

Legislative Assembly of Alberta

Title: **Monday, June 2, 1997**

1:30 p.m.

Date:97/06/02

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Good afternoon and welcome to day 28. The prayer today is an excerpt from the prayer used in the House of Commons in Ottawa.

Let us pray.

Guide us in our deliberations as Members of the Legislative Assembly, and strengthen us in our awareness of our duties and responsibilities as members.

Grant us wisdom, knowledge, and understanding to preserve the blessings of this country for the benefit of all and to make good laws and wise decisions.

Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you, Mr. Speaker. I am pleased to be able to introduce to you and to members of the Assembly two visitors to our province from Ecopetrol, the state oil company of Columbia, South America. Joining us in the Speaker's gallery today are Dr. Ismael Arenas, vice-president of exploration and development, and Dr. German Ospina, vice-president of joint operations. With them today are Mr. Rick Orman, chairman and CEO of Kappa Energy Company Inc., who once distinguished himself by his presence in this House and service with yourself, and Mr. Grant Emms, president and chief operating officer of Kappa Energy Company Inc. Kappa is one of a number of Alberta-based companies that are working with Ecopetrol on the development of some recent oil discoveries in Columbia, proving once more that the Alberta advantage has legs and has the ability to export expertise throughout the world. I would ask that the gentlemen, who are now standing, receive the warm welcome of this Assembly.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I am pleased to present today three petitions. First, on behalf of our Member for Lethbridge-West I'd like to table a petition from the New Hope Christian Centre church in Lethbridge signed by 17 residents of the Lethbridge, Foremost, and Coaldale areas regarding VLTs.

Secondly, I'd like to table a petition from the Pentecostal Assembly church in Vulcan signed by seven residents of Vulcan and one from Calgary regarding VLTs.

Thirdly, I'd like to table a petition signed by 51 residents from Little Bow regarding Highway 24 construction from Mossleigh north.

Thank you. [interjection]

THE SPEAKER: The hon. Member for Airdrie-Rocky View, if it's okay with the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MS HALEY: Thank you, Mr. Speaker. I would like to table in the House a petition signed by 25 constituents requesting the government of Alberta "to ban all VLTs."

head: **Presenting Reports by
Standing and Special Committees**

THE SPEAKER: The hon. Minister of Municipal Affairs.

MS EVANS: Thank you, Mr. Speaker. It is my pleasure today to table with the Assembly responses to questions asked during the Department of Municipal Affairs' appearance before Committee of Supply on May 8 this year.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

Bill 23

Agricultural Service Board Amendment Act, 1997

MR. MARZ: Thank you, Mr. Speaker. I request leave to introduce Bill 23, being the Agricultural Service Board Amendment Act, 1997.

The purpose of this Bill is to enable local municipalities flexibility to form agricultural service boards that meet their local needs and to make wording consistent with all related legislation.

[Leave granted; Bill 23 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I move that Bill 23 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Member for West Yellowhead.

Bill 24

Tobacco Tax Amendment Act, 1997

MR. STRANG: Thank you, Mr. Speaker. I move to introduce Bill 24, being the Tobacco Tax Amendment Act, 1997.

Basically what it is is just bringing us in line with the rest of the provinces.

Thank you.

[Leave granted; Bill 24 read a first time]

MR. HAVELOCK: Mr. Speaker, I move that Bill 24 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

Bill 26

No Tax Increase Act

MR. DAY: Mr. Speaker, I request leave to introduce Bill 26, being the No Tax Increase Act.

This Bill proposes, Mr. Speaker, that no tax increase would be foisted on the citizens of the province unless the citizens indicate that that is what they want through a referendum. It is the

intention of this government to table this Bill to have some discussion this session in the Assembly and to see that discussion move into the broader public arena across the province.

[Leave granted; Bill 26 read a first time]

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

**Bill 27
Child Welfare Amendment Act, 1997**

MRS. FORSYTH: Thank you, Mr. Speaker. I request leave to introduce Bill 27, the Child Welfare Amendment Act, 1997.

Mr. Speaker, as chair of the child prostitution task force I'm just thrilled as to the first amendment. This Bill changes the definition of sexual abuse to include prostitution-related activities.

The second amendment also brings The Hague convention on intercountry adoptions into effect in Alberta. The Hague convention provides safeguards for children and adopting parents and streamlines the process of intercountry adoption.

[Leave granted; Bill 27 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I move that Bill 27 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Minister of Family and Social Services.

DR. OBERG: Thank you very much, Mr. Speaker. I'm tabling today a letter from Thea Herman, who is the senior associate deputy minister for the federal Department of Justice, stating that the changes we have made to the Child Welfare Act in Bill 27 will bind and "appear sufficient to give effect to the provisions of" The Hague intercountry adoption.

MR. JONSON: Mr. Speaker, I wish to table today four copies of the Physician Resources Planning Group Report. The report is the work of a multistakeholder committee co-chaired by Alberta Health and the Alberta Medical Association and was completed this spring. The report provides information on trends in physician supply and distribution in Alberta and contributes to the overall planning process.

MS KRYCZKA: Mr. Speaker, as chairman of the Seniors Advisory Council for Alberta and on behalf of the Minister of Community Development I am pleased to table today copies of a news release issued by the minister on Friday, May 30. The news release calls on Albertans to celebrate Senior Citizens' Week, which began yesterday and runs until June 7. The release also notes that the minister is launching a new special awards program to honour and recognize seniors who make outstanding contributions to the community.

Also, Mr. Speaker, I am pleased to table a news release from the Seniors Advisory Council.

Thank you.

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased to table in this Assembly a fact sheet on Child Support Enforcement: States and Localities Move to Privatized Services in the United States, prepared for the chairman of the Committee on the Budget of the House of Representatives.

head: **Introduction of Guests**
1:40

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

MS CARLSON: Thank you, Mr. Speaker. It's an honour for me to introduce to you and through you to Members of the Legislative Assembly today my niece Samira Haque, who's in the public gallery. She's accompanied by 59 of her classmates from Ekota elementary school, and they are accompanied by six teachers: Don Briggs, Tom Jaques, Sharon Robertson, Marilyn Sandahl, and Karen Melnychuk. I would ask them all to rise and receive the traditional warm welcome of the House.

THE SPEAKER: The hon. Member for Athabasca-Wabasca.

MR. CARDINAL: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to the members of the Assembly seven students from the Alberta Vocational College in Wabasca, the land of opportunity. They are accompanied by their teacher Brad Buhr, and they are seated in the members' gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I would like to introduce to you and through you to the Assembly two very special seniors related to the hon. Member for Calgary-West: her mother, Mary Sterling, who has lived in Alberta for 75 of her 84 years, and her aunt Mary Livingstone, who was secretary to N.E. Tanner, minister, department of lands and mines, from 1937 to 1952, and who has lived in Alberta for 86 of her 89 years. They are both seated in the members' gallery. I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

MR. LOUGHEED: Thank you, Mr. Speaker. On behalf of my colleague the Member for St. Albert I would like to introduce to you and through you to the members of the Assembly 40 students from the Keenooshayo elementary school. They are accompanied by their teachers Ms Bev Finlay and Mrs. Sylvia Hildebrandt and some parent helpers, Mrs. Lynn de Champlain, Mrs. Maureen Fredin, Mrs. Mary Ann Schmidt, Mrs. Carol Lelacheur, and Mrs. Hapa Christiansen. I ask them to please stand and receive the welcome of the Assembly.

head: **Oral Question Period**
Treasury Branches

MR. MITCHELL: Mr. Speaker, in response to my question in the Legislature on May 14 concerning the effect of the Treasury Branches' \$100 million loss on the Alberta government's net debt, the Treasurer said: "It will not be part of the net debt." In this letter dated May 27, the Auditor General of Alberta said that it is part of the net debt.

The operating results of commercial enterprises directly affect the province's net debt: income reduces net debt; and losses increase net debt.

To the Provincial Treasurer: will the \$100 million Treasury Branch loss increase the net debt of this province?

MR. DAY: Mr. Speaker, the opposition leader neglected to read carefully from the record in *Hansard* his actual question which preceded my response. Reading from May 14 *Hansard*, page 543, his words were: "that these are real losses and that they," the real losses, "will be covered by taxpayers' money," suggesting that taxpayers are going to be paying for this. My response then was: "It," the taxpayers' money, "will not be part of" that. He's taking the reference from the rest of the sentence, which says "net debt," and trying to suggest that I said: this doesn't affect net debt. I'm willing to give him the benefit of the doubt and say that it is not an intentional twist of words and these things may happen from time to time when people are talking back and forth.

Clearly, Mr. Speaker, taxpayers' money, the taxpayers of this province are not going to be paying for this. In 1938 the taxpayers of this province put \$200,000 into this operation. They have not put dollars into this operation since then. Certainly on a consolidated reporting basis all of this affects the debt. This is the actual explanation taken right from *Hansard*, Mr. Speaker.

MR. MITCHELL: Then, is the Treasurer denying his answer to my second question, same sheet?

Can the Treasurer please tell Albertans how it is that the \$100 million loss of the ATBs . . . will not increase the net debt of the province?

Is he denying that he answered that by saying, "It will not be part of the net debt"? It was a direct question on net debt, and it was a direct answer, saying: "It will not be part of the net debt." This is frightening, Mr. Speaker, that he can't figure out what's in the net debt.

MR. DAY: Well, I've tried to really clearly point out what was said here. Now, I just had the question read back to me, which I just read to the member, and I think what he said: is he not saying that it is not part of . . . Mr. Speaker, I'll say it again. I thought I was quite clear when I responded moments ago, when I said: of course, under a consolidated reporting regime, under which this government operates, all of this affects both the net and consolidated debt. Now, I'll say it again a little slower. The opposition leader closed his question by saying or intimating that these real losses would be covered by the taxpayers' money. On that note, I said: no, that - and I used the word it instead of that - will not be part of the net debt. The taxpayers in 1938 put \$200,000 into this operation. That is the last time the taxpayers put money into this operation.

MR. MITCHELL: Well, they wrote a cheque for \$650,000 several weeks ago to Treasury Branches, and that's money into the Treasury Branches.

My question to the Treasurer, who clearly is contradicting what the Auditor General says and explains is a net debt: could he please give us some indication of what other decisions he is making incorrectly because he simply doesn't understand exactly what affects the net debt of this province, what affects taxpayers of this province, and what doesn't?

MR. DAY: Well, it's kind of a sad statement in reflection. Mr.

Speaker, the Auditor General's letter to the opposition leader reflects one hundred percent what the accounting position of this province and this government is, with which I entirely agree.

Children's Services

MRS. SLOAN: In the absence of government standards for the redesign of child welfare services, consultations for the development of delivery systems are fragmented and noninclusive. These consultations are now being challenged by stakeholders, parents, and the public. Without provincial standards one is left to wonder who is setting the agenda for redesign and what the outcome of the redesign will be apart from the government abdicating its responsibilities to 18 regional communities. To the minister without portfolio responsible for children: given that no provincial standards exist to date, will the minister advise the Assembly if there is a model of privatization being used for the redesign of children's services? Is it that of Arkansas? Is it that of Texas? Which American private model is it?

1:50

MS CALAHASEN: Mr. Speaker, first of all, a few items in terms of correcting the inconsistency in terms of saying that there are no standards. First of all, we have standards in place that are second to none in this country. Secondly, in terms of developing standards that will meet the needs of people as we go through the redesign of children's services, those current standards will be maintained and possibly even enhanced, especially when we give it back to the people who are involved in this whole process. Thirdly, it is an Alberta process - an Alberta process - not anywhere else.

MRS. SLOAN: If the standards exist, they certainly have not been seen by this Assembly.

Has the government of Alberta entered into discussions or met with any corporate interest for the purpose of providing privatized child services, and if so, whom?

MS CALAHASEN: Well, Mr. Speaker, first of all, when we're talking about standards - and I think it's really important as we go through this whole process - the standards are there, and if they'd only ask for it in the proper way that they could have asked for it throughout the whole process and if they had been involved in this whole process where the community has been developing this redesign, then she would have understood that there are standards in place.

To tell you the truth, throughout this whole province we are going to ensure that we have consistency in the standards that are being developed to be able to meet the new system that will be in place that over 12,000 people have asked for, Mr. Speaker. Not only 12,000 people; there have been many agencies who have been involved in this whole process. I think it's really important that when we look at what we're going to do, we ensure that the people who have been wanting this are involved throughout.

Mr. Speaker, in terms of the some of the ideas of being involved, I would encourage them to be involved at the next phase as we go through.

MRS. SLOAN: As a point of clarification, I have asked for the standards, but I have yet to receive them.

Will the minister at least commit to adopt the Child Welfare League of Canada standards as a component of these provincial standards, which no one in this Assembly, including myself, has to date seen?

MS CALAHASEN: Mr. Speaker, when we're talking about standards, we're probably the best when we look across the country. Those standards will be maintained, if not enhanced, as we go through the process of ensuring that people are involved. When we talk about people being involved – and fortunately, I'm one of those individuals who thinks that the general public probably has more information on what can be done regarding children's services. I am not a person who believes that I know all the answers, like they think they are.

Mr. Speaker, first of all, I think it's really important – really important – that we continue to maintain the standards that are there and that we continue to ensure that we develop those standards to be flexible to meet the needs of those communities who have indicated that they want to be involved.

Fourthly, Mr. Speaker, when we talk about the various regions: northern Alberta is different from southern Alberta, eastern Alberta is different from western Alberta, and definitely rural Alberta is different from urban Alberta. I would like to say that we want to ensure that the people's concerns are going to be addressed and that we're flexible enough to be able to meet those needs.

THE SPEAKER: Third Official Opposition main question, the hon. Member for Edmonton-Calder.

Environmental Laws Enforcement

MR. WHITE: Thank you, Mr. Speaker. Freedom of information simply does not exist in the Ministry of Environmental Protection. When the government imposed penalties on Sunpine forest limited, the public could not get the details even though they used the freedom of information Act. The government is relying now more and more on administrative penalties as opposed to penalizing under the Act, but this information is not available again to the public. Will the Minister of Environmental Protection set up a public access system for penalties imposed under the forestry Act similar to that in place now under the Environmental Protection and Enhancement Act?

MR. LUND: Mr. Speaker, when penalties are assessed, there is an appeal period, and during that appeal period, no, we don't go out and advertise the penalties. Once their penalty has been accepted and paid, then of course that is public information.

Mr. Speaker, the reason that we've gone to the penalties, as well, rather than laying charges: in many cases these penalties, if you go through the court proceedings, would actually be less than the penalty that we assess, but the fact is that we'd be tying up court time, we would be having legal expenditures that would in many cases be very substantial. So the penalty system is easier, quicker, and accomplishes exactly the same thing as a charge in the courts would.

MR. WHITE: Will the minister ensure that (a) the published information is the same for everyone and (b) the description of the offence and the date are published and not simply the section of the Act under which the penalty was imposed, either under the Act or under regulations?

MR. LUND: Mr. Speaker, all of it is available to the public. There's not a difference, if that's what the hon. member's inferring: that it's different depending on who asks. It's available. Certainly the amount of the penalty and what it is for is available.

MR. WHITE: Mr. Speaker, last supplementary: will the minister make his department accountable by ensuring that the consistent information of publishing administrative penalties imposed under any piece of environmental legislation is available on a timely basis and free to the public?

MR. LUND: Mr. Speaker, the Department of Environmental Protection is very accountable, has been all along, and to suggest that we're hiding something is absolutely false. We are not hiding anything.

As far as having a publication of everything that Environmental Protection does, well, if somebody is interested in a piece of information, they can ask for it, and they will receive it.

Treasury Branches

(continued)

MS BARRETT: Mr. Speaker, the New Democrats are in favour of the Alberta government retaining ownership of the Alberta Treasury Branches, but part of the credibility problem of Treasury Branches is its involvement in financing arrangements that expose Alberta taxpayers to some significant risk. For example, in October of '94 there was a refinancing of West Edmonton Mall in which Treasury Branches peculiarly gave up any claim on the mall's assets. My question to the Provincial Treasurer is: are the Alberta Treasury Branches backing either through guarantees or other financial arrangements some or all of the financing at West Edmonton Mall?

MR. DAY: Mr. Speaker, first, part of the reason for putting a board in place last year was to address some of the problems related to Treasury Branches, and the loan portfolio is a significant part of what needs to be addressed. There's been a review that's been going on of all loans, large and small, and the results of that review and the renewed loan loss provisions, based on acceptable banking standards, will be out, I believe, on the 17th of June, when ATB has its first board meeting and subsequent report. It might sound a little strange that a financial institution has gone this long without having to have an actual annual meeting, but in fact that's been the case.

Over the last several years, as I understand it, there's been involvement on a number of fronts. West Edmonton Mall: from information that I've read mainly in the media, there seems to have been some involvement, but this operation is at arm's length from government, and I would not have details of who the Treasury Branch decides to get involved with in terms of their loan arrangements. So I understand that there's some arrangement there; the specifics of it I don't have. That's what I have to offer today, Mr. Speaker.

MS BARRETT: But he can get the specifics; it would be really nice.

Mr. Speaker, I'll file copies of documents showing that the Treasury Branches continue to provide guarantees for loans for West Edmonton Mall without any claim on the mall's assets.

Mr. Speaker, considering that Marshall Williams admitted last September that the Treasury Branches are back in West Edmonton Mall's financing through guarantees, why would the Treasury Branches provide such guarantees while giving up any security in the mall?

2:00

MR. DAY: Mr. Speaker, as I had indicated in the previous

question, those are the very types of questions that are being asked not just about a relationship that may exist with West Edmonton Mall but in fact about their entire portfolio. These are the very types of significant and important questions that are being asked.

In a risk here of anticipation of amendments that will be forthcoming related to ATB, there'll be amendments specifically addressing the need for prudent management and prudent financial guidelines to be used in terms of the loans. So that very question is an important one that's being applied not only to the relationship that the member has just mentioned but in fact to the entire scope of loans and agreements that Treasury Branch has with other companies.

MS BARRETT: If I were him, I'd be asking Treasury Branches these questions. I'm sure he's got the information, Mr. Speaker.

Can the Provincial Treasurer outline what portion of the Treasury Branch guarantees, that went from a \$125 million in one year to over \$475 million a year later, is related to financing of West Edmonton Mall?

MR. DAY: Mr. Speaker, the member already said that these are important questions that should be asked. In fact, these questions have been asked, and that's the reason for the entire report which is coming forward on June 17 related to these types of provisions. These are very important questions. The member has raised a good one. These are the types of questions that we have raised, and we want this kind of reporting profile done.

THE SPEAKER: The hon. Member for Redwater, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

Prescription Drugs for Welfare Clients

MR. BRODA: Thank you, Mr. Speaker. There has been considerable discussion recently about abuse or misuse of different prescription drugs in general and particularly by those on welfare. The Ministry of Family and Social Services indicated that one way to address this abuse was to insist that Tylenol 3 be issued on a three-part prescription. The minister previously stated that he was writing to the College of Physicians and Surgeons with this request. My questions are to the Minister of Family and Social Services. Can you please advise the members what is happening regarding your request to have Tylenol 3 issued on a three-part prescription?

MRS. SLOAN: Where's the Canada West study?

DR. OBERG: Thank you very much, Mr. Speaker. The hon. member from across the way asked where the Canada West study was. Perhaps we should concentrate on the question and concentrate on issues that are important here at the moment.

Mr. Speaker, on Monday I met with the registrar of the College of Physicians and Surgeons, Dr. Olhauser, and we discussed what the implications were of putting Tylenol 3 on a triplicate prescription. As you know, the triplicate prescription was first introduced in Alberta and took demerol, morphine, drugs like that, that were abused on the street and essentially took them to be nonexistent as an abused drug on the street. We talked about it, and Dr. Olhauser stated that one of the problems they have is that they cannot get any real-time data and that using the triplicate prescription program, by the time the information was brought forward, it was actually about five or six months later. So what he asked

us – and he gave us a plea – is that if there's any way that we could get the information to the College of Physicians and Surgeons earlier, we do it.

MR. BRODA: My supplementary question, Mr. Speaker: what is the minister doing in the short term to address this issues of abuse?

DR. OBERG: Thank you, Mr. Speaker. First of all, I prefer to use the term "misuse" as opposed to the word "abuse."

What I have done is: I have announced three initiatives that are effective. First of all, one of the problems that we've been having with prescriptions is that the ID number of the physician is not written on the prescription when it goes to the pharmacist. Consequently what happens is that we cannot track them down. So effective July 1 we will not be paying for any prescription that does not have the ID number of the physician.

Mr. Speaker, we've taken one more step, and that is that Blue Cross will be flagging and bringing to my attention as well as to the attention of the College of Physicians and Surgeons any time anyone on welfare receives a prescription of greater than 30 Tylenol 3.

Mr. Speaker, the third initiative that we are going to be doing is that in keeping with the triplicate prescription program, Blue Cross will be notifying us when one client receives three prescriptions of Tylenol 3 from three different doctors in a three-month period.

MR. BRODA: Final question, Mr. Speaker. On an annual basis what dollar amount does the Department of Family and Social Services spend on prescription drugs for clients?

DR. OBERG: This is a very significant issue for us. We spend presently \$64 million on prescription drugs for welfare clients, for people under our programs. That's a substantial number, but even more important and what the concern is is that people are receiving Tylenol 3, that is leading to addiction, that is leading to misuse and leading to abuse. This is a very important initiative that we're moving forward. Again, it may lead to cost savings, but even more importantly this will lead to people getting off Tylenol 3. It will substantially decrease the amount of Tylenol 3 that is available on the street, which, if I may, Mr. Speaker, is presently selling for about \$1 to \$1.50 a tablet.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Calgary-Lougheed.

Long-term Care

MRS. SOETAERT: Thank you, Mr. Speaker. Countless times this government has assured members of the Assembly that regional health boundaries are only for administrative purposes. All Albertans can supposedly access health services when needed anywhere in the province, yet I continue to get calls from constituents who are very anxious about being placed far away from their families to get a long-term care bed. Despite the theme of open boundaries, these constituents are told again and again that the only option is to find a bed within the RHA where they live. My question is to the Minister of Health. What are seniors to believe when they are told that there are seamless boundaries, yet they are placed far away from their families and loved ones?

MR. JONSON: Mr. Speaker, there is a process in place with

respect to providing to seniors a placement as near as possible to their place of residence. In some cases that is different from being close to their family. Nevertheless, that is the goal of the system. We also realize that in a particular location in the province at a given time the facilities and the programs that are available are full, and therefore there is a system of setting priorities in terms of placement. That is actually, I think, something of an improvement or progress over the previous situation in terms of long-term care placement when it was a matter of being able to obtain placement in your local community. If the resources were used to capacity there, then there was a real problem finding placement elsewhere in a particular region or in another jurisdiction.

Mr. Speaker, there is a step-by-step process of setting priorities, doing assessments, and providing placement for seniors. I would acknowledge that there are difficulties and that it's less than ideal, and that is something, as we indicated last fall, that we are working on improving.

MRS. SOETAERT: Thank you, Mr. Speaker. I need some assurance and so do the people in Villeneuve and Calahoo and Morinville who can't access a long-term bed in Capital or WestView. Would the minister consider writing an open letter to assure those people that they can go to the department and say, "Look, I am allowed to get onto the Capital or WestView list"? Right now there is just no assurance for those people, so would the minister consider writing a letter?

MR. JONSON: Mr. Speaker, as I understand it, if we are referring here to the Aspen regional health authority, they are actually among the very best in the province in terms of their communication strategy and providing information to their citizens. I'm sure that by contacting the Aspen regional health authority, the assessment process, the steps that are involved, the sequence of events in terms of getting placement away from their home in another particular region, are things that will be outlined to them if they just ask.

MRS. SOETAERT: Mr. Speaker, you and I know how good the Aspen authority is. That's not the question. The issue is that they can't access Capital or WestView, and I'd like to know what you're doing to ensure that these people can access it and that there are enough beds right now. It's a terrible problem out there. The people just don't have beds.

2:10

MR. JONSON: Mr. Speaker, I would certainly be open to discussing a particular individual case that the hon. member wishes to bring forward on behalf of her constituents. The point, as I understand it, is that a person resident within the Aspen regional health authority, which I assume at this moment in time is their home, is wanting a placement outside of that particular area. There is a procedure and a process for doing so. I wouldn't want to jump to any conclusions here, but it would seem that possibly the individual or individuals involved do have a placement in the regional health authority where they are right now. It is matter of going through a set of procedures to move out of it, and I would certainly be willing to talk about the individual case and discuss it with the hon. member.

THE SPEAKER: The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Centre.

Treasury Branches

(continued)

MS GRAHAM: Thank you, Mr. Speaker. My question this afternoon is to the Provincial Treasurer, and it relates to a recent call I had from a constituent who is in the insurance industry. The concern expressed was about the possibility that Alberta Treasury Branches will be allowed to own and operate subsidiary companies. I'm wondering if the Provincial Treasurer would explain what is contemplated for Alberta Treasury Branches in terms of subsidiary companies.

MR. DAY: Mr. Speaker, as you know, as part of the significant restructuring that has to go on and has been going on at the Treasury Branches, the Treasury Branches themselves, senior management and board, have requested that a level playing field be established so the Treasury Branches can truly compete with other financial institutions. Interestingly enough, other financial institutions have also asked that this level playing field be established with the same type of legislation and the same types of provisions.

The ability for a financial institution to acquire a subsidiary company to be able to offer certain products is a vital part of the competitive realities of today. In fact, ATB has probably been at a disadvantage in terms of being able to generate the same kinds of profits as the banks have because they haven't had that ability. So that's the reason they want to be able to acquire subsidiary companies, to be able to offer certain financial products on an equal playing field.

MS GRAHAM: Mr. Speaker, my supplemental question is also to the Provincial Treasurer. I'm wondering if there really is a need for the Alberta Treasury Branches to own and operate insurance companies and, secondly, whether this government will have a say in any final decision as to the ability of Treasury Branches to acquire subsidiary companies such as insurance companies.

MR. DAY: Well, I think the intention is somewhat narrow on behalf of ATB in terms of acquiring certain insurance products, term life and annuity insurance provisions, to go with their whole financial advisory/risk package of availability in items to their customers. It's very clear that it would be that narrow scope. It is not the intention of the government nor is it the intention of ATB to get involved in that full marketing of insurance products. I think that's been a concern of the Insurance Council, and that is not something that's being contemplated.

THE SPEAKER: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Bow.

Social Studies Curriculum

MS BLAKEMAN: Thank you, Mr. Speaker. April 19, 1916: Alberta became the third province to grant the voting franchise to women. June 17, 1997, marks the 80th anniversary of an election in which women in Alberta were able to cast their ballots. October 18, 1929: the Famous Five, a group of Alberta women, win their appeal to the Privy Council that women be declared persons. These are important dates in Alberta's history. My questions are to the Minister of Education. Why are none of these important, provincial achievements recognized in the curriculum of our education system?

MR. MAR: Well, Mr. Speaker, those are indeed important and notable dates in Alberta's history. It should be noted that many of these dates and the election of individuals to this Assembly, to the House of Commons, women judges – many of those firsts came right here in this province. Indeed for those who want to know more about the Famous Five, perhaps they should know that in the east wing of the main floor of this Legislature Building, there are photographs of the Famous Five referred to by the hon. member. The Persons Case, in which those Famous Five were involved, was the case where the Privy Council of England heard an appeal from the then Supreme Court of Canada to allow a woman to take her seat in the Senate of this country.

Mr. Speaker, those are things that many social studies teachers are probably aware of and quite likely teach within the school system. It may not be part of the curriculum, but many people are well aware of the significance of these types of events.

MS BLAKEMAN: By what criteria does the Department of Education determine which historical achievements are included in the curriculum?

MR. MAR: Well, Mr. Speaker, the development of curriculum by the Department of Education is a very collaborative effort that is made by educators and by school boards and members of the Department of Education, and we can say with some confidence that our curriculum in some areas in particular is the best in the country. We look at our science curriculum. It is the basis, I think, for what many provinces are looking to for, you know, a pan-Canadian science curriculum. Also we look at the western Canadian protocol with respect to language arts and mathematics. We have a very fine curriculum.

With respect to the social studies curriculum, I would expect that there are many things that are significant in Alberta's history and in Canadian history that are not part of the curriculum. There is a great deal to cover, Mr. Speaker. There are many things that are important that simply cannot be covered within a single curriculum, but there's no doubt that the events that are referred to by the hon. member are very significant, and I'm pleased that the hon. member should raise these things in this House.

MS BLAKEMAN: Thank you. I'd like to know when this record of women's achievements will be included in our educational curriculum. Those kids that are studying this in Taber don't get a chance to come here and look at portraits in the hallway. When will it be in the curriculum?

MR. MAR: Mr. Speaker, the curriculum is always subject to review from time to time. I don't think that heated attitudes help progress the development of curriculum at all. I can say that from time to time of course we review our curriculum. There may come a time when these things are included, but the fact of the matter is that there are many significant events that cannot possibly be covered in our curriculum.

THE SPEAKER: The hon. Member for Calgary-Bow, followed by the hon. Member for Edmonton-Glenora.

School Fund-raising

MRS. LAING: Thank you, Mr. Speaker. This weekend it was reported that companies like Telus and AT&T are asking students to sign up their parents for long-distance service with the promise that a portion of this long-distance bill will go back to the schools.

This is already happening in Calgary, and it could happen soon in Elk Island school division. Would the Minister of Education tell this Assembly why schools need to fund-raise if they are properly funded, as he claims?

MR. MAR: Well, Mr. Speaker, the province does provide appropriate funding for quality education throughout the province of Alberta, but of course historically schools have always been involved in fund-raising activities for extras, whether it's to cover special equipment or field trips, extracurricular activities. Schools have always been involved in those sorts of activities.

Mr. Speaker, 1996-97 was the first year that schools were required to report school-generated funds. I can advise the Assembly that the preliminary information that we have is that school-generated funds, which would include things like fund-raising, cafeteria receipts, band instrument rentals, all of those school-generated funds, amounted to less than 3 percent of the overall school board budgets in the province.

2:20

MRS. LAING: Thank you, Mr. Speaker. Could the Minister of Education tell the Assembly why students are being asked to participate in these kinds of fund-raising schemes?

MR. MAR: Well, Mr. Speaker, as we look at different fund-raising activities that students have engaged in, they've included things of course like selling chocolate bars or running car washes and other types of fund-raising activities. The canvassing of individuals to change their long-distance carrier for telephone services is just another vehicle by which this fund-raising can take place. It's ultimately parents who will decide whether or not to support this offer. Their voices will be heard through school councils. School councils certainly can take the step of advising principals on possible fund-raising options. I think that on the part of companies like Telus it demonstrates a desire to contribute something back to the community, in this case the education community, when they offer to donate a portion of their long-distance revenues to local schools.

MRS. LAING: Thank you, Mr. Speaker. To the same minister. Would the minister tell the Legislature: are these corporations exploiting schoolchildren to boost their customer base and profit margins?

MR. MAR: Well, Mr. Speaker, I would disagree with that. I'm not of the view that this is an exploitation although obviously every company is in the business to make money. I think that everybody wins when a company creates jobs and economic activity within a community and supports the community at the same time.

As an example, we made our announcement some number of weeks ago about Telus investing over a million dollars in a program that will help train teachers in the use of the Internet, some 3,200 teachers throughout the province of Alberta. I think that for reason of those efforts made by companies like Telus, they deserve our thanks.

THE SPEAKER: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Calgary-Egmont.

Academic Staff Salaries

MR. SAPERS: Thank you, Mr. Speaker. The University of

Alberta has a multimillion-dollar impact on the economy not just of this city but throughout the province. It's estimated to be responsible for over 5,000 jobs. In 1995 alone 12 spin-off companies were established from research projects at the University of Alberta and over 60 percent of all conferences held in Edmonton involved U of A researchers. It is alarming to note, however, that academic salaries at the University of Alberta have fallen to 16th place in Canada and now only may rise to a disappointing 10th place overall. The impact of attracting senior researchers and academics to this province cannot be underestimated, and I'd like to ask the minister of advanced education the following question. Has the minister conducted an economic assessment of the impact on the economy of Alberta as senior academics leave Alberta and new researchers cannot be recruited?

MR. DUNFORD: Mr. Speaker, I have not conducted such an analysis as the hon. member has referred to. I think everyone would understand the importance to the economy of Edmonton with the University of Alberta. Yes, we are aware of what has happened in terms of the salary ranges for professors not only at the University of Alberta but also at the University of Calgary and the University of Lethbridge. This is one of the things that we're going to have to continue to be cognizant of and also to keep mindful as we put together business plans.

MR. SAPERS: In the absence, then, of any kind of an economic assessment, Mr. Minister, is it therefore the policy of your government that it's okay for the salaries for researchers and senior academics in Alberta's universities to remain in the bottom one-third amongst all Canadian universities?

MR. DUNFORD: Well, we don't want to, I think, get too involved in some of the technical details. The hon. member is aware that he lives in a province of low taxation, of tremendous opportunity. He chooses to live in this province, and he's very proud that he lives in this province. University professors are really placed in that same situation, and I would hope that the university professors that we have throughout this province would be just as proud as the Member for Edmonton-Glenora to call themselves Albertans.

MR. SAPERS: Mr. Speaker, I'd like more senior academics and researchers to be equally proud to call this province home.

Given the minister's lack of commitment towards this end and given how uncompetitive research salaries are in Alberta and the minister's last statements, how does he plan to deliver on his promise in his budget, in his department's business plan that he will actually increase the number of federal grants awarded to our researchers?

MR. DUNFORD: We have a situation in our business plan, Mr. Speaker, where we'll be approaching the very item that the hon. member brings forward. First of all we have the infrastructure renewal program, which is really targeted towards providing and enhancing a lot of the materials that our professors and sessional instructors have to use and also to increasing the performance that we have in our labs. One of the most exciting things is what we call the intellectual partnership that will be coming forward shortly. This is an opportunity for Albertans at both the university and the University hospital level to really leverage research dollars along into the private sector and along with the recently announced federal government initiative called the Canada Innovation Centre, I believe is the term.

So what we're going to see over the next little while and what

we'll try to represent in future business plans, Mr. Speaker, is a tremendous concentration on the research level here in Alberta. We know that one of the interests that professors have here in this province is having access to good laboratories, to good students, to good materials, and having an opportunity to access research funding. We think we'll fill that gap quite nicely.

THE SPEAKER: The hon. Member for Calgary-Egmont, followed by the hon. Member for Edmonton-Ellerslie.

Municipal Taxation

MR. HERARD: Thank you, Mr. Speaker. My questions are to the Minister of Municipal Affairs. Calgaryans are currently receiving their 1997 tax and property assessment notices, and many of my constituents are calling and asking why, according to this tax notice, this government appears to have increased their school taxes by 2.84 percent.

MS EVANS: Well, Mr. Speaker, this is an issue where explanations sometimes seem too complex for understanding. [interjections] They do. I would be very pleased to get a rational explanation from any member of the hon. opposition about the equalized mill rate. That is actually what is becoming difficult.

Every year the province adjusts the mill rate. We have reduced the mill rate from 7.12 to 7.02 this year. Where jurisdictions become increasingly wealthy, like Calgary, Canmore, Grande Prairie, Brooks, and other high growth areas, they will be paying more. The good news is that for all of the taxing authorities the property tax payer is paying less than half the overall tax bill. General revenues provide that amount of money and I believe some \$345 million – part of that total will come from education property taxes. They are reimbursed more than the amount of money that they are spending.

Now, in particular cases some properties may have an inflation. This is due to the fact that throughout the province the market value assessment is taking some time to be phased in. In both Calgary and Edmonton, where the adjustments are made on market value and land and depreciated property values on improvements, it's been harder this year for people in those jurisdictions to understand.

One of our members asked the question: how do they find out more about taxes? They can call 310-0000 and enter 422-7125, and we'll be pleased to take a look at their notice.

2:30

MR. HERARD: Thank you, Mr. Speaker. It is a bit complex because certainly this notice doesn't say that the mill rate's gone down. If the mill rate has gone down, why does this tax notice indicate that the school taxes have gone up? They indicate that the taxes have gone up.

MS EVANS: Well, simply put, Mr. Speaker, it is a function of wealth. I think I should comment that education property taxes still amount to less than half the cost of Alberta's education system, and while many councils have held the line on municipal property taxes, the ratepayers may still see an increase in taxes due to improved economic circumstances in Calgary. The good news is that Calgary is growing. The bad news is that those that grow more will, yes, pay more. Those that don't grow, that have a reduction in growth are not capable of picking up the slack.

MR. HERARD: Thank you, Mr. Speaker. What can the minister

do to ensure that there is some consistency in the way that municipalities publish tax and mill rate information in their tax notices?

MS EVANS: Mr. Speaker, that's difficult. We are trying our best to inform people about assessments. I think it should be noted that the Department of Municipal Affairs provides assessment information. Taxation information is the responsibility of the local property tax collector. If they choose to provide information on that tax bill in a way which does not fully amplify the assessment information we have provided, it is our challenge – and I will be reviewing that this year – to provide a manner by which local people can understand the assessment information on which their taxes are based at least.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-West.

Public Lands Management

MS CARLSON: Thank you, Mr. Speaker. The Minister of Environmental Protection shares the responsibility for public lands that are used primarily for grazing leases in the white area of the province with the minister of agriculture. However, it is the Minister of Environmental Protection who is ultimately responsible for all public lands. Given this responsibility, why is the minister not a key player in the process to review public land policy that was announced last week? He is only going to start to participate after the decisions are made.

MR. LUND: Well, Mr. Speaker, of course the management of Crown land in the white area is under disposition and was transferred over to the department of agriculture back in 1993, I believe, or late '92. So as far as the involvement of Environmental Protection in this review of land under disposition, primarily grazing leases, we will be involved after the review is complete.

I think it's very noteworthy that in fact there is a committee chaired by the hon. Member for Drayton Valley-Calmar that will have along with him four other members of this Legislature to go out and look at this very important issue. The minister of agriculture set the committee up and will be more directly involved than I, but we certainly will have an involvement when the report is finalized.

MS CARLSON: Well the management of Crown land may be his responsibility, but the ultimate responsibility belongs over there and he knows it.

How can the minister ensure that the review process is going to pay enough attention to the protection of wildlife and wildlife habitat if he's not involved from the very beginning to the very end? You're the guy who makes the final decision.

MR. LUND: Mr. Speaker, last week there were complaints that we don't do enough consulting. Now we have a member suggesting that the Minister of Environmental Protection should be out and, in fact, pushing whatever policy the Liberal Party feels needs to be implemented.

We believe in consultation. In fact the committee is going to be out in all of the province having public meetings, getting information from the stakeholders, and it will all be coming back. I can assure the hon. member that we will be looking at the protection of wildlife, as we have all along, in the management of these lands.

MS CARLSON: What I said last week and I continue to say this week is that he's the man who needs to be at the table, Mr. Speaker.

As the minister has ultimate responsibility for these public lands, will he just do the right thing and impose a moratorium on public land sales at least until the review is complete and the special places program is completed? It's the right thing to do, and he knows it, but he just won't.

MR. LUND: Mr. Speaker, that question has a whole host of different programs mixed up in it. As far as the sale of Crown land, I believe that the hon. member is totally mixed up with the land that is being transferred to the municipalities. That is tax recovery land. It came from the municipalities in the first place, so it is being transferred over to the municipalities. There are, as there have been for years, isolated parcels that are sold or in some cases there's a land exchange with a municipality, and that will continue. These are not large-scale sales but in fact usually just isolated parcels.

As far as the special places program, Mr. Speaker, any time that we do transfer land to a municipality even on the tax recovery, if there is any land that is environmentally sensitive, there's a notation put on the title so that in fact they will be identified and they will be protected.

head:

Orders of the Day Government Bills and Orders

head:

Second Reading Bill 10

head:

Local Authorities Election Amendment Act, 1997

[Adjourned debate May 28: Mr. Yankowsky]

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I'm pleased to speak to Bill 10. Often on this side of the House we have spoken about electing regional health authorities. In fact electing them is something we feel very strongly about. My understanding of this Bill is that only a third of the RHAs would be elected, so I have some concerns about that. When you compare the fact that school boards are totally elected and not allowed to spend money as they see fit yet that entire board is elected and then we have RHAs that will be a third elected yet they have total control over that money – it seems a bit ironic that this government can't get it right, but then I should be used to that. I have some concerns about the Bill, and I would suggest that the entire board should be elected.

The appointment of the board, that would be under section 2(b), I believe, so that some can be appointed: I think once again we've got the dilemma of, dare I say, patronage appointments happening in this province. Sometimes I don't think that serves us as well as it should. That is in no way reflecting on the commitment and some of the hard work of the present RHA members, but certainly if you're appointed, you have to wonder who your loyalties are to. Are they to the minister who has appointed you? [interjections] And some over there say yes. Shame on you. Or are they to the people you are to serve? I would expect that it should be the people you are to serve, and that's of course why I would support fully electing a regional health authority.

2:40

One of the things that is confusing to me is that currently doctors and nurses are not allowed to sit on RHAs, and presumably they won't be able to run for election either. Well, that doesn't seem right to me. Why can't a person who has experience and background in a certain area run for a position on a health board? That's like saying a teacher can't be on a school board. Or maybe a local councillor can't run for MLA – is that a conflict of interest? – because then you're more concerned about perhaps Redwater than any other part of your riding. Of course I'm not picking on Redwater. I'm just using that analogy to wake up some people on that side. I see people with a strong background in health care delivery being allowed to run for the regional health authority. I don't see that as a conflict. I think they are citizens like each of us here and should have the right to run for that board.

I would like to see more accountability. I mean, we spend billions of dollars, and as far I see, there's not much public accountability on how RHAs spend money, and for that matter the government hasn't committed to put them under the freedom of information Act. I find that absolutely appalling. I don't think people out there realize that. "You mean to say we can't get information about how a regional authority spends money?" Not shocked and appalled, just appalled. I think that if you are spending tax dollars, you open up the books and you tell the people where the money's going and how it's being spent. I don't think anybody in this House would disagree with that, yet it's still not under the freedom of information Act. You have to kind of say: "Hello. Wake up, people on the other side of the House. Let's get this protected."

Section 10(1): the minister has the right to dismiss all the members of the RHA if he's not satisfied with them. Well, this isn't addressed in the Bill. I can't help but think that you undermine the electoral process in that way. We once heard the Minister of Education say that if he wanted to, he could dismiss a school board. Well, you know, that flies in the face of democracy. If you're elected to a position, how can a minister unelect you? I don't think unelect is even a word. I have some concerns about that.

Now, the minister appoints the chair of each RHA. That's my understanding of that. If that's different, I'd like some clarification on that. Who has the power to appoint the chair of each RHA? What's the process? Is the RHA going to decide that for themselves? I'd like to make sure that the members of each RHA will choose a chair from among their own RHA. Like, could they pick someone from out of the blue? So I don't think that's really clarified in this.

There's another section, 14, about the voters list. Any of us who have recently run an election – and I'm sure some of the people today are working away and waiting in anticipation for the outcome. I'm hoping that there's co-ordination with the other levels of government about voters lists here. Let's not redo some of the work that's already been done. I guess it's just a red flag saying: let's hope somebody is co-ordinating this. Maybe the minister responsible for Federal and Intergovernmental Affairs will give them a little job to do there. He could hopefully address this.

Section 22 would allow more opportunities for seniors in a seniors' accommodation to vote at an advance poll, and it also allows people to vote at an advance poll if they cannot vote on election day for religious reasons. I didn't realize this was a problem or even had been mentioned, but I'm interested to know

what brought this into the Bill. So I'm hoping the minister can address that at some point, maybe in committee, as to why. I didn't realize that was an issue at all.

I'm glad there's a hefty fine for misuse of a permanent voters list. I'm glad to hear about that.

So, Mr. Speaker, I have some concerns about the Bill, mainly the fact that if we're going to elect health authorities, let's elect the entire board. Let's give them their responsibilities, and of course they have to work with the minister. It's interesting. If there's an issue, the minister passes it off on the regional health authority as a problem, but then he wants control to do whatever he likes. It's like taking all the good without any of the bad. I think the minister who is ultimately responsible for Health can work in co-operation with these regional health authorities. I think they should be fully elected. I also believe that people with a health background should have the opportunity to run for those regional health authorities. I don't see that as a conflict. I see that as people with a great deal of knowledge and compassion and an understanding of how the delivery is affected in their own RHA.

I have some concerns. I am hoping they will be addressed. I'm sure we will bring some amendments forward in committee. I look forward to debate on both sides of the House, because I did hear people chirping responses as I was speaking, so I'm sure they'll have some reasoned debate that we should hear in here, though it's unlikely. So with those few comments, Mr. Speaker, I will allow the Chair to proceed.

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

MS CARLSON: Thank you, Mr. Speaker. I rise to speak to Bill 10, the Local Authorities Election Amendment Act. I guess this Bill is a first start in terms of what we were looking forward to: going back to having the RHAs elected as opposed to appointed, which is what the government previously tried to get away with here. In fact, to not have 100 percent of the board members elected is a travesty of the democratic process, and I don't think it's at all what the people of the province have wanted or have asked for in terms of having people on the boards who are accountable and who truly represent the people in the area. There are a lot of problems with the government just arbitrarily appointing people to any kind of a board. You can get into all kinds of patronage appointments there. You can get into unfair representation. You can get into promoting agendas that would not fall in line with the needs of the overall province or indeed those communities that those people are trying to represent. So certainly in principle I have a problem with this particular Act not having 100 percent of the board members being elected there.

I think that having it in section 2(b), when we take a look at that, talking to it – the definitions here seem to me to really be pushed in terms of being adequate for what's required to accomplish this. I'm wondering if the minister who introduced this will be speaking to this at some point. Certainly there's ample opportunity to do that in committee, and I hope it's addressed. I have a particular concern about that, because the way it reads in here, it states that the Minister of Health will appoint the number of members that the minister considers to be appropriate.

Today in this Legislature they're saying that one-third is the appropriate number. Just a few months ago they were saying that none was the appropriate number. So what kinds of changes are we going to see and hear over time that will accommodate some sort of firm number being appointed?

2:50

Tomorrow the minister could change his mind again and say that one is an appropriate number or all of them is an appropriate number. There's nothing enshrined in legislation in this Act, as we read it, to consider that there's any kind of due diligence being done in terms of determining the number that would be the right number or any kind of representation being put forward to communities asking for their feedback in terms of what they think is the right number.

How do we know that this is going to be where it stays and that it isn't changed at some time in the future? It's so easy for them to just snap their fingers and say: today we're appointing them all. We need to see something in here, and I'm looking forward to an amendment coming forward to address this in committee so that we'll see something enshrined in legislation. If they're going to say that one-third is the final number, then I want it to be final forever, Mr. Speaker, never to go up. The potential to go down would certainly enhance the Bill but certainly never for the number to increase.

Currently we see, when we talk about eligibility for sitting on these boards, that doctors and nurses are not allowed to sit on the RHAs. For me that is always a bit of a perplexing problem. The government says that doctors and nurses have a vested interest in what happens so they shouldn't be sitting on the boards. Well, they do have a vested interest in people's health. That's their job. That's their business. That's what they do for a living. But I have yet to see a doctor or a nurse who doesn't have something valuable to contribute in terms of the running of a hospital or a region or a clinic or the well-being of the people in the area. Doctors and nurses are not promoting people being sick; they're promoting being well at all times. I've never seen anything to the contrary.

If I had an authority or a board that had to do with people's health and well-being, then for sure I would want the kind of representation on that board that doctors and nurses could bring to the table. They have a unique understanding of the problems, of the conditions that present, of the kinds of stresses and strains that regions and health care facilities are under at all times. They have a unique understanding of the kind of streamlining that could be brought into the operation, of ways of economizing, of ways of working together with other authorities in other regions, of ways of facilitating the care of people not only once they arrive in a centre but outside of the centre, and of moving well-being into a mode of daily living for all of us and into a mode of after-hospital care that can often prevent people from having to re-present at hospitals. I think that information is valuable. I think it's information that should be at the table at all times when any kind of decision is being made about health care, whether it's the general management of an authority or a region or the actual operations of whatever on-site centres there are.

I think it is particularly negligent of the government not to include doctors and nurses to have some sort of representation at the table. This is their life. This is what they know better than anybody else, and they're the kinds of experts that we need sitting there in the decision-making process. So it concerns me that they're not there at all.

It looks like in this change that we're going to see, with one-third of the people just being appointed and the other two-thirds being elected, there will be no venue for doctors and nurses to run for election either. I hope that in committee the minister will stipulate whether or not that's true. If it is possible for them to run for election, then I would like it to be put right in the Act so

that everybody clearly understands that and so there is no room for misunderstanding here and that once again that be brought in by an amendment. I want to see where we're going there.

There's been some discussion before that it's possible for the minister to appoint a doctor or nurse. In the current government policy, that would be contrary to everything we have heard discussed here in the House and outside of the House in this regard, so certainly I would expect the minister to address that. Once again, to make the legislation consistent and to truly meet the needs of the people, then I believe it should be enshrined in legislation and would hope that the government will bring forward an amendment to speak directly to that.

In terms of accountability here, I don't see any changes in this Bill in terms of how the RHAs are going to be accountable, how they spend their money. So that should be addressed here too.

There isn't a commitment on the RHAs now under the freedom of information Act. That, too, is a strong shortcoming, and I hope it'll be addressed. Certainly it can be addressed in many different formats with regard to this Bill. The minister can get up and speak to it. We can see it enshrined in the legislation here. In the absence of government being responsible in this fashion, the RHAs themselves could come forward and ask to be included there. When you're spending billions of dollars in this area, it's certainly an area that needs to be covered under the freedom of information Act. We've been asking for it for a long time. The public is asking for it. There just seems to be reluctance on behalf of the government side to address it as a truly significant issue.

When we talk about the minister's power in section 10, it gives the Minister of Health the authority to dismiss all members of the RHA if the minister is not satisfied with them. Now, that raises a whole host of questions for me. If an RHA is operating independently as an authority, they should have some decision-making power. I would think that it's very arbitrary for the minister to have the authority to just dismiss them like that. Is there some sort of criteria he will be adhering to in terms of doing that? I would think that that once again should be presented here so that it's up for public review and debate. It truly needs to be addressed in the Bill. It's a very big shortcoming, particularly when you have members elected to the board. What suddenly gives the minister the authority to dismiss them? I don't see that as being complementary to the electoral process in any regard, because who those people are responsible to is the people who elected them, no different than who he's ultimately responsible to here. So how he thinks he has the power to supersede the needs and wants of constituents is a puzzle to me, and I'm sure that he'll be able to address that in committee when he has a chance to speak to these issues.

MR. SAPERS: I don't think so.

MS CARLSON: You don't think so. Well, it's possible that he can't. If not, then we're going to have to bring in another amendment. I think I'm up to five on my list alone, and there's no telling how many other amendments there are here. [interjections] Yes, a hoist is certainly an option. If it can't be addressed and cleaned up in regards to what we need to be addressing here, just clarifying some of the issues so it's very clear for everyone in terms of how they need to operate, then certainly a hoist would be something that we would have to consider.

Now, talking about the chair, again the minister has an incredible amount of power in this Bill, Mr. Speaker, and I'm

wondering why that is. He gets to appoint the chair of each RHA. Then what happens to the electoral process? When people are elected and they sit on a board or an authority, generally the chair is elected from amongst the members. I'm wondering why the minister would once again bring in a big stick and make the decisions in this regard, so hopefully he can address that.

MRS. SOETAERT: A big stick.

MS CARLSON: Yeah, a big stick, because if he's got the power to decide who can chair it, then he's got a lot more power than just appointing one person. That's an area for huge concern, I think, for all of us. Going through this Bill, although it's fairly lengthy, I don't see where that process is outlined. So once again I will ask the minister to address this in committee, to tell us exactly what process he has in mind and why it isn't in the legislation. Once again it may be an area where we need to bring in an amendment. It's not good enough to just say, as the minister might say, that the RHAs can appoint the chair from within. I think that it needs to be concrete. It needs to be in the legislation, and I'll let him address that.

3:00

When we get to section 3, we talk about elections. It's very good to have elections for these regional health authorities. What's very bad about it are the kinds of boundaries they have and the lack of consistency between their boundaries and the normal electoral boundaries. In addition to many of the other questions I have in terms of the elections, the main one is: how in the world are they going to co-ordinate the boundaries and the elections so that it's easy for people who are going to vote, for the constituents when they go to vote, to actually be able to know which region they're in and which person they should be voting for? There's going to be an overlap in some of these areas, and that's a huge problem for people.

I don't see it actually outlined here, but I'm assuming that they're going to be tied in to the municipal elections. With the number of choices and decisions that have to be made already at the municipal level in the elections, to have boundaries for the RHAs which are different from those of the local district is going to be incredibly confusing for the electorate. I think that's a huge problem. What might end up happening here is that you're going to get a tremendous duplication of services and information provided to people just in even determining boundaries, in determining electorate lists, in the paperwork that's involved around that, and in the administration with these regions the way they are, not tying in to local districts. It seems to me that we're going to get into a tremendous amount of overlap and duplication.

This government, in particular over the last four years that I have been here, is continually on the soapbox about eliminating overlap and duplication. Yet here we see a prime case where it's going to be, I think, a huge problem. Who's going to do the paperwork, Mr. Speaker? Is the government? Is this minister's department going to absorb that cost? If that's the case, then I would have to say that he doesn't have enough money in his budget.

The RHAs are screaming for resources now. We have hospitals that are shutting down. We don't have enough beds that are available. We have backlogs of waiting lines in emergency rooms across this province. We have people that are being sent home from the hospital with open wounds. We have people being sent home without adequate home care afterwards. If this minister thinks he can now add an extra administration cost on these RHAs

by having them do all this duplication of paperwork to get ready for these elections, then I think there's going to be a hue and cry from the electorate, because it's an added burden, it's an extra cost in an already overburdened system.

MR. DICKSON: He's saving money by deskilling.

MS CARLSON: He's saving money by deskilling. I think that's exactly right, and that's a huge problem for the people too. What we need is adequate care for the people in the province, and that often means that you need highly skilled, specialized people. When you talk about deskilling, you get into a huge problem in terms of the support for people in this province. Once again we see a hospital system that can't provide the needed services, and we're going to put further pressure on them by having additional paperwork. I see it going to the RHAs. I don't see it going to the municipalities. I'm sure the minister will speak to this, but I think it's something that he clearly has to stipulate and explain to us, about how this is going to happen. Then if they're going to tie in to the existing voters lists provincially and federally and municipally, once again we get into the boundary problem. I just don't know how he's going to address that, how it's going to be streamlined in a manner that will be clear and definitive for the voters, that won't add extra cost to the system, and that is going to actually mean a better process in the regions. I just don't see it happening.

There's a provision in here that allows for three adjournments to a date chosen by the returning officer if not enough people in a summer village are nominated for an office. Then how are you going to tie these in to existing elections and try and streamline the process, Mr. Speaker? I just don't see how that can happen, because you can't have adjournments for any of the other people that are being elected in the regions. You're going to set up a whole, complete, different system in this instance maybe not once, maybe not twice, maybe three times. The extra administrative burden there is going to be substantial. The summer villages I know right now are under tremendous pressure to provide the necessary services in their areas and cannot afford the burden of any kind of extra cost at all. In fact, they're in many cases trying to amalgamate and look for other venues where they can save money. Surely the minister is not going to be expecting these summer villages to pick up the cost if they've got to adjourn a date. So that's certainly something that I think he needs to address.

Now, going on to section 22, I think allowing more opportunity for seniors in a seniors' accommodation to vote at an advance poll is good. It allows them to vote at an advance poll for many reasons. There can be a lot of reasons why they couldn't get there. They could be on holidays. They could be visiting someone. They could be sick. They could be not voting on that day for religious reasons. I wonder if this is something that's been a serious problem in the past so that he has particularly addressed it in this Bill. I haven't seen it in any other legislation. So if he could answer that question for me. I think it has the potential to be good, but I would like to know why it is that he's putting it in.

So with those questions – I think I've got quite a few other ones – he may be able to answer many of them. Then hopefully when we get into committee, I can ask the rest of my questions.

Thank you.

THE SPEAKER: The hon. Minister of Federal and Intergovernmental Affairs.

MR. HANCOCK: Yes, Mr. Speaker. I'd now move that we adjourn debate on Bill 10 at this time.

THE SPEAKER: Having heard the motion by the hon. Minister of Federal and Intergovernmental Affairs, does the Assembly agree with the motion?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: Carried.

Bill 17
Municipal Affairs Statutes Amendment Act, 1997

[Adjourned debate May 29: Mr. Day]

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

MS BLAKEMAN: Thank you, Mr. Speaker, and thank you for the opportunity to rise today and speak to Bill 17, the Municipal Affairs Statutes Amendment Act, 1997. I'd like to speak to the principle of this Act, but I'm having some trouble because there are actually five different things that have been knit into this proposal that's come forward. Some of them I'm in support of, and others I have questions about.

Just briefly, I think there are some good things that have been added in: adding recreation to the Charitable Fund-raising Act, having the standards of practice published in the *Alberta Gazette*, changing the term to "fund-raising business," and raising the limits. I'll speak to those in a bit more detail.

I'm glad to see that recreation was added to the groups that are covered under the Charitable Fund-raising Act, which is part 1 of this sweater that has been knit by Bill 17. I think this will help us in the long run. I know there are examples in other Bills, actually, that have been passed where a few groups were named and the rest were assumed, and that has come back to haunt us all after the fact. So adding recreation does clarify it. We know that community leagues are included. We know that recreational and sports groups are included in this. I think that's a helpful thing.

Publishing the standards of practice in the *Alberta Gazette*: congratulations. Thank you very much. It's nice for members of this Assembly and the public to have access to exactly what they're to expect and what the rules are.

3:10

Changing the name from "fund-raiser" to "fund-raising business": a wise decision. Thank you. It allows us to have some control over the corporations that are starting to come into Alberta from the east. They are indeed fund-raising businesses. They're big time, they know what they're doing, and that is not always to the benefit of the organizations that deal with them.

I think raising the limit from \$10,000 to \$25,000 is also of benefit to the many nonprofit groups that raise funds under the Charitable Fund-raising Act in this province. I have one question there of clarification however. Is this intended to be \$25,000 raised through public solicitation as compared to raising donations by using your membership list, if you have a membership list, or going to a select donor list that you have control over? Are you referring to sending kids out to the doors selling their chocolate bars or selling tickets through the newspapers or these, you know,

million-dollar home draws where it's really a public solicitation? You're not approaching people that you know and that have a affiliation with the organization. I think that needs to be clarified. It was not clear from the original Act. It's not clear in this amendment. There needs to be some help there. Even in speaking with the department officials, who are supposed to be there to help people understand the way these regulations are being put into place, they don't seem to be clear on that. So I think that clarification needs to be put into this. Going on my experience with this, as all of the organizations involved in the nonprofit sector must raise more and more money as they get less and less from the government, that ceiling does need to be raised before they get involved in a whole bunch of paperwork.

That was the good news.

Now, while this Bill was being amended, why didn't we deal with some other problems that we know are happening in this sector? It would save us all a lot of time. In particular, why is there no percentage of a net profit from any third-party fund-raising? Why isn't that set? This is totally unlimited. You must be aware of what's going on in this sector and the amount of abuse that's taking place from fund-raising businesses. This affects all of us. You know, as there's more downloading onto the nonprofit sector, where they're expected to fund-raise more and more money on their own, where they're forced into a competitive field, where they're competing with huge health and educational fund-raising events and organizations, people are desperate for money to be raised for them. For most people working in the nonprofit sector, they've got a very small organization that's doing the administration, and they're expected to fund-raise on top of that. Somebody comes along to them and says, "Hey, no problem; don't lift a finger; we will raise money on your behalf or in your name," by doing whatever, a direct solicitation or a mail-out or some kind of special event. "You guys just sit there. We'll use your name and we'll pass over" – and what they do is they guarantee the amount. "We'll guarantee you \$20,000," or "We'll guarantee you \$5,000," or whatever. But you have no idea what percentage of the total amount raised by these third-party fund-raisers this is. None. So how much money is leaving this province and going back east? We have no idea, and you cannot get any record of that out of the third-party fund-raising businesses, not at all.

So unless this government is really keen on taking money out of Alberta and sending it back east, which I don't think they are – I'm certainly not in favour of it. We're trying to raise that money here in Alberta to keep up our quality of life and keep the number of organizations going that are providing such excellent service to all of us in Alberta. Let's look at that. Let's see if we can get an amendment forward. Let's try and get this nailed down so that what we're doing is saying that any third-party fund-raisers will hand over a specific percentage of the money raised.

People in Alberta believe that the hon. members opposite from me are looking out for their best interests. They want to know, when they donate money, exactly how much of that money is going to the charity. They believe that a lot of that dollar, 80 cents or 90 cents or 95 cents – no, my friends, you've not been paying attention if you think that's going on. You're lucky with some of these third-party fund-raisers if 5 cents is going to that charity. Sooner or later the population will rise up against you for this when they start to figure out how much money is leaving this province and how much money is going into the pockets of corporations – let me underline that word, corporations – not nonprofit organizations. So let's do something about this while we've got the chance to do it.

There's an awful lot of abuse that's taking place there. I'll just give you one simple example. An organization I know was approached. There was an event that the organization had once done to raise money. This third-party fund-raiser offered to take it over, guaranteed them \$20,000. Great. It went really well for them the first year. They got the cheque for \$20,000. Wonderful. So the organization thought: "Great. Well, next year we'll be able to make even more money. This is a successful event. Terrific. We can maybe make \$25,000." That's what they put in their budget, not an unreasonable expectation. Well, the third-party fund-raiser comes back and says: "Well, we now own this event. We will guarantee you \$5,000 this year." Not \$20,000 but \$5,000. The next year they came back to them and said: "Hey, great deal. We'll offer you \$2,000." How much money was that corporation making on this event that was basically taken over from a nonprofit? At that point the nonprofit withdrew. They continue to this day to do that event. I think they're doing it under the name of the original charity, and nobody knows any different.

Here's another example of how it gets abused. You get phoned up. There's such and such an event happening. If you don't want to donate money to the organization, why don't you buy some tickets for underprivileged kids? We'll make sure that those kids get tickets, and they can go and see whatever the event is. Can you tell me, anybody, whether those kids actually get the tickets? Because I know of instances where they didn't get the tickets; there's been no attempt made to get those tickets to underprivileged kids. They just rake in the money.

DR. TAYLOR: Well, I get letters back.

MS BLAKEMAN: You get letters back? [interjection] Yeah. You bet it's happening, and people are getting more and more annoyed. This is something that we in this Assembly are responsible for. People trust us to be looking after this, and we have the opportunity to make an improvement here. Let's do it.

I was privileged to sit on the Charitable Appeals Committee for the city of Edmonton, and I have to tell you that a lot of these third-party fund-raisers walk the thin edge of the wedge all the time. They're pushing that envelope. It's a big moneymaker. We couldn't get any kind of real financial reckoning from them ever. We just got reams and reams of absolutely meaningless numbers and were never able to tell what they were doing, and this is the way they were behaving with a duly sanctioned quasi-judicial committee established by a large city here. That's the way they're treating them now. What do you think they're doing now that they really don't have to answer to anybody in particular? Of course they're abusing it.

What about the donor lists? As a sidebar to this I'm still getting calls from senior citizens who are really upset about some hospitals using patient lists to phone people up. This is really unfair to seniors. They've worked hard. They've retired. They think they're being looked after, and they're not. When a hospital phones them up and says Dr. So-and-so recommended that I call you for a donation, they believe that they'd better donate or next time they want to get in the hospital, they won't get in. Now, you'd think: oh, come on; let's be reasonable here; anybody can figure out that that's not the case. But I've spoken to these seniors, and they do believe it, and I think that's the basis we have to be operating from here. I mean, they're expecting us to be making sure there's no possibility for abuse here, and it's happening.

What about the donor list? There is something in here that says that the third parties can't take the donor list, but may I just suggest that we might consider, when we get to the Committee of the Whole stage, including some written delegation from the board if someone is to be signing this list over. I think the whole organization needs to be very clearly aware of what is happening with that donor list. We don't want that donor list going between organizations, we don't want it sold, and we don't want it being abused by any kind of third-party fund-raiser. So let's look to that one. That one we could fix.

I think we also want to look to whether – and I don't know if this can be done – the charities can sell their lists between other charities. It's something to look to.

So those are my comments on the principles, such as they are, to the first section of that Bill.

3:20

Debtors' assistance. You know, what really leapt out at me about this is how closely this situation resembles CKUA. I think none of us want to repeat that or anything to do with that episode. I think it could be safely said that it was not handled well. Let's try and learn from those mistakes. This is another area where something that was considered a public service and operated funded totally by the government is being sent off to a foundation, supposedly a nonprofit foundation. I think some people see this as good service that the government operated being jettisoned. The question I've been asked is why. What is wrong with this government running that credit counseling program or debtors' assistance program inside of government? What's wrong with that? Why do we feel this great need to throw all of these good programs out the window, hoping they'll be picked up by the private sector? This is the question I've been asked, and I haven't seen a reasonable answer to it yet.

A couple of other points on that. There's no consumer group that's chosen as a representative to sit on this foundation or corporation, whatever we're calling it, which I think is a fairly serious omission, seeing as they do in the end represent the consumer, which is the people, which are our citizens and our constituents.

I'm really concerned about the thing that says they're not an agent of the Crown. What are we trying to do here? I'd like to hear from the minister responsible as to why that's written in there so specifically.

I've written these notes so long ago that I can't read them now. Maintenance payments: provide court with the report . . . Oh, there is a section in here about maintenance payments. I'm sorry I'll have to come back to that one. I can't remember what it was I was trying to say.

I think my feeling on the principle of that section, debtors' assistance, really is encapsulated by my opening comments on it. How is the public further ahead here? Why is this being taken out from underneath what the government provides as a service to the taxpayers? I guess the ultimate question there is that if this credit counseling is given out to this nonprofit foundation, or however it's being phrased, and for whatever reason it goes under – and there are a lot of reasons. We already learned those lessons from CKUA. It's not given the right amount of transitional funding. I mean, the monitoring is not kept in place there to make sure that in fact it is getting under way and operating properly. What happens if this thing goes under? Is there a government commitment to take it back again, or is that it? Is that the end of the commitment from this government to give any kind of assistance

to the citizens about debtor assistance or credit counseling? That's what I'd like answered.

So those are some brief comments on what I feel I can reasonably talk about in this multipart Bill. I think that in itself points out the problem with this Bill: it's under different sections; it involves very different Acts. I mean, I am able to comment reasonably on two out of five sections here. Why are these all knit together? How is this a service to the citizens in Alberta? How are they supposed to make their way through this and all of the amendments in this? How is this being open and accountable government? Why is there such a rush to jam all of this stuff together and get it through?

I don't think that in the end this is in the best interests of people. It certainly doesn't make it easily accessible for any citizens to provide helpful advice to the government by being able to read through this and understand it. It makes me increasingly suspicious, and I haven't a suspicious nature, but it's getting that way. What's this about? Why is this kind of thing happening? What's trying to be hidden here? I still have not been given reasonable reassurances by the hon. members on the other side of this Assembly as to why this kind of thing is happening. I think ultimately you have to answer to the people of Alberta for that.

That concludes my comments for today. Thank you very much.

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

DR. MASSEY: Thank you, Mr. Speaker. I'd like to add some comments to Bill 17, the Municipal Affairs Statutes Amendment Act. To start with, a question that I had as I read through this was: who is the intended audience of Bill 17? It seems that in answer to that, one could come up with a number of groups, a number of rather disparate groups. If you were trying to catalogue the Bill – I wondered when I saw it if there's someone on the government side that actually keeps track of the Bills and the numbering and where they are to be classified. Because if this is a sample, I'm not sure how someone who has expected changes to the debtors Act or changes to one of the other Acts included here would find the information. How do you go about it? If this Bill becomes law, how will it eventually be classified as a Bill? Or will they have to go and reread each Act to find out the changes that have been made? The question that remains is: what's the Bill's intended audience?

One of the other questions I have. If you look at the Charitable Fund-raising Act changes that are proposed here, the principle seems to be that fund-raising has become such a problem that it should be subjected to a rather detailed set of laws. I think for those of us who've answered the telephone or the door in the last three years and had to face a huge number of people and solicitations for funds, it's a valid kind of concern. You often don't know who's asking you for money or how reputable they are or where that money is going if you actually end up making a donation.

It raises again the question of who knows about the laws. It's another piece of legislation that I think begs to be written in very usable language. It's a piece of legislation where the follow-up, I think, with the community is probably every bit as important as the crafting, because the best statutes in the land are of no use to ordinary citizens if the only people that know about them are the legislators that craft them. That's my worry about this Act, that, first of all, changes to the five different statutes are being masked under a title called the Municipal Affairs Statutes Amendment Act, a very important piece of legislation, one that does impinge

on us not only as potential donors but certainly impinges on those of us who are involved in organizations that are trying to raise funds. I wonder how that information becomes popularized and how it can be made more useful to citizens.

I look at the principle underlying the Act, and if it is really necessary for us to have in place some fairly stringent laws that govern the fund-raising business – those people who are involved in fund-raising, the standards of practice of those businesses, the records that must be kept, the licensing procedures – then how do we put that in language that ordinary citizens can access? How do we, once this legislation is passed, make sure that it reaches those people who are interested? Again, I think it applies to everyday Albertans, rather busy, who are going about their work, meet a constant series of requests for information, and would need something useful that they might refer to without having to try to access something through as complex a mechanism as this has become.

3:30

I think that if you look at the Debtors' Assistance Board and the proposals here, the underlying principle seems to be a sound one, and that's that the Debtors' Assistance Board should be representative of those interest groups that have concerns about debtors and what happens to them and the kinds of laws that govern them. It's interesting to note that redeemed debtors actually sit on this board, which is something that I think we in the past have often overlooked doing; that is, to include the very people who are most affected by decisions of our statutes and to include them as part of the decision-making process. So it's good that we have serving on that board debtors or people who have been in debt and who, with assistance, have been able to plan and to work their way out of debt.

[Mr. Herard in the Chair]

Again, it's an area where one would hope the Act itself would be available to people that are having difficulties in this area, and to mask it under an umbrella Bill like this seems to be a mistake. It seems to be worthy of an amendment on its own.

If we look at the Municipal Government Act, to have amendments here this quickly, after all the discussion we've had in this Legislature on the Municipal Government Act, it makes one wonder how carefully some of the legislation is being thought through. When it's being crafted in the first place, how carefully is it considered? How extensively are interest groups, those people affected by the changes, consulted? Then when the legislation is drafted, what kind of care is taken to make sure that there aren't serious omissions, that there aren't pieces of the legislation that are going to result in immediate action by courts or other groups to have them changed? So the quality of the legislation that comes before the House certainly is an issue in Bill 17, raised in particular by asking immediately for some amendments to the Municipal Government Act.

The Real Estate Act amendment is also interesting. The principle seems to be that there have to be sanctions in place to govern the behaviour of members of the real estate profession. Again I think that's acceptable, but it almost turns the Bill into a miscellaneous statutes Act. It doesn't seem to warrant the kind of title that it has. In fact, you wonder about the titling of all these various Bills as Municipal Affairs statutes Acts.

I guess the most curious of them all is the Residential Tenancies Act and the proposal there that would have the Banff Housing Corporation given permission to refuse consent to a sublease.

You wonder about the need for that in a statute of this kind and the explanation in terms of that corporation. Is that something that applies just in one particular case, or is it a whole class of actions that the Banff Housing Corporation has engaged in and would benefit by having this passed?

So those are my comments about Bill 17 at this stage. I think it's been said time and time again, repeated often from this side of the House, that it's a curious collection of Acts to be brought together and labeled Municipal Affairs Statutes Amendment Act. The wisdom of that I think is something the government might want to look at in the future, because it's happened several times this session and it's being raised as an issue not just in the House but outside the House by a number of groups who feel that it makes less important some of the Acts, some of the changes that are being made, and it obscures those changes to a number of people that might be interested.

Thank you very much, Mr. Speaker.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I rise this afternoon to speak to the Municipal Affairs Statutes Amendment Act, and as my colleagues before me have indicated, it is in fact rather a convoluted piece of legislation.

MRS. SOETAERT: Omnibus. It's a convoluted omnibus.

MS LEIBOVICI: As the Member for Spruce Grove-Sturgeon-St. Albert has indicated, it's a convoluted omnibus Bill that makes it very difficult for the Albertans who are not as versed in reading legislation as I'm sure each Member of this Legislative Assembly is to try and make heads or tails of this particular piece of legislation.

I remember when I was first elected to the Legislative Assembly that there was a lot of to-do around the fact that legislation was now going to be put forward in clear language, that legislation was going to be easy to follow, that legislation was going to be streamlined so that any individual could pick it and did not need a legal background in order to be able to read the legislation put forward. What we have in front of us is a mishmash of legislation under the Municipal Affairs Statutes Amendment Act, and I'm not sure if the reason that this is here is because the ministry has been pushed to put forward these pieces of legislation in as quick a manner as possible in order to ensure passage in this particular sitting and thus avoid a fall sitting. This may be the only reason that we see this legislation in the form it is now.

We've already had a point of order that the Speaker wisely ruled on which indicated that although there is nothing contrary to putting this kind of Act forward, there is in fact leeway in the legislative process to perhaps change this manner of legislation. I would hope that the next legislative session of this Legislature, the Second Session, will not be as rushed in order to ensure that legislation that is put forward is (a) understandable, (b) easy for anyone to read – it's in plain language – and (c) is a good piece of legislation. What we have before us over and over again are pieces of legislation that have been rushed through this Assembly and have proven not to be good pieces of legislation for Albertans.

Here again we have the Municipal Affairs Statutes Amendment Act, and some of what this Act deals with is the Charitable Fund-raising Act, which was brought forward and dealt with I believe

last year. Again we see issues coming back to the Legislative Assembly, issues that had the government paid attention to what the opposition was saying at that time, we would probably not see the corrections for within the legislation. Even though there are corrections within the legislation in part 1, if I can call it that, of the Municipal Affairs Statutes Amendment Act – in other words, that part dealing with the Charitable Fund-raising Act – there are also, I believe, some areas that bring questions as to what this government is doing. We see that there are dollar amounts that have been increased so that the solicitation, in other words the contributions, from persons in Alberta during a fiscal year can be increased to \$25,000 from \$10,000.

3:40

We see that there is an amendment which has changed “professional fund-raiser” to “fund-raising business,” which is important in addressing the fact that fund-raising has become a business, but the concern still remains as to what happens with the professional part of it. Is there any indication – and we're told it will be in the regulations – that by changing “professional fund-raiser” to “fund-raising business” we are indeed opening the door to fund-raisers who are not professionals? I'm sure the Members of the Legislative Assembly are aware that individuals who are engaged in fund-raising are attempting to achieve some sort of professional status with regards to that form of employment. So what are the implications for that? What are the implications for the increase in the dollar amount? Does this then mean that there are certain organizations that perhaps are now depending on government funds who are needy of the ability to raise more dollars?

There are also questions and concerns that I have with regards to the maintaining of financial records. That was something we had addressed in the last piece of legislation, as to where those financial records were to be kept. I see that it no longer says where the financial records are to be kept. It does not say in here that the financial records are to be kept in Alberta. That is an issue when you have organizations that are fund-raising from outside of the province. If an individual or a group wished to review the records, if the records are not in Alberta, that might be difficult to do.

There are concerns around the issue of information and whether information that is provided to a fund-raising business is indeed secure, whether that personal information is secure or not. I notice that there have been some changes made to those sections. The question is: are those changes made because right now the information has not been secure? And, so that we can assess whether in fact these amendments will address the concerns the government has, what are some of those situations? The reason these amendments are here is because there are concerns, obviously, around the issue of information. There are concerns, obviously, around the issue of who does fund-raising. There are concerns, obviously, around the dollar amounts that can be raised. Otherwise, the amendments would not be here. So if we can start from that premise, that the amendments are there because there are problems, it would be helpful to know what exactly those problems are, what the specific circumstances are. Then we can look at and judge whether these amendments actually do address the issues that are put forward.

It is hard to make an informed decision in a vacuum, and I think that is something that this government has done over and over again. I think they are probably careful as to not only the information they provide to the Official Opposition but are probably careful as to the information they provide to their own backbenchers. If not, then it would be, as I indicated, helpful to

know what the issues are that are being addressed and how these issues will be corrected by the amendments coming into effect.

Now, there is a fair amount of reliance on regulations, as in most of the government Bills. Again, the regulations that we see through the Legislative Assembly are something that should not be after the fact but should be something that we see in conjunction with the legislation that's put forward.

So with regards to part 1, which is the Charitable Fund-raising Act, there are a number of concerns that I still have. There are a number of concerns that probably I will not be able to see addressed unless we can see the actual regulations to ensure that those issues are addressed. I wonder, even by the format of this particular Bill, whether the government has not rushed to correct a problem and in that particular correction will not be creating some more problems.

Part 2 of this particular Bill deals with the Debtors' Assistance Act. This part of the Bill I find is the height of the arrogance of this government. It in fact is putting into legislation something that has already been put into place and I think is in contempt of this Legislative Assembly and the powers and authority that are vested within the Legislative Assembly. To in fact set up a Debtors' Assistance Board prior to the Debtors' Assistance Act having been amended, to appoint individuals to that board – what's interesting is that the individuals who are appointed and the areas that the individuals come from are very different than what the tabling was that the minister had put forward. Within that tabling the minister had indicated that the board would consist of an equal or almost equal number of individuals, debtors, and institutions and associations. When you look at the composition of the board, there is only one debtor that will be on the board. The other institutions do not represent the debtors but represent the creditors.

When you look at issues such as the terms of office, vacancies on the boards, the fidelity bonds, and some of the other issues, these are all very different than what is in the current Act, and I have a great amount of difficulty having anything positive to say about a piece of legislation that is put forward in this Legislative Assembly after the actions have already occurred. If we are living in a democracy, if we have even the pretence of a democracy left in this province, then this cannot and should not occur. It is as simple as that. The reality is that either we are living in a democracy where Bills and changes are discussed within the confines of these four walls or we live in a dictatorship. It's the actions of this government that will dictate whether the people in Alberta see us as living within a dictatorship or see us as living within a democratic institution.

Now, this is not hard to understand. This is not hard to follow. If there are changes to be made to legislation, if there are changes to be made to organizations within government that require a change in legislation, that needs to come here before the Legislative Assembly. It cannot be subsumed under the heading of: it's a delegated administrative authority. If the Act requires a change in it, then that needs to occur before the action occurs.

As I said, this is not a difficult concept to grasp. It is not hard to understand, but what I notice is that there are a lot of bent heads in this Legislative Assembly at this current time, mostly from the government members. I wonder if there's a sense of shame or a sense of just not having understood the relevance of what has happened with this particular piece of legislation. [interjection] To be shameless, hon. member, is to have no conscience. I think that the Member for Cypress-Medicine Hat has a conscience and therefore is not shameless.

3:50

There are areas under this particular Act that deal with the making of regulations “respecting fidelity bonds,”

- (b) remuneration . . . payable by the Board . . .
- (c) fees for services performed by the Board or a delegate of the Board . . .
- (e) specifying members, officers, employees and delegates of the Board . . .
- (f) respecting the manner in which the Board must handle payments made to the Board by a debtor as part of a repayment plan;
- (g) respecting any other matter the Minister considers necessary to carry out this Act.

If this is not a total reworking of the responsibilities of the Debtors' Assistance Act, then, quite frankly, I'm not sure what is.

The other issue that centres around this particular Act is the fact, as I touched on right at the beginning of my comments, that there does not seem to be much consideration for debtors. We know that in this province we have the highest consumer debt throughout Canada. That is not something to be proud of. We know that individuals who are engaged in looking at their finances and at their situations are in a precarious situation. They need the counseling. They need the ability to access an independent body, and they need to be assured that their orderly repayment of debt is in their best interest as well as that of the creditor. When you have a board that's as heavily loaded as this one is to the creditor, when you have the possibility of fees being charged – and this is to individuals that obviously do not have a lot of money in their pockets – you have the starting and the setting up of a circumstance where I do not believe that debtors are going to be comfortable in accessing the counseling that is available.

What's interesting is that the department I believe did at one point have – and I don't know if it dealt only with the debtors – an assistance program, did have a 1-800 line where people could phone and ask for information on various issues dealing with consumers. That line has now been banished. There is no place that an individual who is having problems with debt can go at this point within government or can go to find out where to go. I think that these are very grave situations.

The other issue of course with regards to the Debtors' Assistance Act is that this government has provided dollars to the credit counseling board prior to the Act being enacted. So not only do you have legislation coming after the fact, but you have dollars – it was over a million dollars; I think it was 1 and three-quarters million dollars – being given to a group that didn't even have the legislative abilities, that wasn't legislatively endorsed. You're giving money to groups that don't have the legislative basis to receive the dollars. Something's a little bit cockeyed here, I would imagine. [Ms Leibovici's speaking time expired] Am I done? Too bad.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's of course a pleasure to rise before you this afternoon to address Bill 17, that being the Municipal Affairs Statutes Amendment Act. I've been listening intently to the debate this afternoon, as I also listened carefully when the minister herself addressed points in regard to this Bill. I have some concerns, and I also have some accolades, which I hope I will get to as we proceed through second reading, which deals essentially with the principles of the Bill only.

I'm struck at the outset, Mr. Speaker, with the very, very large

number of Acts that are being addressed through this one Bill. I note that we're addressing everything from the Real Estate Act to the Residential Tenancies Act to the Municipal Government Act to the Government Accountability Act, the Chartered Accountants Act, the Certified General Accountants Act, the Certified Management Accountants Act, the Public Inquiries Act, the Freedom of Information and Protection of Privacy Act. That's just for starters. I think it goes on to deal with the Debtors' Assistance Act, the Charitable Fund-raising Act, and numerous other Acts are also referred to either directly or perhaps indirectly. Nonetheless, they're all included in this Bill, and it's quite a large number to be dealing with all in one fell swoop.

As I understand it, all of these, Madam Minister, do come under your jurisdiction, so I can understand why it is that you're having to address them. I would just suggest that perhaps in the future you might give some thought to perhaps siphoning some off into separate Acts just so they can be dealt with perhaps a little more expeditiously.

I would start my comments, nonetheless, with regard to some of the background to this Bill insofar as the Charitable Fund-raising Act is concerned. Having been a professional volunteer all my life – and I'm sure there are other members here who have been as well – I have had the great pleasure of working with a number of charities. I can well understand that as the dollar today buys so much less than it did back a few years ago when this Act was first passed, there's a need to relook at things from a contemporary set of eyeglasses perspective. In that regard, I don't have any problem with the minister wanting to increase the income threshold, I guess, for nonprofit charitable organizations and, specifically, increasing the amount for reporting from \$10,000 to \$25,000, although I would say that \$10,000 does seem to be where the bulk of our nonprofit sector probably functions. I don't think there are that many who engage in a huge number of projects beyond that amount, but those that do probably would be included in the \$25,000 figure. So I have no difficulty with the principle behind that.

I'm sure it was not an arbitrarily picked number. It must have been on the basis of an extensive review with the Alberta Gaming Commission, certain lottery boards perhaps who track these kinds of things. I'm hoping that the minister in fact has researched that that amount wasn't arbitrarily chosen but was chosen on the basis of demonstrated need, because that's where the threshold seems to have moved: from \$10,000 up to the \$20,000 range. So that part seems fairly straightforward to me.

The other issue is with regard to the principle that fuels the need for additional protection, Madam Minister, insofar as telephone solicitations are concerned. I have been on both ends of this – and I'm sure you have as well – where you're either the one doing the phoning to try to encourage some participation in a particular charity's activity or sale of goods or whatever, or perhaps you've been on the other end, where someone's trying to sell you something over the phone. Nonetheless, the spirit and the principle behind making things a little tougher or tightening things up in the area of telephone scam protection I think is a good one. I realize there was something there before, but this one seems to pinpoint it just a little bit better. I'm not sure how that's going to be tracked and enforced yet, but the principle in a general fashion is one that I agree with.

4:00

The aspect of ministerial power that's referred to here, Mr. Speaker, seems to be fairly consistent with what has been going on for the past number of years. Something that several of my

constituents, not a huge number but those people who do follow government and governance carefully, have asked me a number of times is why so much power seems to be moving more and more into the hands of ministers or the cabinet. I'll be the first to understand that there is a need in many instances for ministers to take and to have and to hold power, because we don't want to be micromanaging as a group of legislators. But there are other times when the government would be wise to reconsider how much power is in fact being delegated or perhaps taken in a particular Act.

I'm quite sure that the principle that is referred to on page 4 with regard to the minister's ability to refuse registration or to refuse to renew the registration of charitable organizations – that principle, that concept, would have to be founded on some fairly severe findings, as it were, to in fact have the minister exercise a power of that nature. I'm sure that's probably what the case here is. So we'll address some specific questions in that regard, Madam Minister, when we move through the next stage. This is not the time for some of that detail.

I suspect what it means by way of principle, Mr. Speaker, is that there must have been some examples where the government experienced some difficulties. Having sat on a number of these boards that review these types of applications, I can well anticipate what some of those difficulties might have been, but I'm not sure, even then, that the minister or the Crown or the government as such had the right to technically refuse registration or reregistration, because in many cases a lot of these organizations, who are all fueled by volunteers by and large, are sometimes victimized by oversights or by a change in directorship and somebody moved away with the records or took the canceled cheques with them, or something to that effect. So I look forward to seeing at some later stage what the principle or the spirit here refers to, and that would be the conditions under which the minister might be refusing to register. I think that's a very straightforward issue and probably one that's easily enough answered.

I have no difficulty with the concept of redefining what fund-raising businesses are. I think this is simply an update. The principle and the spirit of that is a fairly harmless one, with the exception of the licensing component here on page 5, the principle of not only defining who professional fund-raisers are but also the minister's ability, again, "to refuse to issue or renew a licence."

[The Speaker in the Chair]

I would support anything that the government has to do with regard to being extremely scrutinous of professional fund-raisers. It seems to be an area that is becoming more and more popular, because of course organizations are becoming more and more dependent on some form of fund-raising, and with only so many dollars to compete for in the community, Mr. Speaker, what tends to happen is that we're all competing for the same dollar. The next step for community organizations, of course, is that they start competing with each other. One tries to outdo another, and eventually we start running into shortages of creativity, so we go to professionals for help. These professionals now should be required to be licensed in order to take a fee or a commission or whatever. I agree that we need to tighten that up and be very vigilant on how we not only issue them in the first place but also on how we renew them. The principle of renewal surely must be based on a very clean track record that the professional fundraiser has acquired in serving the public.

We get hit by professional fund-raisers all the time, Mr.

Speaker, be it on the telephone or be it door to door or be it through the mail or a note on the windshield. It just seems that fund-raising is so prevalent nowadays. I think it was always there, but the volume and the frequency of fund-raising now – I would be interested, in fact, in seeing a statistic on that someday: how much fund-raising is really going on? I know we do have statistics, Madam Minister, on the amount of money fund-raised. Perhaps one could roll into the other, and just as a point of information I think you could share that with the House at some point.

The concept of donor lists that's referred to, as well, is another one where I would say: you bet we need protection when dealing with donor lists. Those kinds of lists, just like electoral lists – noting that of course today the federal election is going on, I think we're all thinking a little bit about elections. I'm thinking about electoral lists and how we have a rule that we don't share or we're not allowed to share those lists, be they voter tracking or be they lawn signs or donors or whatever. In fact, it's against the law, as you know, Mr. Speaker, to do that.

Here we have donor lists as they apply to charitable fund-raising organizations, who are also very well intentioned, yet they sometimes fall prey to the occasional unscrupulous professional fund-raiser, who might step into a very large organization with not just hundreds of members but perhaps thousands and might wind up walking away with a very valuable list similar to those lists that major credit card companies sometimes attract. Lo and behold we sometimes wind up on other lists, wondering: how did we get there? So anything that tightens that up I would certainly be in favour of, and as we move through the next stage, I hope we'll find out much more about it. As I said earlier, there's so much fund-raising going on right now that anything we can do to not only help the groups with their fund-raising but at the same time give them the protection they need from some of the abuses that are prevalent I think is a good idea.

These standards of practice: it seems to me that this is probably something new, Madam Minister. On page 6 it says here that the Minister may establish standards of practice relating to fund-raising carried out by charitable organizations and fund-raising businesses.

Now, I think there needs to exist a certain level of trust on both sides here, and the notion of having standards of course takes me back to a previous portfolio that I was critiquing, where the Minister of Community Development and I got into quite an excellent discussion in Calgary on community standards. I'm sure he'll recall that discussion because we wound up sharing a lot of similar opinions at the time of discussing it. So anytime I see the word "standards" as they are applied to the community or, as they are in this case, applied to charitable organizations, who really are the heart pulse of our community, I am always interested to read them carefully.

I spoke about the level of trust. I note here that there is another Act being referred to in this regard, and it's the Regulations Act, where it says under point (3) that "the Regulations Act does not apply to the standards of practice." I'm just a little confused as to what that means, but it's perhaps something that the minister could clear up in one or two short sentences. I'm not sure what the spirit or the principle behind that clause is. It's a new clause, as I understand it, and it likely has a fairly direct answer. There may be other members who would be interested in that as well, Madam Minister. Otherwise, I think the standards of practice are a fairly decent idea to pursue.

As I move on and look at inspection of records, here's another area that I hope it's the government's intention or at least the

minister's intention to clean up or to sharpen the focus of what it is that is expected from the charitable organizations themselves. I recall having reviewed literally thousands of grant applications over my time, and in all of those grant applications, Madam Minister, we always had a clause – and I don't think it's unique to Alberta; I think all provinces probably have it, even the government of Canada – a clause that would suggest that the records be kept and maintained in a specified place for a minimum period of I think two years following the conclusion of a given project.

4:10

Now, my time line might be different today than what it was then in terms of the required length of time to keep something, but here we have an opportunity to really truly assist these charitable organizations, who, again, are all – well, not all but the bulk of them – volunteer driven. What tends to happen is we get a fairly high turnover in our volunteer sector. The minute the treasurer leaves a job and moves to a different part of the city or to a different town in the province, sometimes the records go with that person. Sometimes the president and the treasurer don't see eye to eye perhaps, and there's a little bit of sparring that takes place and somebody says: "Well, I gave it to you." "No, you didn't." "Yes, I did." You know how the story unfolds after that. The records get lost, then fingers get pointed unnecessarily. So I tend to be much more on the proactive side of these kinds of things, and I say: how can we avoid those kinds of little miscommunications and difficulties? How can we help the community do their job better? How can the government do that job better?

If I see this in the correct light, I would suspect that this is an attempt at some form of proactive measure in that regard. Anything that prevents some of the scam-type artists, that I referred to earlier, or anything that doesn't continue to pit one community organization against another or anything that helps smoothen the flow of communication between the executives: that, I would like to think, is what the spirit and the principle of this section on inspection of records is all about. Again, we'll have to wait and see how it turns out, because I do know from previous discussions with a lot of the volunteer organizations that I've been involved with, be it the Youth Emergency Shelter Society or the Great Canadian awards or the Rainbow Society, the Alberta Friends of Golf Association, that these are just innocent organizations who are really in there working as volunteers to help improve a little piece of life for someone else whom they might come in contact with. I'd be concerned if there were anything other than that spirit of protection behind this section, because I would hope that this is an attempt to be helpful, Madam Minister.

Now, I realize I'm running out of time and will have to address a lot more later, but I'll just begin my wrap-up here with a couple of quick comments in respect of the principle and spirit behind the changes being made to the debtors' situation in Alberta.

In particular, we have the amendment, as I understand it, of the Debtors' Assistance Act. I hadn't realized prior to reading this that we even had a Debtors' Assistance Act per se much less that we now needed to create a revitalized Debtors' Assistance Board. I know that at the constituency level, Mr. Speaker, I deal a lot with individuals who are in debt or are trying to get out of debt or are dealing with collection agencies, and they're having quite a hassle, quite a headache. So I would assume, then, that what's going on here, with the way this Debtors' Assistance Board is being struck, the principle behind that is to help provide some additional counseling perhaps or information services or other forms of assistance specifically for those individuals who are in

debt. I think now about the large number of people that are in debt as a result of VLTs, for example.

Now, I have a great concern with VLTs, which I have enunciated a number of times. I thought that VLTs would be better served by being housed in casinos only, where they could be better policed, regulated, and there'd be fewer of them. They wouldn't be as available. But the upshot of it all, Mr. Speaker, is that the VLTs, the way they are right now across the whole province, have simply resulted in a lot of heartache and a lot of people in debt.

I hear the bell has gone, Madam Minister, so I'll come back during another stage to debate this a little further. Thank you.

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

MRS. SLOAN: Thank you, Mr. Speaker. In light of the time, I will make my comments brief. Speaking specifically to the Charitable Fund-raising Act amendments, I think it's of interest to look at what is currently within the Act and what is proposed, and I would point out specifically the amendments under section 2. It's of interest to me that a charitable organization previously was "formed for a charitable purpose," that being defined as "a philanthropic, benevolent, educational, health, humane, religious, cultural or artistic purpose," and it meant that it was "formed for the charitable purpose for which the solicitation was made." Interestingly, by these amendments we are proposing quite a shift philosophically in why charitable organizations, be they organizations or businesses, exist.

I cite specifically from amendment 1(a)(i), that says that a charitable organization, whether that be a partnership or a corporation, "is formed to make a profit for its owners, members or shareholders." This particular amendment in the context of the reality that we today have in this province, where we now have fund-raising activities, be they small, be they large, in almost every regional health authority, where we have individual hospitals that have partnered up to do some type of fund-raising, and where basically now under the jurisdiction of this Act we're saying that those organizations are in the business to make a profit, fundamentally I disagree and disapprove of that type of a change being made, particularly when the service delivery we're dealing with is the provision of service to people who are ill or in need of medical attention within the health care system.

I guess the questions that come to mind for me are, once again: where did these amendments arise from? Was there a consultation process? If so, could the report of that consultative process – any letters, any concerns – be tabled in the House? I'm not sure that as an Assembly we fully understand the ramifications of now making our charitable fund-raising profit-driven entities. While the old definition was quite broad, I think that the absence of those "charitable purpose" elements leaves the Act and its application open to even further misuse. I don't know if the minister has taken any time to consider that, but it seems to me that we now are saying that it's quite a broad jurisdiction under which charitable organizations can make profits in this province.

The next section that I would like to turn to is the proposed section 7 – I believe it's on page 3 – where we say that

a charitable organization or fund-raising business that makes solicitations must maintain

- (a) complete and accurate financial records . . .
- (b) records regarding solicitations made . . .
- (c) other records and documents described in the regulations.

My questions to the minister. Why do we not say: audited

financial statements? Also, why do we not say that these organizations are required to submit annual reports, especially when they're going to be involved most probably to a greater degree than they are already in the provision of human services in this province, like health care and education? It seems to me that, at the very least, the public needs to know, if they're fund-raising on behalf of the Royal Alexandra hospital or the university hospital, how much profit they are making. If we're saying they have a legal entitlement to make a profit, then put it in the annual report. Put it in the audited financial statements, and make that publicly accessible to the people of this province, at a minimum – at a minimum.

4:20

The other aspect that is related to that. In section 15 on page 4 we say that the minister can

refuse to register or renew the registration of a charitable organization . . . if, in the Minister's opinion, any of the charitable organization's principals, directors, managers or employees . . . have contravened

the section. Well, how will you know? If you don't have audited financial statements, you don't get annual reports. On what factual basis are you going to be able to make a judgment? I would think that the hon. minister, if she's going to enact that section, would want to have access, as the minister responsible, to those reports. The amendments as proposed to this Act give her no entitlement to seek those. So I think it would be prudent for some tightening up with respect to those aspects of it.

My final point is with respect to the standards of practice, page 6, section 29. "The Minister may", and the operative word is "may." Why do we choose again, when we're opening the slate wide open, for such corporations to make a profit on fund-raising, whether it be in the areas of health, education, social services? Maybe it's even going to be child welfare. Who knows? It might be. The regions out there, given the funding model proposed, particularly the rural regions, are most likely going to be in a situation where they're going to have to subsidize government funding for the delivery of child welfare services. According to this Act, the minister isn't compelled to develop standards to govern that. So the operative word in section 29.1(1) is that "the Minister" – and I would propose: shall – "establish standards relating to fund-raising" and then have the jurisdiction, both by the merits of her office and legally, to take action against organizations that exploit the disadvantaged, whether that be children or health or education.

Those, for the minister's interest and use, are my suggestions for the improvement of Bill 17. Thank you.

[Motion carried; Bill 17 read a second time]

Bill 21

School Amendment Act, 1997

MR. MAR: Mr. Speaker, it's my pleasure to move Bill 21.

Bill 21 is a partnership document that has been discussed with education stakeholders throughout this province. It represents a number of changes, changes that have happened in the past in this government's renewal and restructuring of education, and also contemplates changes that will happen in the future.

First of all, Mr. Speaker, a lot of changes have happened in the past few years: a restructured education system, the introduction of FOIP. In regards to FOIP, this Bill will bring the School Act in line with the requirements under the Freedom of Information and Protection of Privacy Act. It will also allow students access

to their own records. It will release information on salaries and benefits, with board members as accountable for salaries and benefits as Members of this Legislative Assembly are.

This Act will also follow up on the Auditor General's recommendation to eliminate the Alberta School Foundation Fund Audit Board, or ASFF Audit Board. ASFF is already monitored by the Auditor General, and ASFF is subject to the Financial Administration Act and the Auditor General Act. Mr. Speaker, Bill 21 will guarantee that property tax revenue paid to ASFF is only for schools in the public system.

Mr. Speaker, with respect to technology there have been changes in our schools as it relates to technologies, and we now have what we often call virtual schools. As a result, not all students are physically located in school buildings. Accordingly, Bill 21 will broaden the definition of a building used for school purposes. Also, with open school boundaries, Bill 21 defines school board responsibilities to students with disabilities.

Mr. Speaker, in the area of Stettler there is an anomaly that exists there as it relates to composition of school board members. There is in this Bill a repeal of the section that allows county councillors to act as trustees. Stettler was the only county in the province to use this power, and this repeal must occur before the 1998 municipal elections.

Also, there are changes, Mr. Speaker, in Bill 21 that support quality teaching, trustee decision-making, and new directions and innovation. There are teachers' issues. Bill 21 addresses the professionalism, skill, and competence of teachers. We have consulted extensively with members of the Alberta Teachers' Association on these amendments. For teachers Bill 21 strengthens processes for teacher certification and supports the quality teaching framework, which is the result of two years of consultation with stakeholders, including the ATA.

With respect to teacher practice review, Mr. Speaker, independent third-party reviews for parents who are not satisfied with the local response to their concerns will be part of this Act as well as discipline for unprofessional conduct by people with teaching certificates who are not teaching and nonmembers of the ATA. That would include the 3,000 teachers in private and charter schools in the province. Also, we wish to share information on decertified teachers among jurisdictions and with other provinces to better protect students. That is one of the provisions and principles of Bill 21.

Mr. Speaker, I mentioned earlier that one of the principles, one of the things that we'd like to do in this Bill is support decision-making by trustees. In this regard one of the provisions in Bill 21 is the lengthening of the term for superintendents, and that is being extended from three to five years. I have certainly heard from trustees throughout the province that this will make it easier to attract candidates to become superintendents of our school boards. Also, with respect to appointments and reappointments of superintendents, we want to ensure that superintendents know that they have both provincial and local responsibilities and that the minister's authority with respect to superintendents reflects this dual responsibility.

On the subject of school closures, Mr. Speaker, these are always difficult decisions to make, but in this Bill what we will be doing is ensuring that closures of schools will be governed by regulations. We certainly want to make sure that school boards do not make those decisions without public consultation, which will be one of the requirements under regulations.

On funding issues, we do have in Bill 21 limits on board borrowing. It will allow for operating lines of credit by boards,

but the amount cannot exceed accounts receivable without ministerial approval. Now, Mr. Speaker, saying that we have no deficit budgets does not mean no accounts receivable.

Also, Mr. Speaker, we want to improve the process for establishing separate school districts, and this has been a matter that's been discussed with and supported by the Alberta Catholic School Trustees' Association.

4:30

Some of the new directions that Bill 21 will take us in relate to the marketing of our education system to foreign students. Fees to foreign students can now be more than just the cost recovery, which is now allowed as a charge-out rate by school boards. Now fees can be reflective of market value. Also, Mr. Speaker, to ensure that foreign students do not displace Canadian students, there is provision in the Bill to ensure access for Canadian students before accommodating revenue-generating foreign students.

Another new direction, Mr. Speaker, has to do with year-round schooling. The advent of year-round schooling has required us to take some note of wanting to preserve regularly scheduled winter vacations that would run from at least December 24 through January 2, and that will allow flexibility in scheduling of other vacations.

In our three-year plan for Education one of our key goals is to improve high school completion rates, and as a result we have put in Bill 21 some of the innovative solutions as they relate to this. One example would be that Bill 21 speaks to the ability of school boards to make designated schools for extended high school attendance. This does not limit choice, Mr. Speaker. Parents and students will of course still have full choice in their first three years of high school. Thereafter, should boards wish to create what some refer to as a central high for returning fourth and fifth year students, those boards will now have the ability to direct students to attend those schools.

Performance bonds are something that has drawn some criticism, based on, in my view, a misunderstanding of what performance bonds are. Mr. Speaker, school boards have asked for this option to be made available to them. It is not a penalty for failure. What it is intended to do is to encourage course completion. The hope is that if a student completes a course, the student has a better chance of passing that course. The performance bonds are refundable upon the satisfaction of two conditions: first of all, 50 percent attendance in these classes and at least a 25 percent achievement. To ensure that fairness is part of that model, for those students facing economic hardships or for students who take more than three years of high school because of illness or circumstances, there is an expectation that school boards will put in place a policy that will allow a waiver of the performance bond.

Mr. Speaker, that really concludes my comments, and I encourage members to support Bill 21, which will accommodate changes that have occurred in education over the last two years and also opens the door to innovation in the future.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I appreciate the opportunity to make some comments about Bill 21, the School Amendment Act, 1997, and as indicated in informal chats with the minister, the opposition will be supporting Bill 21 but not without some comment and not without possibly some amendments at the committee stage.

The Bill is an interesting Bill. It raises the question of the government's consistency with reference to municipal governments and school boards. With municipal governments the government position seems to be that they can do anything as long as it's not prohibited in law, and with the school boards it seems to be just the opposite, that they can do nothing unless it's in law. I wonder: why that different treatment?

I look at it from an historical perspective. Certainly in this city, school boards were in place far sooner than municipal councils. We had a school board in this city in 1880, 1882, and we didn't have a municipal council until much later. So history is on the side of school boards. Yet over the years, school boards have been legislated and, I think, overlegislated, while with municipal councils, in the past number of years at least, the trend seems to be the other way. I wonder: why the difference? Is there a basic distrust of school boards and the kinds of decisions they've made in the past? Is it somehow or other that they're dealing with children and that they therefore have to be directed in their kinds of activity? It's a question that I would ask not just the minister but the government to think about. What is the role of school boards? Are they being treated with the same kind of respect and with the same kind of responsibility as municipalities?

It goes back to a fundamental change that seems to have been instituted in the changes to education. There had been up to that point a great deal of faith that school decisions are best made at the local level, that people in local communities – if you're in Peace River, if you're in Pincher Creek, or if you're in Thorsby – know what's best for their community. The trend and the action has been just the opposite. There is more and more control out of Edmonton. School boards no longer can levy a property fee to cover what they consider the legitimate needs and interests of their school districts. That's been taken away. School boards can no longer exclusively hire their own superintendent. That's been taken away. There has been a monitoring of school boards. Achievement tests have been used in some instances to try to control the action of some boards. So there seems to have been this move towards centralizing power in Edmonton, in particular with public servants and away from elected trustees, who are elected in local communities. I wonder if that's a healthy trend. I wonder if that's a trend that is going to be continued.

So when I looked at Bill 21, that was one of the things I was looking for: what actions in this Bill either support or detract from the work of local school trustees? I applaud the minister. I think the consultation with those interest groups – the school board associations and the teachers' associations – is really a prerequisite to any changes in legislation of this kind, and I think it's a move in the right direction. I think it makes everyone more comfortable with change, which in the past has sometimes been chaotic, to say the least. So the minister has made a good move. We've heard from some of those groups, and they are obviously pleased that he saw fit to include them before the legislation was drafted. I think it makes everyone's life much easier. I think, more importantly, it leads to sound legislation that benefits children.

Getting away from the principles in the conflict about where school decisions seem to best be made and some of the details on that, I looked at some subprinciples that seemed to be supported in the Bill and whether they support or detract from local authority. On some of it, it's hard to make a judgment. There seems, for instance, to be an underlying principle about access of students and parents to their personal information, that it's material they should have, and I think we would all agree that that's certain. It's in this area that I think the minister may want

to look at the legislation and the access to cumulative records and whether Bill 21 actually does what the minister says it's going to do, and that is to give parents and students access to those materials.

There have been some questions in the last day or two about whether that is actually going to happen with the passage of Bill 21. Given what's happened with the freedom of information and privacy legislation, after this is all done, are parents and students still not going to be able to access those records? Whether that's a plus or a minus for school boards, one would have hoped that most school boards would have acted responsibly in the past and made that information available without legislation at this level being in place. I know that for a number of years there was some professional disagreement as to whether that material should be put in the hands of parents. I think they have matured. Those questions are no longer asked, and the right of people to have access to their own information is now accepted by everyone.

4:40

I see as being a negative the notion that there has to be legislation that requires school boards to follow up on students who have been expelled. Again, maybe it's because school boards have not taken appropriate action that this is here, but it raises the question: how many rules, how many pieces of legislation, how many Acts can you make to try to prevent boards from making mistakes and not doing the right thing? It's like a teacher in the classroom trying to make a rule for every possible thing that students might or might not do. The bottom line is that you can never make enough rules. There will always be a creative youngster, a creative student who comes up with a new way of doing things. So the whole thrust of a School Act that prohibits and prohibits or that tells boards specifically what they must do I think is worthy of revisiting. Is that the kind of legislation that best governs schools?

If you look back at the amount of legislation that's been generated over the last two legislative terms governing schools and school students, it's no small volume. So the principle that's embedded here, I think, is one that, again, I would like to have seen under an umbrella clause asking school boards to have policies in particular areas rather than spelling out the specifics in legislation.

I think that clarifying that students in care should be considered residents of the school district in which their guardian is a resident is a good move. Trying to decide who is and who is not a resident of a school district is an interesting exercise. I know that in Edmonton, for instance, trying to track down who is a resident and who is not a resident to charge nonresident fees probably resulted in more money being expended than was ever collected from those fees. But it is important for school districts, when they're claiming funds for students, to know exactly who are residents and who are not residents. I think that's an appropriate piece to be included in legislation like this.

On permitting school boards to direct students into particular programs in the fourth and fifth years of high school, again I wonder why it has to be here. Should that not be something school boards could do without it having to be enacted in legislation, as it is with giving the school districts greater flexibility in scheduling for year-round schooling? That's what the definition of the December break really does. Again, I would say that it's a good thing to have happen. I question the need for it having to be in legislation at this level.

The school closures are interesting. Again, I think that's a decision best left with local school boards. The decision in here,

I think, makes that possible. Again it does it through regulations, a set of regulations that puts school boards through a certain process in terms of going about closing a school or part of a school or a school program.

It goes back to a concern I have about the inordinate obsession of the government with schools and school spaces. I wonder if it isn't time to sit down and look at those regulations and the amount of energy and time that not only local boards but the department itself spends in monitoring school spaces and determining where school should be held and whether that isn't best done at a local level with local boards being allowed to live with the consequences. Now, I understand that there are some citizens who would like to be able to appeal to the minister on almost anything that happens in schools. But again, I wonder what kinds of things the Minister of Education should be involved in. It seems to me that school closures are something that are best left for local boards to deal with, to take the blessings when new schools are opened and the heat if they have to close down facilities.

I think the possibilities in this amendment are good. The regulations for school boards to have teacher certification and decertification made explicit in an Act of the Legislature are, again, appropriate and I think a plus, because that is a total provincial concern. That is a concern of all citizens. The kind of teachers that we have in classrooms in front of children, the kinds of qualifications that they have, the kinds of regulations that govern that certification, and what happens when that certification has to be lifted are pieces that the teachers who are affected deserve to have made very explicit, and citizens who have youngsters in schools and those who are paying for youngsters in schools deserve that kind of clarity.

Permitting school boards to require performance bonds: the minister sees it as a plus. I like to think that there are school boards in this province who have in place some rather extensive plans and programs to try to encourage students to complete courses. Picking out of all the things that could be done to encourage students to continue their studies or to complete a course, I'm not sure that performance bonds would be the highest priority. Again, it goes back to this: how are school boards treated? A number of school boards in the province are already doing this, and here we see ourselves following the fact and saying that now we're going to allow them to do it. Again, it's the treatment of school boards in this legislation, and contrast that, again, to the Municipal Government Act. If this was a municipality making a similar move about employees or people in municipal organizations, would there be this kind of an amendment to the Municipal Government Act on the floor of the Assembly? My guess is not.

The tuition levels for visa students. Again, you can ask: why do we have visa students in our schools? What's the purpose? I think that for most parents the benefits of having students from other cultures and other lands in our classrooms are really quite evident. The benefits of that just on a human relations level I don't think can be questioned. Even more importantly, as we start looking at ourselves as world traders and marketers, there are some obvious economic benefits. But on the whole notion of throwing it into the free market economy and charging what the traffic will bear, again, I'm not sure what we should be doing. The view of visa students as being rich foreigners who come to this country with bundles of money to spend on education, I guess, is one view, but there are other views. Students come here for a variety of reasons, and they get here from a variety of circumstances, and I'm just not sure that this is the way we should

be moving. Again, instead of money being the concern, I'd like to see education being the concern.

4:50

The changes to the hiring of superintendents, I think, just rub salt into an old wound. The boards will welcome this. It gives them more flexibility in some areas where they extend it to a five-year term. But still there is the underlying objection that I as a former trustee still find very, very difficult to swallow, and that is that a corporation as large as, say, Calgary public or Edmonton public, any of the large boards with the kind of sophisticated, administrative staffs that they have, with the kind of quality of trustees that they attract, would have to come to the provincial government for approval of their chief executive officer. I think it is just something that is not acceptable, as is giving the minister more say in the kinds of contracts that local school boards have with their superintendents.

The provisions that give the minister more power to review the operation of local school boards. Again, I think school boards have been somewhat emasculated as it is. I'm not sure that the minister needs more power to continue that process. I guess I can't speak strongly enough about my belief in local boards' and local communities' ability to make appropriate decisions. It's like site-based management. There is really quite a discrepancy in how the government has approached school management and governance. On the one hand, they seem to distrust trustees and those charged with governing. On the other hand, they're moving to site-based management, which is supposed to move decision-making down to where it counts, and that's at the classroom level. Again, I'm not quite sure how that schizophrenia has come about, but it seems to have been based on some judgments about school boards, and I wonder if they are really borne out in practice.

School boards like schools on site-based management are going to make mistakes, and there are going to be some colossal ones, I'm sure, before we're finished with site-based management. But that's part of local decision-making, and it's the price we pay for involving people who are directly in a position to make what I think are the best judgments about decisions that affect them and the communities that they serve.

The limit on money that school boards can borrow I think is legitimate, given the kind of financial system that school boards find themselves following these days, but again, a far cry from the past when boards had much greater capability.

So I go back through Bill 21, having identified sort of a major conflict within government policy and its treatment of two local authority bodies, and question just which direction they are taking.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you. I'd like to move that we adjourn debate with respect to Bill 21.

THE SPEAKER: All those in favour of the adjournment of debate as proposed by the hon. Government House Leader?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is carried.

head: **Government Motions**
Ethics Commissioner and
Information and Privacy Commissioner

19. Mr. Havelock moved:

Be it resolved that the Legislative Assembly concur in the recommendations of the Select Standing Committee on Legislative Offices passed May 14, 1997, to recommend to His Honour the Honourable the Lieutenant Governor that Mr. Robert C. Clark be reappointed as Ethics Commissioner and Information and Privacy Commissioner for the province of Alberta for a further five years effective April 1, 1997.

[Adjourned debate May 29: Mr. Yankowsky]

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

DR. MASSEY: Thanks, Mr. Speaker. As a former member of the Standing Committee on Legislative Offices I'd like to make some comments about Bill 19 and start with a couple of concerns that I had, and I think I expressed those concerns back in January of 1997.

The basic question of course is: should the Ethics Commissioner and the Privacy Commissioner be the same person? I'm not going to start, as everyone else does, with apologies to the Ethics Commissioner. I think we know who he is and what he does. But I would raise the question about embodying the two positions in one person. I do that from a workload concern. If you look at the freedom of information and privacy Act amendments that we have before us and the debate and the battle that we have conducted over when the provisions of that Act should take place, it seems to me abundantly clear that there's a tremendous amount of work to be done in the MASH sector. If we are to believe what the government says in that piece of legislation, that they need more time, that our amendments, which would have had the provisions of that Act come into effect in 1998, are rejected because they aren't going to be ready, then in heaven's name what business have we got having the Ethics Commissioner, who is the Privacy Commissioner, doing two jobs? It seems to me that trying to get the MASH sector, trying to get government departments, and trying to get those members of the public onside and ready for the freedom of information and privacy Act legislation is indeed one job for one person. I think it's a bad move because of the very special role I see the Ethics Commissioner playing.

The Ethics Commissioner has a special relationship with MLAs, as those of us who are MLAs know, a special relationship with cabinet ministers, a special relationship with senior officials, and that relationship is really an important one. We tell and talk to the commissioner about our private lives and our private interests in a way that we would probably not tell many other people in this world, and the commissioner has a set of special information about us. He's obviously going to be placed in conflict and has been in the past about the use of that information in his role as privacy officer. So I worry about what he has developed with us as an Ethics Commissioner, and I worry about the kind of trust that's being developed. I worry about how the commissioner is going to reconcile the conflicts that he'll obviously find himself in as he deals with those two very different Acts, and there's possibly two pieces of information that can be used under both of them. So I'm concerned about the role of the Ethics Commissioner itself and the progress that he has made thus far, particularly with elected officials.

We have a piece of legislation coming up later on the Order

Paper that will try to refine the kinds of things that the Ethics Commissioner does to try to make clear the role that he should fill and some of his duties under the Act, and that is a work in progress. So I think it doesn't make sense to add the work of the Privacy Commissioner to it.

I talked about the possible conflicts. I also think it really is quite an anomaly. I'm not sure "anomaly" is the best word, but it's really quite astounding that we have not had a free and open competition yet to hire the person that will occupy the Privacy Commissioner's position. There are excellent people across this country. I had the privilege of sitting on that committee, to be part of the Chief Electoral Officer search committee, and was very impressed with the kind of people that come forward when these positions are advertised, the kind of capabilities they bring. I think it's unfortunate, as good as the present Ethics Commissioner might be, that we haven't had the benefit of a countrywide search for someone to fill that position.

As these two offices are still being established – certainly the Ethics Commissioner office has experienced some growing pains in the past three or four years, and he's been feeling his way rather carefully around issues – I think he is the first to admit that the only thing that his office really has is its reputation. In fact, I can remember the Speaker himself sitting on that subcommittee, making reference to the Ethics Commissioner and how important his or her reputation is in the whole matter of ethics. So that reputation is all that the office has, and there was a severe testing of that reputation in the last term. To add additional work to that individual I don't think makes good sense.

I think with those comments, Mr. Speaker, I would urge the defeat of Motion 19. Thank you.

5:00

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I can't help but get involved in this debate, if only to correct some of the statements that the members for Edmonton-Glenora and Calgary-Buffalo made last week and to some extent the Member for Edmonton-Mill Woods just now. They said, for example, that the motion was subject to a one-year review of the performance of the commissioner. There's no such condition in the motion, either stated or implied. I made the motion at the Legislative Offices Committee, and I think I would likely know. What the Member for Edmonton-Glenora was talking about last week was a suggestion that the Member for Edmonton-Highlands, who's also a member of that committee, made at the meeting, and that was that some sort of a review would be in order later on. That's not a motion; it was simply a suggestion. Anyone who wishes could read *Hansard* and get that information verbatim.

What's going on here is simply a continuation of a smoke screen that a couple of the members of the opposition have pushed since the time that the office of the freedom of information commissioner was first established. At that time some opposition members promoted the idea of a full-time position for the freedom of information and protection of privacy commissioner, and for all the silly examples that we've seen run out since then, it would be nothing less than more bureaucracy.

If you need more help in the event that your workload increases, do you hire more managers or do you put on more workers? Certainly the inclusion of the MUSH sector into the Act will add some workload, but most of that work, I'm going to suggest, is of a research or a background type and could well be handled by support staff, who would earn significantly less than

another commissioner. With all due respect to our chief legislative officers and to their staff, why would we pay someone a hundred thousand dollars-plus per year to do research work?

I can imagine the reaction that we would get if we suggested that any of our ministers who perform more than one function be split into two departments or more. We'd be accused of creating bigger government and more bureaucracy, and quite honestly, they'd be correct. The suggestion that two commissioners and two offices along with the respective support systems be set up is exactly the same thing. It's simply more government.

Mr. Speaker, when the office of the freedom of information commissioner was first set up about two years ago, it was decided after a thorough consideration – and I emphasize thorough – that it would be combined with the Ethics Commissioner's office. The circumstances of both positions haven't changed significantly since that time, a short period of time I might add. The situation of combined offices is working quite well in spite of some whining. But why would we want to change at this time? I think the right decision was made in the first place.

Mr. Speaker, I'd like to go back to my opening remark about the concept of a one-year review of the office. I'd like to make it quite clear that in no way am I opposed to reviews, specific or ongoing or otherwise.

Legislative officers like Bob Clark perform their duties in something of a goldfish bowl. Not only do we see and hear what they do, but so does the general public. This is like a perpetual review. I feel comfortable, Mr. Speaker, that I've had ample opportunity to evaluate Mr. Clark's performance and on that basis made the motion to recommend the reappointment. I'm quite prepared to stand by that recommendation. If anyone feels that Mr. Clark is either incapable of doing the job or is doing a poor job, then I'd suggest they should say so. Don't camouflage a private agenda in a lot of double-talk.

I feel strongly, Mr. Speaker, that we have the correct structure for the jobs at hand and the right person in charge. I have to urge all my colleagues to vote in favour of the motion, and let's get on with pressing business.

Mr. Speaker, I'd like to now move that we adjourn debate.

THE SPEAKER: Having heard the motion by the hon. Member for Peace River to adjourn debate, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is carried.

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

Bill 20
Conflicts of Interest Amendment Act, 1997

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

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. It's certainly with pleasure that I rise and move second reading of Bill 20.

Prior to making some observations with respect to conflicts of interest generally and the specific provisions of Bill 20, I'd like to relay to the House an incident which occurred during the recent provincial election. Most members of the Assembly are all too familiar with door knocking in what would be termed to be either unfamiliar or unfriendly territory. One of my volunteers, after having had a door of a residence answered, was confronted with what I would have to describe as a rather irate voter. As we had instructed the volunteers to do, the volunteer asked the voter who they would be supporting in the election. The voter responded that they were all crooks and basically was very negative in his appraisal. My volunteer was somewhat taken aback by this, Mr. Speaker, but gathered himself and simply asked: well, in light of that, would you mind telling me which crook you'll be supporting? That ended the door interview rather abruptly.

MR. SMITH: No sign?

MR. HAVELOCK: Yes. No sign either. No sign. No vote.

While this provided certainly one of the lighter moments of the campaign, it really underscores a fundamental problem for all elected officials, that being an erosion of trust in politicians and the institutions in which they serve. In an earlier time, Mr. Speaker, there was a general confidence that elected officials would give precedence to their public duties over their private interests. Today certainly the expectations regarding the ethical standards of government officials are higher, and despite requiring greater privacy for themselves, electors are granting public representatives less.

Now, while seemingly inconsistent, Mr. Speaker, it is my submission that there is good justification for this change in public attitude. Politics does not attract inherently unethical or dishonest people but rather, I would suggest, quite the opposite. There is a desire on all of our parts, I believe, to serve the public good. Yet the opportunities for elected officials to place private benefit before duty have expanded due to the increased scale and complexity of the government and its impact on the economy. Further, and to a greater extent than we realize, politicians represent the aspirations and personal values and not necessarily the behaviour of society generally. As a consequence, there is a tendency to conclude that the few offences of malfeasance in office are simply an indicator of a widespread influence of self-dealing throughout government. Not surprisingly, such a conclusion undermines the public trust in the integrity of our institutions.

5:10

To a great degree politicians are, I believe, somewhat to blame for the general cynicism in the electors. Most citizens spend their political time choosing and calling their members to account. Electors criticize politicians for violating moral principles, and politicians, more often than not, will criticize each other and self-righteously defend themselves by appealing to those same principles. While campaign promises ought to be kept, those making them quite often regard such promises as having little moral force. It is not surprising that the public treats politicians, in light of the foregoing, with some suspicion concerning their private affairs when those same politicians have quite often conveniently disregarded their campaign commitments. Two recent examples are the Prime Minister's infamous GST debacle and Premier Clark's so-called balanced budget.

It is typical, Mr. Speaker, for such actions to reveal no fingerprints of responsibility as politicians distance themselves

from the very statements which quite often elect them. It is in this atmosphere of public distrust and skepticism that governments have wrestled with the conflicts of interest issue. While the privacy of all citizens has value, elected officials should not expect the same protection. Thus conflicts of interest must seek a justifiable boundary between public and private life.

In that regard I believe, Mr. Speaker, that Bill 20 has struck a reasonable balance. This Bill introduces more stringent requirements for public disclosure, including unpaid property taxes, spousal assets and liabilities, declarations pertaining to the awarding of contracts, and a provision for legislative review.

In conclusion, Mr. Speaker, it must be emphasized that this Bill will not ensure ethical or responsible behaviour. Conversely, I do not accept the comment that I heard from one of my constituents that all politicians are crooks. Rather, this Bill will facilitate the

publicity of affairs of public import, enhancing the democratic processes of deliberation and accountability. As a consequence, I would urge all members of the Assembly to support Bill 20.

I would also like to move that in light of the hour we adjourn debate.

THE SPEAKER: Having heard the motion by the hon. Government House Leader, does the Assembly agree with the motion?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Motion is carried.

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