \$947,000 loan guarantee in support of this particular operation. That moved through the Treasury Branches in October '92. When Ralph Klein became Premier in '93, one of the very significant commitments that he made was that this government would not be involved in these types of loans. As you'll notice from the history, this predates that somewhat.

In terms of court orders related to things that happened in '94 – and through that I can do some looking, if it would help the member to do that, but, you know, I'm not up to date on every single letter that's been written. I'll take a look at this letter written three or four years ago and see if there are any implications here.

THE SPEAKER: Hon. Provincial Treasurer, when you look at the research you're going to undertake, would you also look at *Beauchesne*, which clearly suggests that the names of hon. members should not be raised. Refer to the appropriate constituency.

MR. ZWOZDESKY: The Provincial Treasurer should also know that those moneys were paid out in 1993.

THE SPEAKER: No preambles. Let's move on.

MR. ZWOZDESKY: None intended, Mr. Speaker.

Given the aforementioned information in the question, why did your government wait one whole year and not do any proper monitoring as over \$500,000 of the \$947,000 was in fact paid out in an advance to the project by the Treasury Branches?

MR. DAY: Well, I think we'd need to consult and look at all parties involved. The city of Edmonton certainly was involved in this particular situation, the western diversification loan program, ATB, a number of law firms. As I understand it, there was a lot of involvement surrounding this particular boat. As I've said, Mr. Speaker, something related to a letter some three or four years ago I'll take a look at and see if there are some implications that should be pursued here.

MR. ZWOZDESKY: Thank you for that undertaking.

Would you at the same time please agree to release the guidelines that your government uses in monitoring Alberta Treasury Branch loans that are guaranteed by this government?

MR. DAY: Mr. Speaker, the member will know very well that in terms of direct involvement with loans, or indirect for that matter, through the Treasury Branches, as far as this government and this administration goes, there is none. Those are done on a banking basis by that particular operation with guidelines, guidelines which I might add are in a process of being reviewed even as we speak.

As the member also knows, less than a year ago now a management board was put in place related to the Treasury Branches. One of the things that they are looking at, one of their areas of mandate is to look at business principles and look at operating principles and look at, as a matter of fact, the whole loan portfolio to make sure that things are done and streamlined in such a way that that particular operation will operate on the banking principles that their competitors operate on.

THE SPEAKER: The hon. Member for Calgary-Glenmore, followed by the hon. Member for Edmonton-Manning.

Government Services for the Disabled

MR. STEVENS: Mr. Speaker, last Thursday, May 8, Mr. Rick Hansen appeared on the floor of this House to commemorate the 10th anniversary of the Man in Motion Tour. In light of Mr. Hansen's attendance here, I think it's appropriate to ask the Minister of Public Works, Supply and Services: what is the status of wheelchair accessibility in public buildings? By that I mean buildings owned or leased and occupied by government and buildings owned but leased out to third parties.

MR. WOLOSHYN: Thank you, Mr. Speaker. Indeed it was a very significant occasion when Mr. Hansen did visit this Legislature. I'd like to point out that other groups such as the Premier's Council on the Status of Persons with Disabilities also published a report some years ago identifying handicapped access as a problem. Since that time, what's happened is that in all buildings that are operated by the government, we guarantee that there will be access to the people requiring it.

There have been retrofits done and if, either through our property development or through the public or through users of the building, any area is identified that needs some work done to it, we will see to it that it is done. This program has been going on for about six or seven years.

MR. STEVENS: My next question is also to the Minister of Public Works, Supply and Services, and that is: what provision, if any, is made for wheelchair accessibility in transportation provided by the department? That would include vehicles and aircraft.

MR. WOLOSHYN: With respect to transportation, obviously if any department does have a need to transport a person with wheelchair capabilities, that provision would be made. That obviously is a lot simpler on ground transportation, depending on the person involved. Transportation would not be an inhibitor with respect to – you mentioned, I believe, aircraft. We do have two sizes of aircraft. The King Air is quite small and is not accessible for wheelchair people. However, if there was a person who was wheelchair bound who required transportation in a government aircraft, we would designate the Dash 8, which could accommodate a wheelchair person.

MR. STEVENS: My last question is to the same minister, and that is: does his department provide for people with other disabilities such as sight or hearing disabilities?

MR. WOLOSHYN: That is another good question. What has happened in some areas; for example, the area of sight – I'll just use one example. When you get into the area of elevators, you'll notice that new buildings have a provision for people who are visually impaired to find the right buttons either through size or the braille on them. You can appreciate the problem that we would be running into with respect to trying to retrofit all our buildings, but you will notice that in any new buildings or where you have major renovations, we do look at what provisions can be made to accommodate the handicapped. I would also ask all members or any members of the public, for that matter: if you can identify an area where we can do a better job for an impaired person in whatever category, I certainly would appreciate hearing from you about that.

THE SPEAKER: The hon. Member for Edmonton-Manning, followed by the hon. Member for Fort McMurray.

Municipal Taxation

MR. GIBBONS: Thank you, Mr. Speaker. The province has downloaded over \$150 million over the last four years on the municipalities through cuts in their grants alone. Layoffs, wage cuts, service cuts, increased or new user fees were implemented across the province by municipalities trying to cope with this government downloading. Despite the best efforts of their city, Edmontonians are still faced with a possible \$29 million increase in property taxes. The question is to the Treasurer. Number one, is it still a policy of the government to balance the budget on the backs of local property tax payers?

2:20

MR. DAY: Mr. Speaker, I'm going to be happy to send a copy of both the budget speech update and the budget update itself to the member opposite. He may well have read it, but it would

appear that he has forgotten some of the key portions in there.

Three years in a row now, Mr. Speaker, the provincial side of the property/education tax has gone down. Now, has every single municipality experienced a decrease? No. As the member well knows, with equalized assessment there has been a raising and an equalizing across the province so that the same effectual mill rate is paid. As a matter of fact, in the city of Edmonton as a result of what has happened, there's actually been a decrease. So for this member to stand and talk about raising taxes, whether it's on the backs of Edmontonians or Albertans, is strictly wrong. As a matter of fact, the member opposite is part of a group, being the party that he's associated with, that has on occasion talked about increasing tax.

MR. SAPERS: Point of order.

MR. GIBBONS: First supplementary to the same minister: is anything going to be done to alleviate the burden imposed on the property tax payers since most municipalities are planning to increase user fees and property taxes? Now, in reference to that, I'd like to table an anticipated financial response from most municipalities throughout the province that 88 percent of the way that they are going to raise their fees is through user fees.

MR. DAY: Mr. Speaker, in all sincerity, before the member began his speech on what he was tabling, members on his side were talking so loudly that I couldn't hear the question. Could you repeat the question, please?

MR. GIBBONS: Is anything going to be done to alleviate the burden imposed on property tax payers since most municipalities are planning to increase user fees and property taxes?

MR. DAY: Well, Mr. Speaker, I've already indicated in my first response and will happily do so in the second that the taxes that Albertans pay – and we're talking property taxes; we're talking about the fact that we don't have a sales tax; we're talking about still the lowest personal income tax. The tax burden on Albertans is lower than in any other province, and we intend to keep it that way even without the support of the Liberals.

MR. GIBBONS: Mr. Speaker, my second supplementary is to the same minister. What is the minister going to do to reverse the erosion of the Alberta advantage, which the AUMA correctly points out has occurred throughout the province? I'd like to table their report of September 18, 1996, on this item.

MR. DAY: Again there was so much noise across from the Liberals there, but I believe the member talked about a report that was dated over a year ago. I'll be interested to read it even though it is old and outdated.

Again, Mr. Speaker, I think he should just grasp hold of some basic facts. Ratepayers in this province, whether in a rural area, an urban area, an MD, an ID, whatever it is – people living in Alberta pay lower taxes than in any other province. That's when you figure in all taxes. That's when you figure in insurance premiums. When you weigh everything together, Albertans pay less tax than in any other province, and we intend to keep it that way.

THE SPEAKER: The first long weekend of the summer begins on Saturday.

The hon. Member for Fort McMurray.

Excellence in Teaching Awards

MR. BOUTILIER: Thank you, Mr. Speaker. Some people have the perception that our educational standards sometimes lag behind the educational powerhouses of Japan or Germany. My question is to Minister of Education, and it is: how and what are the standards which are used to select the recent excellence in teaching awards that ensure that students are being taught and given the skills to compete in a global economy?

MR. MAR: Well, Mr. Speaker, this past Saturday both the hon. member and I and a number of other colleagues including the hon. Member for Edmonton-Glenora attended the excellence in teaching awards in the city of Calgary. This is the only province in all of Canada that I'm aware of that has such awards that recognize excellence in teaching. Over the past nine years that the award has been given, there have been some 17,000 nominations that have been submitted by teachers, by parents, by students, nominating teachers for excellence in teaching awards.

This year, Mr. Speaker, of the 30,000-some teachers that work here in our very fine education system in the province of Alberta, there were about 400 nominations that were made, and of those 400 nominations there were 125 finalists that were selected. Of the 125 finalists there were 20 teachers who were selected that came from all parts of the province of Alberta: from Fort McMurray, from Edmonton, from Calgary, from Youngstown, places throughout the entire province. Those nominations are reviewed by a group of educators and administrators who examine the types of innovative things and the remarkable results that these teachers get, often in areas like music, special education, not just in areas like mathematics and science.

Mr. Speaker, it's a really outstanding achievement to receive one of these awards or even to be nominated or considered a finalist. I think all members of the House should applaud those teachers that were winners this weekend.

MR. BOUTILIER: Thank you, Mr. Speaker. My supplemental to the same minister is: how can we judge teacher excellence in the face of test results when some critics are saying that our educational system is failing our students?

MR. MAR: Well, there are those people who do say that the education system fails their children, but that, Mr. Speaker, is not my observation. All you would have to do is ask any one of these 20 teachers or actually the thousands of teachers that they represent about what a fine job is going on in our schools.

Mr. Speaker, in international tests I've often referred to the TIMS results or in national testing the SAIP results. We find that Alberta students are exceptional, and when the hon. member mentions how we stack up against jurisdictions like Japan or Germany, the answer quite frankly is that we stack up quite well, both in the TIMS results, where our science students placed third in the world and in the top third in the area of mathematics, and in the SAIP results, the national exams, where Alberta students came out number 1 in the country. It is an extraordinary testament to many people, not just teachers but of course the students themselves, the parents who support them, the school boards, the administrators. All of those people are partners in this delivery of education in the province of Alberta that we can be so very proud of.

MR. BOUTILIER: My final supplemental to the same minister: is there anyone else out there besides your department that is

actually following these very positive initiatives that we're taking forward?

MR. MAR: Well, Mr. Speaker, I think that's a fine question, because education quite frankly is everybody's business. Everybody, not just in this Legislature and not just in school board boardrooms across the province or not just the parents of students, should be caring about education. Everybody should be concerned about it.

Mr. Speaker, just by looking at the list of sponsors who participated in the excellence in teaching awards – I can name a few. The document company Xerox, Telus, the *Edmonton Journal*, the *Calgary Herald*, Milner Fenerty, the Alberta school benefit plan, the Alberta Chamber of Commerce, and Access, the education station, are just a number of the partners who participated in the excellence in teaching awards. So there are a number of agencies and boards and corporations and community organizations that are interested in this particular issue. [interjections]

THE SPEAKER: Okay, hon. members. The hon. Member for Edmonton-Rutherford, followed by the hon. Member for Bonnyville-Cold Lake.

2:30

VLT Plebiscites

MR. WICKMAN: Thank you. Mr. Speaker, I raised a matter in this Chamber last Thursday dealing with the government's decision to ignore the rejection of a petition by council members in Black Diamond. Now, it's a very, very serious matter that we look at. We look at a commitment made by the Premier of this province, a commitment made by the former minister responsible for lotteries, a Premier who stated very clearly that he kept his word. I ask the minister responsible for lotteries: how can the minister display such indifference to a promise made by the Premier of this province and the former minister responsible for lotteries?

MRS. BLACK: Mr. Speaker, very clearly there is a process in place in the province for communities to deal with the issue. I've laid that out in this House on several occasions. I have followed through on that process. I will remind hon. members that when the decision came out of the Red Deer courts to not allow the injunction that was filed to be upheld there, I quickly moved and removed the VLTs from that community as it was the wish of the community. I will not go into a community and intrude on their desires. They bring forward a petition to their local council, their local council deals with it through plebiscite, and when that message comes forward to my department, I will react to it.

MR. WICKMAN: Mr. Speaker, did any member of this government, whether it be the local MLA for that particular constituency or any member, discuss the implications of rejecting a legal plebiscite with any council member from Black Diamond?

THE SPEAKER: Hon. minister, you're only in a position to answer for yourself, not on behalf of all other members.

MRS. BLACK: That is what I was going to do, Mr. Speaker. I would say that there is a provision within the Municipal Government Act to deal with plebiscites at the local municipal level.

MR. WICKMAN: Okay. My final question I will direct to the minister responsible for overseeing and enforcing those provi-

sions. Is the minister who is responsible for the provisions within the Municipal Government Act and for ensuring that they're abided by prepared to follow through on this matter to ensure that the citizens of Black Diamond are treated legally and fairly?

MS EVANS: Mr. Speaker, in response to the question from the member of the opposition I would respond this way. The council has the right to determine if this is a major issue, and the council in this case, if they have determined that they are not going to follow through on the request by the petition, will no doubt defer those citizens back to the minister, who will then write to me, as those citizens who have raised petitions in other areas have, and I will take action accordingly. To this date in my office, to the best of my knowledge, I have received nothing from any member of the municipal government there or anybody who has been signatory to that, but I'm sure that those people who have been party to that petition are well aware that they can contact the Municipal Affairs minister to intervene on their behalf.

National Securities Commission

MR. DUCHARME: Mr. Speaker, the issue of a national securities commission has surfaced in the media again. For the benefit of my constituents can the Provincial Treasurer please provide an update on the status of negotiations between the federal government and the various provincial governments on this initiative?

MR. DAY: Mr. Speaker, in January of '97 a memorandum of understanding was circulated to all provinces and stakeholders involved in this particular discussion, and again, as we speak, in provinces the whole question is being looked at. There's a variety of opinions on the issue in terms of what's going to make for the most effective regulatory regime and what's going to protect investors to the greatest degree. The whole area is being discussed right now, and the results of those discussions will be forthcoming.

MR. DUCHARME: My supplemental to the Provincial Treasurer. There is a unique program in Alberta called the junior capital pool program aimed at helping small to medium-sized companies raise much-needed capital dollars through the equities market. Will this unique initiative continue under a national securities commission?

MR. DAY: Well, one thing we've heard so far, Mr. Speaker, is, as the member's indicated, the uniqueness of this particular program and its benefits to Albertans and to others. Whether there is a joining or forming of a national securities commission or whether there is not, this particular initiative is something that stakeholders tell us they want to see maintained and preserved. Even if we went ahead along the lines of some kind of national securities commission, this particular type of initiative Alberta would certainly want to see preserved within that framework.

MR. DUCHARME: My final supplemental to the Provincial Treasurer: in the absence of a national securities commission at the present time, are initiatives being carried out to enhance co-operation between the various capital markets in Canada and to reduce overlap and duplication?

MR. DAY: Yes, Mr. Speaker. There are a number of ways and avenues in which these items are being discussed on a daily basis. You know, related to the national securities commission, there are different perspectives in terms of whether it would be beneficial

and how beneficial it might be. For instance, certainly if there were regulation on a national scale, that would deal with some areas of redundancy and overlap. We're also told that it would provide for easier access to capital markets. Then again, that raises the concern: well, if it's too easy then can you run into certain difficulties? There's the concern also: would the control come from Toronto and in effect be a federal form of control over exchanges, for instance in Alberta, in Calgary and Vancouver? So there are different implications to be weighed out.

Across the country, regardless of the actual formal framework of a national securities commission, certainly the discussions are going on in terms of how these systems can be improved, how investors can be both protected and also have the type of regime in which they can be free to do the kind of investing they need to do.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Red Deer-South.

Forest Management

MR. WHITE: Thank you, Mr. Speaker. I want to congratulate those who have worked on the Alberta forest conservation strategy and to approve of its vision, its goals, and its principles. I am concerned, however, about one of the three co-chairs of the committee that feels unable to sign the final document. As explained in the letter that I am tabling here today, she fears that the policy will be selective implementation and not ensure the future conservation and protection of our Alberta forests. To the minister of environment: can the minister assure this House that legislation protecting areas of adequate size are set aside in Crown forests?

MR. LUND: Well, Mr. Speaker, I too want to take this opportunity to thank all of the people that worked so diligently on the forest conservation strategy. As a matter of fact, there were some 900 folks that were involved in it throughout the province of Alberta, and I think that is very remarkable.

As far as all of the recommendations, many of those recommendations have already been implemented and are being implemented. Some of them require much more study. We are determined that since forest development is in its infancy in the province of Alberta, we will make sure all of the developments are done on a sustainable basis. That means that we have to be sure of the science, and that's exactly the reason that I appointed a premiere committee of nine researchers, experts in forest management, to advise the department and myself. Also, of course, we're learning a great deal through the \$20 million three-year program out of the University of Alberta, the Centre of Excellence in Sustainable Forest Management. All of those things will be taken into consideration as we move forward.

The hon. member talked about specific protected areas. Well, we're already doing that, Mr. Speaker, and we will continue to set aside areas. We have ongoing in the province of Alberta currently the special places program. Once again, we have a provincial committee. There will be a number of local committees set up. We believe that at the end of the day we will have a program that addresses the scientific needs as well as the community needs.

MR. WHITE: Mr. Speaker, a supplementary question: in as brief a manner as possible will the minister ensure that the intensive management is not allowed to proceed over a large area of these Crown-owned lands?

MR. LUND: Well, Mr. Speaker, the definition of intensive management is one that is up for interpretation. When the hon. member asks if we will ensure that there won't be intensive management, I cannot, not knowing what exactly he means by intensive management. Maybe rather than reading his third question, he could rephrase and as briefly as possible tell me what he means by intensive management.

2:40

MR. WHITE: Mr. Speaker, I'm unable to answer a question of the minister. I'd point out to him that that answer is in the paper itself. Intensive forestry is totally defined in the paper, if you'd care to read it.

What assurance can the minister provide this House that there has not been a selective implementation of the strategy and that protected areas and extensive ecological management areas will predominate in the conservation of our forests?

MR. LUND: Mr. Speaker, I find it really interesting that at one point he says he can't answer the question, yet the definition was supposed to be in the strategy.

Setting that aside, as far as the recommendations are concerned, as I said earlier, we are already implementing some of those recommendations. Some of the recommendations we will have to have a closer look at. We have to make sure that we have the science that backs up the recommendations before we implement them.

THE SPEAKER: Hon. members, the time for question period has now left us.

Speaker's Ruling Tabling Documents

THE SPEAKER: The Speaker would like to remind all hon. members that on the Order Paper there is a place for the tabling of returns and reports. In the last number of question periods this has gone on: ministers have stood up and, in response to a question, have tabled a piece of paper, and hon. members raising questions have taken an opportunity to table a piece of paper. It would be probably far easier for the administration of the Assembly and the courtesy of all involved if in fact those tablings took place during the Routine under Tabling Returns and Reports. Now, of course there will be occasions when that perhaps will not be possible, but as the norm most of the time that would be most appreciated.

Two points of order, the Opposition House Leader.

Point of Order Unparliamentary Language

MR. SAPERS: Thanks, Mr. Speaker. I regret having to use this time following question period so often to raise points of order, and I am very aware of the efforts that you have made to keep good order in this House. I have heard many comments from both sides of the House that the tone of debate and the level of decorum have certainly matched or exceeded the expectations of all members.

A couple of things continue to happen that trouble me and my colleagues, and I'm rising today citing several sections of *Beauchesne*, sections 485, 486, 487, and 491 as a start. These are sections, as you are fully aware, Mr. Speaker, that deal with unparliamentary language. There have been many cases where the language in this House has provoked debate and has in fact been threatening. I would suggest that today we had yet another

example. The example, of course, that I'm referring to is when the hon. Minister of Justice in response to a question uttered words to the effect that a member on the Official Opposition side of the House ought to have surgery. The effect of that surgery would be to connect her lips to her brain. This was a very unfortunate choice of words.

Now, I will say, with credit to the Minister of Justice, that he has indicated to me that he is willing to withdraw those remarks, and I appreciate his forthcoming nature in this regard, but, Mr. Speaker, this has happened a couple of times already, and I would hope that it wouldn't happen again.

Language is what we are all about in this Assembly, Mr. Speaker, and the tone of debate really is a reflection of all that we offer the people of this province as we conduct our business, and I would hope that all hon. members are constantly aware of that when they rise to speak in this Chamber.

MR. HAVELOCK: Well, Mr. Speaker, a couple of preliminary remarks. I well appreciate that we need to maintain decorum in this Legislature. I fear that the Member for Edmonton-River-view's proximity to the Member for Spruce Grove-Sturgeon-St. Albert is, quite frankly, unduly influencing her behaviour. Quite frankly, if opposition members do not wish to listen to the answer, then they should not ask the question.

What I was simply trying to suggest is that the member should think before she speaks. Attaching one's mouth to one's brain has the same meaning, although it may not be as delicate. Nevertheless, upon reviewing *Beauchesne*, there is likely a slight chance that I may have used unparliamentary language. Therefore, I will withdraw the remark. [Mr. Sapers rose]

THE SPEAKER: Oh, it's not a debate, hon. member. We're dealing with a point of order here. The hon. member has raised a point of order, and the hon. Government House Leader has responded. This is not a debate. The hon. Government House Leader has indicated he's going to withdraw those remarks.

The Chair, however, would like to make a comment. The Blues read the following. This is the hon. Government House Leader:

[interjections] If you'd quit chattering, you could hear it just for a change; okay? Why don't you get an operation and have your lips attached to your brain? [interjections]

Now, the Government House Leader has withdrawn those remarks, apologized.

Then the Government House Leader goes on to say the following: "Things were going much too quietly." Now, in reading the Blues, I sincerely hope that the Government House Leader is not suggesting that the motivation for his remarks was that he wanted to develop a spirited debate in the House. I think all members will agree that perhaps quiet is good.

So the Chair would accept the withdrawal from the hon. Government House Leader and recognize that it is not his intent today to provide an intensified spirit to the Assembly by using the words that he did use prior to that.

Opposition House Leader, your second.

MR. SAPERS: Thanks, Mr. Speaker. Obviously, I was not wanting to promote a debate. I was going to ask the Government House Leader for a clarification, because I didn't hear the apology that you refer to.

MR. HAVELOCK: Mr. Speaker, you heard it. I am not going to repeat it. If you need clarification, read the Blues.

Point of Order**Allegations against Members****Ministerial Statements in Question Period**

MR. SAPERS: Yes, and that's a nice entrée to the next point of order, Mr. Speaker, which has to do with unparliamentary language as well as Standing Order 23 and the various subsections to 23. This is a response from the Treasurer to the Member for Edmonton-Manning in which he made specific allegations that Liberals had talked about raising taxes.

Mr. Speaker, the Treasurer has an uncommon ability to personalize exchanges in this House and to descend into sarcasm when he provides answers and, furthermore, to make very provocative statements at the tail end of his responses. The net effect of all of this is of course to elicit a response in kind. It's kind of like play-off hockey, I suppose, when you have to really put yourself in check to not respond in kind. I guess I would just ask for your ruling in terms of the Treasurer's ongoing efforts to inflame debate during question period instead of simply answering the question. He is asked straightforward questions; he should be providing straightforward answers.

Mr. Speaker, while I have your attention, I will point out that I did not call a point of order once again on the exchange between the Member for Fort McMurray and the Minister of Education in what could best be called an abuse of the Order Paper, in which the Member for Fort McMurray called upon the Minister of Education to make a ministerial statement. As you have pointed out to all members, we have an Order Paper that provides us with opportunities for tablings. Of course, that Order Paper provides us with opportunities to hear or respond to ministerial statements, and I would hope that question period is no longer used for that purpose.

THE SPEAKER: Provincial Treasurer, first of all, could the Chair just make a comment on the third point that was not raised by the hon. Opposition House Leader?

The hon. Opposition House Leader got up and said that he would not raise this and then proceeded to raise comments about the exchange between the Member for Fort McMurray and the Minister of Education. Well, in the event that the Opposition House Leader would have raised the point – it was something he did not do – the comments from the Speaker would have been as suggested by the member.

Provincial Treasurer, if you can remember the point of order.

2:50

MR. DAY: How can I forget, Mr. Speaker?

THE SPEAKER: Okay. Thank you.

MR. DAY: Even though, in my view, there was not a point of order, I believe the Opposition House Leader, even in the short time that we've been in the session, probably has set the record for sensitivity, defensiveness, and overreaction. He's leapt to his feet, I think the record would show, every day to try and clarify well-directed comments by members from this side of the House related to questions. I think the record would also show that if people – and I don't know why anyone would want to do this. If they took, as I understand, the videotaped recordings of this Assembly – and certainly in remarks directed towards myself as Provincial Treasurer in question period as inflaming debate and not providing a direct answer – I think just a cursory review of those tapes would show that though I'm not perfect, which I'll be

the first to admit, I try to make my responses measured. I try to not get overly excited, as the Opposition House Leader does, and shrill. If I don't have the answers right here that day, as I did again today, I have detailed answers tabled at the appropriate time under Tabling Returns and Reports. So I'm not sure who the member opposite was thinking of, but it must be another Assembly somewhere. Maybe he was reflecting on his own antics.

I would suggest, number two, that there's a high degree of inaccuracy there. I would also suggest that there's no point of order. He continues to leap to his feet to try and justify a Liberal indefensible decision, using valuable time here to clarify a point rather than to truly raise a point of order.

THE SPEAKER: The Chair would suggest that this whole exchange in this last purported point of order is little more than a matter of clarification and almost ventures into the whole question of debate. But it certainly does show the problem that can arise, hon. members, when the questions themselves tend to be longer than they should be and when the answers themselves tend to be longer than they might be. The clarity and the brevity of both the question and the answer and being specific to the point might in fact allow us not to have so many of these points of order on a regular basis.

Beauchesne 428 is excellent reading in terms of what a question must be and in terms of what an answer might be as well.

head:

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Second Reading**Bill 5****Persons With Developmental Disabilities****Community Governance Act**

MR. SHARIFF: Mr. Speaker, I'm delighted to move second reading of Bill 5, Persons With Developmental Disabilities Community Governance Act.

The services to persons with disabilities program provides a range of supports to adults with developmental disabilities so they can live and participate in their home communities. More than 8,000 Albertans currently receive assistance through this program. Fifteen months ago Alberta Family and Social Services announced a plan to reform the services to persons with disabilities program. The decision to reform this program was based on feedback received from more than 3,000 stakeholders. They told government that the best way to meet the needs of people with developmental disabilities is to have the community more involved in planning and delivering services.

Bill 5 is the result of this advice. It allows for the establishment of a provincial board to assume responsibility for managing services currently administered by Family and Social Services. It also allows for the creation of community and facility boards to manage the delivery of services at the community level. The boards working together will ensure the co-ordination of quality services throughout Alberta to meet the needs of adults with developmental disabilities. The government will be responsible for developing broad program directions, setting standards, monitoring outcomes, and providing funding. These boards will be clearly accountable to the Minister of Family and Social Services and will operate within the legislation and regulations and policy framework set out by the ministry.

The provincial as well as community and facility boards will be comprised of community representatives. A provincewide

advertising campaign was used to recruit people interested in serving on these boards. A selection committee will review the applications and submit a list of recommended candidates for approval and appointment by the Minister of Family and Social Services.

Mr. Speaker, Bill 5 marks the third and final stage in the government's plan to reform the services to persons with disabilities program. Its introduction clearly demonstrates our commitment to improving services to adults with developmental disabilities and our desire to involve the community more in the decisions which affect them. The reform of the services to persons with disabilities program is based on the feedback from stakeholders and has the broad support of the community.

Thank you.

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

MR. WICKMAN: Thank you, Mr. Speaker. I'm going to make a few comments on Bill 5, and other members of this caucus, colleagues, will follow with their comments as well. Let me say at the outset that whether or not I'm going to support the Bill will depend on what happens in committee reading.

Now, there are some positives to the Bill; there's no question about it. We've gone through a process under the former Minister of Family and Social Services that brought us to this particular stage that we're presently at. The concept of allowing people to be independent in the community: without question, it's good. We experienced that when we had Rick Hansen in the House the other day, and he demonstrated, I guess, the ultimate in independence.

We're talking here about a different group of persons with disabilities. We're talking about persons with developmental disabilities. The problems can be very, very complicated. There can be many, many implications, and the disabilities can be extremely severe. The range of services that have to be provided can be very widespread. If those services that are to be provided aren't provided properly, aren't all provided, it can affect that person's lifestyle to a great, great degree.

Now, reference has been made to stakeholders' input and stakeholders consenting to the Bill. I know one of the stakeholders is the Alberta Association for Community Living. They do good work. There's absolutely no question about that. They are committed to the concept of community living. They've made many inroads in terms of community living. But they are not the only group out there, and when we get into committee stage, the member bringing the Bill forward is going to have to elaborate as to what that stakeholder input actually means.

Then we get into the area of the appointments. Well, let me first of all say that there is a bureaucracy being formed here. We're not talking just about one board, for example, to run the Michener Centre, which, we know from past experience, parents and relatives of residents who live in there want. I've supported that concept from day one. You take a facility like Michener Centre and you turn it over to a management group to ensure that there is no attempt to close it down, such as some people felt threatened by at one time. But here we're talking about three different levels of not really bureaucracy but three different levels of boards. I don't understand why the whole system has to become so complicated. I don't understand how the average person is going to try to work their way through the whole system to get the services that they have to get.

3:00

The other thing that isn't spelled out in the Bill is, specifically, how the people are appointed. Certainly it makes reference to the minister appointing and nominations coming forward and so on and so forth. But it doesn't say, for example, if the Premier's council will have two representatives on a given board or if the Alberta Association for Community Living will have a certain amount on boards.

I don't want to see a situation where any one group takes over control of these three particular groups. When we talked in terms of the powers of these various boards providing services, originally we discussed a concept that these management boards were to operate facilities like Michener Centre and Rosecrest and so on to ensure that they were viable, to ensure that they would always have a place in the community if required. No shot against the Alberta Association for Community Living. They've made it very clear that their objective – and it's a commendable objective – is to get all persons with disabilities into the community if possible so they can be part of independent living. It's good, but it's not always practical. It's not realistic until those resources that can be provided are in the community. You take residents out of the Michener Centre – and I spent a day down there – and there are many of them that simply would not function in the community because the resources haven't been provided.

I can understand that the thrust of this Bill is to set up a mechanism to provide those resources, but I'm not convinced that this Bill is going to do it. The way it's worded, possibly it's turning over the whole area of responsibility to the community without sufficient funds. I'm concerned about the clients that they're dealing with, whether they are going to be lost in the process.

Mr. Speaker, I would suspect that during the committee stage there will be a number of amendments brought forward for debate. I guess one of my main concerns at this particular time is as to how these boards will be appointed, what type of powers these boards will have, what type of a remuneration they'll receive. I'm not taking a shot here. I'm just simply stating the fact that we've seen situations where responsibilities or partial responsibilities, whatever, of the government had been turned over to a foundation, where they've controlled all the money and such, and we've seen the abuse that has occurred. I'm not saying it would happen in this particular instance, but we want to ensure that there is provision to prevent that type of thing. It doesn't really talk in terms of what type of remuneration, what type of honorarium these members would receive, if it would just simply be expenses for their travel and so on.

I'm going to keep my comments at this point, Mr. Speaker, relatively short and allow other members to speak to Bill 5 and then again have the opportunity to make further comment during committee stage.

Thank you.

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

MS BARRETT: Highlands.

THE SPEAKER: Highlands. Sorry.

MS BARRETT: No problem, Mr. Speaker.

You know, in principle I think I need to oppose this at this stage until we get to know more in committee, and I'd like to let the member know why. I've been around this building for a long time, Mr. Speaker. I started working here as a researcher after

the 1982 election. At the time, the Lougheed government got involved in a program called deinstitutionalization, the result of which was that people were taken out of facilities which provided for their care and were left on their own. The result of that was that all or a great number of them ended up in the inner city without any resources.

Now, I know that the whole idea behind the establishment of the regional boards is to make sure that resources are available to adults with developmental disabilities, but as the Member for Edmonton-Rutherford pointed out just a moment ago, remember that those disabilities have a wide range of description. The bottom line of what happened with the Lougheed government is that they realized that in their attempt to regionalize social services and in their attempt to deinstitutionalize, they in fact created a dog's breakfast of a mess and had to reorganize, bring social services back into a sort of a central approach to things.

Now, as with regional hospital boards – Mr. Speaker, you would know; you've been sitting here – whenever there's a problem, you raise it with, say, the Health minister. Well, the Health minister has now got that layer of insulation, from which he can say: don't ask me; go to the regional health board. However, the regional health boards get their funding from the province. So because of that layer of insulation the government has enjoyed two things: number one, underfunding the system; number two, not having to be accountable by forcing the regional boards to be accountable when it is not they who dictate their own budgets.

I can foresee the same kind of problem happening here. Not only that, but I can foresee a checkerboard of services being available. Don't tell me that in a little hamlet or small town you're going to have access to the same kinds of programs and services that you have in a major urban centre. That just ain't gonna happen. Now, you follow that logically and you see that in fact the government might spend more taxpayers' dollars not just on support for these regional boards but also, in many cases, bringing in specialized needs so that the person can live in the community of their choice.

I'm also worried about another agenda, and that is of the Alberta Association for Community Living, whose general goals I think are laudable. However, I remember being lobbied between 1986 and 1993, before I quit politics, by them on an annual basis. The message was loud and clear: we don't want anybody in institutions if at all possible. Well, in a lot of cases, Mr. Speaker, both the person in the institution and the families of those persons believe that the institution, the facility, is the best place for them. I don't want to see these people and their families being pressured. I certainly don't want to see them back in what's commonly called skid row, which is the centre part of the riding that I represent. I mean, I've spent a lot of time even before I got elected trying to solve their problems. Because they just didn't have access to the resources that they needed, they ended up living a very miserable lifestyle compared to that which they had while they were in institutions.

You see, it seems to me that with every government there's a wave of trying to deinstitutionalize. As you know, Mr. Speaker, it also happened with the Don Getty government. In principle, it's a great idea. It really is. But I don't understand why, in the government's desire to respond – and I acknowledge: respond to the needs of many Albertans – we have to go this parallel regional board route. I think it's going to cost more, and there's no doubt that it's going to provide for checkerboard services, but at the end of the day, when we're in committee, if the sponsoring member

can convince me that my concerns can be allayed, I'd be pleased to go along with this.

The one thing that the government cannot commit to is outside of this legislation, and that is the power of one organization that pressures people into community living. Now, I tabled some information two weeks ago that showed clearly that one organization, the AACL, was co-sponsoring meetings with the government of Alberta, the children's commissioner, co-sponsoring meetings on handicapped children's services. I said to myself: "Now, why is one group co-sponsoring right on Alberta government letter-head? Why is one group and not all the others; okay?"

There are a whole bunch of groups, societies, organizations which are not affiliates of the AACL and do not share their zeal for deinstitutionalization. So I ask myself: what safeguard can the government provide to make sure that one group doesn't exercise an inordinate amount of power in the process? I know that that's not one that's going to be easy for the member to reply to, but I don't expect we'll be in committee too quickly. I mean, we're not going to be in committee this afternoon or tonight; are we? [interjection] No. Okay. Thanks. Then maybe that would give him and government staff time to work out an extra legislative means by which the community's interest comes first and an organization's interest comes second.

Thank you for the time. I look forward to the member's response.

3:10

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

MRS. SLOAN: Thank you, Mr. Speaker. I, also, will rise to offer a degree of support to the hon. member with respect to this Bill, but I am reserving my full endorsement until such time as the committee debates have concluded.

In my analysis of the Bill I would just like to proceed through it by section and offer these questions and critique to the hon. member for his consideration with respect to amendments. In section 9 the Bill proposes a role for the minister. I'd just like to offer these two comments. It's on page 5. I do not see – and perhaps it's an oversight on my part – any reference to the minister's role in defining further legislation with respect to this Act or supplement legislation that may be required. I also do not see in this section any reference to the minister having the ability to guide or direct with respect to regulation development. I would like to specifically point out under 9(c): "The role of the Minister is to . . . ensure that the activities of the Boards are monitored and assessed." I would propose that that should go further, that it should in fact be that the minister has the ability and the power to subject those boards to annual audits.

Speaker's Ruling Second Reading Debate

THE SPEAKER: Excuse me, hon. member. Normally the tradition is that clause-by-clause comments and review would be done in committee. We're now on the principles at second reading. Perhaps you, again, might want to reserve some of the specific comments on specific clauses for committee.

MRS. SLOAN: Thank you, Mr. Speaker. I'll make my comments more general, then, in reference to the sections.

Debate Continued

MRS. SLOAN: Moving, then, I guess, to the concept of having

triplicate boards: provincial, community, and facility boards. There's a significant amount of repetition in the Bill when it comes to the planning, the evaluation of services being offered. I guess I wonder: to what degree will those sections be integrated? Or will we have all three boards – the provincial board, the community board, and the facility board – doing this in a separate and autonomous way and, as a result, have a lot of duplication?

It was of interest to me, though, that only the community and the facility boards have the power to assess. I believe it talks about assessing needs from that planning. That is of concern to me, because I believe that with these services just as in other sectors – I'll use Health as the example – there is a need for a provincial vision and role with respect to some services. I'm not opposing that there are some services that at the community level can be developed and designed, but I think there are to a degree – and I believe the stakeholders would agree to this – some services which need to have a provincial vision and mandate. That is not encompassed in the provincial board section at this time.

One of the other areas of concern to me surrounds ensuring that there is reasonable access. I believe there are references, but they are in fragmented sections, so I would propose that, again, a provincial board has jurisdiction. In fact, I think they should have the highest jurisdiction in providing services and ensuring that the clientele that need the services have that access.

Other sections that are not referenced but should be incorporated are in relation to the portability of services between boards and between regions. I would propose to the hon. member that if a person requiring these types of services chooses to move, there's nothing in the Act that references how portable those services are. It would seem to me that it would lend to these clients a degree of security to know that they do not have to go through another series of lobbying and meeting, et cetera, et cetera, to get these types of services incorporated in a new region.

Then just moving off the board roles to the issue of bylaws, the reference to bylaws is singular, and I raise a question with respect to that. It would seem to me that for all bodies operating under this Act, there would need to be in fact a group of bylaws, and your reference currently is to a singular bylaw. It does not make sense to me in my experience, in terms of types of boards working in a sector such as this, that they would be able to operate with a singular bylaw.

The Act as well speaks about meetings of a board. Again, it is singular, and I would raise as a question for analysis why the Act does not make the reference generic to all of the boards under the Act. It would seem to me that we want to be fostering openness and accountability, and thereby the facility, the community, and the provincial board meetings should be open. The reference that is currently proposed does not make that explicit.

I have a concern as well about the appeal process that is proposed and particularly the fact that it does not cite currently how the person will be chosen to mediate the differences. The Act currently makes reference that a person will be chosen to act in this capacity, but it does not say how. I think that's a gray area, and I think that to lend credibility to the appeal process, we should cite how that is going to occur. I think we would want to have a process whereby there is not a high degree of subjectivity – i.e., that a provincial board appoint someone – but where there is perhaps an agreed-to list of mediators that can serve in an independent capacity to deal with the appeals as required.

I have concerns, obviously as a member whose history is in the health care sector, surrounding what appears to me to be a

nomination and appointment process for boards. This has been an area of great concern in the health sector. There was a significant amount of discussion with respect to that process being utilized initially. The Act does not clarify whether or not employees in the system will be considered for potential nomination or whether or not the government will choose to use I believe it was the local authorities Act, as they did in health care to say that anyone employed in the system was thereby in a conflict of interest and could not serve in that kind of capacity.

There's a significant debate to be had, I think, around that area. Certainly it would be my opinion that your most objective and most informed minds with respect to these services often come from the people who have worked in the system, have a stake in the system, not a self-interest stake, I would propose, but one whereby they want to make the services efficient, they want to make them integrated, and they want to make them run in such a way that they meet the needs of the clients as well as the needs of the communities and the government. I expect we'll have the opportunity to debate that further as we proceed to the committee, so I would raise that just as an initial point.

3:20

I would also like to raise a concern just with respect to the inspection process and whether or not clients who are receiving services in the home will be subject to the inspection power of this Act. That is not clear to me in my initial read.

I guess the other point I would raise initially as well is the reference that is made to the expiry of the Act. That one really tweaked my interest as someone who, again, has lived through and critiqued the Regional Health Authorities Act. Why the expiry date? I guess it implies that it can be continued if it needs to be, but the rationale as to why there needs to be an expiry date, if this is a direction we're committed to take, is not clear.

With that, I would conclude my comments and again indicate that I am reserving my judgment on this Bill until the committee debates are completed. Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. At this time I would like to move that we adjourn debate on Bill 5.

THE SPEAKER: Having heard the motion by the hon. Member for Medicine Hat, does the Assembly agree with the motion?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: Carried.

Bill 3 Colleges Amendment Act, 1997

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

MR. LANGEVIN: Thank you, Mr. Speaker. A few days ago it was my pleasure to table in this Assembly the Colleges Amendment Act, 1997. This Bill will ensure that the Alberta vocational colleges, better known as the AVCs, which are soon to be governed by independent boards or local boards, will continue to

provide programs to assist Albertans to acquire basic skills. This Bill will ensure that programs in academic upgrading, English as a Second Language, which is ESL, and short-term skills training are offered by the colleges. There are four Alberta vocational colleges in this province, one in each community of Calgary, Edmonton, Lac La Biche, and Slave Lake. These colleges were established in the late 1960s and the early 1970s.

Mr. Speaker, because it has been the government's objective to focus on its core business and to have the direct delivery of programs and services under local control and accountability, the minister appointed an independent Governance Review Task Force in the fall of 1995 to consult with the colleges and the communities they serve. The task force heard from the students, from communities, from staff, and other interested parties. It developed a recommendation on the appropriate governing model for the colleges, and at the end there were two fundamental conclusions in the report that were very important. Number one, it was recommended to maintain the mandate of AVCs as it is now and, number two, to remove impediments to their efficient operation.

Last August the Minister of Advanced Education and Career Development announced in the Legislature that the four colleges would be established under the Colleges Act and that their mandate would be preserved by legislation. This Bill, Mr. Speaker, is that commitment. It is here to protect those two recommendations.

Throughout the history of AVCs they have been and continue to be responsible for providing learning services to Albertans who may be socially, economically, or educationally disadvantaged. Their services have distinguished the AVCs from other educational colleges. Their mandate has been based on the clients they serve rather than on the programs they offer. To that end, the AVC programs have focused on upgrading, on English as a Second Language in situations where that course is needed, on short-term skills upgrading, and on programs designed to meet the specific needs of aboriginal people. Also, in responding to student and community needs, AVCs have offered programs in health, business, and the skills trades. They have also brokered programs from other institutions.

There continues to be a significant portion of Albertans who have been missed by the mainstream educational system. These are people with low literacy skills, people whose family or environment has discouraged them from attending or completing the basic level of education, people who are physically handicapped or who have learning disabilities, people who are of aboriginal descent, and people who live in isolated communities throughout Alberta. According to the submissions received by the task force, the AVCs have been an effective governmental response to these citizens.

The task force, Mr. Speaker, has heard from many Albertans, and virtually in every submission the recommendation was that the AVC mandate should be sustained. This is the reason why the AVCs have been very successful in the past. They enable people to move from a position of dependency – for example, depending on such government programs as social assistance – to employment and to taxpaying ability. In doing so, these colleges contribute to the economy and the social development of regions they serve.

Mr. Speaker, it is my pleasure to move second reading of the Colleges Amendment Act, 1997. Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. First of all, I want to comment on the response from the Minister of Advanced Education and Career Development to my request for some information on Bill 3. He has exhibited uncommon alacrity in responding, and I appreciate very much his providing me with some information on the Bill.

It caused me to reread the task force report on the vocational colleges and the recommendations that came out of that task force report. I'm happy, on the one hand, to see a Bill that would go some way towards ensuring an ongoing role for the colleges and providing a legislative framework for them to develop their programs and to have some certainty about what their mandate is and how they will be governed. On the other hand, Mr. Speaker, the report raises a warning, and the warning is about privatization. The unanimous conclusion of the report is that this would be contrary to the purposes of the vocational colleges and would not well serve the people of Alberta. Now, the Bill is an amending Bill that doesn't talk about privatization. It's silent on it. We on this side of the House don't want to be creating a concern where one isn't, but I think we would be remiss if we didn't revisit the task force report and the caution that they in fact raise there.

The role of the colleges in terms of their mandate for short-term training programs, for English as a Second Language programming, and for academic upgrading – these are key areas of instruction for Albertans who wish to fully participate in our economy. There is no doubt that people cannot take advantage of the opportunities that this province offers unless they are highly skilled in terms of numeracy and literacy, unless they fully understand the predominant language of commerce in this province, and unless they have an opportunity to upgrade in areas where they may have pre-existing skill deficits or to in fact take advantage of emerging technologies.

[Mrs. Gordon in the Chair]

It would be a shame indeed, Madam Speaker, if the ability of Albertans to take advantage of these upgrading and educational opportunities was put in jeopardy because of some scheme that would hand over responsibility for the actual programming to more narrowly focused private interests. Now, there is a role for private colleges in Alberta; I'm not denying that. I'm just simply saying that that role is not the role of the Alberta vocational colleges. I would want to make sure that before we give agreement to this Bill, everything possible is being done, including perhaps a legislative guarantee – and I'll be exploring with the minister perhaps an amendment to this Bill – so that we can put right into the law of this province the guarantee that these colleges will not fall into private hands. Before I can give my agreement to this Bill, I guess I'd want to see that. I look forward to the debate in committee. I look forward to an opportunity to deal with the possibility for amendments.

3:30

There are numerous reasons, Madam Speaker, why we want a guarantee that these colleges don't become private colleges. It's not simply because those purposes of private colleges may not be immediately consistent with the public purposes of AVCs as we now understand them but also because we know, for example, that it is the intent of the government to exclude private colleges from the freedom of information and privacy legislation. We know that these arm's-length and delegated authorities and private enterprises aren't answerable to the Auditor General in the same way as the public institutions are. Further, we know that the Ombuds-

man doesn't have jurisdiction, because only those entities that are so designated under the Financial Administration Act are subject to the Ombudsman's intervention.

There are lots of reasons why Albertans would not be well served, so we will proceed with this Bill at this stage with some caution, happy, as I say, to see the mandate made clear and very pleased with the minister of advanced education's co-operation in responding to my information request. I look forward to making sure that we only strengthen the colleges in this province and that we don't do anything to put them or their students in any jeopardy.

Thank you, Madam Speaker.

THE ACTING SPEAKER: The minister of advanced education.

MR. DUNFORD: Thank you. I just want to take a couple of minutes to, first of all, thank the Member for Lac La Biche-St. Paul for bringing forward the Colleges Amendment Act. I want to encourage all members to support this.

The Member for Edmonton-Glenora has raised a specter here in the House, and I want to just assure members who are considering supporting this Bill that there are no words in this amendment Act that intend or contemplate privatization. It is very clear that the mandates that the Alberta vocational schools have are extremely important, and when we move to a board of governance model, we have to ensure that the mandates and the significance of these areas are protected. That is the reason, then, we are providing the powers within the Bill that we are.

We all know that academic upgrading, English as a Second Language, and especially some of the skills development programs are actually key to the business plan of Advanced Education and Career Development in terms of how we wish to assist and work with adult learners in this province. So I urge all members to support the principles of Bill 3.

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

DR. MASSEY: Thank you, Madam Speaker. I accept Bill 3 as part of the regeneration of the Alberta vocational colleges. I had the privilege of visiting the AVC sites across the province and talking to many of the students that those colleges serve. It's a very unique student body. Whether they're in Calgary or Edmonton or Grouard or Lac La Biche, they all have some common characteristics. Most of them are students that somehow or other the system has passed by. For one reason or another they were unable to take advantage of the opportunities offered by the regular school system. Sometimes isolation has been a factor in what's happened to them. Often, difficult family circumstances have prevented them from pursuing education in the past.

The AVCs play a rather unique role for that student population, and because they do and because it is such a unique population, I think it's extremely important that access to those colleges be maintained and be freely available to students who in some cases are reluctant learners or in some cases are fearful of a formalized college system. So I think we should be doing everything we can do to encourage at-risk students to approach and become part of those college programs.

I think it's regrettable that in the budget cuts the college has seen its support reduced. The work they do complements the work that's done by a number of school boards. At-risk students are becoming more and more a concern of educational institutions

as the links between literacy and employment and income become more and more apparent and as the necessity for every Albertan to possess literacy and basic skills if they're to take part in the advantages of this province becomes more and more apparent. So I think the AVCs have this distinct role.

I view this Bill as part of the regeneration, or the renewal, of the AVCs, because I think they have the potential to become quite different and very dynamic institutions now that they have moved to board governance. We applauded as an opposition the government's move last year or the year before to a board governance model, when they got out of the business of directly administering the institutions from the department of advanced education. We still think that was a great move. From talking to people, to some of the instructors, some of the students in the colleges, it certainly has their overwhelming support. That move was a result of the task force, and part of the task force recommendations, as the Member for Lac La Biche-St. Paul has indicated, was to maintain the unique mandate of the AVCs. I'm delighted to hear the assurance of the minister that there aren't moves afoot to do anything in terms of privatizing or changing the status of the AVCs, because when that report was being prepared, that was certainly a specter that was raised then.

So with those few comments, Madam Speaker, I'd adjourn debate on Bill 3.

THE ACTING SPEAKER: Having heard the motion by the hon. Member for Edmonton-Mill Woods, does the Assembly agree with the motion for second reading?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? The motion is carried.

MR. SAPERS: Madam Speaker, the motion was to adjourn debate.

THE ACTING SPEAKER: I'm sorry, hon. member. I couldn't hear, unfortunately. I will change that then. Can I have some clarification on that? Was it to adjourn debate? I'm sorry; it was very difficult to hear.

DR. MASSEY: I moved that we adjourn debate on Bill 3.

THE ACTING SPEAKER: Okay. Then we'll go back.

The hon. member has moved that we adjourn debate. Does the Assembly agree?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: The motion is defeated.

[Motion carried; Bill 3 read a second time]

3:40

Bill 2

Special Waste Management Corporation Act Repeal Act

[Adjourned debate May 6: Mr. Sapers]

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

MR. SAPERS: Thanks. [interjections] They seem anxious to proceed with debate; don't they, Madam Speaker?

When we were last talking at second reading about Bill 2, we were just talking about the history and the legacy of Swan Hills and the fact that we have not seen the final chapter. I believe that it was during my comments that the Minister of Energy was making some other comments about what may or may not be relevant. I see, Madam Speaker, the Minister of Environmental Protection thumbing through *Beauchesne*. It's nice to see that he's finally cracked open that book. I'll save him the trouble: it would be 459 that you're probably looking for, Mr. Minister. I'll save him the trouble.

It seems to me that as I talk to people in my constituency about the ongoing concern they have about the government's handling of hazardous waste and the government's mishandling of what's happened with Swan Hills and the amount of money that's been already squandered, they continue to raise suspicions. They continue to be cynical. They continue to shake their heads in disbelief that the government could actually go this next step, and that is to pass a Bill that would repeal the legislation that forms the corporation before we know what the next hand will be, before we're dealt that next round of cards. The agreement with the operating company expires, and they have an opportunity to dump the corporation back in the hands of the taxpayer. I can't answer adequately the questions from my constituents who say: well, is that good, sound business? They say: is this perhaps going to cost us more money, throwing good money after bad? Is this premature? Is this the government trying to sweep something under the rug?

You see, it's been so badly handled, Madam Speaker, that the level of cynicism and skepticism is at an all-time high, and the government has done nothing, not one single thing, to deal with that cynicism or that skepticism. There has been nothing forthcoming from the front bench to explain to me so I can explain to my constituents why this is a good thing at this time. There has been not one word uttered that would put our minds at rest that millions more tax dollars won't be misspent because of this.

The sad truth is that the more the government is silent as to why Bill 2 must become law now, the more people become concerned that there's something else sinister at work, that there is something that the government is not being entirely forthcoming about. For a government that has gone a fair way to being more open, to being a government that at least talks about increased accountability and wants to hold itself up to the candle, to the light of public scrutiny, it's curious why we're kept so much in the dark as to why this legislation must come now.

Madam Speaker, I note that it's Bill 2. This is the second priority Bill of a brand-new government. This is the second Bill. You know, usually the first couple of Bills reflect the true nature and intent and tone and tenor of a government. Well, Bill 1, of course, is a Bill that tries to keep things secret, and Bill 2 is a Bill that kills legislation that could protect taxpayers' interests. So I can't help but ask myself: what is it that is the true intent, mandate, tone, and tenor of this government, when their first couple of Bills do nothing but really move to silence and keep people in the dark?

Bill 2 is a Bill that at some point in time may be exactly the right thing to do. Repealing the Act that sets up the corporation may turn out to be at some point exactly what we need to do. Of course, it would have been better if that corporation had never been set up, but that is, of course, hindsight. But why now? Why do we have to pursue Bill 2 at this point?

I will note, Madam Speaker, that certain members, certain supporters of the government have taken it upon themselves to talk about how the role of the opposition is always just to be critical and just to oppose and just to try to talk down government initiatives. One of my former colleagues did a little census, and I think he totaled up that there were some 175 pieces of legislation in the former, immediately prior session of the Assembly, and of those 175 pieces, the Official Opposition, the Liberal opposition, voted to support about 101 of them. So certainly there were some things the government did that this opposition found we could support.

The role of the opposition – and I'm not sure whether it was former Speaker Schumacher . . . [Mr. Sapers' speaking time expired] I'll have to continue with this at committee, Madam Speaker.

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

MRS. SOETAERT: Thank you, Madam Speaker. I'm pleased to be able to speak at second reading to Bill 2, the Special Waste Management Corporation Act Repeal Act. It's interesting how we continually take a bath with Bovar.

AN HON. MEMBER: Not in a hot tub.

MRS. SOETAERT: Not a hot tub bath, just a regular bath with Bovar. [interjections] I knew that would wake them up, Madam Speaker, and I wanted to do that.

You know what I've done, Madam Speaker? I knew everybody would be most entertained by this. Back in October of 1995 the now Senator Nick Taylor spoke about Bovar and the history of all of it. Though I could wax eloquent about that in second reading – the history is all part of getting rid of this corporation – I actually just made copies of Senator Taylor's speech, because I know that you will find it most entertaining. Then of course if people are really interested, the following pages, which I didn't copy, are the reply from the Member for Barrhead-Westlock. So if you're really interested in his response to the Senator's speech, go ahead and look it up. I would ask the pages just to hand this out for entertaining reading when there is a moment of time, because it does give the history. That way I won't waste this Legislature's time. It's actually said in quite a humorous way that most people can relate to.

MR. LUND: Go ahead and file the rest of your comments.

MRS. SOETAERT: The minister of the environment would like me to file the rest of my comments, but no, no, no.

Just a few short things. First of all, the government got into a deal with Bovar, and we created this Alberta Special Waste Management Corporation. So we got into bed with these guys, and they took us for a real ride. Well, I didn't; I wasn't part of the government. [interjection] That wasn't an innuendo, and I apologize for that. It was a bad use of speech. They got into a deal, into a pickle, into a bath together.

AN HON. MEMBER: Unparliamentary language.

MRS. SOETAERT: Now "bath" is going to be registered as unparliamentary language.

Anyway, the taxpayers got fleeced, because it cost us quite a

pretty penny in this deal. Imagine getting into a deal where you guarantee their income but they take care of your waste. One has to wonder just exactly what kind of a cushy deal it was.

Then we sold our shares, which was a deal that the present Minister of Justice, I believe, worked out to the tune of quite a few million dollars that it cost us once again. So we made the deal and kept paying the money to keep it running, and then we got out of the deal and paid them to take our shares. That was quite a deal. I haven't quite figured out how that works yet, but it's quite the deal. We're out of the deal, as I understand it, except that now Alberta Environmental Protection will take over what that corporation used to do, so we're really not out of the deal. Also, Bovar has the opportunity to get out of the deal in 1998 if they're not making any money.

Now, that is just beyond the wildest imagination of whoever worked out all these deals. You have to wonder what was going through their head, because I don't see how it benefited the . . .

3:50

MR. LUND: Point of order.

THE ACTING SPEAKER: The hon. Minister of Environmental Protection.

**Point of Order
Questioning a Member**

MR. LUND: I wonder if the hon. member would entertain a question.

MRS. SOETAERT: No, thank you, Madam Speaker. I won the right to ask questions, and he won, regretfully, the right to answer.

Debate Continued

MRS. SOETAERT: Now we are sitting with this plant, this, I dare to say, white elephant out in Swan Hills. Maybe some members have heard some of the jokes going around about the rodents and the prairie chickens with three legs out around the Swan Hills plant. That's a sad statement. I won't repeat any of the jokes.

MR. SAPERS: Do you know what you can buy for a Bovar buck?

MRS. SOETAERT: Chicken you can buy for a Bovar buck. Sorry, Madam Speaker, that just came to mind there.

I have to express some concerns about how we continually in this Legislature get to wax eloquently, listen to, speak about Bovar. Obviously it should tell us all something, that truly somebody's made a lot of money on this deal and certainly the taxpayers have lost a lot of money on this deal.

Now, my understanding of the Bill is that it will take away the Special Waste Management Corporation Act. One of my concerns is that when Bovar has the choice in 1998 of opting out of this deal that we paid them to get into, ever mind-boggling, then if they choose to get out of it, do we need to set up another Alberta Special Waste Management Corporation, or does it naturally fall under Alberta Environmental Protection? I'm sure the minister will answer that in committee.

So with those concerns – I guess those are questions that will be answered in committee – I just hope the government has learned its lesson on bad deals . . .

AN HON. MEMBER: Baaad deals.

MRS. SOETAERT: Baaad deals.

. . . and they will try in the future to avoid these kinds of financial boondoggles that we've had to pay for time and time again. One does wonder if they're a little politically motivated by who lives where and what can happen where.

Before I sit down, I would urge all members – I know we're all intently busy with debate today – if you have a second to read the article from *Hansard* in October of 1995. It truly is a humorous piece and a factual piece as to the history. It's pretty factual; isn't it, Mr. Minister of the environment? I'm sure you've read it, and I'm sure you were here that evening. I would encourage everyone to just quickly saunter through the article. For those of you who are new in this Legislature, you will understand the great wit of Senator Taylor, who is no longer in this Legislature but gracing the Senate in Ottawa, and I know you all miss him.

However, with those few comments, I do want to speak . . . [interjection] What did he say? I don't want to hear it. I won't go there. We don't want to know what the most hon. Treasurer is chirping. [interjection]

THE ACTING SPEAKER: Hon. Treasurer, I'm sorry, but we do not have a glee club here today. The hon. member is still speaking.

MRS. SOETAERT: Thank you, Madam Speaker.

AN HON. MEMBER: He's a baaad Treasurer.

MRS. SOETAERT: He's a bad Treasurer.

I just want to summarize quickly, not to any particular tune. If we do repeal this corporation, are we going to have to set up another one in 1998, when Bovar decides if they want to keep doing this? If they haven't made enough money, of course they won't want to keep doing it. If they do make money, why didn't they make money before, when we were partners in that? That begs another question, too, Madam Speaker.

[The Deputy Speaker in the Chair]

I'm sure we'll all await with anticipation some of the comments and responses from the minister. I'm sure the minister will respond to my concerns, as he always does, and I appreciate this opportunity to speak to Bill 2 at second reading.

Thank you.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I'm pleased to speak briefly to Bill 2, the Special Waste Management Corporation Act Repeal Act.

MRS. SOETAERT: That's quite a mouthful; isn't it?

MS BLAKEMAN: It certainly is.

I need to do this because the constituents of Edmonton-Centre have spoken to me so often on their concerns on environmental protection. Just briefly, they were particularly concerned about the transportation, the storage, and the disposal of any kind of hazardous waste. I had spoken before, as well, about the

concerns of the constituents over the environmental erosion, where we could have river systems that were poisoned and toxins and animals and things like that. I do rise to make the point that there is concern by constituents right across the province, and I'm honour-bound to bring those concerns of my constituents to this debate.

Not a lot of people are really up on the intricacies of special waste management. They just hear this through the news, but what they hear really concerns them. I think Bovar for the most part really baffled people. It seemed to be a deal which cost taxpayers to get into, and then taxpayers had to pay to get out of it, yet we're still paying out money for it because it's covered by Environmental Protection. I can't answer those questions when they ask them of me, because it looks like there's still a possibility that Bovar can opt out again and it may well come back to the province.

My question about this repeal Act is: what's behind this, and what is the rush to repeal it? If we know that Bovar may well come back to the province at the end of December in 1998, what's the rush to get rid of this legislation if we may have to resurrect it in some form? Why aren't we just waiting? There are other Acts and statutes that exist that are not really fulfilled or not really called upon. They're still sitting on the books. So I'm a little curious as to why the instant rush to get rid of this, unless someone never wants to hear the name Bovar again. I can't imagine why.

Those were just the brief points I wanted to make. The whole idea of what's happening with the environment, even to urban dwellers like I represent in Edmonton-Centre, is of grave concern, and they feel let down by what has gone on in the past and the choices that have been made by the government. They feel that in the long run our natural resources have either been destroyed or tampered with or are in a position where they might be less valuable or – I want a better word – sickened. Please be careful with this. There are a lot of people watching, and it's of great concern to them.

That's all I wanted to say today. Thank you, Mr. Speaker.

[Motion carried; Bill 2 read a second time]

head: Government Bills and Orders
head: Committee of the Whole
 4:00

[Mr. Tannas in the Chair]

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

Bill 9
Election Amendment Act, 1997

MRS. BLACK: Question.

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

MR. SAPERS: Thanks, Mr. Chairman.

AN HON. MEMBER: You've got to be sharper.

MR. SAPERS: I'm advised that I have to get sharper. I'll do what I can.

Bill 9 is a Bill that would serve the general purpose of bringing the legislation governing elections in Alberta in line with certain superior court rulings. At second reading we had a chance to talk

in support of the principle of the Bill, but I wonder just about the timing, again, of the amendment to the Alberta Election Act that Bill 9 contemplates. You know, there have been other superior court rulings – Court of Appeal, federal court, Supreme Court of Canada – that this government has ignored. This government has not seen fit to change legislation dealing with human rights. It has not seen fit to change legislation dealing with other aspects of electoral reform when these superior court rulings are brought down. There have been rulings dealing with inmate voting, and we didn't see any immediate action on the part of the government to amend the Act. We've seen rulings on benefits for Canadians. We've seen rulings for other human rights issues in superior courts. We haven't seen the government rush to bring in legislative change.

What they've clearly done is they've avoided bringing in legislation dealing with controversial issues. They've avoided bringing in legislation that would truly generate debate and where people would have to go out and really talk to their constituents and become educated and in turn perhaps do some educating about these issues, which people tend to feel very passionate about. They've avoided that, and instead we see here they've taken advantage of an opportunity to say: "Oh, yeah. This is something that we can live with. We can change our Election Act now to not prohibit election day advertising."

As I read the National Citizens' Coalition documentation on this matter and as I read the decision of the justices of the court that made this decision, it occurred to me that perhaps one of the reasons why the government was so intent on bringing in this Bill is because it really does serve an incumbent government's purpose to allow for it. We've all heard stories about how election eve polls will help to build or carry momentum, how people who perhaps have not made up their mind may be influenced to vote for a perceived winner as opposed to supporting an underdog candidate. We all know, of course, that the ruling party in this province has a significant war chest, and there really aren't limits on spending in this province. Of course, we haven't seen any limits on spending proposed by the government. We haven't seen this government talk about how they're going to ensure democracy and choice and access and put some limits on spending. No. Instead, we see them deal with just this one narrow aspect. Again, I say that it occurs to me that it's because it suits their purpose.

When a government that has been in power for 25 years has set up that network of friends and supporters – you know, Mr. Chairman, they even give those supporters a little lapel pin so they can recognize each other across the room. [interjection] Yeah, it's like a secret handshake. You know, they have a secret little lapel pin so they know each other. When a government has been in power for 25 years, has established this underground network of supporters, when they have this ability to reward their friends over time and to ensure that some people, you know, do a little bit better off the public purse than perhaps some others, and when they have an opportunity to dole out contracts and hand out rewards – and on and on and on and on the list goes, Mr. Chairman – it seems that just one more way they can do this is by leaping, leaping, at the opportunity to buy more advertising, to pay for more advertising, to buy many more billboards.

You know, during this last election the number of billboards with the leader of the Progressive Conservative's face on them was so predominant in my constituency, not that it did his candidate much good, that I actually had one of my constituents come into my office and say: "You know, I'm going to vote for

you for two reasons. I'm going to vote for you because I know that you're on my team." I thought that was telling. The second thing they said was, "You know, I'm getting sick and tired of having these ayatollahlike pictures." That was his expression, Mr. Chairman, not mine: this image of this all-pervasive sort of demigod that was staring down from every billboard in view.

You know, it used to be said that the sun never set on a gibbet in the English empire and that you could always see the evidence of the mighty hand of the Crown. You know, Mr. Chairman, it seems to me that in Alberta we have a governing, ruling, party that has set itself up the same. So I guess maybe one day they'll say: the sun will never set on the Klein empire. And maybe you'll be able to see his image from every skyscraper, at least every skyscraper in Calgary.

Bill 9 is a Bill that deserves the support of this Chamber, because it is a Bill that for once – for once – brings the government into line with the law, and we talked at second reading about how this government has scoffed at the law in so many cases before. While it is supportable because it brings the government in line, it does give one pause to reflect and think about all of the other things this government could be doing to ensure electoral fairness. We could be dealing with a Bill that has fixed election dates. We could be dealing with a Bill that perhaps brings in fixed budget dates. We could be dealing with a Bill that would guarantee two sittings of the Legislature every year instead of just one.

Do you know, Mr. Chairman, the current government is so arrogant that they believe the purpose of the Legislature is simply to deal with its own legislative agenda? Do you believe that? Its own legislative agenda.

MRS. SOETAERT: Shameful.

MR. SAPERS: It is shameful, hon. members. It is shameful. Of course, we all know as serving members of this Legislature that the role of the Legislature is to hold the government accountable to the public interest for the public good. They have now admitted that they're devoid of good ideas, that they're devoid of new ideas, that they don't have a legislative agenda to bring to the floor of this Assembly for debate for the people of this province. Well, that's fine. That's their problem, and the people of Alberta should recognize that. The reason why we come into this Chamber and we examine the estimates of the government and we keep an eye on what this government is doing – even though they try to do more and more of their business behind closed doors, our job is to hold them accountable. In fact, the job of the opposition in particular is a very, very important job.

It's been said, Mr. Chairman, that the job of the opposition isn't to help the government govern, but the job of the opposition is to help the government govern better. We can do that. We can do that while we're here in part and sometimes when we're outside of these Chambers, but we must have the opportunity on behalf of all of the people of the province, particularly the nearly half that have never voted for this government. We must do that here, and the government has a special responsibility to call the Assembly to order. It's the government's call. You know, they invoke the Lieutenant Governor. We all know the history and the ritual, but really it's up to Executive Council to live up to that challenge and not just run it like an old boys' club and just talk amongst themselves but instead ensure that their ideas, if they have some – and I'm sure they do – are shared with the people of Alberta in this forum.

4:10

MRS. BLACK: Point of order, Mr. Chairman.

MR. SMITH: A point of order, Mr. Chairman.

THE CHAIRMAN: Two points of order. The Deputy Government House Leader is rising on a point of order. Could you share the citation?

Point of Order Relevance

MRS. BLACK: Citation: *Beauchesne* 459, relevancy and repetition. Mr. Chairman, we are speaking about Bill 9, I believe, and basically there are two sections in here, saying "Section 129 is repealed" and "Section 157 is repealed." I don't know what that has to do with people who have visited the hon. member's constituency office, et cetera, because they talk about advertising on election day. I wish he would stick to the content of the Bill.

THE CHAIRMAN: The hon. Member for Edmonton-Glenora on the purported point of order.

MR. SAPERS: On the point of order. The point of order, as I understood it, was either relevancy or repetition. If the point was raised about repetition, clearly I haven't spoken before at this stage of the Bill, so it could hardly be repetition.

On the issue of relevancy, we're dealing with an amendment Bill, which has really no principle attached to it. It's an amendment Bill, and it opens up the entire Act. I think you'll find, Mr. Chairman, that there are numerous examples both in this Chamber and in the Parliament of Canada and in other Chambers: when you're dealing with an amending Bill at committee, you have an opportunity to talk about other parts of the Bill that are either impacted by the amendment or that perhaps could somehow either supersede or take the place of the amendment. So being that we're at committee, I would suggest that it is entirely relevant to be talking about other things this government could do to fully modernize the law that governs the operations of elections in the province of Alberta.

THE CHAIRMAN: Well, the Chair would observe when one reads *Beauchesne* 459:

Relevance is not easy to define. In borderline cases the Member should be given the benefit of the doubt, although the Speaker has frequently admonished Members who have strayed in debate.

We have in Committee of the Whole the particular parts of the Bill, and it has two parts which repeal sections. It could be felt relevant as to why this ought not to proceed. The point is probably taken that a wide-ranging debate on relevance was much more appropriate at second reading than it is in committee. In committee you are committed now to the details, which is perhaps why the Chairman waved the Bill at you on a number of occasions, hoping that you would confine yourselves to that. The debate as heard would have been more appropriate at second reading.

If we could go with that, then, and address the sections that we're dealing with, either to make comment on them, amend them, or note approval, that would be helpful.

MR. SAPERS: Thank you, Mr. Chairman. Did you want to deal with the other point of order that was raised at this time, or has it been withdrawn?

THE CHAIRMAN: Thank you. Okay. The repetition. I didn't catch the repetition other than . . .

AN HON. MEMBER: The other point of order.

MR. SAPERS: The Minister of Labour.

THE CHAIRMAN: Did you also have one, or was it was the same one? The hon. minister.

Point of Order Clarification

MR. SMITH: Thank you, Mr. Chairman. In fact, it is not the same one. The citation would be Standing Order 23(i) and *Beauchesne*, which talk about unavowed motives. In fact, the member opposite said that the job of the opposition is to make this government govern better. At one time the members of the opposition totaled – you were at your high – 33? Then we did some governing, and then we had 51 seats. They went down. We went to 53 seats. Then we went into an election. They went down to 18 seats – 19? – and we went up to 63. So in fact the motives that the member has brought up are completely false, and I think he should withdraw the fact that the job of the opposition is to make government govern better because, truly, that hasn't been the case.

THE CHAIRMAN: The hon. Member for Edmonton-Glenora on the purported point of order.

MR. SAPERS: Of all the trumped-up, overblown, bloated hyperbole that I've heard in this Chamber, of all the time wasting that has been brought into debate, the Minister of Labour has sunk to a new low or perhaps elevated himself to a new high. The fact is that in the 1993 election four narrow percentage points of the popular vote separated that party from the Official Opposition. In the last election, which we just endured, Mr. Chairman, nearly half . . .

MR. SMITH: Endured is right. You endured it; that's right.

MR. SAPERS: Enjoyed. Enjoyed. Nearly half of the people who cast a ballot did not vote for the party that finds themselves ruling this province. So the point of order would be relevant if in fact the opposition hadn't had the impact that it's had in forcing this government into public disclosure . . .

THE CHAIRMAN: You're debating the issue.

MR. SAPERS: . . . into admitting the \$29 million of mistakes in their budget.

Mr. Chairman, thank you.

THE CHAIRMAN: Yes, thank you. I think your first couple of words probably covered it. This is an interesting point of order. The Chair would indicate that both members seemed willing to debate on some other issue. The Chair would not agree with either of the defences. I'd say: no point of order.

Can we get back to the two sections that we're going to make some comments about so that we can get on with the committee work?

MR. SAPERS: Absolutely, Mr. Chairman, and thank you for that.

Debate Continued

MR. SAPERS: The Bill is thin. It does contain two sections. The intent, as we've said, is simply to change the law on how you allow for advertising around the time of elections. We have to find ourselves in agreement with the government because that brings us in line with the federal government.

I've indicated, Mr. Chairman, that I will be voting to support this Bill. I just felt that on behalf of the people of Alberta it must be said: those numerous concerns that we have about the way this government conducts itself and the way it has taken full advantage of some of the other anomalies that we find the Alberta electorate facing.

So with those very few and brief comments at this stage of the Bill, Mr. Chairman, I will in fact take my place.

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

MRS. SOETAERT: Thank you, Mr. Chairman. Upon hearing my hon. colleagues' comments, I just had to take this opportunity to discuss briefly Bill 9 at committee stage. I know what the court has said: we can advertise on election day. I don't really agree with it. Maybe that's blasphemous. I don't know. I know the rest of my colleagues agree with this Bill, and I know we'll all have to vote for it to get it in line with the law.

MR. SAPERS: Victor's with you.

MRS. SOETAERT: See? There are people who have looked at this Bill and said: how much money can we possibly spend on an election?

Some rural people have about seven or eight or nine or 10 newspapers that they have to advertise in, and here we go: just add it to the bill for the next election. The Member for Stony Plain can relate to this, I'm sure. He has about as many papers as I do. We all better pay for ads on election day. Now, some of our rural papers only go out once a week, so often you didn't put that ad in on the last week. But now we all better, and we all know the cost of half a page. It just seems that sometimes during an election candidates get exploited. Even the cost of renting fax machines seems to double, and xerox machines seem to triple.

4:20

Although I know we have to kind of go along with what the court has said, I just want to express a bit of a concern that personally I don't really agree with it. I find it sad that the courts haven't looked at other issues, like fixed election dates. I get that often from people out there, especially in the middle of a federal election shortly after a provincial election and certainly this last provincial one that was in such cold weather. It'd be nice to know if it was fixed, but I know the reigning powers that be watch the polls and go with what the polls say. I would have liked to have seen something like that. Something that guarantees a fall session would be nice instead of just talking about putting in ads on polling day. I guess I just want to express the concern that there's enough money . . .

THE CHAIRMAN: The Deputy Government House Leader is rising on a point of order.

**Point of Order
Relevance**

MRS. BLACK: Mr. Chairman, again 459. The opposition has already agreed to the changes and the repeals to the Bill. If we could focus our attentions at least to the Election Act and not to parliamentary procedures.

THE CHAIRMAN: The hon. member for Spruce Grove-Sturgeon-St. Albert on the point of order.

MRS. SOETAERT: Yes. Maybe some members have agreed to this Bill, but this is the first time I've spoken. I'm expressing concerns about it. Even though I feel that we are forced to pass this Bill in this Legislature, I have concerns about it. I don't agree with it. There's no point of order.

THE CHAIRMAN: The Chair would observe, as the Chair did earlier, that we're in committee stage, so we don't go over all of the issues that may have been addressed at second reading. That, with respect, appears to be what the hon. Member for Spruce Grove-Sturgeon-St. Albert is doing. So if you could address yourself to the committee's work, which is looking at the clauses of this Bill.

Debate Continued

MRS. SOETAERT: Thank you, Mr. Chairman. It's a very short Bill, so it's quite an easy read for the hon. minister of economic development. One would hope that maybe she would speak to it, but maybe that's beyond hope.

I will keep the end of my comments brief. I just want to say that I don't really agree with the Bill. I don't think there should be big advertisements on election day in papers and TV, et cetera. I think we should encourage people to vote, of course, but I think for anybody in here who's had to fund-raise for an election and has to pay for several ads in several papers, this is another added expense. I mean, I know we have to support this Bill because the courts have said so, but I personally don't truly agree with it.

So with those few comments, Mr. Chairman, I'll take my seat.

[The clauses of Bill 9 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

**Bill 4
Meat Inspection Amendment Act, 1997**

THE CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert on the clauses of Bill 4.

MRS. SOETAERT: Thank you, Mr. Chairman. I believe my hon. colleague from Lethbridge-East has spoken to this Bill at . . .

MRS. BLACK: In favour again.

MRS. SOETAERT: If the hon. minister of economic development would just calm herself and if she would let me finish the

sentence, I could talk in support of the Bill, which I am going to do as well.

Just to point out what I'm supporting and why, so that it's very clear. These are issues of concern in my riding, especially in a rural riding. A lot of people do a great deal of hunting and get their meat processed at different places. So from my understanding of the Bill what it truly does is that it makes it easier to enforce food safety issues in the meat industry, especially with respect to mobile abattoirs and to extend that scope so they can slaughter and process products for sale and to cover facilities that handle or process meat even if they do not actually slaughter the animals. I think that's particularly important.

The final point, as I see it, is to increase the powers for meat inspectors to search and seize goods or documents. I think that's just a good move to keep an eye on the meat inspection happenings about this province.

So with those few words of support for this Bill, I think it's a . . . [interjection] No, no. I have about 15 more minutes, if I wanted to. However, Mr. Chairman, I won't, because I do support this Bill, and I have pointed out some of the finer points of it and how we do support it. Certainly people from my constituency will be glad to see this legislation in place.

So with those few words I will give opportunity to anyone else. Certainly there may be other rural MLAs who want to speak to this. If not, then I'll thank you for your time, Mr. Chairman.

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

MR. DICKSON: Thanks very much, Mr. Chairman.

MR. MAR: The Ranchmen's Club is in his riding.

MR. DICKSON: Always great to hear from the Minister of Education, wherever he's sitting. That minister and I probably share an equivalent level of experience with animal husbandry, so I'm going to be counting on his quick counsel. In case I err or don't have the requisite background, I'm counting on that hon. minister to set me straight.

Mr. Chairman, I think on balance this is a Bill that deserves the support of all members of the House, but I do want to say this. I've got a couple of queries with respect to process, and the first one has to do with the right of entry. This is the matter that I found curious. Actually, there are, I think, three points I wanted some clarification on. The first one would be section 7(1). Now, we've got a situation here where an applicant who is an operator of an abattoir has applied to be able to have inspections conducted at his work site. What happens is that the director is clothed with a power to either accept or reject that application. What we then have is a situation in 7(4) where the minister may "confirm the decision or may approve the application on any terms or conditions he considers expedient."

Now, I always have a problem with unfettered discretion, and it doesn't say to approve the application on any terms or conditions he deems or determines are consistent with the purposes of the Act. There's no qualification. There's no parameter to this very broad, discretionary power that's invested in the minister. I would think, frankly, that the minister would be anxious to have something set out upon which that decision can be based. The obvious thing would be perhaps to have a purpose clause set out in the beginning of the Bill, but that's omitted. That isn't anywhere to be found within Bill 4, and I think that's an omission that could easily be rectified at the committee stage.

The alternative would be to incorporate into section 7(4) some criteria, some standard, some test so that the minister in fact has, yes, discretion to exercise, but it's not absolutely unfettered discretion, an important principle, I think, of administrative law.

Speaking of administrative law, I want to ask specifically of the minister: why is it that in this Bill it wouldn't be subject to the Administrative Procedures Act when it comes to hearings and appeals? I think particularly if members look at section 11(k) – this is the regulations section – “governing hearings and appeals on applications for inspections at abattoirs,” why wouldn't we use the Administrative Procedures Act?

4:30

In this province, through the foresight of a previous Legislative Assembly, we went and we created, if you will, a generic statute that has created a whole body of tests and procedures and rights that individual Albertans would have when certain issues came up and required any kind of administrative disposition. Now, my question to the responsible minister through the Chair would be: why wouldn't we use the Administrative Procedures Act in a Bill like this? If the minister chooses not to, then I have to ask why. Why is it? Does the Administrative Procedures Act give the operator of that abattoir some particular rights, some safeguards that the government wants to eliminate, to abridge, to shortcut? I think it's a question that ought to be asked every time a Bill comes forward in the House that on the one hand gives a large amount of power to set rules in terms of hearings yet doesn't make it subject to the Administrative Procedures Act, because what we're talking about is fairness.

I'm referring, Mr. Chairman, to section 11(k), in particular, which has this regulation power in terms of hearings and appeals. My question to all hon. members and certainly to the minister, through the Chair, is: why are we not using the Act that's been passed in this province that's supposed to govern what the rights and the remedies are of Albertans and Alberta businesspeople? Why shouldn't that abattoir operator be able to say: I simply will have the remedies available to me under the Administrative Procedures Act. But he doesn't have that protection. This small businessman doesn't have that protection because it's going to be entirely up to the regulatory, lawmaking power of the minister. What kind of input will he have in that? Well, this government, when they talk about regulations, routinely says: we will consult with some stakeholders. Well, who's a stakeholder? If you happen not to be on the A list when it comes to stakeholders, as a small businessman in Hanna, Alberta, or somewhere else running an abattoir or any kind of a mobile facility, what you suddenly find is that you may not have a voice, you may not have any input in the regulations because in this province regulations are not circulated in any fashion before they become law. You simply can't be heard. I think fundamentally that's a problem with this. It could be remedied very easily.

Now, I'd pose to the responsible member, the sponsoring member, two alternatives. The one would be to come forward and say: we will let the Administrative Procedures Act apply whenever there's going to be a hearing or a review. Real simple. We've now saved ourselves a little text, we've saved ourselves a half page in the Bill, and Albertans know what the rules are going to be. The alternative is for the sponsor, the Minister of Agriculture, Food and Rural Development, to come in front of us and say: we have to shortcut that process. Despite all of the talk we often hear about property rights and how important it is that people not be deprived of property without due process, in this province we're going to have some shortcuts here, and they don't

warrant any public discussion in the Legislative Assembly of Alberta. We're just going to leave it to the absolute discretion of the minister of the day to handle this whatever way he sees fit. We know how difficult it is to wrestle and to ferret out a regulation that's oppressive, that's unfair, that's injurious. Unless it affects a whole lot of people in constituencies represented by the governing party, those voices tend not to get heard in this place.

So, Mr. Chairman, I may represent downtown Calgary, but I'm happy to stand up and say that we need changes in terms of what's going to be done in this particular case. I think we can do better, and I think we have to do better.

Now, the other question I had has to do with the whole business of the new section 8(1), because what we've got now is a much broader power in terms of right of entry. We now call it inspection rather than the right of entry that had existed in the original Act, which had been chapter M-10 in the *Revised Statutes of Alberta 1980*. I guess what I'm looking for is a much fuller explanation than what I've heard so far to justify the change that we see in section 6 in Bill 4. We've now got a police officer as well as an inspector and a director. I have no idea how often an inspector has not been available to do an inspection. Has this been a problem in the past?

I take very seriously the right of Albertans not to have some stranger enter their premises in the absence of some compelling reason. I take the position, as a first principle, that the list of people who should have access to your property should be narrow and limited. If it's going to be expanded in the fashion here, I'd expect that the sponsor of the Bill would come forward and tell us what the compelling reason is for that to happen, to say: these are the reasons for the pool of people, the number of people who can have access to private property to do inspections. I think the provision in section 8(1) talks about “reasonable and probable grounds.” The Meat Inspection Act has been with us for some time. I'd like to know how often there in fact have been inspections under this Act. Is this 10 a year? Is it 500 a year? That would be helpful in terms of knowing what follows.

I'd be interested in knowing how often when there's been an inspection, over the time the Meat Inspection Act has been in force, there has in fact been some further prosecution. How often has there been a question of an offence being made out subsequent to an inspection? You must have those kinds of records someplace. It would be useful to know.

I've mentioned my concern about the Administrative Procedures Act and why I think that ought to apply when we deal with section 11, which is section 7 in the amending Bill.

Section 5 reads:

An operator of an abattoir or of a meat facility other than a mobile butcher may apply to the Director to have ante-mortem and post-mortem inspections of animals conducted.

I'm assuming those should be disjunctive rather than conjunctive, so I think that's not what the draftsman intended.

In the provision in terms of other persons being appointed as inspectors, I understand a vegetarian . . . On a Bill dealing with meat inspection, how somebody could talk about vegetarians, Mr. Chairman . . . What I wanted to know was how often the director in the past, under the old section 2(1), has appointed somebody other than a veterinary inspector to be an inspector for purposes of this Act. I mean, it makes good sense that you'd use somebody who's already licensed under the Veterinary Profession Act. I think it would be important to know.

I think those are the principle questions I had. I'd like some explanation.

4:40

I think the other point would be that normally what you have is 10 days to serve an originating notice of motion under the general Rules of Court. When I look at section 8(1.7), I notice the provision here is that

the originating notice and a copy of each affidavit in support of it must be served not less than 3 days before the day named in the notice for hearing the application.

Since this is the government, I always think it should be held to the longer, not the shorter, time period for that small businessman in Hanna, Alberta, who's running an abattoir. Why wouldn't he be entitled to the 10 days' notice that we give most of the respondents on ordinary originating notices of motion?

Once again, there may be a compelling reason to abridge the time from 10 days to three days. But just like my question about the Administrative Procedures Act, if you have procedures in a province that apply in other cases and the government comes along and says, "We want to take shortcuts", I think Albertans are entitled to say: "Why three days instead of 10 days? Why don't we rely on the Administrative Procedures Act?" If there are good reasons, come forward and tell us, Mr. Chairman.

The other thing that strikes me as being interesting is 8(1.4) and the provision that the director can require a facility owner or operator to produce "within a reasonable time . . . records related to matters regulated by this Act." If we notice, everything else in the Bill defines a specific time period, but here, for some unusual reason, "reasonable time" is left without definition. We turn to the front to see if the definition section has been changed, and it has not, so why would we give all of that discretionary power to the director? It seems to me that if we're going to allow a small businessman to be put in a position of having to produce some records within a time period, it's up to this Legislature to say what a reasonable time period is, whether it's four days or five days or 10 days. Simply to leave it at "within a reasonable time" is vague, it's uncertain, and that's what we should be trying to avoid all the time in lawmaking.

Those are my principal concerns with Bill 4. I'm looking forward to some illumination from the minister responsible. Hopefully there are compelling reasons. Overall, meat inspection is important in this province. It's important it be done accurately. It's important that it be done in a way that the public interest is always protected in the province of Alberta. Hopefully the suggestions I've just offered will contribute and be taken in that light, Mr. Chairman, to make the Bill somewhat stronger and somewhat more comprehensive.

Thank you very much.

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

MR. SAPERS: Thanks, Mr. Chairman. I have a couple of questions about Bill 4. I've had a chance, actually, to consult with a couple of people in the industry, and they weren't fully aware of the direction of the Bill and weren't able to provide me with some answers to my questions. So before I vote at this stage of the Bill, I'm hoping that the Minister of Agriculture, Food and Rural Development will have an opportunity to respond to a couple of these queries. They're fairly straightforward.

One of them has to do with - I'll start from where my colleague finished - the powers of a police officer. I'm just wondering whether or not we've had any feedback from policing authorities in this province, particularly the RCMP, as to what special training will be required or what the minister has in mind in terms

of providing orientation, additional orientation under this Act. They were curious about that.

Also section 3, in which the definition of inspector is widened to include peace officers, police officers, and also designates executives under the Public Health Act and the Regional Health Authorities Act: I'm wondering if you could shed some light for me in this regard as well. The regional health authorities, as you know, are feeling the burden of their particular challenges as it is. In fact, in Calgary it seems to me that I've read some editorial comment in some of the daily newspapers about how public health officials in Calgary are discharging their duties now as they relate to inspection and licensing of restaurants. This makes me wonder out loud: will the regional health authorities have the personnel on hand to take on this responsibility? Will there be a reliance, in fact, on the regional health authorities assuming more vigilance in this area, and will they be called upon to do an increasing number of inspections in more remote sites? If so, has there been any discussion with the Minister of Health regarding the potential impact this has on expenses and funding?

The regional health authorities certainly have been fighting quite a battle in terms of providing primary health care services with the funding they have available. We hear every day about the inability of regional health authorities to meet a demand of one sort or another, and these new powers could be seen as a burden they're simply not equal to. So I'm hoping the minister will be able to put my fears to rest by telling me that he has in fact had dialogue with his colleague the Minister of Health and that if there are funding requirements flowing from this change in meat inspection, the regional health authorities will be able to benefit from increased funding.

I also have some questions where the amending Act is silent, but I've picked up a few things out of the Act as it currently exists. One of them has to do with the current section 6 of the legislation, which is the section that deals with condemning meat that's unfit for food. It talks about the carcass or the portion of the carcass of the animal. Now, one of the concerns I have in Bill 4 is that it doesn't really deal with the disposition of the carcass or the portion of the carcass.

You know, we've had this situation, Mr. Chairman, where the responsibility for biomedical waste was transferred from one department to another without attendant regulations being formulated. Here we see that there's going to be increased activity in the slaughtering and processing of animals and animal by-products in remote sites. I don't see anything about the regulations in terms of dealing with the potential environmental impact of that. I'm just wondering whether the minister would care to elaborate, because I guess I would have expected to see something either amending section 6 of the existing legislation or perhaps even something in the regulations. When I look at the regulations, I again have to say that it's a shame that we're not seeing the regulatory regime being contemplated by the minister being held up to the scrutiny of the Standing Committee on Law and Regulations. I don't think there's anything to hide in this regard, and it would be nice if we actually put that standing committee to work and gave them something to sink their teeth into. No pun intended, Mr. Minister.

Finally, in the existing Act section 12 allows the minister - this is by ministerial order, as I understand it, Mr. Chairman, not by order in council but by ministerial orders. The minister acting alone has the ability to set fees pursuant to the Act. Now, with the increased activity that's being contemplated, with the increased expenses that may be incurred because of the demand for more inspection, with the potential for . . .

4:50

MRS. FORSYTH: Yackety-yack; don't come back.

MR. SAPERS: Well, I'm sorry, Mr. Chairman, that Calgary-Fish Creek thinks this is not relevant. I'm sure that some people in her constituency would be happy to have answers to these questions as well. These issues raised in this Act and the issues that have been raised to me by some of the stakeholders in this area I certainly take as serious. I'm surprised that the Member for Calgary-Fish Creek doesn't.

In any case, my final point really is about the fees. I'm just wondering whether the minister can tell me if he contemplates the fee regime being changed. Is this an opportunity for raising the fees? If so, who have you talked to about that, Mr. Minister? What will the burden be on inspection? Do you see this as a cost recovery activity? Mr. Chairman, I think it's very important that the people who work in this industry and who base their business plans on government policy know whether they will have to be solely responsible for bearing the brunt of any increased cost as a result of the change. Again, because these fees are determined by ministerial order, we don't even get what little bit of public scrutiny we would get if they were fees to be set by regulation through Executive Council. Certainly we won't have anywhere near the degree of public debate and scrutiny that we would if it actually had to be referred automatically to either the Standing Committee on Law and Regulations, which I have previously spoken to, or in fact right here to the floor of the Legislature. So I think the issue of fees needs to be addressed.

If those concerns about the relationship of the regional health authorities, the increased costs, the nature and the extent of fees and fee increases, and issues dealing with regulations regarding disposal and the environmental concerns that may be present could be addressed by the Minister of Agriculture, Food and Rural Development, I would be able to report back to my constituents and I'd also be able to cast a much better informed vote in regard to this Bill.

Thank you.

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

MR. STELMACH: Give her a couple of minutes.

THE CHAIRMAN: Okay. The minister has declined the opportunity, and we'll now go to the hon. Member for Edmonton-Norwood.

MS OLSEN: I'd like to thank the minister for giving me a couple of minutes. I just have a couple of questions regarding this Act. It looks like there's been an extension of policing powers given in the Act under 2(g). In the past the RCMP have had a cattle section, so they've had RCMP members who have knowledge about the livestock industry. Now, to my knowledge that section has been reduced quite dramatically, and I know that the average rank and file policeman doesn't necessarily have an interest in abattoirs or livestock and all of those types of things. My questions would be: who's going to do this job? If you're asking policemen to become involved, who's going to do the job and who's going to get the training? Are you just going to train all the police members, the RCMP members throughout the province? So I have to just ask those questions. I think it's a very

broad power that you're giving the police. I'm not sure it has to be extended to the police. However, if you're going to do that, who is going to take responsibility for training those police members, and who is going to cover those costs of this new policing program?

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

MR. STELMACH: Thank you, Mr. Chairman. Before I begin to attempt to answer all of the questions that were raised, I just want to make one very important statement. Many of the countries that purchase red meat, those that import our meat from Alberta, have trust and confidence in our very stringent regulatory process, and that includes the Meat Inspection Act. Our purpose here is to tighten regulations, ensure that our inspectors can inspect those places much easier and quicker to ensure even greater trust and confidence in our regulatory process.

One of the reasons, quite frankly, that we're managing to send processed pork and beef into countries like China and Japan is that the consumer there is confident that when it does say Alberta beef, that product is clean, wholesome, safe, and nutritious. As a result, we've won terrific confidence. We opened up those doors because of that, and it's going to lead to a greater growth in the processing industry in this province of Alberta.

Now, there were a few issues that came forward earlier with respect to the old Act. Really, we looked at those sections that dealt with a few recent dismissals of court cases involving violations of the legislation as it referred to private dwellings. As a result, this Act, then, will now ask the inspectors to obtain a search warrant before they enter those facilities.

With respect to police officers being deputized, the reason that is in is that as the meat inspector gains access to the facility, to the abattoir or to the private dwelling, it may be under some rather sensitive conditions. The inspector will have the authority to deputize the police officer not to do the inspection but for the protection of that meat inspector while the meat inspector is conducting his investigation.

With respect to the medical officers of health, the medical officers of health were always chief executive officers of the board in the inspection area. They do have the right of entry as public health inspectors. However, we're asking them to come in in co-operation with the meat inspectors because every public health inspector doesn't have the same background and knowledge as the meat inspector. Hopefully, getting both inspectors in at the same time will help conclude the investigation and maintain the very strict regulation.

With respect to the RHAs, the regional health authorities have assumed their responsibility for public health inspection and are doing an excellent job. They have been in meat abattoirs and food processing centre locations for many years, and I don't see why they have to increase their personnel. It's part of their daily routine, and they will only come into those situations where they're asked. Remember, as our processing increases in the province of Alberta, we will have more and more abattoirs to inspect. As a result, we will ensure on our side, on the agricultural side, that we do have the number of meat inspectors that are necessary to keep good control.

There was a question raised with respect to fees, and this minister does work very closely with the small businesspeople. Those fees will only be changed if the industry comes forward to

the standing policy committee and asks for a fee change. We are moving to more self-responsibility in this area, moving the management risk out to the private sector, and we've had excellent rapport with the seven interest groups that visited us at standing policy committee and supported this Act as it is written.

The environmental impact of the disposal of carcasses. When these carcasses are seized, they generally end up as dog meat. So I can assure you that there won't be an environmental impact. They won't be disposed of in some stream. Once that carcass is tagged and it's not for human consumption, nobody can lay a hand on that carcass. It's immediately disposed of and hauled to the nearest rendering plant.

5:00

We've had good co-operation with the industry, and we hope that that co-operation will continue. We know it will, and this Act really is to tighten up those areas specifically to small, private-dwelling abattoirs or meat processors that may be even supplying some products for a very niche market, but we want to make sure that that food is of utmost quality.

Just going through, I think I've answered most of the questions, Mr. Chairman.

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

DR. NICOL: Thank you, Mr. Chairman. Just a couple of quick questions, comments to the minister in the sense of the reference that he made right at the end to these niche markets. I was wondering if the minister had talked at all to some of the kosher meat groups, because they approached me after we did the Bill a couple of years ago saying that that put a little bit of a restriction on their on-farm slaughter ability, especially with animals like goats and that, that they wanted to be able to deal with. As far as I can tell and the people that I've talked to, this Act satisfies the concerns that they had with the previous Act, and I just hope that that works out.

The other comment that I'd like to raise with the minister is – just toward the end of his response a minute ago he made a comment that they were going to make sure they had enough inspectors. They were going to have this all under control. I guess the question that that leads to is: how does this work with the initiative now to have, quote, one Canadian meat inspection for our international, for our cross-border, interprovincial trade? I would hope that at some point in the next very short number of years we're actually withdrawing this Bill because we want to be under a Canada-wide, common, one-inspection system. So I would encourage the minister to work toward that, and let's hope that before the next election we can have a withdrawal of this Bill.

Thank you very much, Mr. Chairman.

MR. STELMACH: In response to the hon. MLA from Lethbridge-East, we are doing some preliminary consulting work with the niche market development, especially in the area of kosher slaughter. We feel that there's a growth opportunity there, and it's going to take a few more meetings just to develop some of the standards and procedures in that area. But I really do believe that this Act will in fact make it even safer than it is now, because we know that there's money out there to buy the product, and we want them to purchase that product in daylight and not drive to farmers' yards and slaughter these animals under some questionable conditions, bring that food into the city and maybe share the carcass with others. You know, especially during

summer months it can be easily contaminated.

With respect to a national standard, both departments have come to an understanding, and we're sharing letters of understanding. We hope to capture that by the end of this month, the end of May. We will sign off the letters. They will go to the federal minister of agriculture, and then come the regulation changes. That, I think, is going to be a monumental task. The reason I say that is that some of the regulations today have nothing to do with safety. They're more to impede interprovincial transportation of goods.

As you know – that's right – the feds have this thing about steel beams. They feel that steel beams are a lot safer than wooden beams, yet we've had wooden beams in our abattoirs for, well, a century. We also found out a few years ago that there were some that said that any abattoir with wooden chop blocks had to get rid of them and bring in the plastic ones. Then we found out that plastic ones generate more bacterial growth than the wooden ones, so we're back to the wooden ones.

So there are all these little things to work out, but I do say that the industry will be looking at a significant investment in some of the changes in their abattoirs. There is, of course, this federal regulation that if you are a sausage-maker, for instance, and you have a counter in the same facility, you can't sell that meat interprovincially. Well, it's got nothing to do with safety. People that are in Alberta and buying that sausage haven't gotten sick because that processor is selling it out of the same facility. It's one of those supposed health regulations, safety regulations that just impede the transfer of interprovincial goods.

Other than that, Mr. Chairman, I hope I've answered the questions of the very distinguished members and hope to get a vote on this.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported? Are you agreed?

HON. MEMBERS: Yes.

THE CHAIRMAN: Opposed? Carried.

The hon. Deputy Government House Leader.

MRS. BLACK: Mr. Chairman, I move that the committee now rise and report.

[Motion carried]

[The Deputy Speaker in the Chair]

THE DEPUTY SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports the following: Bill 9 and Bill 4.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: **Government Bills and Orders**
 head: **Second Reading**
 (continued)

Bill 5
Persons With Developmental Disabilities
Community Governance Act

[Adjourned debate May 12: Mr. Renner]

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

MR. RENNER: Thank you, Mr. Speaker. My comments will be very brief on Bill 5. Actually, I think the discussion that was taking place with respect to Bill 5 is a healthy discussion, and, frankly, I would like to take part in that discussion and hear more of the discussion, so at this point I'll yield to other members who may wish to speak.

5:10

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

DR. NICOL: Thank you, Mr. Speaker. I just want to make a couple of comments on the Bill, the Persons With Developmental Disabilities Community Governance Act. This Bill, from what I see, is kind of unique in the sense that on Friday I had two different groups come to my office, both of them seemed to agree with it, yet both of them didn't seem to understand the Bill the same way I did. So we had quite lively debates.

Included in that was one group that came in, and they were saying that this was the answer to everything they've asked for in terms of support for persons with disabilities. They were questioning me as to whether or not it would be possible to take children with disabilities and put them under the same mandate with this Bill so that there would be a continuum of process for them as opposed to children's services or some other such group, depending upon the recommendations of the commissioner for children's services, dealing with disabled persons up till the time they're 17 years, 364 days, and then when they get to be 18, they suddenly become adults who have to transfer to another agency. This raised some real concern on their part in terms of both the consistency of program offering, the consistency of definition of disabilities.

I would ask, I guess, the minister to look at this in terms of making sure that it does fit together quite well when he's trying to build in the business plans that are developed by either the provincial or community boards that are developed under this program. I guess the general consensus on Friday was that this was the way most of the people in our community wanted to go with the administration of programs for persons with disabilities.

Mr. Speaker, I was reading this Bill in quite a bit of detail and came up with some interesting clauses in it that I would like to have the minister or the supporter of the Bill explain to us in a little more detail so that I can really understand how it works. My understanding right now is that what's going to happen here is that we have essentially two different levels of boards: a provincial board that is there to maintain consistency and standards across the province and a bunch of community boards or facility boards that deal with the actual implementation of programs. Okay. The minister is shaking his head no. I guess there's a misunderstanding. There's the provincial board to set standards; right? Okay. We've got that one straight. Then there is a community board, six of them, that applies those standards at

the current regions of the persons with disabilities; right? Then, there are also the facility boards for the institutional - okay.

I read this Bill to say that the provincial board has the power to allocate funds to the community or facility boards. Then within section 6 and section 8, when it talks about the powers of those boards, they have essentially the mandate to provide the service, but in my reading of this, they can't hire anybody to provide that service. In other words, all of the service they provide must be contracted out. You know, this is the question that runs through my mind, Mr. Speaker. I can't see how they can provide service if they can't hire anybody. In section 6 of the Bill the community boards are not allowed to hire people. In section 8 the facility boards are not allowed to hire anyone. So they have to contract out all of the services they offer.

Now, are there going to be other government agencies that they contract those services to? Are there going to be private agents that they contract those services to? How does that service get provided when the board cannot hire anyone? They have the power to put in place the business plan. They have the power to put in place how these programs are designed, how they're worked. It all comes under their control, under their mandate, under their authority, but they don't have any way to do it except contract out, because they can't hire persons as employees to do it for them.

If this is a condition where they don't want these boards hiring an administrative staff that fills a 10-storey building, I fully support that, but for specialized services, for certain kinds of programs that the board may want to provide either at a provincial level or a community level or a facility level, there's got to be an option for these boards to deal with direct employees in service provision.

I would support the minister fully if they were to put in here not to allow persons to be engaged for staff functions, that kind of thing, just to fill up an administrative building. We've got to have a balance between a contract-out situation and the option of a public service provision of service to keep a balance. We're dealing here with effectiveness, cost efficiencies, and we've got to have alternatives. If we're dealing with only one option, contract out, as opposed to public service provision of that service, we don't have that balance, we don't have that ability that we have to have to look at: can we do it within the public service or can we do it within the private contract-out provision on a more cost-effective basis? I guess what I'd like to do is have the minister or the sponsor of the Bill address that issue and how they see this provision of service actually being carried out under the mandate of this piece of legislation.

It's interesting as you look further through the Bill in the sense that any business plan put together by a community or facility board has to be approved by the provincial board and by the minister, and the minister has the power to appoint and control the chairman of each of those boards. So really the mandate and the direction and the communication channels are all there right to the minister's office through the chairmen of these boards, through the way they're appointed. We need to have this kind of flexibility in terms of debate in terms of control over the plan. If we end up with a community board saying, "We feel very strongly that we need this service," and the provincial board saying, "Sorry; no," and the minister saying, "Sorry; no," the channel of power back down is very obvious. The minister can tell the appointed chairman of the provincial board no, who then has to operate, I guess, at the threat of losing their appointment. Similarly at the community level, the chairman has to operate subject to the same pressure.

We need to deal with this, because, you know, it does provide

a perception of real community power, and this is the one thing, Mr. Speaker, that I really heard a lot about on Friday when these groups came to my office. They like the idea of community power, the community business plan idea, the community control over their provision of service, definition of service, mechanism of provision of that service. I think we need to have, to a degree, some broader definition, broader emphasis on the control of that power structure from the minister down.

I don't see why, if we really have community boards, if we really have a provincial board – I have no problem with the idea that the community business plan has to be approved by the provincial board, because we have to maintain a degree of consistency, a degree of transparency of service across the different community boards. It's really important, then, that if the community really has the ultimate say – remember that the minister controls the budget, the provincial board controls the budget to the communities. So why don't we deal, then, with a mechanism to allow the flexibility within the constraint of that budget to be dealt with by that community board?

This is the premise that we're operating under for the regional health authorities. This is the premise that we operate under when we fund the school divisions, the regional school boards. They go down to the school unit, you know, the site-based budget at the local school with the school council, and I think we need to deal with this with the same level of trust, the same level of community authority. Either that or else we have to go back and say that we've got to have a uniform policy developed at the provincial level with the possibility to allow for regional additions or deletions.

5:20

These are the issues that really stuck out in my mind as I read through the Bill and tried to fit it in to the context of what I was hearing from the groups who came to my office last week in Lethbridge so that we could make sure that in the end we do have a community governance system for persons with disability that's community based, community operated, community driven, community specific, yet provides that consistency that a provincial board would give.

Mr. Speaker, I think that almost without exception the people that I've talked to support this Bill. Some of the community members knew it was coming before I did, and they were calling my office saying: "What do you think about it? How are you going to react to it?" They gave me a good idea of what to expect on it, and I was assuming that what we were going to have was a piece of legislation that would allow for real community-based options.

I see basically two broad problems, then, with this particular Act. One is the issue of funding, the inability of the community boards or the facility boards to hire anyone to provide those services, and the issue of the power structure that exists with the minister's ability to appoint chairs to each of those boards even though there are community options for replacement of their general members. That's a real good initiative here, community-based restructuring of the boards, but we have to make sure that

they get the power that goes along with that mandate.

Thank you, Mr. Speaker. Those are the concerns, and I hope that the minister looks at them, especially the issue of the service and the hiring.

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

MR. DICKSON: Mr. Speaker, I notice that there's not very much sand left in the old hourglass, so I'll just make the point that I think my colleague for Lethbridge-East makes an excellent point, and when I read it, I assumed that the parliamentary draftsman had erred, because the provincial board clearly can employ people. I can understand a community board perhaps not having a secretariat, because it would have an advisory role, but the most puzzling part would be that if you look at the responsibilities given to a facility board, in section 12 they're extensive. In fact words are used like "manage funding and resources", "oversee and evaluate the implementation of the plan", "manage the provision of the services", "co-ordinate . . . provision of the services." I don't know how you do that without employees.

So I'm also going to be, with my colleague from Lethbridge-East, anxiously looking forward to clarification. As I say, I assume it's an oversight by the draftsman, but perhaps the minister can confirm that.

I've got some other questions about the Bill, but at this stage and given the hour, Mr. Speaker, I'd move that we adjourn debate on the Bill.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo has moved that we adjourn debate on Bill 5. All those in support of this motion, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no. Carried.

The Acting Government House Leader.

MR. JONSON: Mr. Speaker, I would move that when the Assembly reconvenes at 8 p.m., it do so in Committee of Supply and, further, that we call it 5:30.

THE DEPUTY SPEAKER: The hon. Acting Government House Leader has moved that the Assembly now adjourn and that when we reconvene at 8 p.m., it will be in Committee of Supply. All those in support of this motion, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no. Carried.

[The Assembly adjourned at 5:26 p.m.]