

Legislative Assembly of Alberta

Title: **Wednesday, June 4, 1997**

1:30 p.m.

Date: 97/06/04

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Today's prayer is an excerpt from a prayer of the Nova Scotia House of Assembly.

Let us pray.

O Lord in Whom we trust and with Whose guidance and grace this land was founded, we pray that You will give to each of us the courage required to become servants of God through our service to this province.

Assist us in our deliberations so that our legislation will reflect a true spirit of justice and equity to all people.

Amen.

Please be seated.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. On behalf of our Member for Vegreville-Viking I am pleased to present today a petition signed by 42 residents of the Bruce, Holden, Kingman, Ryley, and Tofield areas regarding VLTs.

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

DR. MASSEY: Thank you, Mr. Speaker. I beg leave to present a petition on behalf of 99 seniors who are petitioning the Legislative Assembly

to ensure that all residents requiring long term care are able to access this service in an equitable manner within the publicly funded system.

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

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

MS GRAHAM: Thank you, Mr. Speaker. The Standing Committee on Private Bills has had certain Bills under consideration and wishes to report as follows. The committee recommends that the following private Bills proceed: firstly, Bill Pr. 1, TD Trust Company and Central Guaranty Trust Company Act; secondly, Bill Pr. 2, The Bank of Nova Scotia Trust Company, Montreal Trust Company of Canada and Montreal Trust Company Act; and thirdly, Bill Pr. 6, Canadian Union College Amendment Act, 1997.

Furthermore, the committee recommends that the following private Bills proceed with some amendments: firstly, Bill Pr. 3, Trans Global Insurance Company Act; secondly, Bill Pr. 4, Trans Global Life Insurance Company Act; thirdly, Bill Pr. 5, Kenneth Garnet McKay Adoption Termination Act; and fourthly, Bill Pr. 7, Altasure Insurance Company Act. Mr. Speaker, as part of this report I will be tabling copies of the amendments proposed for these Bills.

Mr. Speaker, I request the concurrence of the Assembly in these recommendations.

THE SPEAKER: Having heard the motion by the hon. Member

for Calgary-Lougheed, would the members in favour of the motion please say aye?

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is carried.

head: **Notices of Motions**

THE SPEAKER: The hon. leader of the ND opposition.

MS BARRETT: I must be shorter than I think, Mr. Speaker, or maybe I shouldn't wear dark clothing.

I rise under Standing Order 15 to give notice of motion that this afternoon after question period I wish to raise an issue of potential privilege. Mr. Speaker, I distributed a letter to your office this morning and to the offices of both the government and the Official Opposition House leaders as notice.

head: **Tabling Returns and Reports**

THE SPEAKER: The Government House Leader.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Today I'm tabling with the Assembly two documents. First are six copies of the response to Written Question 6, which was accepted with amendment in the Legislature on May 14 of 1997. Secondly, I am tabling six copies of the document package, along with a list that describes what the package contains, as requested in Motion for a Return 4, which was accepted with amendment in the Legislature on May 7, 1997.

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

MRS. BURGNER: Thank you, Mr. Speaker. I would like to table four copies of a letter under the signature of Dr. Morris, director of continuing education from the Calgary board of education, operating at Viscount Bennett Centre in my constituency, in which he identifies his support for performance bonds for the students that are in summer school programs at Viscount. He indicates the success rate of performance bonds being returned at less than 4.3 percent in '95 and 16 percent in '96 and encourages continued use of this mechanism even into regular school year.

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

DR. MASSEY: Thank you, Mr. Speaker. With your permission I would table four copies of letters from three constituents who are concerned and appalled with the decision to close 25 inpatient beds at the Millwoods Shepherd's Care Centre.

head: **Introduction of Guests**

THE SPEAKER: The hon. Leader of the Official Opposition.

MR. MITCHELL: Thank you, Mr. Speaker. I rise to introduce to you and to Members of the Legislative Assembly Carolyn Gibbons. She is among many other things an accomplished registered nurse, and she has been married to the Member for Edmonton-Manning for 25 and a half years. I'd ask that she rise

in the gallery and receive the welcome of the Members of the Legislative Assembly.

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

MR. STELMACH: Thank you, Mr. Speaker. I wish to introduce to you and through you to members of this Assembly a very special guest from Calgary, an individual who certainly has my sympathies and the real secret of success behind our Minister of Justice and Attorney General: his wife and confidante and great supporter, Judy Havelock. I ask her to rise and receive the traditional warm welcome.

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

MS BLAKEMAN: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to Members of the Legislative Assembly 27 students from the Alberta Vocational College department of academic upgrading. They are seated in the public gallery and are accompanied today by their instructor, Ms. Paula Lupiezowicz. I hope that name's close. I'd ask them to please rise and receive the warm traditional welcome of the Assembly.

MR. JONSON: Mr. Speaker, it's my pleasure today to be able to introduce to you and through you to members of the Assembly 26 students from the Ponoka Christian school. They are accompanied by their teacher Mrs. Debbink, and parents Mrs. Kootstra, Mrs. Atsma, and Mr. Humting. They are seated in the members' gallery, and I would ask them to stand and receive the traditional warm welcome of the Assembly.

MR. DUCHARME: Mr. Speaker, on behalf of myself and the hon. Member for Lac La Biche-St. Paul it gives me great pleasure to introduce to you and through you to the Members of the Legislative Assembly council members of the municipal district of Bonnyville No. 87. They are seated in the members' gallery, and at this time I'd like to introduce them. They are Reeve Legault, Councillors Levasseur, Severn, Hoeven, Urlacher, Zaboschuk, Lett, Thompson, Broadbent, Lozinski, and the municipal manager, Mr. Doonanco. At this time I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

MS BARRETT: Thank you, Mr. Speaker. Today I'd like to introduce to you and all members of the Assembly a special guest. He's the president of the Canadian Union of Public Employees local 474. Doug Luellman is here to watch question period and to be here for the point of privilege that I'll be raising after question period. I'd ask him to rise and receive the warm welcome of the Assembly.

1:40

THE SPEAKER: The hon. Member for Fort McMurray.

MR. BOUTILIER: Thank you very much, Mr. Speaker. It's my privilege today to introduce to you and Members of the Legislative Assembly three active members of my constituency of Fort McMurray. Today we have here sitting in the member's gallery Carolyn Baikie, the executive director of the Fort McMurray Chamber of Commerce, along with Allen Mueller, the first vice-

president, and Debbie Robert, the chair of the education committee of the Fort McMurray Chamber of Commerce. They are in Edmonton today attending an annual general meeting and the 6th Trilateral Conference of the Chambers of Commerce of North America. They're seated in the members' gallery, and I'd like to ask them all to stand and receive the very warm welcome of all members of this Assembly.

head:

Oral Question Period

Freedom of Information

MR. MITCHELL: Mr. Speaker, the minister responsible for freedom of information claims that his government is committed to open government, but the record says something quite different. His government cuts off debate on the Premier's flagship Bill, which is supposed to be about, of all things, open government. It curtails freedom of information laws through secret, behind-closed-doors regulation, and it puts up barriers by having the highest fees to access information of any province in Canada. To the Minister of Labour: if this government really believes in open government, then why does it hide from the public the impact study by the Seniors Advisory Council which shows the devastating impact of the cuts that this government inflicted upon Alberta seniors?

MR. SMITH: Mr. Speaker, I believe that the question is probably best directed to the minister responsible for seniors, who is not here today, and I will certainly take that under advisement for her.

MR. MITCHELL: If the government really believes in open government, then why does it hide from the public the loan guarantees for Skimmer Oil Separators, the North Saskatchewan River Boat, and Centennial Food, agreements that exposed Albertans to literally millions of dollars in losses? Minister of Labour?

MR. SMITH: Mr. Speaker, I know that the hon. Leader of the Opposition probably hasn't had time to read an organization chart on how this government divides its responsibilities. What happens is that loan guarantees and those issues are in the domain of the Provincial Treasurer. Each cabinet minister is responsible for his or her freedom of information requests and requirements. We are responsible for the legislation. We also co-ordinate through the individual co-ordinators located in each department those matters that relate to the information.

Now, if the question is directed at actually securing information for the knowledge of this House, I know that the Treasurer would be more than pleased to respond to the question. If the question is just to make comments with respect to the freedom of information legislation itself, then I think I've made my point clear.

MR. MITCHELL: Mr. Speaker, it stands to reason that the Minister of Labour should be providing leadership on freedom of information when it clearly isn't working. Who does the Minister of Labour think is going to provide leadership on this piece of legislation if it isn't him and if he continues to pass the buck to ministers who clearly don't want to release the information that they should be releasing? When are you going to make them do it?

MR. SMITH: A nice try from an empty pocket. You've seen

from this government, Mr. Speaker, since December 5, '92, the Financial Review Commission, the publishing of quarterly financial statements, a clear picture to Albertans in a timely fashion of all the financial information that they've dealt with, plus a freedom of information Act that was put forward as Bill 1 in August of 1993, then again proclaimed in '95 with an amendment at the start of this 24th Legislature. This government's record under the leadership of the Premier is very clear as to disposition of information, disposition of facts, disposition of financial information, not through question period specifically but encompassing through financial statements – the only province in the dominion that has a three-year business plan that clearly states what the intentions of the government are, what's going to happen, how it's going to happen, who's going to do it. I know they're thick documents, but thick documents can be read by thick heads very easily. I would hope that they would proceed to look through all that information as well as looking at the quarterly financial statements that put out in a consistent and generally accepted accounting manner that which is important to Albertans.

Nursing

MR. MITCHELL: Albertans need to have the utmost confidence in the competence and training of their caregivers in the health care system, Mr. Speaker. The government erodes this confidence when they pit one group against another group in our health care system by arbitrarily changing the scope of practice regulations. The recent changes to LPN regulations alter the skill mix in hospitals and create many unanswered questions about responsibility, about liability, and most importantly about patient safety. To the Minister of Labour: what controls has the minister responsible for this legislation required of regional health authorities to ensure that a proper skill mix of LPNs, RNs, and other health care professionals will be maintained?

MR. SMITH: Mr. Speaker, the changes that were made via an order in council last week again were only done after substantial consultation with over 38 stakeholder groups that included regional health authorities, who are responsible for the working conditions. They're responsible for the skill mix and in fact work in a very efficient manner. Also involved in that consultation were the licensed practical nurses' association as well as the Alberta Association of Registered Nurses.

Perhaps one of the reasons why there wasn't a better level of agreement, Mr. Speaker, was that one person was on the board of the executive council of the Alberta Association of Registered Nurses and at the same time occupying an opposition seat in this Legislature. I don't know, but that makes it very difficult to get broad, honest, nonpolitical consultation involved.

I can tell you, Mr. Speaker, that both the involved working groups as well as those managers have looked at the regulations, have supported the bulk of them, and are now delivering better, more efficient care within the domains of health in the province of Alberta.

MR. MITCHELL: Better isn't one word that any of us would use, most Albertans would use to describe the health care system in Alberta.

What process does the Minister of Labour have in place to monitor the impact of the new LPN regulations on patient safety, and will he implement a public review of that impact one year from the time it was implemented?

MR. SMITH: Mr. Speaker, again, you know, when I spoke on the first question and talked about the ability for the members from the side opposite to examine the organization charts of cabinet, that the ability for 17 health regions – I think they report to the Minister of Health, and I would suggest that perhaps that ongoing discussion of accountability, management, and stewardship is best housed with the Minister of Health.

MR. MITCHELL: Will the minister table those legal assessments that he surely has received indicating what kind of measures he's going to need to implement in order to achieve the liability protection that may now be required due to these changes?

MR. SMITH: Mr. Speaker, there are no legal assessments necessary. In fact, when the question comes forward "may now," it's clearly of a hypothetical nature, and I would just as soon not respond to questions of a hypothetical nature.

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

1:50

Edmonton Oilers

MR. ZWOZDESKY: Thank you. Mr. Speaker, I've been a strong supporter of the Edmonton Oilers virtually from the day they were born. They are an integral part of our community fabric and an extremely large economic generator for this entire region, and I want to see everything possible done to keep the Oilers here in Edmonton, where they belong. Now, reports indicate that the Alberta Treasury Branches may soon enforce their security in order to recover about \$50 million in loans that were provided to the owner of the Oilers. This issue obviously has tremendous impact on the future profitability of the Treasury Branches, and Alberta taxpayers are justifiably concerned. They know that this exposure has to be dealt with on the basis of a sound business practice and principle, because the financial health of Alberta Treasury Branches significantly impacts the financial health and the net debt of our province of Alberta. My questions are to the Provincial Treasurer. Did the Premier or government officials or Alberta Treasury Branch officials meet with representatives of the NHL earlier this year to discuss the mechanics of a public share offering in the Edmonton Oilers hockey club?

MR. DAY: Well, Mr. Speaker, first let me say that I know what it's like to have a hockey team in your city of which you're very proud. The Red Deer Rebels had an excellent season. I want you to know that close to 6,000 fans per game have a great economic impact in our area, and I can understand the similar feeling that the member has for the Edmonton team.

He's just asked me a question about people other than myself. He's mentioned the Premier, he's mentioned other officials ever having had a meeting with NHL officials. I cannot, nor would I dare to, comment on other people and their meeting schedules. So it's very broad, and I'm not sure what the context would be. I think you'd see it as reasonable, hon. member, that I cannot vouch for any number of officials that you have talked about.

MR. ZWOZDESKY: Thank you. I have received that pass.

Will the Treasurer assure Albertans that the government will not use any political muscle to compel Treasury Branches to remain financially involved in any transaction regarding change in the ownership structure of the Edmonton Oilers? In other words, will you let ATB do its job to recover the money that it lent out,

and will you let the private sector do its job to keep the Edmonton Oilers here in Edmonton?

MR. DAY: Mr. Speaker, if I were to tell you today that I wrote those questions for the opposition member, I know you wouldn't believe me. I won't say that because I didn't, but in fact the words he used in the supplementary question and his main question reflect the position that I've taken consistently on this particular issue when I'm asked and on other issues related to ATB. They are an arm's-length institution, a banking institution. They are to operate under sound banking principles, not just with this particular customer but with all their customers, and to preserve the integrity of the ATB system.

MR. ZWOZDESKY: I just want two final commitments from the Provincial Treasurer today, Mr. Speaker. First, will you pursue all possible efforts in the courts to recover at least a portion of the \$209 million owing to us as a result of the Gainers situation, which is linked to the Oilers? Secondly, will you commit to not making any deals in private or in secret or elsewhere in exchange for the ATB's recovery of the amounts outstanding regarding the ATB Oilers deal?

MR. DAY: Mr. Speaker, I think there are nine separate pieces of litigation related to Gainers. Seven are actions on behalf of the government to pursue losses that hopefully we will see some return on to the taxpayer. Two of the items are elements being pursued by and with Mr. Pocklington's organization.

I can assure the member that our overall intent always is to see the greatest return to the taxpayer and nothing would be done in a whimsical or foolhardy way at all to in any way minimize that position. We will continue to pursue with great vigour maximum return to the taxpayer on all these items.

Custodial Services for Schools

MS BARRETT: Mr. Speaker, a few minutes ago I sent over to the Minister of Education, to refresh his memory, a copy of a covering letter dated March 13, 1997, from the Deputy Minister of Education. This was sent to school superintendents and indicates that future levels of provincial funding may depend on whether or not, unbelievably, school districts contract out custodial services. I also sent to the minister a mailing that included a report by an unidentified Calgary consultant using the name FMT Resources purporting to show the advantages of contracting out and privatization. As well, I sent the minister a copy of a report jointly commissioned by the Edmonton public school board and the Canadian Union of Public Employees which clearly concludes, based upon a pilot project, that in-house custodial services provide improved service at a lower cost. In fairness to the Assembly I'm prepared to file copies with the House as well. My question to the Minister of Education is this: why is the Department of Education threatening to penalize school districts which are not willing to sacrifice cleanliness and safety by contracting out custodial services?

MR. MAR: Mr. Speaker, I thank the hon. member for forwarding over to me the document which she refers to for the purposes of her questions.

Mr. Speaker, we are always interested in conducting work as it may relate to making sure that our costs are reduced as much as possible in the operations of our schools. The purposes of this project, this study of POM, or the plant operations and maintenance,

were to conduct a survey of school boards throughout the province of Alberta for the 1995-96 school year and to analyze and determine factors which are within the control of school boards as it relates to POM, or plant operations and maintenance, and analyze and determine those factors which are outside of the control of those school boards. FMT was retained by the Department of Education to conduct this survey. I think that the methodology of their survey has been sound.

Just to read off the representatives from schools that were there: the Calgary public school board was involved, the Edmonton public school board, the High Prairie school division, the Horizon school division, and the Lethbridge school district. Mr. Speaker, we do want to encourage school boards to get the most out of the dollars that they spend on plant operations and maintenance, and that is the reason why this study was conducted.

MS BARRETT: But, Mr. Speaker, considering how clearly the jointly commissioned report shows that there are no cost savings – it costs more to contract out – why is the minister's department continuing to push districts to contract out custodial services? It's cheaper to do it in the public sector and more effective.

MR. MAR: Mr. Speaker, I've certainly visited with school boards and in fact just this morning was with the Alberta School Boards Association, and I've visited those schools, some of which continue to have public service employees providing custodial services. There are schools that have privatized or contracted out their custodial services. From my observation of these schools that have these differences, it would appear that there is very little difference in terms of the quality of the services that are being provided. In those cases where a school board can determine that it is perhaps less expensive to maintain their current system, they have the ability to do so. In those circumstances where they feel that they can obtain the same services for less money by contracting out, in those cases the school boards also have that ability to do so.

MS BARRETT: Well, Mr. Speaker, there is one objective report that the minister is not talking about, and that's the one that was conducted jointly – jointly – under Edmonton public school board. In the interests of fairness, will this minister please now agree to send that 17-month review, that makes very clear conclusions, out with his next mailing to all the school divisions, superintendents, and their secretary-treasurers? Let's be fair.

MR. MAR: Mr. Speaker, there's no intention on my part to do that. I think that the whole issue of whether or not the services are more expensive or less expensive is a decision that we can fairly entrust to the hands of school trustees. School trustees and their officials and their administrators certainly know what is in their best interests in terms of whether they should contract out or not. It's not my intention to make that part of my correspondence.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Calgary-Buffalo.

2:00

Multiple Chemical Sensitivity

MR. MARZ: Thank you, Mr. Speaker. My first question today is to the Minister of Health. An increasing number of Albertans, including some of my constituents, are suffering from a condition known as multiple chemical sensitivity or chemical injury. They

have not found treatment for this illness in Alberta, and the only place, I'm told, that it's available in Canada is Nova Scotia, where the waiting list is up to three years. Can the Minister of Health explain why Alberta does not treat multiple chemical sensitivity or allow adequate funding for patients to travel to treatment centres in other jurisdictions, such as the one in Dallas, Texas?

MR. JONSON: Mr. Speaker, the member is quite correct that we do not have a facility in Alberta dedicated to this particular purpose, but we do have professionals within the system that do treat this particular type of condition. The only facility in Canada that we are aware of that is dedicated solely to this particular purpose is, as identified, in Nova Scotia. So there are avenues of treatment with respect to this particular disorder, and I would be pleased to discuss those with the hon. member.

With respect, Mr. Speaker, to the reference to out-of-country treatment, we do provide a process for gaining support for out-of-country treatment, but it's very important that we ensure that the program and the facility, particularly outside of the country, are properly accredited and have qualified personnel. Therefore the policy is that we consider funding in cases where a person is being treated at an accredited auxiliary or active treatment hospital. In this case, as I understand, it would be the United States. So we must ensure that there is the proper accreditation and quality involved.

In the case that may be being referred to, at least one has come recently to my attention, the program that was accessed was not in the category of being accredited.

Thank you.

MR. MARZ: I'd like to thank the hon. minister for that answer.

My first supplementary is to the Minister of Labour. Given that many of these cases are because of conditions resulting from the workplace, could the Minister of Labour advise if treatment and funding is available through the Workers' Compensation Board?

MR. SMITH: Well, thank you, Mr. Speaker. It's a pleasure to rise to my feet to answer a quality question. There are very few WCB claims for multiple chemical sensitivity made annually, but in adjudicating claims related to multiple chemical sensitivity, the WCB must first determine and confirm that it is a workplace-related accident. It is true that the WCB will pay for any necessary treatment to assist the recovery of injured workers who have suffered a verifiable workplace accident or exposure. The WCB must make adjudications based on objective medical evidence of symptoms that are clearly related to workplace injury or workplace disease.

Interestingly enough, Mr. Speaker, the WCB of Alberta as a result of its financial stability has established a \$50 million occupational disease reserve fund. This fund is available to compensate for currently unrecognized occupational diseases.

MR. MARZ: My second supplementary is back to the Minister of Health. Would the Minister of Health work with the Minister of Labour to undertake a review of the root causes of multiple chemical sensitivity to come up with an action plan on how best to treat people suffering from this illness?

MR. JONSON: Certainly, Mr. Speaker, we are concerned about doing that, particularly both in terms of causes and in terms of treatment programs.

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

Geriatric Care

MR. DICKSON: Thank you, Mr. Speaker. The only two doctors in Lethbridge specializing in the care of the elderly had considered leaving the province last December, and had they left, Alberta would have had only eight specialists for our 280,000 senior citizens. Part of why the Lethbridge doctors were considering leaving was that they were overworked and they were concerned about this government's lack of support for long-term care for seniors. In Lethbridge alone the number of people visiting the St. Michael's health centre clinic was up by 40 percent in 1996, and demand continues to grow, and the situation is similar right across the province. My first question is to the Minister of Health. How many geriatric specialists are there right now in the province of Alberta in light of the fact that there's documented demand for 30 such specialists? Are there still only 10 for the 280,000 seniors?

MR. JONSON: Mr. Speaker, I will check the number and provide the information to the hon. member, but I think that just in terms of my general memory he is quite close to being correct if not exact with respect to the number.

However, I think the important thing to note here is that people who are highly specialized in geriatric medicine are rare in terms of their availability across Canada. It is something that we realize is a need in this province in terms of recruitment, and it is a concern that we are pursuing, along with a number of others such as the need for rural physicians in certain areas, in terms of our overall physician resource planning effort and, in the case of rural physicians, our rural physician action plan. Certainly, Mr. Speaker, it is a challenge for the health care system in this province and for those people in charge of it at the regional health authority level and for the minister, but it is not unique to this particular province.

MR. DICKSON: Mr. Speaker, I appreciate the minister's candour.

My supplementary question, then, would be: can he explain what effect the evident shortage of specialists has on waiting lists and assessments of elderly Albertans?

MR. JONSON: Well, Mr. Speaker, within the health care system we have a system of assessments which involves the primary care physicians, other people with expertise in the long-term care field, and in terms of assessment and assignment to appropriate treatment and placement in long-term care and home care, we have a system which is functioning quite well in that regard. The specialists, the highly specialized doctors that work in this particular area, as I've indicated, are in short supply, and they are utilized in the different areas of the province in which these people are located for the very difficult cases, the very difficult types of conditions and work that needs to be done with respect to the elderly.

MR. DICKSON: Mr. Speaker, if we can't meet the demand or need now and given the fact that we're going to have likely about 300,000 seniors by the year 2000, would the minister share with the Assembly his specific plans to ensure proper care for our parents and grandparents and to ensure that the few specialists we do have don't get lured away to other provinces or other jurisdictions?

MR. JONSON: Mr. Speaker, I could speak at some length on that particular topic. I would refer the hon. member to our overall Alberta Health business plan, and I think he is aware that we have the initiative with respect to physician supply and physician recruitment that I just mentioned. Also we are doing a long-term look into the future review of the health care system with respect to the needs of the elderly.

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

2:10 Provincial Tax Regime

MR. DOERKSEN: Thank you, Mr. Speaker. My questions today will be addressed to the Treasurer, and it should be noted from the outset that he and I share the same affection for the Red Deer Rebels.

Taxes are an inhibitor to consumer confidence and economic growth. Various studies that were quoted recently in a *Financial Post* article, such as the 1995 International Monetary Fund study and a World Bank study, found a direct correlation between tax cuts and job growth and economic growth. My question to the Provincial Treasurer is: will you show the same compassion . . . Sorry. Will you show the same passion in addressing tax cuts that you do for the support of the Red Deer Rebels in moving on a program of tax reductions to increase growth and job creation in Alberta?

MR. DAY: Well, the member has used the words passion and compassion, and I would suggest that both would be accurate when it comes to looking at tax reductions. I want to say that I find it interesting that organizations like the International Monetary Fund and the World Bank, which aren't known to be necessarily bastions of conservative fiscal policy – when they are suggesting they have studies that show there's a link between economic prosperity and low taxes, then perhaps a question that should be asked of Albertans should be framed this way: if it can be shown clearly that lowering taxes increases the standard of living, increases prosperity, increases jobs, and therefore strengthens the social institutions of our province, if it can be shown to do that, would you be in favour of tax reductions? That would be a fair question.

I think when you ask the question, “Are we doing that now; do we have something in place right now?” you've got to consider, Mr. Speaker, that last year as with this year, we were and we still are the lowest taxed people in Canada: no sales tax, on average paying 35 percent lower than other Canadians in terms of taxes. Even with that tax regime, we still lowered taxes in terms of using the family tax credit for low-income families, aviation tax going down, railway tax going down. So we're not adverse to lowering taxes.

The question: are we going to do that immediately? Are we going to do that very soon? We're asking Albertans that question. Albertans have told us really clearly: “Stay on the fiscal plan right now. Be very aggressive on the debt. Pay that down in an aggressive way, and then maybe come back and talk to us.” That's the sort of feedback that we're getting at this point.

MR. DOERKSEN: Mr. Speaker, again to the Treasurer: has the government considered moving from a tax-on-tax system, where the provincial taxes are a function of federal taxes, to a tax-on-income system for provincial income taxes in Alberta?

MR. DAY: You know, Mr. Speaker, we're tied in to some agreements, as most provinces are, with Revenue Canada. The tax-on-tax system is something where I think it's worth looking at the possibility of us delinking ourselves from those agreements with Revenue Canada, because if the federal government arbitrarily, as they do many things arbitrarily, were to raise the tax, especially on the personal income tax side, that causes us some problems in terms of being linked with their formula. So we are in pursuit of a delinking there, but it hasn't happened at this point.

MR. DOERKSEN: My last question is also to the Provincial Treasurer. Does the Treasurer have plans in place today which call for a tax reduction in conjunction with the no tax increase Bill that was just tabled in this House?

MR. DAY: Well, there isn't a link there, and to be honest, I don't have before me on paper a plan that says that we are going to lower taxes either with or without the no tax increase legislation. That piece of legislation was tabled for the clear purpose of getting a broad public discussion. Only one tax was listed there, being the personal income tax.

It was made very clear, the Premier's made it clear, when we speak on this issue we're making clear to Albertans: “Tell us, first of all, if you like that legislation and, secondly, should it be broadened to other taxes? Should corporate taxes be there? Should gasoline taxes be there?” The legislation that is tabled is for discussion purposes and is not restricting any additions or deletions of the number of taxes. It's to see if Albertans like it in general. At this point, nothing has been linked to that legislation in terms of tax cuts.

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

Gas Pipeline Safety

MS CARLSON: Thank you, Mr. Speaker. The Alberta Energy and Utilities Board has given Encal Energy Ltd. permission to convert a 37-kilometre pipeline from Battle River to Rimbey from sweet to sour gas service in spite of the fact that the sour gas contains nearly 2 percent of very corrosive, poisonous hydrogen sulphide. The board knew that this pipeline was defective and failed to meet their own regulations even for sweet gas. My questions today are for the Minister of Energy. As X rays of welds in this six-inch pipeline show that over half the welds have internal surface defects not allowed in normal sour gas codes, 415 of them to be exact, won't the minister set standards to prevent conversion of such lines?

DR. WEST: Mr. Speaker, we have a regulatory body that has a tremendous amount of expertise and people who continually monitor the gas and oil industry, passes such applications that come forward such as this company has given, and puts in place the checks and balances to look after the problems the hon. member has just stated.

MS CARLSON: Mr. Speaker, there are no CSA standards for sour gas conversions. The job belongs to this minister to be responsible in this regard.

Why does this minister allow different standards for pipelines that are converted to sour gas than for new sour gas pipelines? The rules are really different.

DR. WEST: Again, Mr. Speaker, I can repeat the first answer I gave, that we have a regulatory body that probably is respected throughout North America for its ability to put in checks and balances, to study concerns, to put in place some 80 to 90 inspectors that go out there and look on-site at operations, and as well to do a detailed analysis of every application to ensure that the safety of the citizens of this province in relation to oil and gas is maintained. I'll stand behind their record any place, any time. If there's research going on that they're doing that applies to this situation, I'm sure it'll be done and it'll come forth in a respectable manner.

MS CARLSON: He's passing the buck and responsibility, Mr. Speaker, and it isn't good enough for those people who live around this sour gas pipeline.

As this pipeline runs close to nearly a dozen homes in the area, why are these people in rural Alberta not being given even the minimum amount of protection that's available under the law? You're the guy responsible for this. Nobody else.

DR. WEST: Mr. Speaker, certainly there seem to be some accusations here. I would just say that those individuals along that line have probably made representation to the AEUB. If not, they should. To say that we pass the buck – we are legislated in this province. This regulatory body is legislated by this Assembly, and there are numerous Acts, the Pipeline Act and all types of Acts, that are legislated by this Assembly. We don't pass the buck. We direct that authority and the responsibility to this board. To talk about a quasi-judicial board with that respect in this Assembly is irresponsible.

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

Assured Income for the Severely Handicapped

MR. SHARIFF: Thank you, Mr. Speaker. As a province we are experiencing positive growth and prosperity, and we will be hosting the Growth Summit this fall to talk about how Albertans can benefit from this government's reinvestment plans. I should also add that with prudent fiscal management we have experienced surplus budgets for the past few years. My question today is on behalf of Albertans who are least able to advocate on their own behalf. I am referring to those receiving assured income for the severely handicapped, otherwise referred to as AISH. A few days ago the hon. Minister of Family and Social Services advised this House that AISH recipients received an increase of 1 percent, which translates to \$8 per person. To the Minister of Family and Social Services: how can the minister justify such a small amount of increase given the rise in the cost of living in Alberta?

2:20

DR. OBERG: Thank you very much, Mr. Speaker. That is an excellent question. In this year's budget we increased the AISH per monthly rate by 1 percent, which amounts to a very modest \$8 per month. What we are experiencing at the moment is quite an increase in the number of people on AISH. For example, last month we saw an increase of 99 people in one month on AISH, which is a little difficult to explain. However, we are looking at it.

I really must draw the hon. member's attention to the rates across Canada, if I may, Mr. Speaker. They range from \$542 per month in Newfoundland to \$930 per month in Ontario. We are

the second highest at \$810, soon to be \$818 per month. I really must say that you must look at what is happening in the economy. For example, in Toronto accommodation is approximately \$200 to \$300 per month more than it is in Alberta. Consequently we feel that our program is very good. We feel that our program is one of the best if not the best in Canada when it comes to the disabled. That does not mean that we rest on our laurels. We are always assessing and reassessing the amount paid to the disabled. [interjections]

THE SPEAKER: Calgary-McCall has the floor. Please proceed.

MR. SHARIFF: I appreciate the response from the Minister of Family and Social Services. I'd just like to know whether this minister will make a commitment to Albertans that he will review funding for AISH recipients and bring it in line with current times and needs.

DR. OBERG: Mr. Speaker, one of the things that we constantly do is look at the amount that is paid out. As the hon. member is well aware, we are under budgetary constraints as well. The amount that we put out is a direct correlation between the number of people on AISH and the amount per monthly payment. We do look at that constantly. Like I say, we are the second highest in Canada and probably have the best program.

MR. SHARIFF: Will the minister also let us know: are there any other changes that are anticipated in the AISH program that we should be aware of?

DR. OBERG: Mr. Speaker, as the hon. member mentioned in the first part of his question, the people on AISH are an extremely vulnerable population, and any changes to that program must be done very gradually. Therefore I do not anticipate any changes.

However, one of the huge enigmas that has always bothered me in being a medical doctor and going into Family and Social Services is the actual AISH form. On the AISH form it is essentially the responsibility of the physician, who acts as a patient's advocate, to determine whether or not the patient is eligible for AISH. I have received numerous complaints from physicians about this, and what they have stated is: give us a form where we can objectively put down what we think about the patient, whether or not they're able to work, so that it takes us out from being the patient's advocate on one hand and determining whether they actually get paid on the other hand.

Mr. Speaker, what we are doing is looking at revamping the AISH form to fall in those criteria. Who is doing it? The department is doing it. The Alberta Medical Association is working in conjunction with the department to get this done. I think it's an extremely important initiative, and it's something that I think will make AISH even better than it is now.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Little Bow.

Education Funding

DR. MASSEY: Thank you, Mr. Speaker. Parents, teachers, scores of school trustees, parent councils, even some brave government members have had a common message for the Minister of Education. That message is that underfunding is making it difficult and harder for students to learn in overcrowded classrooms. The minister, for his part, insists that funding is

adequate. My questions are to the Minister of Education. Will the minister table the calculations that led to the decision that \$3,686 per pupil would provide not just an adequate education but an excellent education, which our children deserve?

MR. MAR: Mr. Speaker, the fact of the matter is that students in the province of Alberta already receive an excellent education, and that's been borne out not only from our own internal look at the education that students receive in this province but in studies that the province of Alberta has participated in on both a national and international scale. The fact is that Alberta students stack up very well.

The hon. member in his preamble did mention the issue of classroom size. Mr. Speaker, I think that among red herrings the issue of classroom size is the king of tunas. I've been to schools where I see teachers team teach with other teachers, and they alternate, and those teachers sometimes have 50 or 60 students in their class. When people talk about classroom sizes that are too large, they often cite that 30 or 31 or 32 is too large. Nobody ever speaks about those options, those classes, perhaps a math preparation class, where there are 10, 12, or 15 students in that class. That's an appropriate class size for that type of class. I can understand why in an automotive shop for safety reasons you would want to have smaller classes, but there are some classes where frankly you can have larger sizes. I've observed that in schools, and I think that's appropriate in some cases.

Throughout this province school boards make decisions about where they place their resources. The issue of classroom size is a decision that is made at the local level, and I think that's appropriate. My observation, Mr. Speaker, is that among elementary classes, generally speaking, school boards have placed more resources, more teaching staff and aides for classrooms in the K to 6 schools, and then as students get older and become more appropriately independent learners, classroom sizes increase.

DR. MASSEY: Thank you, Mr. Speaker. I shared a study of 2.4 million children with the minister indicating that when class size surpasses 18, it makes a difference in performance. Is the minister rejecting that study?

MR. MAR: Well, Mr. Speaker, if the hon. member is suggesting that we should have a classroom size on average of 18, the fact of the matter is that he is going to have to demonstrate to me where he's going to find the money to do that. The fact is that we do provide an appropriate level of funding for schools throughout this province. Students are getting an excellent education. School boards are doing their darnedest and are working very hard, as are teachers in this province, ensuring that students are getting a good education.

Mr. Speaker, it is not necessary in every case to have a classroom size of 18. There may be reasons why you would want to have smaller classrooms in certain types of classes, but in other sorts of courses and classes it may be appropriate to have larger classroom sizes.

DR. MASSEY: Thank you. Mr. Speaker, will the minister, then, explain to the Alberta home and school association and the Teachers' Association just where their analysis of what's happening went wrong?

MR. MAR: Mr. Speaker, you know, prior to some of the reform of education in this province particularly as it related to funding,

there were school boards in this province who by reason of the wealth of their property tax base were only able to provide some \$3,600 per student per year in dealing with those students' needs. In other jurisdictions, wealthier jurisdictions, they had up to \$22,000 per student per year. Clearly \$22,000 is too much and \$3,600 is too little. In an effort to make sure that there was an equitable and fair funding of education for students regardless of whether they were in Milk River or Coutts or whether they were in Pincher Creek or Fort Macleod or whether they were in Fort McMurray or other parts of this wonderful province – making sure that there was equitable funding for all students throughout the province was a goal of this province. We should not apologize for ensuring that there is equitable funding, and it is appropriate at the level that it is at at this time.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Manning.

2:30 Municipal Taxation

MR. McFARLAND: Thank you, Mr. Speaker. My questions today are to the Minister of Municipal Affairs. Municipal governments traditionally send tax notices to their ratepayers early in the year requesting payment for municipal and education taxes in the June and October periods. The education portion of these taxes is submitted to the government in April, before the taxes are collected. My first question to the minister: was it the intention of this government to put these municipal governments in the position of paying interest on borrowed money to pay the education tax portion ahead of time?

MS EVANS: Mr. Speaker, first of all, no. I can tell you that this is a matter of collection and redistribution. First of all, we establish the mill rate and, once it is set, determine the number of dollars, and requisitions are sent to all municipalities. Those requisitions are issued relative to March 15 and are to be collected for April 15 for the collection for the first quarter of taxes, but at the same time dollars are submitted back to the municipalities in the form of monthly payments to the school boards that are managing education. So there is not an intention of interest payments. In fact, we are already as a government providing the January, February, March, and April payments to school boards without having any dollars retrieved from municipalities.

MR. McFARLAND: Mr. Speaker, through you to the minister: will your department or this government credit these municipal governments with the interest that they've paid on the borrowed money?

MS EVANS: Well, Mr. Speaker, our hope is that there wouldn't have been funds that have had to be borrowed for this purpose. One of the situations you'll find is that today many municipalities are going on installment plans for collection of taxes. Many mortgage companies, as we are well aware, collect interest, principal, and taxation in their submissions to banks at the same time.

When we do receive these funds, Mr. Speaker, they are transferred to Education, and Education credits the interest to the Alberta school foundation fund. So indirectly taxpayers throughout Alberta are not losing money. They are gaining those revenues back in the form of interest payments made to municipalities through their education portion.

MR. McFARLAND: Mr. Speaker, my final supplemental again to the minister through you: will your department consider paying a collection fee, then, to the local governments who provide us with the service in collecting this education portion?

MS EVANS: Mr. Speaker, at a number of municipal conventions I have heard this issue debated. I would say that in the bottom line there is only one taxpayer. That taxpayer must feel confident that we're managing the funds and their dollars in the best way possible. It's my belief that through the arrangements we have and the timely payments to school boards, we're doing the best that we can to be both efficient and effective in funding education and also in the use of the dollars that come on a quarterly basis from municipalities, transferred to Treasury, and then back out again through Alberta Education to school boards.

THE SPEAKER: Hon. members, the time for Oral Question Period has basically evaporated, but the hon. Minister of Labour has advised the Chair that he wishes to supplement an answer given yesterday.

Minister of Labour.

Workers' Compensation Board

MR. SMITH: Thank you, Mr. Speaker. I wish to respond to the question from the Member for Edmonton-Glengarry with respect to the Workers' Compensation Board authority to issue demand-to-pay letters to collect money. Section 126 of the Workers' Compensation Act gives the WCB the legislative authority to collect debts owed. The WCB has secured creditor status, giving them the right to directly seize assets related to the employer's business. A bank account used for business purposes is an asset of the business. Demand-to-pay letters are a form of nonjudicial garnishee and are standard practice in the credit industry. The letter is not a court judgment and can be disputed by a bank.

The WCB, Mr. Speaker, only takes these steps after a number of processes have been gone through that have not resulted in collection of overdue accounts, and seizure of assets and demand-for-pay letters are only a last resort. Clearly that has to be effected because it creates the level playing field where all employers are making the proper contributions to WCB and WC coverage.

Thank you.

THE SPEAKER: Hon. Member for Edmonton-Meadowlark, you were going to raise a supplemental?

MS LEIBOVICI: If I may.

THE SPEAKER: Yes, you certainly can within the rules.

MS LEIBOVICI: Can the minister, then, explain how assets can be seized without even a courtesy phone call to those businesses that are having those assets seized?

MR. SMITH: Well, Mr. Speaker, it's my understanding that the demand-to-pay letters and seizure of assets are only a last resort and all other attempts to arrange a workable repayment with the employer have failed. So, in fact, the information that I received from the WCB indicates that there is a great deal of discussion and attempts to collect these overpayments prior to putting a demand-to-pay letter out.

THE SPEAKER: The Chair has been notified and the hon. Member for Edmonton-Highlands rose earlier today advising that she wishes to raise a point of privilege. The statement in terms of the form of the notice provided is in order. Please proceed with the point.

Privilege Private Member's Bill

MS BARRETT: Mr. Speaker, thank you. For the benefit of all members I'll read the letter that I wrote to you earlier today. It says:

This afternoon in the House I'd like to raise a point of privilege. This point of privilege concerns my rights as a member to introduce a Private Members Bill that has already been drafted and is in order.

Thank you for your cooperation in this matter.

Mr. Speaker, in making my case, I need to first of all tell you what I'm not arguing. Okay. I am not arguing against the Bill draw. The Bill draw has been around forever. I am not arguing against that. I am not saying that just because I . . .

THE SPEAKER: It is appropriate, though, hon. member, to provide citations when rising on a point of privilege. It is the most important of all points in an Assembly.

MS BARRETT: Mr. Speaker, I will read from a document from the former Speaker dated March 21, 1997.

As you know there is very little time before the opening of session. Parliamentary Counsel will be under tremendous pressure to prepare Bills prior to April 15. Accordingly, Parliamentary Counsel will undertake to have Bills drafted for the first 10 Members drawn by the opening of session. These 10 Bills will have to be finalized by Friday, April 11. Parliamentary Counsel will endeavour to have the next 10 Bills drafted by May 30. After the "top 20" are drafted the other Private Members Bills will be drafted.

The critical word here is "drafted". The Bill that I would like to introduce - I understand it wouldn't be debated - is one that has been introduced by the late Grant Notley several times, by Ray Martin several times, by Tom Sigurdson several times, and by Barry Chivers several times. The version of the Bill that I wish to introduce was introduced in that exact form by Barry Chivers between 1990 and 1993. It is identical, and in fact I worked on one of the first versions of that Bill when I was a researcher here.

I cannot introduce this legislation, which would call for prohibition of replacement workers during strike or lockout, because of a parliamentary tradition which I respect and wish to uphold, and that is that I should not go outside of this Assembly and walk around with a private member's Bill that has not already been introduced. I realize it's an unwritten rule, but it is a rule that I choose to respect because I'm a parliamentarian and people elect 83 of us to respect those rules.

My point is this: after May 30 there wasn't a bunch of other private member's Bills introduced. My Bill is in order. I don't understand why I can't introduce it based upon one memo from the former Speaker. I would like to introduce it. I believe I've got a good case of privilege. It may not be a big deal to anybody else, but it is a big deal to me. I would like to introduce that Bill.

So I ask, Mr. Speaker, that you find a prima facie case of privilege so that we can get this issue dealt with so I can introduce the Bill before the session ends. Thank you.

2:40

THE SPEAKER: Well, hon. member, until earlier this morning

I had received no correspondence from the hon. member with respect to this matter, so having the hon. member now raise it today, the Speaker will take it under advisement and report back to the House, presumably by early next week, Monday at the earliest.

head: **Orders of the Day**

head: **Written Questions**

MR. HANCOCK: Mr. Speaker, I move that written questions appearing on today's Order Paper stand and retain their places.

[Motion carried]

head: **Motions for Returns**

MR. HANCOCK: Mr. Speaker, I move that motions for returns appearing on today's Order Paper stand and retain their places with the exception of motions for returns 26, 27, 28, 29, 30, 31, and 32.

[Motion carried]

Treasury Branches

M26. Mr. Sapers moved on behalf of Mr. Zwozdesky that an order of the Assembly do issue for a return showing copies of the external study on the net cash proceeds accruing to the government from the sale of Alberta Treasury Branches operations as referred to on page 4 of the Flynn report, entitled Alberta Treasury Branches: General Review and Recommendations for Changes, December 1994.

MR. SAPERS: Before I continue with debate on this motion, Mr. Speaker, I'd be anxious to know whether the government is going to accept or reject.

THE SPEAKER: Well, if the hon. member would sit down, we'd hear a response from some representative of the government.

MR. DAY: Mr. Speaker, my record is quite clear on motions for returns and written questions in that I rarely reject any of those on areas related to my portfolio. I take that position because I think people have the right to know, and we try and make that available at all times.

In this particular instance I unfortunately have to reject this request, and I will reference on behalf of the member so that he can see what constrains me. I'd refer to *Beauchesne* 446(2)(j), which clearly speaks to exempting documents that relate to contracts or negotiations that have not been concluded. I hope he's taking careful note of these. This study could be used to divulge information that could be used to support or determine negotiations on a potential sale of ATB, which is not a near possibility in terms of a sale, as you know. As the member knows quite well, there are a number of applications in force right now related to ATB which are going to bring this institution onto a level playing field with other financial institutions. But, clearly, this reference in *Beauchesne* would exempt this type of document. Also, section 446(2)(e), if the member would like to refer to that, applies to the disclosure of the study in referring to a potential buyer of Alberta Treasury Branches, should a sale occur. Should a sale occur.

Erskine May I think is also helpful and instructive, if the member would like to look there: section 16(2)(c). Also section 1(j)(vii) and section 4, where there's a clear reference to allowing a minister to refuse to disclose information about state involvement in a particular enterprise unless there is urgent public importance, and sections 16(2)(c), 1(j), and (9) allow nondisclosure of information on the basis of public policy. So when the member rises in indignation that this information isn't going to be released, I do hope he cites these particular references that I'm using.

Also, there are a couple of provisions under the FOIP Act that apply, so I'm not trying to use *Beauchesne* and *Erskine May* only in terms of the rejection here. Under FOIP section 24(1)(b) is very clear about exemptions related to financial and commercial information of proprietary interest to the Crown. Section 24(1)(c) talks about information that could cause financial loss to the Crown in contractual or other negotiations. This report that's being asked for, which is a draft report and which is only part of an ongoing study, makes a number of fairly bold assumptions and runs certain models that are highly speculative at best, but to release those kinds of bold and unproven assumptions could reflect on the value of ATB as an asset and then have some negative effect were there to be some kind of a divestiture happening in years ahead. So the concern is registered there.

Section 23(1)(a) also talks about exemptions regarding analyses prepared for a public body. Section 23(1)(c) talks about studies that could relate to negotiations, and as the member will see very clearly with the amendments which I'm bringing forward related to ATB, amendments which I'm going to be trying to get to him in draft form so that he can have prior knowledge and even have some input there, there are going to be some negotiations involved with ATB staff. This could also have an effect there. Also 23(1)(d) talks about plans relating to the administration of a public body.

I'm hoping the member will agree with me that these are not frivolous exemptions. They are given great consideration and due weight and would have a clear effect if this particular report were to be released at this time. I can see the day when it would be released, but at this time it wouldn't be a wise thing to do. Again I will say to the member that I think the record shows that when it comes to written questions and motions for returns, I am generally forthcoming on these, but there are some bona fide exemptions, I think, that have to apply here.

[Two members rose]

THE SPEAKER: The hon. member . . .

MS CARLSON: Both of us.

THE SPEAKER: Well, the Chair has a difficulty here. Are you participating in the debate?

MS CARLSON: Yes.

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

MS CARLSON: Thank you, Mr. Speaker. I have a problem with the Treasurer not being prepared to respond to this particular motion. I think that all of the exemptions he has talked about, all of the references he has made apply to information that normally

wouldn't have been disclosed in the normal operations of the Treasury Branches, but what we're talking about here is asking for backup to the Flynn report, a report that was in fact commissioned by this very government, a report that made certain assumptions when it was reporting back in 1994. Anyone, to be able to evaluate the validity of those assumptions and to be able to evaluate the worth of that particular report, needs to have access to the backup information and in fact the models that they used to base their premises on.

I think what the Treasurer is saying here is incorrect in terms of the reference that he has used. If you're going to commission a study, then you are going to put the study out in the public domain where it can be accessed, and then you need to follow full disclosure principles and allow any information that was used to base that study on to be accessed by anyone who wishes to. I think his reference to the probable or potential sale of the ATBs now is simply a red herring and has nothing to do with his lack of wanting to make this report public at this time.

2:50

MR. DICKSON: Mr. Speaker, I'm going to respectfully suggest that the Provincial Treasurer misapprehends both of the authorities he cited and is ostensibly relying on to resist disclosure. Initially he took us to *Beauchesne*, article 446, and cited three subsections there. But if one looks at those, they all have to do with injury, prejudice, some detriment to the disclosing party. It would seem to me that the short answer is that any potential purchaser – and we don't know if this is a purchaser of assets or a purchaser of the entire business of ATB as an ongoing organization. We don't know that. But in either case surely the Provincial Treasurer knows that any prospective purchaser upon payment of a deposit would be able to do a due diligence search which would entail accessing any public or semipublic documents in this kind of evaluation. So unless the Provincial Treasurer is going to tell us that there's absolutely no intention on the part of the government to share this document or documents with a prospective purchaser, his argument simply doesn't, with respect, hold any weight.

He cites sections 23 and 24 of the Freedom of Information and Protection of Privacy Act. What he neglected to mention – because I'm confident he knows this – is he's talking about discretionary exceptions, not mandatory exceptions. There are mandatory exceptions in the Act, but neither of the sections that he cited would be a mandatory exception. So it's entirely up to the discretion of the minister if there had been an application under FOIP.

If the Provincial Treasurer would look at the rulings to date by the Information and Privacy Commissioner, I think there are three specific orders that construe and talk about the interpretation that's used by the Information and Privacy Commissioner in applying sections 23 and 24. The Provincial Treasurer would find that it's been construed far more narrowly by him raising it than implication would have us believe. My question to the Provincial Treasurer would be: if he applies the tests of Mr. Clark, the Information Commissioner, perhaps then he could show us how this information would not be producible or disclosable under sections 23 and 24.

In terms of the authorities in *Beauchesne*, would he be good enough to confirm – because this would be essential for his argument to be sound – that it's the position of the government of Alberta and the province of Alberta Treasury Branches that they will refuse to disclose, simply will not disclose the report in question to a prospective purchaser of either assets or of the business?

If, indeed, the minister can say that, then I'd be prepared to reconsider my position in terms of voting on it, but on the face of it I think the external study will be no secret to any prospective purchaser. It's certainly no secret to the government of Alberta, and it's certainly no secret to the province of Alberta Treasury Branches. Isn't it time that Albertans should be let in on the secret?

Thanks very much, Mr. Speaker.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close the debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I am somewhat disappointed that we're not going to see the Provincial Treasurer undertake to provide this information requested pursuant to my motion, MR26, as it appears on the Order Paper today. We had hoped that the Provincial Treasurer would see fit to provide the Assembly with this external study that's referred to in the Flynn report on the basis of what we've talked about so often here and what we've heard about so often here, called openness, accountability, transparency, and honesty. If you take those four words and take the first four letters, you can form the acronym OATH: openness, accountability, transparency, honesty. That OATH is something that I was hoping to see much more of. There have been many occasions in the past short while where the Treasurer has indeed delivered on that OATH to Albertans, and here's another opportunity where I suspect this would be a harmless release.

He talked about reasons for not releasing it, but let me talk to you about reasons for releasing it, which gives a little different complexion to the issue. I can appreciate that he felt that this was only a draft report, Mr. Speaker, and that this was part of an ongoing study, but what was referred to in the Flynn report was one external study that concluded certain specific facts about net cash proceeds that might accrue to the province of Alberta from the sale of certain operations tied in with the Alberta Treasury Branches. Specifically that, of course, is on page 4.

The government itself commissioned the report by Gordon Flynn to examine the effectiveness of the Alberta Treasury Branches and to make certain recommendations for how to improve competitiveness and how to enhance on the level of service that is provided by the ATB to its customers. In fact, Flynn in his report did indicate that there was a significant lack of a capital base, which basically restricts the profitability of the Alberta Treasury Branches because it has to borrow all of its funds that are reloaned to customers. The Flynn report also indicated that in order to be competitive and to be effective in competition with the private sector, ATB would need a capital base of at least \$500 million. Based on the \$100 million projected loss in the 1996-97 statements, ATB had a capital deficiency of nearly \$130 million.

The external study suggested that the net cash proceeds to the government from a current sale of some of the ATB operations, after injecting the necessary capital to facilitate such a sale, would in fact be nominal. What that means in round numbers to Alberta taxpayers, Mr. Speaker, is that once the \$500 million to \$600 million would be injected in order to attract a possible buyer for certain assets that might become for sale out of the ATB, the net result from such a sale might result in a nominal return to the province. Now, nominal could be anywhere from a dollar to who knows how much.

We were hoping for some clarification on that, and I know

Alberta taxpayers are very concerned about the future of this community banking system, one, incidently, which I think is critical, particularly to the rural areas, but it does have to be examined, and the government should be providing this external report in that vein.

My concluding comments are with regard to Treasury Branch management. I know that Treasury Branch management is indeed in the process of recommending changes to the operation of Alberta Treasury Branches that would in fact improve on the competitive nature and that there is even pending legislation forthcoming, which I think the Treasurer alluded to this morning in Public Accounts if memory serves me correctly. He's alluded to it as well, that there are some recommendations, there are some changes, there are some amendments, I believe he called them, forthcoming that would impact on how it is that Treasury Branches do their business.

It's important that Albertans have some basis to assess the value of the Alberta Treasury Branch portfolio from the perspective of the private-sector marketplace. How much is the Treasury Branch worth? That's a question on everybody's mind. Here, Mr. Speaker, is an external study that speaks directly to that, and the government seems to be withholding it for whatever reasons. I think they would do well to share that with Albertans and put a lot of the anxiety to rest. That is part of that OATH formula. This indeed would go hand in hand with what it is that the management of Alberta Treasury Branches is doing or attempting to do to rehabilitate its own balance sheet of the Treasury Branches in accordance with its own business plan.

I will end there, Mr. Speaker, simply expressing some disappointment and some dismay that this motion to release that external study will not in fact come to pass. Thank you.

[Motion lost]

3:00 Treasury Branches

M27. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of the Alberta Treasury Branches' management response to the Flynn report, entitled Alberta Treasury Branches: General Review and Recommendations for Changes, December 1994, as cited on page 1 of the Mazankowski report, entitled Treasury Branches' Working Group report, February 1995.

MR. DAY: In my usual spirit of openness, accountability and transparency I can announce that the government is pleased to accept this motion.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I thank the Provincial Treasurer for receiving this motion. I just briefly would like to say that I know Mr. Mazankowski, and I know him to be an honourable gentleman. I'm pleased that the Provincial Treasurer has in fact asked Treasury Branches' working group, headed by Don Mazankowski and other luminaries involved thereto - Tom Cumming, I understand, Brian McCook, Janice Rennie, and Gail Surkan, to mention a few - to evaluate the recommendations of the Flynn report and to make recommendations with particular attention to the Alberta Treasury Branches' mission statement, governance, and changes that are needed to achieve these desired objectives, such as new products, automa-

tion, technology, and other things to move forward. I'm pleased that the Treasurer has undertaken that once again, with the imminent presentation of legislation on possible ancillary services required for ATB and management's vision for the future of the Alberta Treasury Branches, which is expected, I think, to be enunciated on June 17 in the Treasurer's hometown. It's important that Albertans have this full information to evaluate how the Treasury Branches intend to meet those goals and objectives for the future, and I thank the Treasurer for undertaking to act out that motion.

[Motion carried]

Loan Guarantee Agreements

M28. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of all loan guarantee and amended loan guarantee agreements between the government and Skimmer Oil Separators Ltd./Cambridge Environmental Systems Inc. from January 1, 1992, to April 30, 1997.

MR. DAY: Mr. Speaker, caught up as I am in this heady atmosphere of praise from the opposition, how can I do anything but accept this?

THE SPEAKER: The hon. Member for Mill Creek to close the debate.

MR. ZWOZDESKY: It's going well, Mr. Speaker. [interjection] No, this is it. I've worked this out in my mind, that the OATH formula sometimes does work. I congratulate the Treasurer yet again on undertaking to act that out. Taxpayers are very concerned about these loans and these loan guarantees, and while I can appreciate that they were made, most of them at least, prior to the current government taking over the reins, it is this current government that is responsible for acting on collecting as much as they can and for being as vigilant as possible to not just abandon them but get back for the taxpayers as much as possible. I congratulate the Treasurer for attempting to do that. We need assurances that these financial transactions are actually arm's length and are not influenced by political considerations, so we'll look forward to receiving more information.

Thank you.

[Motion carried]

Centennial Food Corp. Loan Agreements

M29. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of all loan and amended loan agreements between the government and Centennial Food Corp. from January 1, 1989, to April 30, 1997.

MR. DAY: Mr. Speaker, the member opposite seems to have a bent for acronyms, being the use of letters and then spelling the word with it. I would suggest on this particular recommendation that really exceptional judgment eliminates the chances of this. That spells REJECT.

I do have references, though, and reasons for it which I believe are sound and should be given due consideration. When I listed references before, in terms of response back on the debate, other than some oblique references made by the Member for Calgary-

Buffalo, who at least gave a shot at my citations, there was not really a direct reference to what I am using in terms of being compelled for legal reasons to reject this.

Beauchesne 446(2)(e): once again disclosure in this case could allow or result in direct financial loss to the company concerned, and there's a bona fide exemption there. Section 446(2)(p) also speaks to disclosure of papers pertaining to the loan and agreements supplied in confidence by the company. We can go on to *Erskine May*, section 16(2)(c), (1)(j)(vii) and (3), which also excludes disclosure of information about companies or other bodies that are not under the statutory authority or control of a public body. That's *Beauchesne* and *Erskine May*.

We can get directly pertinent by referring to FOIP, freedom of information Act, section 15(1), which provides for, in this case, mandatory exemption of information about third parties that contains commercial and financial information. Also section 15(1)(b) talks about provisions made in confidence, which these particular documents were. Section 15(1)(c)(i): could result in financial harm. Section 15(3)(a): unless the consent of the party is obtained.

I would like the member to also know and be aware that steps were taken, actually, to see if the particular party had a concern with the release of the information. So there wasn't an attempt by the government to simply hide behind this legislation, even though I believe these points are valid for the exemption. I will table at this point, Mr. Speaker, a response from the company, in this case asked, although there's good reason to refuse the information, if they wanted to override and in fact release the information. I'll table the response, which indicates that they preferred not to make public any of the information pertaining to the financing.

We could probably use the analogy of our own banks, wherever we choose to bank. If there was some difficulty with the bank and there was some involvement by government or other regulatory agencies, I don't think the member opposite would be very excited if he was dealing with a certain banking institution which was experiencing some difficulty and in spite of that difficulty his own dealings with the bank were to be revealed. I think he would have some great difficulty with that, especially if the regulator came to the bank and said: can we release the information? Then the client was checked with, and the client still said: no, I don't want this released. In fact, I would be breaking not just confidence – and certainly the Member for Calgary-Buffalo would be sensitive, I would think, to issues related to release of confidential information. With the company saying, as they have in the past, that they don't want this information released, we have no option than to reject this particular request.

MR. DICKSON: Mr. Speaker, let me just preface my argument by saying that I actually very much appreciate the Provincial Treasurer taking the time to sketch out his argument in some detail. He is absolutely right that section 15, unlike sections 23 and 24, is a mandatory and not a discretionary exception. So to that point I follow his analysis and do respect the fact that he's taken time to give us a fuller explanation.

What he didn't quite cover off, though, is that it's actually a four-part test in section 15, and he's only highlighted part of it. In fact, I appreciate that we're reasoning by analogy, because this isn't a freedom of information application. I simply go into this because the Provincial Treasurer suggests, if I follow his argument, that in any event he wouldn't be required to disclose, as the head of a public body, if there had been a section 6 application under freedom of information.

3:10

Section 15 in fact has a four-point test. The first point is that you would have to reveal

- (i) trade secrets of a third party, or
- (ii) commercial, financial, labour relations, scientific or technical information of a third party.

Other than sketching a very general concern, the Provincial Treasurer didn't, at least to my ear, identify the specific element.

The second part of the test is that the information had to be supplied "explicitly or implicitly, in confidence." The test is one of the intention of the source of the information at the time it's provided to the department, not when a request goes in months or weeks or days later. The minister didn't address whether in fact the information in this case was supplied explicitly or implicitly in confidence. Now, to be fair, he's tabled a letter I haven't seen. I take it he paraphrased it rather than read it verbatim into the record, so this may have been addressed in that letter and I haven't seen it. If so, the minister I'm sure will correct us.

The third part of the section 15 test is "the disclosure of which could reasonably be expected" to do one of four different things. One would be to "harm significantly the competitive position or interfere significantly with the negotiating position of the third party." We have to guess a little bit here in terms of the third party interest.

I just digress and say for a moment that even if the Provincial Treasurer was right and section 15 would shelter some of the information, I'd remind the hon. minister that there is a power of severance that's been exercised by his department and other departments on freedom of information requests. It's possible for the department to sever out portions that might be subject to a mandatory exception and disclose the balance. What's interesting here is that the Information Commissioner, if this were a section 6 application under FOIP, would insist that there be severance of the offending parts. It's extremely rare, Mr. Speaker, in my experience – and I've seen a number of applications go forward, a number of responses – that a department would accept the whole document. In fact, to the credit of the provincial government, in most cases that I've seen the government does some severing. They carve out the information that would be, you know, in conformity with the statute, but the rest of the information would be disclosed. I understand it takes some extra work to go through and do the cut job in terms of trying to respond, but it could be done. We do it all the time under the freedom of information Act. So that ends the digression.

To go back to section 15(1)(c), I talked about how this is the third element of the test, and there are four alternatives that have to apply. So we'd either "harm significantly the competitive position," "result in similar information no longer being supplied," "result in undue financial loss or gain," or reveal information supplied to a third party like "an arbitrator, mediator, labour relations officer or other person or body" involved in a labour relations dispute. So if we say that 15(1)(c)(iv) doesn't apply – and he hasn't said that 15(1)(c)(ii) would apply – that would leave us with either "harm significantly the competitive position" or "result in undue financial loss or gain."

I just want to commend the Provincial Treasurer for section 15(3)(a), which does say that the third party can consent to disclosure even if information or a document is subject to a mandatory exception. I think this warrants some attention and some commendation to the Provincial Treasurer in that he or his department took the time to seek the approval of a third party, because we've seen a number of freedom of information inquiries

where the government has chosen not to do that. So good on the Provincial Treasurer for doing that, but I say that he hasn't flushed out for us all of the section 15 tests, and it would be helpful if he did. Until he does that, his argument that this is caught by the mandatory exception may be persuasive, but it's not going to be binding and certainly not going to be overpowering. So those are the comments I wanted to make.

I go back just in conclusion to *Beauchesne* 446. It seems to me, with respect, that even if one relied on the very general wording in *Beauchesne*, the Freedom of Information and Protection of Privacy Act has taken the management of information to a very different level. When *Beauchesne* was created and in fact when the sixth edition was produced in 1989, most Canadian provinces didn't have a freedom of information law. Most provinces didn't have a statute which guaranteed Albertans the right to know, and the right to know can only be limited by specific narrow exceptions. It's part of section 2 of our Act. I hope you, Mr. Speaker, and I hope all members are going to be guided on Written Questions and Motions for Returns and give it a narrower ambit than would have been the case before we embarked on what the government's own publications call a bold new era of acknowledging the right that Albertans own the information and simply lend it to government for short periods of time for specific purposes.

Thanks, Mr. Speaker.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'm most disappointed in the Treasurer this afternoon. [interjections] I just love waking up this crowd. You know, it's the very first time, of course.

MS CARLSON: Not for me. I've been disappointed by them many times.

MRS. SOETAERT: However, Edmonton-Ellerslie says she's been disappointed many times. [interjection] Even the Minister of Transportation is providing a crying towel for the Treasurer. That's co-operation in the Legislature, and that's good to see. That's team, I guess.

You know, here we were. The Treasurer supported Motion 28, touts about being honest, open, accountable, blah, blah, blah, and then in the next breath he gives us some legal mumbo jumbo as to why we can't have it. In my humble estimation I would say he's still picking winners and losers. Is this a loser for us? Is that why you're not telling us all the deal? Because from my understanding there's something like \$14.5 million on the principal still owing, and they've made the principal payments but nobody knows if they've made interest payments. I'm sure the Treasurer knows, but I would think that people in Alberta should know. All of us make the interest payments on our mortgages, et cetera, I would hope. I would think that if the interest payments aren't being made, we should know that.

It just reminds me of the show *Jerry Maguire*. The theme of that was: show me the money. I think that's going to have to become a little theme for this side of the House when we have to keep saying to the Treasurer: show me the money; show us the paper. I was going to write a tune before, but I saw the movie and I liked that one. So that's kind of where we're at with this.

I think a Treasurer that truly does want to represent his

constituents and who, of course, as the Treasurer is responsible for all Albertans in matters of finance would certainly want to tell people that, well, they are making their interest payments or, no, they're not, and this is why. Certainly, by not responding to this motion, one has to think you've got something to hide. I find that most disappointing. I know many over there ran on openness and accountability. Of course, we know about loan guarantees and where they're going and what's happening to them, and then you get into government and you say: well, we're not going to tell you that one. Shame on you.

3:20

So I just wanted to express my deep disappointment in the Treasurer, Mr. Speaker, but I'm a person of hope. Maybe the next one he'll agree to. Of course, if he doesn't, he'll hear from me again. I do want to say that it's obvious he's picking winners and losers and hiding the truth from the public, and that's most disappointing. If we could see this, maybe we could bring some really pertinent questions to the Assembly and keep his feet to the fire, something I know he appreciates in question period and which we do so very well on this side of the House.

So, Mr. Speaker, with those few humble comments and, once again, my disappointment in the Treasurer – I know he feels bad about that – I just want to express my concerns about the lack of accountability and openness with regard to the loan with Centennial Food Corp. Are we getting interest payments on that or not? Because I don't know of a loan where you don't have to make interest payments unless, of course, it's from your grandmother or your mother and they love you a great deal, but I don't think there's any relationship there between Centennial Food and the government.

Thank you, Mr. Speaker, for the opportunity to represent my constituents and say: shame on you; show us the money.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close the debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker, and thank you to colleagues who have said a lot about their disappointment with regard to the Treasurer's decision on this one. I find it unfortunate as well that we're not going to get the disclosure here that we were looking for, Mr. Treasurer. We were delighted that you undertook to provide information in the previous motion regarding the Skimmer/Cambridge arrangement, and now I thought we would follow through and see the Treasurer actually agree to releasing this deal as well. I don't see how it's much different.

Now, the Treasurer did refer to the fact that he didn't feel comfortable disclosing something which a private company specifically had asked him not to, and I understand that. I would be in agreement with carrying out a request like that as well. However, I want to raise two points in that connection, Mr. Speaker.

First of all, when a private company does business with the government, there's a certain expectation there. There's a certain price you have to pay for that privilege because you're accessing public moneys. I think there's some sort of a reciprocity that is due there. The government on the one hand has to be open and accountable to the people who provided that money, the taxpayers, and the company or the individual receiving that money has to understand that they are taking public moneys and they should be accounting for them publicly, and if there's a special deal that's been made, that should be made public. You pay a price for procuring payments from the public purse, and that would be, in my view, full disclosure of the details.

Secondly, the letter which the Provincial Treasurer referred to is actually a letter that goes back almost four years, Mr. Speaker. The letter that he referred to is dated September 13, 1993, from Centennial Food Corp. of Calgary to the department of Treasury. It does say that they're a private company and that information pertaining to their affairs they would prefer to be kept confidential. But I'm wondering whether the Treasurer would at least undertake to write a fresh letter and request that information again – chances are that something may have happened – and that would be a compromise we would perhaps look at. This letter, as I say, is four years old, and maybe things are changed now and they feel differently. Perhaps there's new management there. Perhaps they're under the OATH formula, which we're all trying to stick to. So maybe the Provincial Treasurer would take a look at that.

The final comment I would make is with regard to the business that he's referred to twice now today, once this morning and again here this afternoon. That's with regard to if I had a bank loan or something to that effect and the bank in question was asked whether or not they would release that information about it. That argument just doesn't hold any water in this Assembly because what I do in my private life with my private bank with private moneys is totally irrelevant to what other individuals are doing with public moneys in a public fashion. Accessing those moneys from the government certainly falls under the public accountability section of our OATH. So I would appreciate it if the Treasurer would stop using that analogy because I honestly don't think, Mr. Treasurer, it's applicable, neither here nor anywhere else, because we're dealing with apples and oranges, as you might say. Nonetheless, it is unfortunate that this motion is being rejected today surrounding our request for loan and amended loan agreements to be tabled in this House by the Treasurer.

THE SPEAKER: Having heard the motion by the hon. Member for Edmonton-Mill Creek, would the members in favour of the motion please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion has failed.

[Several members rose calling for a division. The division bell was rung at 3:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the Chair]

For the motion:

Bonner	Leibovici	Olsen
Carlson	MacDonald	Soetaert
Dickson	Massey	White
Gibbons	Nicol	Zwozdesky

3:40

Against the motion:

Amery	Graham	Oberg
Boutilier	Haley	O'Neill
Broda	Hancock	Paszkowski
Burgener	Herard	Renner

Cao	Hlady	Severtson
Cardinal	Jacques	Shariff
Clegg	Johnson	Smith
Coutts	Jonson	Stevens
Day	Klapstein	Strang
Doerksen	Kryczka	Tannas
Ducharme	Lund	Tarchuk
Fischer	Magnus	Taylor
Forsyth	Mar	Trynchy
Friedel	Marz	West
Fritz	McFarland	Woloshyn
Gordon	Melchin	Yankowsky
Totals:	For - 12	Against - 48

[Motion lost]

Loan Guarantee Agreements

M30. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of all loan guarantee and amended loan guarantee agreements between the government and Ribbon Creek alpine village, Pocaterra Development Corporation, and Kananaskis Alpine Resort Inc. for the period January 1, 1986, to April 30, 1997.

MR. DAY: Mr. Speaker, I was thinking of rejecting this motion, but the Member for Spruce Grove-Sturgeon-St. Albert said, you know, if he would accept one of these, she would stay silent. Every argument I can think of for rejecting this motion has left my mind, and I want to hold her to that promise. I hope that meant till the end of session.

I want to accept it, but in accepting it, I'm proposing an amendment, and I hope it is seen as a friendly amendment by the member. Has it been distributed? I think all members have a copy.

I'm suggesting the addition of the words "for which all parties to the agreements consent to the release of the agreements . . ." simply for the reason that if I were to release this information without that consent, I would be actually in contravention of certain legal confidentiality agreements and could wind up possibly – it's not for sure – in a litigation situation. The Member for Calgary-Buffalo and his particular industry would probably delight in that possibility of more litigation, but I would not want to put taxpayers' dollars at risk in a long line of litigation which could ensue.

So I'm happy to accept it as long as it's got that understanding that we amend it by adding the words "for which all parties to the agreements consent to the release of the agreements . . ." I'm sure the member opposite will agree with this and that he would not be countenancing us to do something which could run us up against litigation.

MR. DICKSON: Mr. Speaker, one is left to wonder how it could be that a provincial government, which is charged with the stewardship of the \$14 billion they receive from the sale of our resources and from our income tax, could enter into an agreement with some third party in a way that would put the private interest ahead of the public interest to know. One would think that if someone comes to the provincial government looking for a loan guarantee, they would be astute enough to know that this isn't like your neighbourhood bank. This isn't like going to the bank down the street and asking for a loan. You in effect are asking your

neighbours to invest directly or indirectly in your business effort. I think people would expect and anticipate that there are going to be some additional conditions they're going to be subject to. If you're going to deal with the government, you have to understand that the taxpayers' right to know is going to prevail over many other considerations.

The amendment, I suggest, effectively guts Motion for a Return 30. We saw on one of the earlier motions for returns that the Provincial Treasurer had already solicited the consent of the third party to comply with section 15 of the Freedom of Information and Protection of Privacy Act and in fact tendered a negative response. One would anticipate that the Provincial Treasurer, applying the same degree of caution and thoroughness, would have similarly canvassed the third parties involved in this motion for a return. One hates to suggest that the Provincial Treasurer has added the amendment knowing already that the third party will refuse consent. I'm curious that he didn't proffer any indication of how the third party would view it, so he tacks on an amendment. If in fact he could indicate to us that he's had a positive response when he sought the consent of third parties to release the information, then this would be as innocent an amendment as he's intimated to us. Indeed, the suspicion is that he's simply found a way of killing this motion. In his haste to silence my colleague from Spruce Grove-Sturgeon-St. Albert, he may have put forward an amendment knowing full well that the condition in the amendment cannot, will not be met. He's artfully and cleverly been able to avoid having to take responsibility for standing in the House and simply saying an outright no.

So if the amendment is accepted, we're really in a position where we may as well, I expect, have the minister simply stand up and say, no, he's not accepting the motion. He has in effect imposed a condition, a precedent which locks the door as firmly as a denial of the motion directly from him. Hopefully, before the end of this debate we'll hear what representations have been made by either Pocaterra Development Corporation or Kananaskis Alpine Resort Inc. or Ribbon Creek alpine village, because that's really the key here and that's what has to be known to be able to vote on the amendment in front of us.

Thanks, Mr. Speaker.

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

MRS. SOETAERT: Well, Mr. Speaker, first of all, I'll have to look at the Blues. To say that I'd be quiet kind of surprises me, but I'll have to check that out. [interjections] It shocks me. I'm sure it appalls Grande Prairie-Wapiti too.

Anyway, Mr. Speaker, you know, I have to look at this amendment, "for which all parties to the agreements consent," and say, well, that's a joke. Who's going to agree to that? It would be most interesting if someone would. When you give a loan guarantee – I mean, how many people out there even know that the government has guaranteed loans to Ribbon Creek alpine village or Pocaterra Development Corporation or Kananaskis Alpine Resort? How many people know that they've actually guaranteed their loans?

I would really like a guarantee on my mortgage. Like, how do you get that from these guys? It would be great. Oh, and I wouldn't have to make interest payments either by the looks of things. I'd be done paying shortly.

You know, we talk about millions of dollars. Many of us have just been in schools and have seen school boards begging for a

little bit of money, and here we go, unable to tell the public where millions have been possibly frittered away. So when the minister puts forward this amendment, it's a sham. Somebody referred to it as him being the Artful Dodger. I thought that was a most appropriate description of this amendment and the minister's moving it.

So I am most disappointed, and I think the people of Alberta should know that these loan guarantees are there for all these companies. Maybe they are legitimate guarantees. Maybe they are. Certainly if the minister would be open about them – who owns these companies? Maybe that would be another interesting factor. Maybe that would be a good question on the Order Paper for the fall session, that I'm sure everyone here wants.

With those concerns and my deep disappointment once again in the Treasurer, I will respectfully say that this amendment is nothing but a sham, and it does not serve well the people of Alberta who elected all of us in here.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, just need to make a few brief comments about this amendment. I become concerned when the government campaigns on openness and accountability and when you try to hold the government to that campaign promise, have them be open and have them be accountable, you can't. You get shut down. Really, you know, if it were me sitting over in the Artful Dodger's chair there, Mr. Treasurer, I would want that suspicion and that air cleared. Why not be open? Why not just allow us to scrutinize what's there? As my colleague said, there may in fact be a good reason for these loan guarantees. So why not open the books? Why is it such an issue? When you deny the ability to go through that and you ask that those people involved through this amendment agree, they should know that your challenge is to be open and accountable, and therefore they need to be open and accountable as well. It's all part of the democratic process.

This is really a frivolous amendment. It means nothing.

3:50

MRS. SOETAERT: Hostile, not friendly.

MS OLSEN: It isn't friendly. It's really just a way for the government to gag itself on these issues.

I, like my colleague from Calgary-Buffalo, wonder why this was even put forward, knowing that really we can't count on seeing these documents. I guess maybe that's the way this government wants to continue to be, but our job as the opposition is to hold the government accountable. You're the government of the day; your job is to be open. Obviously, we've got some work to do with you, and we'll be doing it, because I believe in a democratic process.

I will be rejecting this amendment.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek on the amendment.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Specifically with regard to the amendment, I can see that I have some work to do with my colleagues to persuade them to accept this friendly amendment, so I'm going to give that a go here.

We have tried so hard to get information that we believe taxpayers have a right to and which taxpayers have in fact directed us to seek out from the government. When I see an

opportunity here for us to acquiesce somewhat and try and get something to keep the quest alive, I'm compelled to sort of go along that vein. I think that's what the gist of this amendment really is all about. I sense from my political antennae, which have been up for the last while, that if we do not accept this friendly amendment, there's a chance that the entire motion will be lost. I wouldn't want that to result. So I'm going to ask my hon. colleagues if they would consider supporting this friendly amendment – it may be better than nothing – and in so doing just again express some concern with the lack of consistency, it seems, in releasing information that pertains to loans and loan guarantees.

This amendment does put a caveat of sorts on this request, which is curiously absent from the other ones that were either accepted or rejected. I'm not sure why that is happening. Perhaps one day the Provincial Treasurer will let me know what his thinking there is. Nonetheless, I'll look forward to the vote on this friendly amendment, which I will be supporting.

Thank you.

[Motion on amendment carried]

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close debate.

MR. ZWOZDESKY: Does anybody else want to speak?

MRS. SOETAERT: Is this on the amendment as amended now?

MR. ZWOZDESKY: This is on the motion now.

THE SPEAKER: We've already had the vote on the amendment.

MR. ZWOZDESKY: I will rise to close debate on this. We've heard some eloquent presentations already. I would just like to reiterate for everyone's attention that of course these guarantees that we're talking about to the Ribbon Creek alpine village as well as Pocaterra Development Corporation and the Kananaskis Alpine Resort Inc. do in fact go back to agreements struck in 1986 and 1988. The main purpose of those agreements was to help facilitate the construction of the Kananaskis Alpine Resort in conjunction with the further development of the Nakiska ski area and the presentation of the Olympics there in 1988.

It's a beautiful area of the province. I've had the chance to be there with my family skiing and participating in other events, and I'm happy to see that we have that facility there. Nonetheless, I'm concerned about the exposure that taxpayers have here as a result of that private development. The Alpine Resort and alpine lodge and the Pocaterra Development Corporation's Kananaskis Inn are all affiliated with the Canadian Pacific Hotels chain and the Best Western hotel chain. I would have thought that these chains are sufficiently well endowed that they might be able to make a go of it, as it were, and that they wouldn't need this form of bailing out or assistance from the public purse.

In spite of that, there's still \$10 million in guarantees outstanding, \$2 million of which is guarantees to Pocaterra and \$8 million of which is guarantees to the Kananaskis Alpine Resort. I believe that taxpayers have a right to know more than just those two statements. I think taxpayers should know the full terms and the full conditions regarding the repayment of these loans which we the taxpayers are guaranteeing. So I hope the Treasurer will do whatever he can to persuade them to release the information that we are asking for.

I will conclude simply by saying that Treasury did provide this amendment, and I hope that they have provided it for the reason that they are going to make a serious attempt to convince, if that's the word, the other parties that the release of these agreements is in fact in the better interest of the general public and that the government has not simply put this in there as an escape clause for sometime later on.

With that in mind I will take my seat and let the Speaker call the question.

[Motion as amended carried]

North Saskatchewan River Boat Ltd.

M31. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of all loan guarantee and amended loan guarantee agreements between the government and North Saskatchewan River Boat Ltd. for the period January 1, 1992, to April 30, 1997.

MR. DAY: Mr. Speaker, in unfortunately having to reject this motion, I want to remind us of some things. I know the Member for Edmonton-Mill Creek is familiar with the fact that these loan and loan guarantee arrangements are past history in terms of the 1993 administration. These would not be signed today, and the member acknowledged that this morning even in Public Accounts.

I know that he is concerned about the ongoing maintenance of these arrangements and what we can do to get the highest return to the taxpayer on these loan and loan guarantee arrangements from another era, some going back as far as 1981, 16 to 17 years ago. In those particular agreements, at the time not signed by this administration, unless there was a disclosure statement explicitly indicated in those agreements, we can't disclose the information unless we have the prior agreement of the third-party interest. I've given all the citations. I appreciate that the members opposite disagree, but that's the hard fact that we're stuck with.

If an agreement were to be signed today – and the chances of that happening are very limited because, as members know, we have the business limitation Act, which prohibits us from getting into these kinds of things. Even within that business limitation Act there are certain times when the Legislature may agree to some kind of an agreement like this with some third party. If this administration were to be signing an agreement, there would clearly be a disclosure statement in those. The Member for Calgary-Buffalo was quite right when he said that it should be that if such an agreement were to be signed, people should know. They don't have 100 percent the same type of provisions in all cases as they might in a private banking institution with private dollars unfettered by a government guarantee.

4:00

Having said that, I'd just remind members that we are bound by the previous agreement. Without the disclosure clause in place we cannot disclose unless we have that third-party agreement. In this particular case the North Saskatchewan River Boat Ltd., of which the city of Edmonton was a very active partner in taking tourism dollars under the old tourism action plan, I think, and using those dollars to purchase this – so you may want to also take this up with your city representatives.

On November 28, 1994, the Minister of Economic Development and Tourism did make a request to this particular company to release the information, to forgo the legal provisions which prohibited disclosure. That company at the time said no. So the

government then as now is bound by an agreement. However faulty it may have been, it's bound by that agreement.

Now, I believe it was the Member for Calgary-Buffalo who suggested as with Centennial: could a new letter maybe go forth? I would be more than happy to initiate the request or to give life to another request in a letter to this particular company. I understand that last year the boat was sailing; was it not? It was plying up and down the water. It was parked in the ice all winter, and I think it's going again. Maybe the same sensitivities don't exist. If they wish, I'd be happy to write the letter. I have not corresponded with them since I've become Treasurer. I don't know what it would be, but I'd be happy to write that letter and request their clearance to disclose all information.

The final point, Mr. Speaker, that the members need to recall is that the dollar amounts of these loans are fully recorded and accounted for in our public accounts. Very open and transparent. How much are we on the hook for, and what are the repayment provisions? That is all recorded. That is very openly recorded. So if it's concern about the taxpayer dollar, those are in our public accounts, and we dealt with a number of them this morning in our Public Accounts meeting, chaired by a Liberal. He did a good job of chairing, I might add.

So I have to wonder: what is it really that members are looking for? If you have the entire agreement, which then gets into certain discussions about the product or service being offered by that company and therefore gets into certain competitive realities, what is it really that they're trying to do? Are they trying to destroy the hopes of a company even staying solvent and being able to meet the demands of the loan? If you publicly have it accounted for and reviewed by the Auditor General, you've got those amounts. We know what they are. It's publicly told what they owe. The provisions and the payment plan is all there. We know what taxpayer dollars are at stake. I have to wonder what more they're seeking. Or is it just an attempt to try and make it look like this government is being secretive? In fact, the Auditor General and the Canadian Institute of Chartered Accountants and many other organizations have said that this government has the most open books in the country.

So I have to reject it based on the company's previous refusal, and I'm happy to once again write them a letter and see if they'd like to change their mind on that.

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

MR. DICKSON: Thanks very much, Mr. Speaker. I am wondering, as I look at the Order Paper for day 30, how long this motion for a return has been on the Order Paper. I don't have that information at my fingertips, but I expect that that motion has been there for at least a week, perhaps a number of weeks. It's certainly nice of the Provincial Treasurer to come forward now and say that if we wish, he will write a letter seeking consent. One might ask why he hadn't done that as he had with respect to one of the earlier motions for returns where he anticipated that this would be an issue and he solicited the consent of the third party.

I think I also just have to make the observation, Mr. Speaker, how frustrating it must be for Albertans to see their Provincial Treasurer basically in a position of impotence, of absolute legal impotence because . . . [interjections] I'm certainly not trying to be inflammatory. [interjections] Mr. Speaker, I'm going to try desperately to get the debate back on focus, because I think it's going places that nobody wants to go. We were speaking of

riverboats. I know that there are others who are more concentrated than I that are ready to pick up when I sit down to compose myself.

The point I was simply trying to make is how frustrating it is to me as a legislator and I think to Albertans to see the Provincial Treasurer come forward and say yes, we put all of this dough into a private corporation, but now that Albertans come forward – and maybe this should have happened back in 1992, and maybe it happened then. I was only there for half of that year. How can it be that in this province we've given money to corporations, and now when Albertans legitimately ask to access some of those core documents, they're met with a whole litany of excuses in terms of why we can't do it: legal protection, contracts signed by the provincial government? This government, no matter how much they may want to shed the responsibility, is legally the successor. This government stands in the shoes of the government that made the deal in 1992 and whenever each of these subsequent amending agreements were made. As much as they may like to shed responsibility, they can't. So what we go through on too many of these motions for returns is simply a lament for good stewardship, for good government, that was missing when Albertans needed it. Whether or not this particular minister was sitting around the cabinet table when some of these decisions were made, he certainly stands in the place of his predecessors, and he has to accept some of the culpability, some of the responsibility for what's gone wrong.

With respect to Motion for a Return 31, I think it is important that he seek the consent, and as insulting as it is for Albertans to have their Provincial Treasurer go cap in hand virtually begging a third-party private enterprise for permission to be able to disclose a record which is of vital importance to Alberta taxpayers, I think that's what he has to do.

The minister didn't raise his other arguments in terms of section 15 of the freedom of information Act. When he referred obliquely to other authorities, I'm confident he was expecting he would again be able to invoke section 15.

I'd encourage him to read the orders of our Information Commissioner, Order 13, that dealt with a request to the Alberta tire recycling board for some information. I hope he makes those inquiries. I hope he looks at Order 12, which also involved an appeal to the Information Commissioner in respect of documents ordered by the Alberta Tire Recycling Management Board. I hope he looks at Order 6 with respect to an application of the Department of Justice. I think he should look at Order 16, that dealt with information sought relative to the Alberta Environmental Centre. If he looks at those things, what he will find is that he's operating under old rules. In fact, we have a new piece of legislation that came into force on October 1, 1995, that, frankly, imposes some new duties, new responsibilities on this minister that effectively raises the bar in terms of public disclosure, public access to documents, and . . .

4:10

MRS. SOETAERT: He's lowered the bar.

MR. DICKSON: Well, I think the minister would like to lower the bar.

So without any further . . . [interjection] Yeah. I don't want to provoke any of my colleagues any more than I have already in this brief discussion on the motion for a return.

I'd encourage the minister, because I anticipate we will go through this next week again, to sit down right now to look at every motion for a return, make the request of the third parties if

that's required, and when he comes back in to say, "I can't accede to a request for a document or documents," he will give us some detail in terms of the efforts he's made to ensure that Albertans in fact have a look at these things, that their right to know is respected, and that's he's done everything he can to reinforce that.

Those are my comments, Mr. Speaker. Thanks very much.

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

MS OLSEN: Thanks, Mr. Speaker. I just want to make some brief comments again on this motion. I have some concerns when you have a series of motions and we're asking in these motions for the same information, and there have been no proactive steps taken by the Treasurer to deal with these. Simply coming back and saying "I have to get a third-party agreement" just prolongs this whole process. It really says to me that maybe he's not that interested in providing the information at all, because these have been on the Order Paper for awhile, and he hasn't taken any initiative to have these questions answered. He hasn't gone out to those parties or the stakeholders.

I'm just wondering if he can't be a little bit creative, as well, with these agreements and enter into an agreement with the people who he has loan guarantees with and make a request across the board for this information. Surely he knows now that that's what we're going to be asking for. This is the information we're seeking.

It's all very fine and dandy that the information is in the public accounts. The timeliness is an issue, and the other aspect of it is that we're asking for the agreements and not just the figures. The figures we have or can get. But what are the contents of these loan guarantees? What type of arrangement was made? If the government's picked up any bad habits, then we want to help them out here. As the Treasurer has already indicated, they are no longer signing loan guarantees and getting involved in these kinds of incidents that cost taxpayers a tremendous amount of money, and I'm glad of that.

On the other hand, there's a level of accountability that has to come forth, and I think this government needs to be proactive in that manner. I really want to reinforce that issue of fairness and opportunity for Albertans to have a look at exactly what it is that went on and is going on. Given that, I put the challenge out to the hon. Treasurer to in fact be a little creative and in fact make some attempt to get the information that's required. I think that we'll all be better off for that. I think it'll clear his conscience too. He doesn't shoulder any responsibility for it because he wasn't the Treasurer at that time, so therefore I really want to be able to help him out and really say that this Treasurer is not involved at all.

Given that, I'd urge everybody to support that.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. The most amazing thing that I heard from the Treasurer today is that he has nothing to do with the past administration. Well, hello. You guys have been in power for 20-some years, regretfully, and many on that front bench . . .

Point of Order Questioning a Member

MR. DAY: Citing *Beauchesne* and the reference to see if the member would entertain a brief question in a spirit of openness.

MRS. SOETAERT: Sure.

Debate Continued

MR. DAY: She said that I had nothing to do with any previous administration. Would she be willing to show in *Hansard* tomorrow where I said that? In fact, I did not say that.

MRS. SOETAERT: I'll apologize, Mr. Speaker. [interjections] I know. Don't tell the world out there.

What was implied was that this administration would never sign an agreement like this.

MR. DAY: Right. That's true.

MRS. SOETAERT: Well, this administration's been in power for 20-some years.

MR. DAY: No, no. Nineteen ninety-three.

MRS. SOETAERT: Oh, yes. And you are a reflection of the company you keep. You've been hanging around this lot for awhile and, regretfully, for far . . . [interjections] I love to wake them up, Mr. Speaker. It just makes my day. I want to make them accountable, because here we have a \$947,000 loan guarantee that, I must say, looks a little bit murky.

AN HON. MEMBER: That's the water.

MRS. SOETAERT: Thank you. That's with water, yes.

I would certainly think that the Edmonton MLAs would be really interested in getting the details of this loan guarantee.

AN HON. MEMBER: Are there any over there?

MRS. SOETAERT: There might be one or two, but maybe they're hiding their heads in the sand. That has bogged down this agreement for a long time. Not any Edmonton MLAs on this side of course, because these Edmonton MLAs – in fact Edmonton-Ellerslie was the first one to bring it up in this Assembly, asking for information on the riverboat loan guarantee.

We've been at this for a few years, trying to get information on this. It is most regrettable to me that the Treasurer is dodging once again. He says that the present Premier wouldn't enter into an agreement like this. The present Premier was there in past administrations that gave out these loan guarantees, so don't try to hide from your roots. That is where you come from, and now you're trying to hide from it and shed that skin. Well, you can't do it.

So, Mr. Speaker, they are a reflection of the company they keep. They gave out this loan guarantee; they can't deny it. Now they're trying to hide from it. Of course they don't want to offend the Speaker because – I could be in trouble for that one too.

Mr. Speaker, once again, grave disappointment in the Treasurer. I think it'll be interesting to go out to see mutual friends of ours and say: "Do you know that the people of Alberta can't get the information on the loan guarantee that that riverboat got? Do you know that? A guarantee for \$947,000, and we can't get that information." Most will say: oh, come on; you can get that kind of information. No. No, you can't. I'm looking forward to an opportunity at some informal time when some of us may be gathered at the same place and say: do you know that this is a

question we asked on behalf of all of the people of Alberta? And the government took us for a ride on a boat.

DR. WEST: They filibuster so that they don't have to talk about 209 today.

MRS. SOETAERT: Actually, no. And I really resent that, because the minister . . .

**Speaker's Ruling
Decorum**

THE SPEAKER: Hon. members, it's appropriate to speak through the Chair, number one. The Chair has been watching body movement back and forth. It's been focused on the Member for Spruce Grove-Sturgeon-St. Albert and is ignorant of having heard anything else. If hon. members would speak through the Chair, then the Chair would be apprised of what is going on in the Assembly.

Right now the hon. Member for Spruce Grove-Sturgeon-St. Albert has the floor.

Debate Continued

MRS. SOETAERT: Thank you, Mr. Speaker. I want the members there to know that people in my riding expect to know that loan guarantees are open and public. That's not happening with this government. That's my concern with these motions that we have brought forward and that we expect to have the Treasurer show the world. Obviously, that's not with this government. The same tune rings out again: show me the money. They won't.

With those few brief comments, I once again express my dismay and my disappointment in the Provincial Treasurer with his lack of openness and accountability.

4:20

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm rising with some disappointment to hear that the Provincial Treasurer has seen fit to reject this motion. In case anyone hasn't really noticed, when motions are brought into this House and have the support and acceptance of the government, they go through very quickly. But when the government digs its heels in and suddenly decides to become secretive or become nondisclosure, then we see this extension of debate and discussion, trying to find out why.

So, government members, please don't feel that there is any attempt by this side to prolong these unnecessarily. If you would only accept the motions, I would sit down right now and would let you have your day. Bear that in mind. If you take a look at *Hansard* on the ones that you accepted, you'll see that those debates were very brief indeed. [interjections] Now, the hon. members are provoking some debate here across the floor, Mr. Speaker, which, as you know, is unacceptable.

**Speaker's Ruling
Decorum**

THE SPEAKER: Actually, hon. member, a bit of advice. If you close your ears and focus on what it is you want to say, you will hear nothing but a din of silence.

MR. ZWOZDESKY: Excellent advice as always, Mr. Speaker. I will remember that.

THE SPEAKER: Hon. member, my advice to the Provincial Treasurer is much the same, that he might want to attentively listen.

MR. ZWOZDESKY: Well, that would involve closing the mouth, not the ears.

Debate Continued

MR. ZWOZDESKY: Now, let's move on, because this is very serious. This is \$947,000 which the Alberta taxpayers are exposed to, and we want to know some details pertaining to that exposure. What this loan did, which was given by the Alberta Treasury Branches, is put us in the position of having to backstop on top of the backstop a loan which we should not have probably been involved with in the first place.

The purpose of the loan, just to refresh people's memories, was to in fact construct the paddle wheeler that was going to be used essentially for tourism purposes along the North Saskatchewan River here in Edmonton. Now, there was a judgment given by the Federal Court of Appeal in this matter, Mr. Speaker, in January 1997 indicating that according to the credit manager from the Strathcona branch of Alberta Treasury Branches, this loan was given almost exclusively on the basis of the expectation of a government guarantee. Once the guarantee was in place, the ATB apparently had little interest in what was actually being built.

One might go on to conclude that there would be no real reason for the Treasury Branches to be that interested, because obviously the government of Alberta was backstopping it. So as long as there was some perception that something was being built, they perhaps stopped monitoring it. That's one of the questions that prompts the motion. We want to see what it was that was contained in that particular agreement that in fact resulted in the circumstances that we see. We believe that to date there were three or so payments made in this regard, which means that about \$526,000 was in fact advanced by the Treasury Branches toward the ultimate sum.

We also know, Mr. Speaker, that there were numerous cash flow problems, numerous delays, and that on May 20, 1994, the North Saskatchewan River Boat company filed a notice of intention to make a restructuring proposal with the superintendent of bankruptcy. We also know that Coopers & Lybrand were the trustees in that bankruptcy bid and that they in turn solicited bids for the assets of this company. Then there was an appraised value done - I think it was about \$2 million for that boat - and ultimately the boat was sold for cash proceeds of only \$800,000 in February of 1995.

Now, those moneys are still tied up in trust and being held in court pending the settlement of a dispute between the ATB, who is claiming its rightful share of those proceeds, and the boat-builder as to who has the priority over those proceeds. The Federal Court of Appeal has twice now ruled that Scott Steel, the builder of the boat, should have priority over the Treasury Branches. So it's a bad deal for us to have gotten involved in, obviously. That type of tampering by the government needs to be avoided, and I know we have the Treasurer's commitment in that regard, which I respect.

The final thing I would say, Mr. Speaker, is that once again I think taxpayers really do need to see the full extent of the terms and conditions surrounding loans and loan guarantees of this type to assess whether the government had the tools in place in those agreements to effectively monitor this particular guarantee and others. What legal provisions were there to seek recoveries to

gain back something on behalf of the taxpayers regarding any subsequent payments that might have been forced to be made or that might have been called to be made under that loan agreement?

With those brief comments I will take my place and await the outcome of the vote.

THE SPEAKER: Having heard the motion by the hon. Member for Edmonton-Mill Creek, would the members in favour of the motion please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 4:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the Chair]

For the motion:

Bonner	Massey	Olsen
Carlson	Mitchell	Soetaert
Dickson	Nicol	Zwozdesky
Leibovici		

Against the motion:

Amery	Haley	O'Neill
Boutilier	Hancock	Paszkowski
Broda	Herard	Renner
Burgener	Hlady	Severtson
Cao	Jacques	Shariff
Cardinal	Johnson	Smith
Clegg	Jonson	Stelmach
Coutts	Klapstein	Stevens
Day	Kryczka	Strang
Doerksen	Lund	Tannas
Ducharme	Magnus	Tarchuk
Fischer	Mar	Taylor
Forsyth	Marz	Trynchy
Friedel	McFarland	West
Fritz	Melchin	Yankowsky
Graham	Oberg	

Totals: For - 10 Against - 47

[Motion lost]

4:40 Flat Tax Feasibility Studies

M32. Mr. Zwozdesky moved that an order of the Assembly do issue for a return showing copies of all studies prepared by or for the government between January 1, 1993, and April 30, 1997, assessing the feasibility of implementing a flat tax regime in Alberta.

MR. DAY: Mr. Speaker, there's a difference in the request for information on this particular motion. It is not frivolous. It is not

vexatious. It is not requesting that the government and all members give consideration to breaking the law, which it would do if it was asking us to violate disclosure agreements, as previous motions have done. I am prepared to accept this particular motion.

As I do, I wonder about the sincerity of the time taken not in debate necessarily but even in the ringing of the bells, the 10 minutes that's waited time and again, when an offer was made to the opposition members that the time for the bells be shortened, which they refused. They talk about concerns . . .

MRS. SOETAERT: A point of order, Mr. Speaker.

THE SPEAKER: Hon. Provincial Treasurer, there is a point of order.

Point of Order Abusive Language

MRS. SOETAERT: Under 23(j). With respect to the Treasurer, I don't think he knows the communication between the Deputy Government House Leader and I today. He and I had agreed on this because members were working back in the Annex and can't make it within that time, and that was the agreement we had worked on. I told him we would be standing on possibly three . . .

MR. LUND: They should be here.

MRS. SOETAERT: Yeah, well, our offices are over there, and many of your members go to those offices too.

With due respect to the Treasurer, I think if you check with your Deputy Government House Leader, you will see that that was the arrangement made.

THE SPEAKER: Hon. members, the matter before the Assembly has to do with Motion for a Return 32, which, as far as the Speaker can see, deals with "assessing the feasibility of implementing a flat tax regime in Alberta." Unbeknown to the Speaker and the Order Paper is any discussion over bells or anything else therein.

Provincial Treasurer, would you please continue.

MR. DAY: On the point of order, Mr. Speaker?

THE SPEAKER: Well, I'm not so sure that there is a point of order.

MR. DAY: Mr. Speaker, you indicated you're not so sure. Therefore, I can proceed?

THE SPEAKER: I prefer you speak on your reasons that you started to give for accepting the motion for a return and on the subject of the motion.

MR. DAY: All right. I won't reference the fact that I was aware of the discussion between these two, and I'm glad to see our members are here and not in offices somewhere when there's supposedly important discussion going on. I appreciate our members being here.

MRS. SOETAERT: Point of order, Mr. Speaker. [interjections]

THE SPEAKER: Hon. member, you have the right to stand on a point of order. Give me the citation, please.

**Point of Order
Abusive Language**

MRS. SOETAERT: Citation 23(j). Mr. Speaker, often people do go back and forth to their offices in the work that we do for this Legislature and for the people of Alberta, I'm sure, on both sides of the House. I'm polite enough not to name the people who haven't been sitting here this afternoon. I do respect that they are doing some work but are back for votes and are certainly listening over the speaker to what is happening, because only one person can speak at a time. So for the Treasurer to imply that people should be sitting here all the time – of course people should be, but if they have to go back and forth to their offices, that's been an accepted practice on both sides of this House. We keep sharply attuned to what is happening here. I cannot speak for that side. However, the speakers are going over in our offices, and we are up to date every second. Every word that is said we are well aware of.

So, Mr. Speaker, truly the Treasurer has his cranky pants on today, and we're a little tired of it.

THE SPEAKER: The Provincial Treasurer on the point of order.

MR. DAY: I'll resist the point of privilege on that last comment.

Citation 23(j) talks about using “abusive or insulting language.” It was the Member for Spruce Grove-Sturgeon-St. Albert who made reference to her own members being absent. I did not. I made reference to the fact that I was aware there was a discussion between the opposition member and our Deputy Government House Leader and that our Deputy Government House Leader was willing to allow time for Liberals to run across from their offices, even though our members did not request that. When it came to a five-minute agreement, the members said no. They wanted the full 10 minutes. I've walked from that building. I have run from that building. It does not take 10 minutes to crawl from that building.

Mr. Speaker, the other thing that I'd like to add is that, again, our members, who also work in that building, did not request that time because they know it is a waste of time and sometimes an intentional waste of time.

So on the point of order, 23(j), I used no abusive language. I have heard words today like “impotent” and “cranky pants,” but that doesn't seem to be deemed insulting language. I have been quite tolerant, Mr. Speaker, about this particular issue. If the member says that her members listen to the speaker in their office and know what's going on, why then, if they're listening, do they address questions to her when they return and actually to some other unnamed members, saying, “What is it we're voting on?”

MRS. SOETAERT: Can I reply again?

THE SPEAKER: No. Enough has been said on the point of order. The Chair is totally unfamiliar with the phraseology “cranky pants” and would encourage all members to proceed with respect to this discussion on Motion for a Return 32. The Provincial Treasurer was in the midst of giving his reasons for accepting, as I understand it.

Debate Continued

MR. DAY: To conclude my remarks, Mr. Speaker, I accept this

and point out in accepting the clear difference here on this particular request for information: not being asked to violate a disclosure, as the other ones did, especially on information where all the financials are fully disclosed, as a matter of fact. I'm happy to do this, and I accept this. But I accept it wondering. They say that they're concerned about saving every dollar possible, yet when they have the opportunity to save millions of dollars by allowing the debate and the vote on 209, they're absolutely en masse against it.

MS CARLSON: A point of order.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order.

**Point of Order
Allegations against Members**

MS CARLSON: On 23(h), (i), and (j). This minister cannot make any kinds of allegations about the intent of the members on this side of the House, like he has just done here. It is in fact his behaviour this afternoon that has stalled the debate on Bill 209 and has postponed it until next week. He had the opportunity to just say yes to all of these motions for returns today. On those ones that he said yes to, we had less than a two-minute debate. On those ones where he absolutely refused to provide the information and then in fact denied the right of every person in this province to have access to that information and deliberately allowed those motions for returns to come up today – it is his problem that 209 has been postponed, not ours.

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

MS OLSEN: Yes. On the point of order.

SOME HON. MEMBERS: Citation. Citation.

MS OLSEN: It's the same one. It's on the same point of order. I see the frustration of the Speaker. It's the same frustration I'm having at this point . . .

THE SPEAKER: Hon. member, please sit down. The Speaker is not frustrated. The Speaker respects the democratic process, and hon. members have, within the rules that hon. members have written, an opportunity to raise points of order. The government has the right to schedule certain business on this afternoon. Members, when recognized, have the right to participate in the discussion and the debate. There should be no frustration at all. This is democracy. This is wonderful.

The hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you. This is very wonderful, and I apologize to the Speaker for insinuating that he might be frustrated with us.

On the point of order, 23(h), (i), (j), I'm getting a little exasperated with the assumptions that are made that this debate, this process, which is democratic, which is allowed for us as the opposition to hold you accountable and responsible for your actions – you insinuate we are holding up other debate on other initiatives as a result of that. It is time that you just accepted the fact that openness and accountability are part of the process and allow the debate to continue.

4:50

MR. DAY: Once again I'm at a loss for words, Mr. Speaker. All

I could say in terms of some literary quotation in response is: thou doth protest too much.

I did not say moments ago, as I was standing here when I had the floor: you're holding up debate. I said that I don't understand why you would countenance breaking the law in terms of disclosures in looking at small amounts of money, though they're all important, \$900,000, why they would do that but be voting against Bill 209, which in my estimation – and I'm just one person – would be saving millions and millions of dollars. I didn't say anything about holding up debate. The record is very clear. *Hansard* is very clear. We have not held up debate on this side of the House. We have listened intently. Members have listened. They have worked. They have not asked for 10-minute bells to run back and forth between buildings.

When I've made the refusals, I've been very clear that I rarely reject these motions. I've been very clear that in the public accounts we have tabled the full amounts of these loans and loan guarantees and the expiry dates and the dates on which payments are to be made and the amounts collected. Those have all been disclosed. What these members have asked for is commercial information that's entwined in those agreements. We would be violating the law if we broke those disclosures. All of these are fully accounted and displayed items.

She's quoted, Mr. Speaker, (h), (i), and (j). I have sat here very tolerantly, turning the other cheek to accusations of impotence, which I think my grandchildren would bear some testimony against. I've been called cranky pants, other references, I guess, to my physical being, to which I've turned the other cheek. I've sat here very tolerantly and quietly and tried to explain in detail the difficulty that I have with the very few requests that I've ever rejected, and I've also indicated that I'm going to follow up and send letters to those companies to see if they'll divulge the information.

So I think *Hansard* will show clearly that it is that side of the House that has dragged out debate, not this side of the House.

THE SPEAKER: Are we on the point of order, hon. member?

MR. ZWOZDESKY: Yes. We sure are. May I speak to it, please?

THE SPEAKER: You have the right.

MR. ZWOZDESKY: Thank you. I'm a little annoyed at the petty politics that is going on here, which is purposely resulting in a lot of delays. Mr. Speaker, the fact is that the government sets the agenda. The government chooses the Bills and the motions and when they come up and in what order they come up. It's absolutely inappropriate of anybody to blame this side of the House. The opposition has very, very, very little role in that, as you well know, having been the House leader yourself.

In actual fact, what we talked about here was that if the government and specifically the Treasurer had simply accepted these motions, we would have saved over an hour and 10 minutes. I'll give you the calculation based on the Blues. The first motion, Motion 26, was rejected by the government. It took up 231 lines of debate because they rejected it. On the other hand Motion 27 was accepted, and it took up 32 lines. That was 20 minutes of unnecessary time. Had you only spoken up and accepted it, we would have saved all of that time.

The other point is with regard to standing votes. Standing votes are a recorded vote. It shows who's in favour of openness,

accountability, transparency, and honesty and who isn't. That's the point. To stand here and talk about his own anatomy and fathering children – it's no big deal. I've done it myself a couple of times. I mean, that's what's wasting the time in this Assembly.

So for those reasons I would ask that the Speaker make an honourable and sensible ruling.

THE SPEAKER: Thank you very much, hon. member.

If hon. members have their little Standing Orders, perhaps we might want to just refer right now to Standing Order 8(3):

On Wednesday afternoon after the daily routine, the order of business for consideration of the Assembly shall be:

Written Questions

Motions for Returns

Public Bills and Orders other than Government Bills and Orders.

Traditionally, Wednesday afternoon is a private members' day, not a government agenda day. Traditionally that's what happens, and I want to make that very clear in terms of all these points of order and the ramblings that came about it.

I would hope, hon. Member for Edmonton-Mill Creek, you'd be quite definitive in the number of children that you have rather than just giving an approximation. I empathize with the great pain suffered by the Provincial Treasurer this afternoon on everything from cranky pants to heaven knows what and all the other slurs on his reputation and all the like.

The bottom line is that this is a democracy. Certain items are scheduled on Wednesday afternoon. If those certain items come up, then hon. members have the right to participate in the discussion and the debate, and there should be no imputation of motives to any member in taking the rightful opportunity given to them under the rules, that have been written by the hon. members. They have the right to speak up to 20 minutes and to participate, and there should not be a slur on any hon. member by any other hon. member to accuse someone else of doing anything disreputable like filibustering wantonly to avoid something else. There is a right of participation. That's a sacred right, and that is certainly one that's emphatic in this Assembly and always has been.

Having said all of that and having understood that there's a moment of tension every once in a while that does come into play, can I please draw everyone's attention back to where we are. We're dealing with Motion for a Return 32. The hon. Member for Edmonton-Mill Creek has moved it. The Provincial Treasurer has got up and said that he would accept it.

At this point in time I would like to invite the hon. Member for Edmonton-Mill Creek to briefly, very briefly, close the debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. That's exactly what we do when the government accepts a motion.

Debate Continued

MR. ZWOZDESKY: We know that there's been considerable debate over the last long while regarding the feasibility of implementing something like a flat tax in Alberta, but we also know that there's a lot of discussion that still needs to take place before anything like that is done. I assume that's why the Premier brought in Bill 26 recently, the No Tax Increase Act. In fact, the legislation allows the government to increase tax rates if it becomes necessary in order to give effect to some restructuring agreement that might occur between the feds and the provinces, and I can understand part of that. We'll have a larger discussion on that at some other time.

I will simply close by saying that the taxpayers of Alberta need to have an assessment like this regarding the flat tax regime, because it does impact differently on everybody. The flat tax has the ability, on the one hand, to impact evenly regardless of class. On the second part, it has the ability to be very clear and very succinct in what the expected impact might be. The implementation of such a tax would, I suppose, weigh equally on middle- and low-income earners, and we need to know what the effects of that might be.

I will thank the Provincial Treasurer for accepting this one and the other one that he accepted as well as the one that was amended, and I close off debate at this time.

Thank you.

[Motion carried]

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

Bill 205
Protection from Second-hand Smoke
in Public Buildings Act

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

MRS. FRITZ: Thank you, Mr. Speaker. I'm pleased to move third reading of Bill 205, Protection from Second-hand Smoke in Public Buildings Act, 1997.

We heard in the Legislature over the various stages of debate the principles and merits of the Bill, and we've examined those at great length. Also, in Committee of the Whole we added a number of amendments to Bill 205 which I believe enhance the Bill.

I'd like to say to you, Mr. Speaker, that I recognize that smoking in the workplace is a very difficult issue to deal with. More importantly, I know that secondhand smoke is a very serious health concern. In fact, we continue to learn from new information that secondhand cigarette smoke is actually more dangerous than previously thought. Harvard researchers recently released a study that was a 10-year study that looked at more than 32,000 healthy women who had never smoked and found that regular exposure to other people smoking at home or work almost doubled the risk of heart disease. The researchers say, Mr. Speaker, that the results of the study can be applied equally to both men and women.

5:00

Mr. Speaker, Bill 205 ensures that each provincial government department must implement smoking policies for the benefit of all employees. I think that this is a good Bill. It creates an effective framework to deal with issues of secondhand smoke and ensures that over 20,000 provincial government employees will work in a healthy environment.

So, Mr. Speaker, given the hour of the day – I was going to add a great deal more into my debate – I think that I will conclude, and I will urge all members of the Legislature to support third reading of Bill 205, Protection from Second-hand Smoke in Public Buildings Act.

Thank you.

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

MR. DICKSON: Thank you, Mr. Speaker. I rise enthusiastically

to speak in support of this Bill at third reading. I might just make the personal observation that I very much appreciate the work that's been done by the Member for Calgary-Cross. Let's note that she's done what the Member for Strathmore-Brooks and my colleague for Edmonton-Glenora have attempted to do unsuccessfully on past occasions in terms of introducing a piece of legislation. I'd like to think that this is a culmination and a process that's gone on with members in this Assembly over a period of time. I think it's a tribute to not only the Member for Calgary-Cross, but I recognize that on this Bill people have come with a variety of strong views, and frankly I salute the flexibility that members have shown on both sides of the House in terms of putting the interests of government employees first. I think that's really the purpose of the Bill.

Mr. Speaker, I think that finally we can say that leadership is being shown in the place where laws are made. I think for too long this Legislature has lagged behind in terms of responding to a demand for protection from secondhand smoke in the workplace. We've seen private industry and a host of organizations move on this some time back, and it's unfortunate that it's taken us to this point to recognize the danger of secondhand smoke, firstly, and then, secondly, to develop the resolve to do something about it.

I think this Bill, if I can laud some of the virtues of it, provides a degree of flexibility and sensitivity to some of the practical issues that the heads of government departments are going to have in terms of ensuring adequate places where smoking will be allowed, in those cases where smoking is permitted on the premises. We recognize that there are some parts of the Bill yet to be resolved, and we're going to hope that in the development of regulations the government is going to be animated and moved by the sense that's been demonstrated in debate on this Bill to ensure that the regulations further the goal, which is protecting government employees from secondhand smoke.

So altogether a very positive Bill. Not perfect, as no Bill ever is, but it takes us an enormous distance from where we were prior to the introduction of Bill 205. I just salute again the foresight of all members of the Assembly in supporting this very positive legislative initiative.

Thanks, Mr. Speaker.

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

DR. PANNU: Thank you, Mr. Speaker. I rise also to enthusiastically support this very good Bill. I also want to congratulate the hon. Member for Calgary-Cross for doing the excellent background work she has done in preparing the Bill and presenting very, very cogent and persuasive arguments in favour of the Bill. The result is that a large majority of this House has swung to the side of the mover of the Bill and in support of the Bill. I should also take this opportunity to note that the ND opposition leader – although she's a chain smoker, I must admit – has also extended her enthusiastic support for this Bill. It's a good Bill, and I'm very happy to be voting in favour of it.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Cross to close debate.

MRS. FRITZ: Thank you, Mr. Speaker. Debate's closed.

[Motion carried; Bill 205 read a third time]

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

Bill 208
Kananaskis Park Act

[Adjourned debate June 3: Ms Carlson]

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

MS CARLSON: Thank you, Mr. Speaker. I'm happy to continue speaking on Bill 208, which would introduce Kananaskis as a park into the province. I think that there are, as I started to talk about the other day, many very, very good reasons for doing this at this time, and in fact this now becomes a very critical time in our history to consider doing this.

At the very least I think we need to designate this area as a park because we need to start to develop a comprehensive joint-use plan for the entire area. I think now that everyone here, certainly in this Assembly and throughout the province, knows that the Kananaskis area is very attractive not only to wildlife enthusiasts and environmentalists and campers and other tourism projects but to development projects that become attached to those areas and also industry. Right now there are so many pressures on the area in the whole Banff/Bow Valley/Kananaskis corridor that we have to really start to consider what our future will include in terms of those areas.

At this point in time, right now, we have an opportunity that is starting to evaporate. Every time we introduce a new development or put in another road or take the existing roads out from the jurisdiction of environment and put them into transportation or we let another oil and gas lease move in or we sign more of the area for agricultural use or we let expanded tourism development go in there, we're starting to erode the very fabric of the ecosystem there, and it becomes a concern for future generations.

What needs to be established right now is a regional growth and visitor management strategy. There are lots of places in Canada – and in fact we have a prime example in the Banff/Bow Valley corridor study, that's just been completed, that says that this kind of a strategy is what's needed to preserve the area and to manage the growth and all of the competing interests over time. We want to do this. We need to preserve this area as a part of an integral part of the heritage of this province, and now is the time to do it. If we don't start now, we end up looking at falling into exactly the same trap that we've done in the Banff/Bow Valley area.

The federal government recently commissioned the summary report, where it talks about this particular area in our province truly being at a crossroads. What they say there is that if current trends and pressures are allowed to continue, then what will happen is that all the qualities that make Banff a national park and the area a part of our heritage, that's attractive to many people, many visitors, and wildlife, are truly going to be threatened. So if we take a look at that as a consequence of something that wasn't properly planned, even though it had an established park in its area, then we start to see what kind of erosion is happening in Kananaskis, particularly without having a park established there.

In the Bow Valley study they also talked about the ecological integrity of the Banff-Bow Valley being unsustainable in its current condition. They talk about growth and development and increasing demands for recreational opportunities that fragment the habitat, create barriers to wildlife and to their movement. They increase wildlife mortality. They increase the potential for conflict between humans and wildlife in the area.

5:10

Fragmentation of the central Rockies ecostructure also relates to what's happening in Kananaskis. It's accelerated now in that area. We have a chance to put a moratorium on the kind of development that's in Kananaskis right now. If we don't start with the first step of establishing this area as a park, we're going to be facing exactly the same dilemmas that are in the other area. Future generations, our children and their children, will not be able to enjoy anything close to the same kind of ecosystem that is there now. A lot of the wildlife will just disappear. A lot of the habitat will just disappear.

When they talk about parkwide recommendations in the Bow Valley study for ecological integrity, they talk about regional management there, Mr. Speaker. They need to develop there a wildlife response plan. That's also required in Kananaskis. They need to reduce landscape fragmentation. That's also required in Kananaskis. That's happening in Kananaskis on an ongoing basis.

If we take a look at just the kind of development that has currently been given the go-ahead in the Spray Lakes area, we talk about a four-season resort at the south end of Spray Lakes near Mount Shark. There's heli-skiing at Mount Sparrowhawk, boat tours on Spray Lakes, and the Evan-Thomas golf course, and more rental accommodation at the Fortress Mountain ski area. All of those developments really impact on the ecology of the area.

I'm not saying that you say no to all development, but what I'm saying is that you have to develop a strategy to manage the area and to manage that kind of development. There isn't anything happening like that in the area. It's just willy-nilly, whoever comes in with a good offer or brings forward a plan that looks interesting is given due consideration without the real integrity of the area being taken into consideration. The sustainability of all of the habitat that is there now is not taken into consideration.

I know that the minister's going to get up at some point and say that that isn't true, but you cannot put these kinds of recreational facilities into an area without jeopardizing the wildlife and the natural habitat in the area. That's a fact, and the minister knows it. So now we have an opportunity to start to halt that, to just take a look at it and to make sure that all the development is integrated in a proper manner there. So those are the things that we need to talk about and to think about at this point in time. Establishing a park is the first step. That doesn't mean that we're going to say no to that development that is currently under consideration or has been given approval there. It goes ahead, but we need to integrate anything that happens into the future.

When you take a look at the Banff-Bow Valley study, they have many key actions that are listed in that area that are equally relevant to the Kananaskis area. In fact, they're so concerned about the Kananaskis area and what's going to happen as changes happen in the entire area that they're saying that this Spray Lakes/Kananaskis River should be a part of the Special Places 2000 program in the manner that the program was initially initiated in this province. As it was initially initiated, it talked about providing an umbrella for land that would be protected forever in the kind of manner that it was originally found in, without any of the competing interests of industry or the other kinds of uses in tourism development, that we've been talking about over the past little while, in a pristine nature that the minister has often said he endorses.

In fact that isn't what's been happening under Special Places 2000. The integrity of the initial program has been jeopardized. We've seen that Special Places 2000 now has to make an accommodation within its mandate for economic development. That

wasn't the intent of the original program. The original program was to maintain the pristine nature of the land in terms of what's prescribed by international standards. When you add economic development to that mandate, that changes the nature of it entirely and leaves the door wide open for many competing interests to be involved. That's a problem in this area, because it's one of the very last and very few resources we have left that can be maintained over the years. We need to take a very serious look at that and develop a long-term plan on how to manage it.

I was speaking yesterday about the variety of reasons that Kananaskis Country is currently in crisis. At that time, I only got part way through number 3, where we were talking about no recreational policy in the Kananaskis area. I talked then about the minister having just extended the study that dealt with recreation policy in that area. When he made that announcement, we stood up in the House and asked questions on it in terms of how come it wasn't an integrated study instead of just a recreational use. This is what I'm talking about when we talk about overall integration of all of the competing interests in the area. Just a recreational study does not talk about the need for wildlife habitat in the area. It does not talk about all of the other areas that need to be considered, and I hope the minister will consider that when he supports this Bill.

THE SPEAKER: The hon. Member for Livingstone-Macleod.

MR. COUTTS: Thank you, Mr. Speaker. It's indeed a pleasure in the late hour of our Wednesday afternoon here to rise and speak to Bill 208, particularly when you take a look at Kananaskis Country in all its beauty, and you see the intent of this Bill, and you really find out that once you delve into what government is presently doing, it is already being done by the Minister of Environmental Protection. In view of the fact that it's . . .

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on a point of order. Citation, please.

**Point of Order
Questioning a Member**

MS CARLSON: *Beauchesne* 49. I wonder if the member would entertain a question at this late hour.

MR. COUTTS: The hon. member will find out through my entire speech that all of her questions will be answered.

Debate Continued

MR. COUTTS: Mr. Speaker, the sponsor of this Bill seeks to redesign this area as a provincial park, and it's quite clear that this area is already well protected under existing legislation; namely, the Provincial Parks Act, the Public Lands Act, Special Places 2000, and specific policy and management. Indeed, this government views all of K Country, as it has become known, as important for protection and not just the area singled out by this Bill.

Mr. Speaker, K Country is a unique area which is represented by provincial parks, recreation facilities, and protected and multiple-use areas. Specific policy and management directives were established to govern the area that is known as Kananaskis Country. It includes the area proposed under this legislation, Bill 208. To allow for a balance of recreation development and industry while protecting the environment, Environmental Protection recently announced the second phase of its recreation development policy review for K Country, which will serve to meet Albertans' recreational needs while preserving the environment for present and future generations.

Mr. Speaker, the proposed park outlined in Bill 208 borders along the newly created Elbow-Sheep wildland provincial park, which was recently nominated under Alberta's Special Places 2000 to become protected under legislation as a wildland park. This area is very popular, and it's a designation area for hiking, backcountry camping, horseback riding, and hunting. The area is located in K Country and is over 90,000 hectares in size.

AN HON. MEMBER: Ninety thousand.

MR. COUTTS: Ninety thousand hectares in size that looks after hiking, backcountry camping, horseback riding, and hunting. The park protects subalpine wildlife habitat also and includes critical range for sheep, elk, cougar, grizzly bear, and mountain goats, and, the minister just advised me, wolves.

5:20

Mr. Speaker, as part of Special Places 2000 management those plans are prepared to ensure that management principles are met, that they are consistent with existing land use plans, and that the objectives are defined concerning preservation, heritage appreciation, outdoor recreation and tourism, and economic development. This management plan serves to guide the park so it is consistent with legislation and policies that are in effect in the area and adheres to public opinion. The plan will also provide the public with a list of allowable and prohibited activities.

With that, Mr. Speaker, I suggest, due to the lateness of the hour, that we adjourn debate on this.

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

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: Carried.

[The Assembly adjourned at 5:22 p.m.]