

## Legislative Assembly of Alberta

Title: **Thursday, June 5, 1997**

1:30 p.m.

Date: 97/06/05

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Good afternoon. Today's prayer comes from the pen of former Speaker Gerard Amerongen.

Let us pray.

Our Divine Father, as we conclude for this week our work in this Assembly, we renew our thanks and ask that we may continue our work under Your guidance.

Amen.

Please be seated.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. On behalf of the minister of science, technology, and information I would like to file a number of petitions. The first one is signed by 286 residents of the town of Bow Island and district, asking that Alberta transportation "install traffic lights at the intersection of Highway #3 and Centre Street" in Bow Island.

The next two are also on behalf of the minister. One is a petition signed by a number of residents of Medicine Hat and district, expressing their concerns over VLTs. The next one, also on behalf of the minister, is from the Burdett/Bow Island United Church, also signed by residents of Bow Island and district, expressing their concern over VLTs.

Finally, Mr. Speaker, I would like to present two petitions on behalf of constituents of mine, also expressing their concerns over VLTs in Alberta.

Thank you.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. On behalf of the hon. Member for Rocky Mountain House I am pleased to present two petitions regarding VLTs signed by a total of 93 residents of his constituency.

head: **Introduction of Bills**

### Bill 25

#### Alberta Corporate Tax Amendment Act, 1997

MR. DAY: Mr. Speaker, I request leave to introduce a Bill being the Alberta Corporate Tax Amendment Act, 1997.

There have been changes in federal legislation related to corporate tax. This Bill will bring these into line and also deals with some elements of clarification related to the royalty tax credit.

[Leave granted; Bill 25 read a first time]

head: **Tabling Returns and Reports**

MR. JONSON: Mr. Speaker, I have three items that I wish to table with the Assembly today. First of all, I'm pleased to table with the Assembly the annual report of the Alberta Health Facilities Review Committee for the period April 1, 1995, to March 31, 1996.

Further, Mr. Speaker, I would like to table four copies of the review of governance and communications on the Crossroads regional health authority, completed by Activation Analysis Group. I have communicated with the chair of the Crossroads regional health authority requesting that they provide me with an action plan in response to this report by August.

Finally, Mr. Speaker, I am pleased to table with the Assembly the annual report of the College of Optometrists for the year ended December 31, 1996.

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

MR. HANCOCK: Thank you, Mr. Speaker. I'd like to table today a response to Written Question 1.

With respect to the province's hosting of the 1996 annual Premiers' Conference at Jasper . . . the names of the corporate sponsors of the event . . . [and] the nature of their donations to the conference.

With that I would like to table a page from the back of the program of the Western Premiers' Conference, a list of the corporate sponsors for that particular conference, because I know that the opposition is interested in open access to information.

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

DR. OBERG: Thank you, Mr. Speaker. Today I am tabling the UN convention on the rights of the child, dated November 20, 1989, and I'm also tabling the Hague convention on intercountry adoption that is dated 29 May 1993. There was some confusion last evening about these two documents. [interjections]

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, if it's all right with the other members of your caucus.

MR. MacDONALD: Thank you, Mr. Speaker. I would like today to table four copies of a letter written by Mr. Jim Sellers, president of the Capilano School Council. Mr. Sellers has many concerns about the limited financial resources in the provincial Education department.

head: **Introduction of Guests**

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

MR. STELMACH: Thank you, Mr. Speaker. It's a real pleasure today to introduce to you and through you to members of this Assembly, right from the home of the world's largest Easter egg, 26 visitors: 24 students from St. Mary's high school accompanied by two adults, Mrs. Colleen Fjeldheim and Mr. Peter Varga. Two are very special guests, two foreign exchange students on the Rotary exchange: Miss Angela Ryan from Australia and Mr. Allen Barön from Mexico. The Rotary Club does a tremendous job in Vegreville. I'd ask them to rise and receive the traditional warm welcome of the Assembly.

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

MS BLAKEMAN: Thank you, Mr. Speaker. It's with great pleasure that I rise today to introduce to you and through you to members of the Assembly 19 students from the Boyle Street co-op charter school. They're sitting in the public gallery, and they are

accompanied today by instructors and group leaders Sherryl Maglione, Ken Smale, Mavis Averill, Lyle Greanya, Shirley Minard, Mary Gibot, and Matt Hoven. I'd ask them to please rise and receive the traditional warm welcome of the Assembly.

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

MR. COUTTS: Thank you, Mr. Speaker. It's my pleasure today – as a matter of fact it's an honour and a treat. Southwest Alberta doesn't get too many school groups coming up to the Legislature, and this is my first introduction of a school group to this Legislature. They come from the beautiful village of Glenwood, a new part of our constituency, and I'm honoured to represent those folks. Mr. Minister, we've got some beautiful Glenwood cheese to go with your Easter eggs today.

It gives me a great deal of pleasure, Mr. Speaker, to introduce to you and through you 15 members of the Glenwood elementary school in Glenwood. They are accompanied today by Doug Smith and Vicki Woolf, both teachers of that fine facility, and they were bused here by Kirt Woolf. They are seated in the members' gallery, and I ask them to please rise and receive the traditional warm welcome of this Assembly.

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

MS KRYCZKA: Thank you, Mr. Speaker. I would like to introduce to you and to members of this Legislature my very capable assistant, who has been visiting up here and learning all kinds of things the last day and a half, Karla Eagles from Calgary-West. I'd like her to rise and receive a warm welcome from this Assembly.

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

DR. MASSEY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly Dianne MacGregor. Dianne is the mother of five children, she is a registered nurse, she's chair of the Thorsby School Council, and of interest to the Assembly is that she is the youthful sister of the sitting Member for Spruce Grove-Sturgeon-St. Albert. With your permission I'd ask her to stand and receive the traditional warm welcome of the Assembly.

head:

### Oral Question Period

1:40

#### No Tax Increase Act

MR. MITCHELL: Two years ago, Mr. Speaker, the Premier indicated that he would amend the Alberta Taxpayer Protection Act to incorporate the good ideas advanced by the Liberal caucus and many others at that time. Now his policy seems to have changed. It is to talk tough on taxpayer protection while creating all kinds of loopholes to slide tax increases in through the back door. To the Treasurer: is it government policy to cut corporate taxes while increasing personal income taxes under the guise that this would be revenue neutral and therefore not subject to any public consultation like a referendum?

MR. DAY: No, Mr. Speaker.

MR. MITCHELL: Well, he should read his own Bill 26, because that's what it's going to allow him to do, Mr. Speaker.

Why is it not government policy to require public consultation

prior to any amendment, any repeal, any override, or any suspension of taxpayer protection legislation? It's not going to protect very much if he can overrule it without ever consulting anybody.

MR. DAY: It's a fairly amazing question in terms of its lack of understanding, Mr. Speaker. It's calling for consultation. The Premier is very clear and this government's been very clear that the purpose of tabling the Bill, which is called the No Tax Increase Act, was to get the discussion going, to show that we're serious about the possibility, should Albertans want to see it, of legislation which would say that this government cannot increase taxes unless Albertans stand up in a referendum and say: please tax us more.

We've been very, very clear that this is put forward in a very basic framework. We've also been very clear, Mr. Speaker, that this is not the limit of this Bill. If Albertans recommend a wider range of taxes to be limited to this Bill, then we want to hear that. It's to get the discussion going. The member opposite knows that very clearly. We've said absolutely clearly from the start that the Bill will not be passed this session. It's to show that we're serious about the concept and the principle. We'd like to invite Albertans to add to the Bill, to take away, if there should be so-called escape clauses, if there shouldn't be, if there should be a wider range of taxes. We've been very clear: this is for Albertans to talk about.

MR. MITCHELL: If the minister is truly well intentioned about this piece of legislation that he's referred to, Mr. Speaker, why is it that he has so carefully excluded user fees, over 300 of them, and health care premium increases from the prohibition that might be imposed by a referendum? Why don't you put those before a referendum? They're taxes. Can't you get it?

MR. DAY: I don't know if I need to talk slower for him, Mr. Speaker. I don't know what the problem is with comprehension here. We have put this before Albertans. As a matter of fact, this particular Bill is already receiving international attention and some accolades from other countries just for what it's suggesting: that taxpayers should be consulted before you slap them with a tax. Now, the Liberals don't understand that because they have not joined us at any time that I can think of to deal with their federal cousins in Ottawa, for instance about the removal of the GST, other promises which Liberals said they would be involved in. So they don't understand this.

Mr. Speaker, the opposition leader did properly quote the Premier. The Premier said two years ago: we would like to hear some good ideas from the Liberals. We waited two years. We heard nothing. The people of Alberta spanked them in the last election for not having any, and now we're proceeding.

#### Speaker's Ruling Anticipation

THE SPEAKER: Hon. members and Leader of the Official Opposition, before you proceed to your second question, the gist of that first question essentially was as much debate as seeking of information. The Chair would look at the Order Paper for the day and note that Bill 26, No Tax Increase Act, is up for review this afternoon. So let's deal with matters that usually are covered in the question period.

MR. MITCHELL: That was an excellent ruling, Mr. Speaker.

Thank you. In fact, we gave them the idea of a referendum two years ago, and he hasn't done it.

### Long-term Care

MR. MITCHELL: Long-term care and services for seniors are a fundamental problem in this province. Because the government is not funding long-term care and other seniors' services properly, families are being broken up and seniors are being wrenched from their community. This isn't a secret, Mr. Speaker. In fact, it's in the government's own report from the Seniors Advisory Council, which outlines very clearly the problems that seniors are having in this province. Vividly and clearly. To the Minister of Health: for a government that claims to care so much about the family, how can this minister allow seniors married for 50 years to be separated, taken away from their church, from their pastor, from their doctor, from their family, from their friends, from everything that is supportive and familiar and good in their lives?

MR. JONSON: Mr. Speaker, in terms of the initiatives that have been taken with respect to the health care system and, yes, the budget reductions that needed to be made to make the system more effective and efficient and also to meet our overall government fiscal targets – even during that period of time there was a major commitment of additional dollars to long-term and continuing care in this province. As I recall, it amounted to something in the neighbourhood of \$160 million that was shifted in the budget to that particular area, which I think certainly indicates that we put a priority on that particular area of care.

The second thing, Mr. Speaker, is that even prior to, let us say, 1992, we did experience in this province cases where the facilities and programs of a particular community were taxed to capacity and it was necessary for individuals requiring long-term care to locate in another location. It is not something that we in any way want to see very frequently, but it was a reality of life for some time.

Mr. Speaker, in the plans that regional health authorities have for providing for our seniors, they do do assessments; they do set priorities. Yes, in some cases people have to move to a community distant from their current location, but there is a set of priorities for seniors, and every effort is made to have them return to their community as soon as space is available.

MR. MITCHELL: Mr. Speaker, why can't this minister get past the technocratic rhetoric and understand that his policies are not adequate? People who have been married as much as 50 years are being separated in the last years of their lives by far too many miles, far too far from their families and their friends and their church and their way of life, and that is the mistake of this minister's policies.

MR. JONSON: Mr. Speaker, the health system is putting an increased emphasis on long-term care and home care. In fact, you have more seniors being able to stay in their actual own homes longer today with more services than before. I acknowledge that there are cases of this particular type that's being referred to. We have put and we are putting additional resources into the long-term care side of the health care system, and we do have a system in place to work to the greatest extent possible to locate seniors where they desire to be.

MR. MITCHELL: Why doesn't the minister stop hiding behind the rhetoric of increased focus and increased priority and “We've

got this much money” and instead focus on the single most important objective, which is to get seniors to be able to live together in their own communities close to their families in the latter stages of their life? Why can't he get past this rhetoric and get into the objective and the result? We want to see a result that supports seniors and their families, Mr. Speaker.

1:50

MR. JONSON: Mr. Speaker, I'm a little bit surprised; I've never been known for rhetoric.

If I could perhaps put it in the simplest manner possible for the hon. leader, and that is as one illustration: today, Mr. Speaker, through the much better and much expanded program of home care in this province, we have more seniors able to be together in their own homes in their advanced years than ever before.

THE SPEAKER: Third Official Opposition main question, the hon. Member for Lethbridge-East.

### Gas Pipeline Safety

DR. NICOL: Thank you, Mr. Speaker. My question is a follow-up to the one yesterday on gas pipelines. I'd like to ask the Minister of Energy if in the directions that he gave to the Alberta Energy and Utilities Board, he sees them enforcing and setting different standards for sweet gas lines and sour gas lines.

DR. WEST: Mr. Speaker, the answer to that question is yes. They set more stringent rules for sour gas lines in Alberta. We lead the nation in enforcing the CSA standards on all pipelines in this province. Other provinces do not do that. For these types of lines that he's talking about, as it relates to the Encal line that came up yesterday – the standards are even higher for those lines. Under the hearing and the application that was brought forth, there were conditions put on that application that were far above any other line in the province.

DR. NICOL: Mr. Speaker, the CSA guidelines don't apply to conversions.

I'd like to ask the minister if he sees the . . .

DR. WEST: They do in this province.

DR. NICOL: The minister supplemented his answer.

THE SPEAKER: Hon. member, your question please. You have the floor.

DR. NICOL: Okay. If he would convey to this House, Mr. Speaker, the issue that results when the mechanisms are not there to measure the conversion standard – how can we judge the quality of an old line when it's being changed in terms of its ability to carry sour gas?

DR. WEST: Mr. Speaker, the board in place has a tremendous amount of expertise. We spend some \$58 million a year in that board for the application of safety in the province of Alberta. In so doing, they go out and do site inspections as well as take the most stringent measures to ensure that safety is applied to the applications and the conditions that go to a conversion or new pipelines.

DR. NICOL: Thank you, Mr. Speaker. Again to the Minister of

Energy: I was wondering if he would tell the House whether or not he can indicate whether or not the Encal line that he referred to has met the standards when the information presented to the AEUB says that it doesn't.

DR. WEST: Mr. Speaker, just an hour ago I spoke with people at the regulatory body, and they assured me that it does meet the test. [interjection]

THE SPEAKER: Hon. Member for Spruce Grove-Sturgeon-St. Albert, earlier today all hon. members in this Assembly and in fact those who had watched this program on television had an opportunity to be introduced to your sister, the quiet one in the family.

The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Livingstone-Macleod.

### Greenhouse Gas Emissions

DR. PANNU: Thank you, Mr. Speaker. Alberta is Canada's largest emitter of greenhouse gases. While most Canadian provinces are making some progress in at least stabilizing greenhouse gas emissions at 1990 levels, as agreed to by countries at the Rio summit, according to Environment Canada emissions in Alberta increased by 18 percent between 1990 and 1995. In fact, Alberta was responsible for 56 percent of the increase in Canadian greenhouse gas emissions between 1990 and 1995. My question is to the minister of environment. How can the minister justify the massive increase in Alberta's greenhouse gas emissions at a time when other Canadian provinces are at least stabilizing emission levels?

MR. LUND: Mr. Speaker, it's a very difficult situation that Alberta finds itself in. We are the major supplier of energy in Canada, and under the current system there is no way of measuring the end use. We know that automobiles are a major contributor to greenhouse gases, but in fact the refining, the processing of natural gas, and for that matter other fossil fuels within the province of Alberta does contribute considerably to the overall emission of greenhouse gases.

It is true that Canada is not going to meet the target, and, yes, Alberta is not going to meet a reduction to the 1990 levels, but it's really interesting when you look at what's happened throughout the world. There are only three countries in the world that estimate they are going to reach the target, one of them being Germany. Well, one of the reasons that Germany is going to meet that target is because they included East Germany in their 1990 calculations. We all know that those plants in East Germany were shut down once the country became unified, basically because they were inefficient and old, worn out plants. They were certainly spewing out lots of greenhouse gases. Another country is Britain. Britain has converted from coal to natural gas because of the finds of hydrocarbons in the North Sea. The other one is Luxembourg. Well, Mr. Speaker, Luxembourg: about all they have to do is put out a couple of campfires and they've met their target.

DR. PANNU: Thank you, Mr. Speaker. If, as expected, the Tokyo conference in December of this year results in binding limits on greenhouse gas emissions, why is the government risking Alberta's economic future by failing to take serious action now to first stabilize and then begin reducing greenhouse gas emissions in Alberta?

THE SPEAKER: Hon. minister, there's a hypothetical aspect to that question based on the premise: if something happens in November. So shorten the question with brevity to the reality of the situation rather than the possibility of something happening.

MR. LUND: Thank you, Mr. Speaker, for that very timely advice, but this is a complicated issue, so it will take a bit of time to answer the question.

Mr. Speaker, the province of Alberta has led the nation in taking basically a no regrets approach to this whole issue. What we mean by no regrets: the steps that we're taking to reduce the emissions are based primarily on having some type of payback. There's a lot that we can do, and we've done it within the provincial government by investing in retrofits on buildings, with reducing the number of vehicles that we have on the road. One major way that everybody can help us is to keep their vehicles well tuned so that they're very efficient. It pays back in less gas consumption. So we've set up a registry, and we have what's known as the voluntary challenge. We have over 80 percent of the companies in the province of Alberta that have signed on to the program, and in fact they are doing many things to reduce the greenhouse gases.

Mr. Speaker, we've done some analysis on the economic effect of trying to reduce to the 1990 levels by the year 2000. If the payback can't be shown, it is very difficult to tell people to suffer when in fact the greenhouse gases do not stay just in Alberta; they travel. In fact, when you look on a global scale, one would be much better off to invest in the developing countries and get our technology used in those countries, and then we possibly could have an effect on the global warming issue.

2:00

DR. PANNU: Thank you, Mr. Speaker. I wonder if the government of Alberta has done any analysis of the impact that the billions of dollars of industrial development that it foresees forthcoming will have on greenhouse gas emissions, and if so, will the minister table this information in this House?

MR. LUND: Mr. Speaker, as I indicated in my first answer, we're finding it somewhat difficult to rationalize this whole issue, because if, for example, we said that industry had to reduce their activity by 25 or 30 percent, that would mean that exports of clean fuel to the U.S. would have to be reduced dramatically. I really question whether in fact the people in, say, California are all prepared to shut off their air conditioners because they do not have clean fuel in order to reduce the greenhouse gas effects. So basically what we're concerned would happen is in fact that the answer would be no, they're not prepared to shut off the air conditioners, so the generators of electricity in that state would have to then revert to some other form of energy. The other form is probably going to be coal, and they do not have clean coal. So in fact the overall effect of what we would do would be a negative on the global warming situation.

THE SPEAKER: The hon. Member for Livingstone-Macleod, followed by the hon. Member for Edmonton-Gold Bar.

### Highway 505

MR. COUTTS: Thank you, Mr. Speaker. Secondary highway 505 links the communities of Hill Spring and Glenwood and the Blood reserve to primary Highway 2 that is in my constituency. It is the main artery for the residents for farm and ranch agricul-

tural products plus the value-added product that comes out of the Glenwood cheese factory that must go to the marketplace. I personally have traveled that secondary highway, and I have seen that there is work that needs to be done to widen this narrow artery. I understand that the Blood tribe have requested that secondary highway 505, which runs through the reserve, also be upgraded. My questions today are to the Minister of Alberta Transportation and Utilities. Mr. Minister, can you please tell what the present status is of the negotiations required for the upgrading?

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly 505 is a very important secondary road in this province and one that we recognize the importance of. The situation is a little more complex, though, than the normal situation in that the province doesn't own the property. The property is on the reservation. As a result, the Blood tribe is in negotiations with the federal government to be able to access the property. Once the property is obtained by the provincial government, we then would be in a position to move ahead as far as development of that road is concerned.

MR. COUTTS: My first supplemental, then, to the minister is: with three parties being involved in these negotiations, basically who takes the lead to see that this project can come through to a successful conclusion?

MR. PASZKOWSKI: The Blood tribe actually has to take the initiative. They engage themselves in discussions with the federal government. Ultimately the federal government would turn the land over to the provincial government, and then we would be in a position to progress the development of 505.

MR. COUTTS: Final supplemental then: when can my constituents, Mr. Minister, expect work to begin on secondary highway 505?

MR. PASZKOWSKI: Much of the preparatory work has already been done. I think it's important that our guests here from Glenwood have a proper road to travel on when they come and visit us, and perhaps they'd come to visit us more often, and we'd very much appreciate that. We certainly recognize the importance.

Much of the work has been done as far as planning and design is concerned. It's now a matter of getting the land transferred so that we could indeed carry on with the physical construction of this particular highway. Tentatively, we have it scheduled for next year.

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

### Boiler Safety

MR. MacDONALD: Thank you, Mr. Speaker. There are still more problems in the Department of Labour. Privatization and deregulation are not working. The 1997 business plan of the Alberta Boilers Safety Association details the overdue inspection records for pressure vessels. Incredibly, 52 percent of all these vessels are overdue for inspection. This is a public safety issue. These boilers and vessels are in schools, hospitals, public buildings, and even commercial apartment buildings. My questions today are to the Minister of Labour. In the interest of

public safety, what steps will the minister take to inform the public of all locations of all these uninspected vessels and facilities?

MR. SMITH: Mr. Speaker, the hon. member refers to the business plan tabled in this House by the Alberta Boilers Safety Association, and his facts aren't correct. There's an overdue amount of vessels, and if he would have moved from that paragraph that says "49% of which are overdue," he would have read:

The Board of Directors have concluded that this large backlog is an unacceptable liability and should be removed as soon as possible. Therefore, staff will be trained and allocated to ensure this liability will be removed from ABSA over the next four years.

The business plan then goes on to speak to the details of the process whereby the liability is eliminated.

MR. MacDONALD: Mr. Speaker, that's not satisfactory for the public of this province.

Given that this business plan reveals that over 19,000 vessels and production batteries are labeled as high risk – high risk, not low risk – most of these in rural Alberta, what are you doing to protect rural Albertans? Tell us.

MR. SMITH: I think, Mr. Speaker, the first thing that we do to protect all rural Albertans would be to notice the number of rural government MLAs there are and the paucity of Liberal opposition MLAs there are.

Again, if the individual would read through the complete business plan, they talk again about the removal of the backlog, but also the fact, Mr. Speaker, that the owners have completed courses that have quality control certificates of authorization. They are owner/user program certificate holders, and they're large companies who have a substantial number of vessels under their control and then properly engage technical staff to engage in periodic inspections. There's the inspection side. There's also the trained factory side, those that manufacture them to spec and under spec.

Mr. Speaker, one of the reasons that there are fewer problems in the Department of Labour is the fact that more services are privatized. More services are able to reach out to the broader expanse of the public domain in order to give Albertans quality service and also to account for the substantial growth in the manufacture of articles in this important industry sector to Albertans.

MR. MacDONALD: Mr. Speaker, I think the Minister of Labour's constituency would be more appropriately named Calgary-Chinook for the hot air.

How many of these vessels and . . .

THE SPEAKER: Hon. member, please. There's agreement in this House about no preambles, and that last comment was really uncalled for in terms of the agreement that has been made.

Would you proceed with your question.

MR. MacDONALD: Thank you, Mr. Speaker. How many of these vessels and battery sites that are overdue for inspection process sour gas and sour water?

MR. SMITH: I don't know, Mr. Speaker.

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

### 2:10 Provincial Credit Rating

MR. BOUTILIER: Thank you, Mr. Speaker. I recently received a call from a constituent of mine who was reading the *Financial Post*, where it was reported that the province of British Columbia's credit rating was lowered and downgraded. My question is to the Provincial Treasurer. Knowing the importance of credit ratings and how they affect debt servicing costs, they wanted to know where Alberta stands in relation to this.

MR. DAY: Mr. Speaker, it's always unfortunate when a province has their credit rating downgraded, because their own costs of borrowing, for instance, go up considerably. Credit ratings are very important. B.C. was just slightly ahead of Alberta because over the last decade or so they've had unprecedented levels of investment coming into their province, primarily Asian-Pacific investment, which has been very helpful to the one side of their ledger. The credit agencies also look at the spending side and the management side. I won't presume to say what the actual indicators were that caused B.C.'s to be lowered, but theirs was lowered a notch. Alberta and B.C. are in fact tied for having the best credit rating in the country right now.

MR. BOUTILIER: Thank you, Mr. Speaker. I'm wondering if the Treasurer could update the Assembly on the progress in terms of real dollars and cents so that all Albertans can understand the progress of the government's objective of having the best credit rating in all of Canada.

MR. DAY: Well, actually, Mr. Speaker, as you know, the government has placed upon itself, after consultation with the public and private sector, certain performance standards that we aspire to, and one of those performance standards is that Alberta would have the best credit rating in the country. We are now tied for first place, as it were.

I had meetings a week or so ago with Moody's rating agency and just yesterday with Standard and Poor's. I really don't think our rating will be lowered. They do this on an annual basis with jurisdictions all over North America, and I really don't think ours will be lowered. Naturally, we hope our present rating will be affirmed, and of course it would be nice to see if it were bumped up once.

We'll continue to maintain that as a performance measurement. It is very important, and it sends a signal right across the country. As a matter of fact, it sends signals not just across the country but internationally to those who would think of locating here. It's a very positive sign.

MR. BOUTILIER: My final supplemental this afternoon would be to the Treasurer. In terms of developing the broad vision in going into the 21st century, I'm wondering how this economic news in terms of helping from an economic development perspective will assist Albertans as we move into the 21st century.

MR. DAY: Well, Mr. Speaker, if indeed we are to move upwards, that makes us the number one province. Right now we're tied for first place in terms of credit rating. That would make us number one, which just sends out that much stronger a signal.

I have to say, Mr. Speaker, that I think Albertans who have led

us as a government into the whole world of proper financial management and proper spending habits and proper investing – it's Albertans who have really encouraged us over the last four years to take this path. I think they should feel a sense of pride knowing that we are being rated at this level. In fact, these agencies, which don't operate from within Alberta, who observe us from outside, who take our books and go through them with a fine-tooth comb – it's from an outside perspective that they see the tremendous things that have gone on in Alberta, and they're very impressed, and they report it accordingly. I think Albertans can feel good about that.

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

### Health Care System

MR. SAPERS: Thank you, Mr. Speaker. The government-appointed Provincial Health Council released a report yesterday. It's a consultative report asking Albertans to evaluate health care, and this is a positive step. There are some problems though. It's a request-only document, and it asks for clarification of health-related definitions and suggestions on how reform should be evaluated. The major problem is that this should have been released and these questions should have been asked about three years ago. Wouldn't it have made sense to ask these questions before they started? My question to the Minister of Health is: after over three years of tearing apart the health care system, isn't it just a little bit late to be figuring out only now what the road map to this reform is supposed to look like?

MR. JONSON: Mr. Speaker, the Health Council report, as I recall, does make constructive recommendations in terms of the terminology, and particularly, I think, the very good recommendation they have made is that we need to do a better job of communicating with the public, being more effective in terms of everything from providing full knowledge of the appeal mechanisms that are available to individual health care users to the information that's needed in terms of the objectives of health promotion and prevention to the treatment centres and the treatment programs that are available. In terms of the health care council's actual recommendations, I think they are very constructive and those are recommendations that we're following up and working on.

In terms of the hon. member's preamble in terms of his evaluation, that does not coincide with that of the Health Council.

MR. SAPERS: Mr. Speaker, doesn't the minister realize that it's his job on behalf of his government to communicate to Albertans about health care reform and not to try to pass off the responsibility to some other third party? It is the responsibility of government, Mr. Minister, to define such terms as consumer driven and consumer focused and then allow citizens to pass judgment on the government. Haven't you come to that conclusion independently, Mr. Minister, or do you need more discussion about that?

MR. JONSON: I think it can be well demonstrated that we came to that conclusion a long time ago and have always had that particular conclusion. In terms of communication, yes, I certainly recognize it as being a government responsibility at the provincial level to be a major planner and initiator in terms of communication plans, and we certainly endeavour to do that. For instance, today we had the opportunity to provide the kickoff for the You're Amazing health promotion program. As part of that overall

announcement we have made a major effort to make sure the purpose of the program is well communicated, and I thank the sponsors and the media for, at least it appears, having paid considerable attention to that particular announcement. So, yes, Mr. Speaker, we are putting an emphasis on communication and clarity.

MR. SAPERS: Thanks Mr. Speaker. Doesn't the minister yet understand that it is not better definitions and clever public relations documents that Albertans are interested in? Albertans are more interested in proper funding and universal access regardless of their ability to pay. Shouldn't that be the focus of your consultation with Albertans?

MR. JONSON: Well, Mr. Speaker, I thought his concern was adequate communication, and when I responded to that, he switched to another topic. Yes, underlying the communication there has to be an efficient and effective and comprehensive health care system, and we are certainly providing that. I could elaborate at some length, going back to our business plan and to the announcements of Nov. 24, and outline in considerable detail for the Assembly the initiatives that we have been taking to make sure that that is the case and we have a good message to communicate.

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

## 2:20 Handicapped Children's Services

MR. FISCHER: Thank you, Mr. Speaker. My question is to the minister responsible for children's services. There's much discussion in the media and in the Legislature here about handicapped children's services. The Wainwright and district support group for parents of special-needs children are very concerned about the recent plans for the regionalization of children's services. They feel that the funding which was previously used for handicapped children's services will be utilized in other areas. Could the minister outline to this House what changes are being proposed to this program?

MS CALAHASEN: Thank you, Mr. Speaker. First of all, let me begin by stating that this government places a high priority on meeting the needs of children and families. Albertans all across the province are working to try to see how they can meet those needs better. In fact the needs of children with disabilities are certainly quite wide in range in terms of what their needs are. Some of the needs that have been identified through this whole process have been financial assistance, respite care, and probably day programs.

Mr. Speaker, integration has always been a concern with families with children with handicaps. One of the things that is really truly helpful in terms of what's been coming forward is that these have been addressed through the system that has been provided. The integration, of course, is one of the greatest points when we're talking about children within the services of children with disabilities. The intent is to bring together those resources that have been identified as needs and gaps in services from many areas to provide quality integrated services within the community.

MR. FISCHER: Thank you. To the same minister: how are the communities planning for services to ensure that the high-quality

services remain available to children with disabilities and their families?

MS CALAHASEN: Mr. Speaker, this is a very important point. When we look at the services currently being provided by the handicapped children's services program, this has to be maintained in a new system. As part of the planning process, the steering committees of the 18 new regions must develop what we call a service plan. This comprehensive service plan will set out what we call the model for the delivery of services to local children and families, including children with disabilities.

In the planning process, Mr. Speaker, steering committees must adhere to legislation and standards. The handicapped children's services program is legislated through the Child Welfare Act. It must be maintained, and those standards must be maintained. I assure the member today that if any service plan across the 18 regions does not address the legislation or standards, it will not be approved by this government.

MR. FISCHER: Thank you. My last question would be: how will the funding, then, to the handicapped children's services program be determined and targeted in the new system?

MS CALAHASEN: Well, Mr. Speaker, first of all there's a Funding Model Committee that's been going around trying to find out what needs to be done in terms of delivery of services for children, especially when we deal with children with disabilities. That committee has been requesting information from anybody who will come forward to be able to bring even further information on how it can be delivered. So I would suggest that we continue to work with that Funding Model Committee. It's a discussion paper. No decision has been made. Again I repeat: no decision has been made. So I would recommend that anybody who's interested in seeing a way of service delivery for handicapped children be involved in this funding model and that we continue to work on that.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Olds-Didsbury-Three Hills.

## School Bus Safety

MRS. SOETAERT: Thank you, Mr. Speaker. At least half of the school buses in this province are propane powered, yet school buses across Alberta are being inspected by people who are not qualified to inspect propane-powered vehicles. Just for the minister's interest, in order to be qualified you need a journeyman mechanic's certificate and a certificate of training in propane highway vehicle conversion installations. My questions are to the minister responsible for getting our children to school safely. How many, if any, of the transport officers in your department have the qualifications to inspect propane-powered school buses?

MR. PASZKOWSKI: Mr. Speaker, I'm pleased to say that before the people are entitled to do inspection on behalf of the government, they do go through a training period. It's an extensive training process, and consequently the training covers all of the issues that indeed need to be covered. So I'm confident that our inspection process is adequate for the buses that we have on the roads.

MRS. SOETAERT: Mr. Speaker, it's a four-day training program. None of it is related to propane-powered vehicles. I'd like to know: how many of those people are trained for propane-power inspections?

MR. PASZKOWSKI: As I reiterated, Mr. Speaker, there are many elements to safety. Consequently our training period covers the whole gamut as far as safety of school buses is concerned. At this stage I will repeat that our safety instruction for the inspectors is all encompassing.

MRS. SOETAERT: My final supplemental to the minister. I guess I'm wondering why you don't care enough about our kids. The people inspecting those buses are not properly qualified to inspect buses.

MR. PASZKOWSKI: Mr. Speaker, I care about these kids in this province, and we will do everything in our power to see that our children are safe. I resent that type of presentation.

We have revamped our whole process of inspection of school buses. We have done everything in our power. We have a process that indeed identifies the inspection needs of the school buses as well as the carriers in this province. We are doing everything in our power to see that the carriers, that the traffic on our highways is as safe as is humanly possible, and we will continue to do that.

We have hired more inspectors, and today we have virtually the same number of government inspectors as we had before the privatization. We actually have an additional level of inspection in place today over and above what was in place years ago. So we have a higher degree of safety inspection today than we've had in the past. For that hon. member to make accusations that we don't care about our children is totally, totally irresponsible.

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

### Property Taxes

MR. MARZ: Thank you, Mr. Speaker. My question today is to the hon. Minister of Municipal Affairs. Several if not many of my constituents are concerned about the taxation of portions of farmland that are used for commercial and industrial purposes. Can the hon. minister enlighten us on what rules are in place for the assessment and taxation of these properties?

MS EVANS: Mr. Speaker, farmland that is used for agricultural purposes is assessed and taxed on that basis. However, compressors, gravel pits, and those types of installations that are industrial or commercial are assessed on that basis. If they are encompassed in an agricultural area, on a farming operation, that portion of the land is divided out and assessed accordingly.

MR. MARZ: My first supplementary, again to the minister. More specifically, my constituents are concerned about being assessed and taxed directly for industrial sites on their land when they are already paying farm taxes, income tax on the compensation for the loss of production and inconvenience, as well as the development itself being taxed on that property. Can the minister tell us who is responsible for the assessment and taxes on these lease sites?

MS EVANS: Mr. Speaker, there is an exception where a mineral

surface lease is used for an oil or gas well. The assessment of this property is split between the landowner and the well operator, and the landowner is assessed and taxed at agricultural rates. If the landowner is unsatisfied, they should address the compensation they receive through the lease agreement for any loss of agricultural income related to the property.

MR. MARZ: My last supplementary: will the minister undertake a review to assess the fairness and effectiveness of this new assessment once all the municipalities are on it in 1998 with full consultation with both urban and rural municipal associations?

MS EVANS: Mr. Speaker, I have made a commitment as Minister of Municipal Affairs to address accountability and targets of performance in all of the assessment areas. For that reason, there will be MLAs and other stakeholders who will follow through with a process initiated in the industrial assessment review and in the farm assessment review.

I think I should address once again, however, that in the farm assessment review process a number of the farmers themselves could not adequately address and agree on the recommendations, and it was almost a 50-50 split. So I'm looking very much to the members of this caucus and this community to help us through the process of dialogue and finding the best possible solutions that address all of these issues. Yes, I am committed to that review.

2:30

### Northern River Basins Study

MS CARLSON: Mr. Speaker, the final report of the northern river basins study was handed to the minister on June 6 of last year. That will be a year ago tomorrow. This \$12 million federal/provincial study found that many rivers in northern Alberta are showing stress from municipal and industrial discharges. Does the Minister of Environmental Protection endorse the first recommendation of the report, that the primary environmental objective should be pollution prevention including zero discharge?

MR. LUND: Mr. Speaker, the northern river basins study report is a very comprehensive report, and there are a number of recommendations in there. Many of them have already been implemented. Others that will take more work and study are ongoing. There is a role for their kissin' cousins to play that unfortunately has not been fulfilled. We are working our way through it. When we are in a position to comment on all of the recommendations, we will do so.

MS CARLSON: Well, Mr. Speaker, it's been a year and he hasn't got through the first one. I'll ask him again if he will endorse the first recommendation, which is to eliminate the use and discharge of persistent toxic substances within 10 years.

MR. LUND: Mr. Speaker, we don't start with one and then go through all the way, accomplishing one before we move on to others. We're looking at the whole report and studying the whole report. Unfortunately the Liberals in Ottawa have not responded as well. There are responsibilities on the federal government as well. We've got to work our way through this. As I said, some of the recommendations have already been implemented, but we are dealing with the whole report as a package.

MS CARLSON: Mr. Speaker, it says, Report to the Ministers:



Alberta. It's only 24 recommendations. Can you tell us which one of the 24 you have endorsed or are in fact acting on right now? It's been 12 whole months, Mr. Minister.

MR. LUND: Mr. Speaker, as I said earlier, we are taking the whole report. We're analyzing the whole report. There was more scientific work that had to be done. We're analyzing the various studies. The hon. member is right. It was a \$12 million project, so of course there are a lot of suggestions in there. We're going through the whole report and implementing as we can.

head: **Members' Statements**

THE SPEAKER: We have two members' statements for sure today and the possibility of a third. We'll proceed, first of all, with the hon. Member for Wetaskiwin-Camrose, following by the hon. Member for Edmonton-Centre.

#### **Reynolds-Alberta Museum**

MR. JOHNSON: Thank you, Mr. Speaker. I'm pleased to bring good news from the constituency of Wetaskiwin-Camrose today. As many know, Wetaskiwin is the home of the world renowned Reynolds-Alberta Museum. This museum is dedicated to providing visitors with a history of transportation, agriculture, and industry in Alberta and is one of the reasons we refer to Wetaskiwin as the City in Motion. Today the museum is entering an historic agreement with Canada's Aviation Hall of Fame which will give it a permanent home at the Reynolds-Alberta Museum. This is a natural partnership and one that will not only benefit the citizens of Wetaskiwin, but those who visit from the rest of the province and indeed the rest of the world.

Canada's Aviation Hall of Fame is a national organization responsible for the commemoration and preservation of Canada's aviation heritage. It is a tribute to those Canadians who truly pioneered and advanced aviation in Canada. The hall is dedicated to increasing awareness and interest in aviation history and since 1973 has inducted 150 members. Inductees have included pilots, doctors, scientists, and aeronautical engineers such as Max Ward and Wop May. Each inductee reminds us about our spirit of adventure and provides excellent role models for our youth.

The hall of fame was actually located at Reynolds in 1991. This agreement between the hall and Alberta Community Development will make this location permanent. The Reynolds museum provides an ideal location for the hall of fame and contributes to its goal of helping visitors understand the effects that all forms of transportation have had in the life of Alberta and Canada.

Wetaskiwin has always been a strong centre of Alberta aviation interest and will continue to be with this valuable addition. Vintage aircraft have been a part of Wetaskiwin for a long time through the Reynolds aviation museum. The aviation museum will only be enhanced with today's permanent addition of Canada's Aviation Hall of Fame.

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

#### **Famous Five Anniversary**

MS BLAKEMAN: Thank you, Mr. Speaker. Alberta owes much to the Famous Five, a group of five women living in Alberta who lobbied and finally secured the status of persons for all Canadian women. In 1929 Judge Emily Murphy, Henrietta Muir Edwards,

Louise McKinney, Irene Parlby, and Nellie McClung won their appeal to the British Privy Council to have women declared persons in our Constitution and therefore equal to men, so they could participate in every aspect of public life at the national level.

They were nation builders, but they were province builders as well, and on June 7, this Saturday, we have the opportunity to celebrate another achievement from members of this remarkable group. While it was possible for women in some parts of Canada who owned property to vote on municipal matters, for the most part women had no voice, no vote, and no participation at any level of government. A number of national women's groups worked for the vote for women. In January 1914 Nellie McClung and her colleagues staged a mock Parliament in Winnipeg. An election was called shortly after this, and the Liberal Party campaigned on enfranchising women and won the election. Two years later, in 1916, Manitoba passed the first legislation in Canada to grant women the franchise. Saskatchewan became the second province to follow suit in March 1916, and Alberta became the third, a month later, on April 19, 1916. Although Alberta was the third to grant the vote, we were the first to hold an election in which women could vote and run for office. This Saturday, June 7, is the 80th anniversary of that election.

Two women were elected June 7, 1917. Roberta MacAdam was a nursing sister serving in Europe, and she was elected by soldiers and nurses, finishing second out of 21 candidates. She completed her service before assuming her legislative duties and served from 1917 to 1921. She did not seek re-election. Louise McKinney, well known for her travels with the women's temperance union, was also elected and as an MLA supported the Dower Act and worked on social welfare measures for immigrants and widows.

I invite you all to participate with the Famous Five Foundation in celebrating this event on Saturday.

Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

#### **Private Members' Bills**

MR. RENNER: Thank you, Mr. Speaker. As government caucus Whip, one of my responsibilities is to assist private members as they work their way through the maze of Standing Orders in this House, and one of the very special things that private members have in this House is the ability to bring forward private members' Bills. We have a problem with our Standing Orders with respect to private members' Bills, and I would like to share that with you this afternoon and encourage you to work with the respective House leaders to try and resolve that problem. That problem showed itself yesterday. Under Standing Orders we deal with written questions, motions for returns, and then we deal with private members' Bills.

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

#### **Speaker's Ruling Interrupting Members' Statements**

THE SPEAKER: I'm sorry, hon. member. There's no point of order in Members' Statements. [interjection] Hon. member, please sit down.

When the provision for having members' statements in this House was negotiated several years ago, this person who currently

is in the Chair negotiated with the other House leader, and the intent was that there would be no interruptions during Members' Statements. They were pure opportunities for members to convey a message uninterrupted, unedited. It was the one opportunity . . . [applause]

Proceed, please, and you may begin at the beginning.

**2:40 Private Members' Bills**  
(continued)

MR. RENNER: Thank you. Mr. Speaker, as I was pointing out, as government caucus Whip, I assist all government members to work themselves through our Standing Orders, and Standing Orders can be confusing, especially for new members. As I was explaining, when members have something very precious to them like a private member's Bill, they put a lot of work into that. They arrange for speakers. Oftentimes there is interest in the public for them to speak to those Bills, and the fact that we put Written Questions and Motions for Returns immediately prior to private member's Bills makes it extremely difficult for them to know whether or not their Bill is going to come up. Yesterday afternoon was a prime example.

Mr. Speaker, I am not wishing to cast any aspersions. I am not inferring any motives, but the fact of the matter is that yesterday afternoon almost the entire afternoon was spent on Motions for Returns. Now, I would suggest that the respective House leaders get together and resolve this important issue. Either limit the number or the amount of debate that can go on, on motions for returns; limit the number of motions for returns that could come forward at any one time. I looked in the Order Paper for next week. We have another possible nine motions for returns due next week. We could be into the same situation again next week.

The Member for Airdrie-Rocky View has a private member's Bill which she was ready to go with yesterday. At this point she doesn't know if she'll be able to present her Bill next week. We have another member. Little Bow has Bill 210. How does he know when or if that Bill is going to come forward? Mr. Speaker, this is a problem for private members in this House. It's a special privilege that our private members have, and I encourage you to encourage the respective House leaders to do something about it.

Thank you.

**Speaker's Ruling**  
**Interrupting Members' Statement**

THE SPEAKER: The Chair is going to make a comment but is going to ask for unanimous consent of the House to make a comment because he would violate what he just said a couple of minutes ago in saying that the purpose of Members' Statements is to be unedited, uninterrupted, and unquestioned. So if the House agrees unanimously, he will be brief, with no more than a minute or two.

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed to this request? Thank you very much.

Hon. member, because the principle of Members' Statements is to in fact allow hon. members to discuss any particular matter that they would want, the Chair will not make a comment publicly on the invitation provided by the hon. member, to be consistent with the intent of what Members' Statements are all about.

head: **Projected Government Business**

MR. SAPERS: Under Standing Orders, would the Deputy Government House Leader please advise the Assembly as to projected government business.

THE SPEAKER: Deputy Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker. On Monday, June 9, it would be our intention to deal as the first order of business with the private Bills and then move on to second reading of Bill 25 under Government Bills and Orders and then into Committee of the Whole on Bills 18, 27, 21, 10, 17, 19, 23, and 24. Committee of the Whole would continue through Monday evening.

On Tuesday after private members' business at 4:30 we would continue in Committee of the Whole with the private Bills and then to Government Bills and Orders with second reading of Bills 28, 29, and 30. In the evening we would proceed as per the Order Paper.

On Wednesday, June 11, in the evening we would proceed with third reading of the private Bills and then into second reading of Bills introduced on Tuesday and Committee of the Whole as per the Order Paper.

On Thursday we would proceed as per the Order Paper. It's difficult to be more definitive than that without knowing the progress of the Bills from day to day.

THE SPEAKER: May we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. minister responsible for children's services.

head: **Introduction of Guests**  
(reversion)

MS CALAHASEN: Thank you, Mr. Speaker. It is indeed an honour for me to introduce to you and to Members of the Legislative Assembly 10 visitors from Grouard, Alberta. Just a brief description of Grouard. That's where I was born and raised. It's about 250 miles north of here, and Alberta Vocational College is situated there, a very, very definite asset when we're talking about some of the things that need to be done.

Mr. Speaker, I've got eight students accompanied by a teacher, Mrs. Christine Neidig, and a bus driver, Mr. Don Malinowski, otherwise known to me as the silver fox, and I'm sure he'll know what I mean by that. The students are Anita Nanooch, Belinda Nanooch, Ms Sheila Twin, Ms Sherrie Alook, Mr. Edward L'Hirondelle, and Ms Betsy Sutherland. I'd ask that they all rise and receive the warm welcome of the House.

THE SPEAKER: Before proceeding to Orders of the Day, we do have a point of order to deal with.

Opposition House Leader.

**Point of Order**  
**Oral Question Period Rules**

MR. SAPERS: Mr. Speaker, thank you. Under *Beauchesne* 410(12) all members of the Assembly are advised that questions put should not be hypothetical. Under *Beauchesne* 417 all members of Executive Council are advised that answers to questions should be brief.

Earlier today in question period the Minister of Environmental Protection in response to a question posed by a member of the New Democrat opposition was cautioned by the Speaker that the question in fact was hypothetical. The minister, in my opinion, made a mockery of your intervention by saying that it was nonetheless a complex question requiring a lengthy answer and then proceeded to chew up a fair bit of the precious time of question period with an answer that did not advance the knowledge of this member one little bit and certainly was as inappropriate in terms of using the time of this Assembly as was the posing of a hypothetical question.

Unfortunately, we can't have that three or four minutes of time wasted back on the clock, but if it were in your power to do so, Mr. Speaker, I'd certainly be asking you to give us back that time so a legitimate question could be phrased and would also be asking you to advise both members of the third party and members of the Executive Council as to the purpose of question period and the proper form of questions and answers.

THE SPEAKER: Deputy Government House Leader.

MR. HANCOCK: Mr. Speaker, I would just like to mention that the purpose of question period and that particular question was not to necessarily advance the knowledge of the Opposition House Leader but to respond to the question which was put by the questioner. The minister, after having been admonished by yourself that he shouldn't answer a hypothetical, nonetheless I think went on to try and give a good comprehensive answer to the question which was put to him on the complex issue of greenhouse gasses, which was appropriate and hopefully did enlighten the questioner.

Therefore, I don't believe there's a point of order.

THE SPEAKER: Thank you for that. It's kind of important to sum it up, hon. member.

Well, the Chair would like to thank the Opposition House Leader for raising the point of order, and the Chair did provide an interjection to the hon. Minister of Environmental Protection as a result of the question addressed to him by the hon. Member for Edmonton-Strathcona.

The one fascinating thing about all of this, hon. members, is that one of the things about question period is that the Chair would always want to give the greatest amount of freedom to all hon. members in terms of the address to the question. In fact, *Beauchesne* 410(6) suggests "the greatest possible freedom should be given to Members consistent with the other rules and practices." It's those other rules and practices that I think we also have to observe. In fact, this is the Legislature of the province of Alberta. This is not the Legislature that deals with Europe or South America or another part of the world. We have to be consistent in terms of the responsibilities of members of Executive Council here.

Clearly, clearly, clearly, one of the other practices that all hon. members have called for is the rule that they themselves have written: brevity in question, brevity in response. In observing and watching what's been happening in this particular session, today in fact has provided for some 12 main questions. That's just a bit above average. So in fact there was some brevity shown by other people in terms of the questions they gave and the responses they gave.

The Chair agrees with the hon. Opposition House Leader that in fact the question itself was a bit longer than it need be and the

responses themselves were a bit longer than they need be. We'll try and govern ourselves accordingly, and the Chair will interject periodically but not on every occasion. The purpose of question period is to allow a free flow between hon. members seeking important information, and it would be totally disrupted and disruptive if the Chair were to interject every time. It would clearly indicate that the members themselves are not as responsible as they might be in observing the rules they have written for themselves. It seems to me that self-governance is far more important than interjection from the Chair.

head:

## Orders of the Day

head:

## Government Bills and Orders

head:

### Second Reading

2:50

### Bill 22

### Environmental Protection and Enhancement Amendment Act, 1997

[Adjourned debate June 3: Mr. Dickson]

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

MR. SAPERS: Thanks, Mr. Speaker. I'll carry on debate on behalf of my colleague from Calgary-Buffalo.

THE SPEAKER: Actually, hon. member, you can do it for yourself. If the hon. Opposition House Leader would like to carry on on behalf of the hon. Member for Calgary-Buffalo, he should know there are six minutes left. If the hon. member would like to carry on for himself, he'll have 20 minutes.

MR. SAPERS: Thank you for that intervention. I'll be speaking on my own behalf, Mr. Speaker, and then I'll use the six minutes from my colleague from Calgary-Buffalo.

Mr. Speaker, Bill 22 is a deceptively simple Bill. When you look at it, it doesn't at first blush (a) suggest a principle or (b) give you any sense of really just how far this Bill and the implications of this Bill go. I have begun referring to Bill 22 as the illegitimate child of a Bill that was known as Bill 57, which was in this Assembly just a few years ago. That was a Bill which would have remade the process of the provision of government services in a way that would not serve the interests of Alberta, and after a considerable debate and after a considerable effort on the part of those opposed to that Bill, the government finally did the right thing and withdrew it. I'm hoping that it won't take quite as much effort, although I must say that myself and all of my colleagues are willing to put in that effort to make sure that Bill 22 doesn't proceed any further than this as well.

The danger with Bill 22 is that it sets up this delegated authority. Now, for members who may not have been in the Assembly when Bill 57 was debated or for members who perhaps just weren't following that debate very closely, let me quickly just establish what's wrong with these delegated authorities. The government has a special relationship with the citizenry, and that is that the citizens pay taxes and elect a government and then trust that government to carry out a program of services that really is defined by first a throne speech and then a budget as primary statements of policy for the government. The people who have that special relationship with the government expect the government to be accountable, and one of the ways that governments are accountable is through debate in this Legislature, through question period, periodically through elections. Certainly, as well, on a

more day-to-day basis they expect them to be accountable, because the people are confident that the service that's being provided is in fact a service provided by or on behalf of the government. They know that if there's a mistake, a problem, a circumstance that goes awry, they can eventually go back to the government, either directly or through that agent, that service provider.

But the way these delegated administration Acts, both 57 before and 22 now, lay things out, that chain would be broken. That link that ties the government to be accountable to the service or the program is broken, and it's broken not by accident. It's broken quite on purpose. The government would see to it that there is no relationship quite on purpose. In fact, if anything, that's the principle behind Bill 22. The principle is: making sure that government cannot be held accountable for services that may be provided or for decisions that may be made and, in this case, decisions of significant consequence that may be made by a regulatory body that would have control over things like where industrial plants would be sited, how standards are being adhered to. A whole host of environmental concerns could be sidestepped by a government by saying: well, we've delegated authority to this third party. It's really this delegated authority that you have your problem with, to allow the government to wash their hands as though it's really not their business, and of course, Mr. Speaker, it is their business. It's the government's responsibility to ensure that all of the other statutes and the other regulatory framework that Albertans have become so familiar with would apply to the decisions of a regulatory body as contemplated in Bill 22.

For example, Albertans may not be able to rely on advice from the Auditor General regarding a decision or a program or a service made by a delegated authority as a result of Bill 22, as that regulatory body makes it decisions regarding environmental initiatives. Albertans may not be able to rely on the provisions of the access to information and protection of privacy law because clearly these delegated authorities don't fall under the Financial Administration Act, and unless you could make the argument that the record was really being held by the government, you wouldn't be able to access the contents of that record.

It makes me more than skeptical. It makes me certain that one of the reasons why Bill 22 comes up in the form that it does, as an Environmental Protection and Enhancement Amendment Act, is because the Minister of Environmental Protection is gaining the dubious reputation of being the least co-operative minister when it comes to responding appropriately and quickly to freedom of information applications through the freedom of information and Privacy Commissioner's office. So given the track record of that department and given the attitude of that minister about freedom of information, it comes as no surprise at all that that minister would sponsor a Bill that would see a regulatory agency being created under a delegated administrative authority that would no longer be subject to the principles of the freedom of information and privacy Act.

That makes me then wonder what it is that the minister is hiding from Albertans. What is it that the government would have hidden from the view of Albertans through Bill 22? As you go through Bill 22, the government is silent. The Bill is silent on the extent of the powers of these new delegated authorities as regulatory bodies. You don't know whether it's the government's intention to allow these delegated authorities to do relatively simple things or whether, in fact, they would be taking over a big chunk of what the Minister of Environmental Protection could reasonably be expected to do. So what kind of subdelegation is

involved? Will the minister always be responsible, will the minister sometimes be responsible, or will the minister never be responsible for decisions made by this regulatory authority? What is the course of appeal? How are Albertans going to question these decisions when the government is pointing fingers at a third party and saying: it wasn't me; it was somebody else.

It's not as though we haven't seen this happen, Mr. Speaker. I mean, look at all the turmoil Alberta's gone through in the health care system, and look at the extent to which the government tried to distance itself from some of the disarray in the health care system by saying: government ministers didn't make those decisions; regional health authorities did. It's not as though this government is shy at all about passing the buck. They do it, and they do it with a certain efficiency that's frightening. So we're left to wonder whether that's what's going to happen here.

DR. WEST: Well, the Liberals in Ottawa set up 600 Crown corporations. They were good at it, the Liberals.

MR. SAPERS: I'm just wondering if the Minister of Energy is entering debate or if he's just making noise. Thanks, Mr. Minister. I appreciate your co-operation.

The next issue that I have, Mr. Speaker, is the whole question about liability. We've got this question, as I said, about appeal and who's the final authority and how is the decision-making power delegated and subdelegated, but also what about the liability for mistakes that might occur? What about finding ultimate responsibility in both a legal and a moral way for the decisions made and the actions taken? It may very well be that the government could set up a framework of law and a web of regulations that would adequately protect them from the legal liability. I mean, I can see the government doing that.

I could see it being the case where the government could proceed through passing Bill 22, setting up these delegated authorities, creating a regulatory framework so the government is clearly insulated from any of the wrongdoing that a delegated authority may do and therefore be legally protected from liability, and I would expect the minister to stand up and say: that's exactly what we intend to do; we intend to isolate, insulate, and protect ourselves. That would be okay, except that it begs a larger question, and that is: what is the moral and ethical responsibility of a government? Does it meet the moral and ethical test of a government to say, "It's not our fault; it wasn't me; it was somebody else."? Because ultimately you have to come back to that relationship that Albertans have with their government, and that relationship is one that is supposed to be built on trust and respect so the people in my constituency both trust and respect the government to do as it says it is going to do and trust that they will do it in such a way that does not violate or trespass upon their individual rights.

So, Mr. Speaker, what we have here is a situation where, as I said at the beginning of my comments, Bill 22 takes us much further afield than simply making housekeeping amendments to the Environmental Protection and Enhancement Act.

**3:00**

I wonder whether the Minister of Environmental Protection will ever enter this debate again and let us know what kinds of rights and powers and duties of an investigator or a director he would not delegate and subdelegate to one of these new regulatory bodies created under this Act. Is there anything at all that the minister will keep for himself and protect jealously in terms of that whole tradition of ministerial responsibility?

The last time that I looked, Mr. Speaker – and there is some evidence to the contrary, I know – Alberta was still a functioning parliamentary democracy. That means that ministers of the Crown are supposed to be responsible for what happens in their departments, and the whole notion of public accountability is that those ministers accept that responsibility. They don't try to shunt it off to somebody else. So unless we have the minister clearly saying, “No; I am going to take responsibility; I am going to be the one where the buck stops; I've got broad shoulders, and I'll own up to the problem if one's created,” how can we in this Assembly be certain of what the minister's intentions are, and how can Albertans trust that minister?

Bill 22 creates this dilemma for me as well as several others. These delegated authorities being contemplated: do they have a life of their own, Mr. Speaker? Will they just continue ad infinitum? Are we to see that the government will set up by ministerial fiat this organism which can just exist and grow and fester forever?

MR. STRANG: Are you talking about yourself?

MR. WHITE: Ah, come on. If you're going to interject, do it creatively.

MR. SAPERS: Yeah. I'm used to more wit from the Member for West Yellowhead than that, Mr. Speaker.

The problem with this is that there are no clear limitations on the powers of these authorities. There's no clear demarcation between one delegated authority and another delegated authority. There's no sort of termination or windup clause that we can see. So unless we expect every Albertan to look at the *Journals* and the *Gazette* and try to scrutinize every government record and document they can find to determine what orders in council have been passed and what ministerial orders have been issued, it would be very hard for anybody, including, I would submit, the people who are participating in these delegated administrative authorities, to know what their relationship is vis-à-vis each other, when their duties have been expanded, when they've been restricted, and when they're expected to exist no more.

I wonder why, again, the government would come to this Assembly with a Bill like this, which is sort of a shell, sort of an outline of an idea, and then just expect the Assembly to accept it, to pass it into law, make it the law of this province that these kinds of authorities could just exist, could just spring up sort of willy-nilly without the questions being addressed about liability, about subdelegation, about termination, even about the relationship of these authorities to other government departments and agencies and other statutes which govern exchange of any variety of things in the province of Alberta, such as freedom of information and access to government information and protection of privacy.

I have those nagging doubts that are still in my mind because of Bill 57. The government made it really clear that they had total disregard for ministerial responsibility when they proposed that Bill. They also demonstrated and continue to demonstrate their disregard for the Legislative Assembly and for debate in this Chamber as the government proceeds with doing more and more governing by regulation and more and more slogan Bills and shell Bills and even threatening to do things like not having two sittings of the Assembly a year. So they've shown their disregard for the whole notion of the Legislature having some sort of primacy over what happens in terms of government action or inaction.

Government clearly doesn't really give a hoot about being accountable in this Chamber, and certainly Bill 22 takes away another whole mechanism for accountability. That would be by the minister, as I said before, being able to deflect questions or queries about things that happened in his department by simply saying: well, that was a decision or an action of a delegated authority.

Then, of course, we've seen the government proceed with Bill 41 and then consequential amendments to Bill 41, the Government Organization Act, which was the government's sort of backdoor way of doing what Bill 57 couldn't do directly. We've seen any number of regulations formulated in secret and then passed by order in council under that Act.

Mr. Speaker, Bill 22, I think, is a dangerous Bill. It's not necessarily a precedent, because as I tried to explain in my brief comments, it's one of a number of things where we can discern a pattern of behaviour on the part of the government. Even though it's not a precedent, maybe it's time we stopped that train from rolling any farther. Maybe it's about time this Assembly actually stood up for itself and said to the government: enough's enough. We in this Chamber do believe in the principle of ministerial accountability. We in this Chamber do believe in the importance of public debate. We in this Chamber do believe that the government has a special relationship to be accountable to its citizens and to its taxpayers, and that relationship is in part carried forward by what happens in this Chamber. Maybe it's just time to say enough's enough. Bill 22 and Bills like Bill 22 should come forth no more.

It would be very hard, Mr. Speaker, to anticipate amendments to Bill 22 that could save it. We're contemplating those amendments and wondering whether or not Bill 22 could be fixed in such a way that it would not be contrary to the public good, because it certainly is contrary to the public good now. Should this Bill proceed from second reading to committee, should we be able to find mechanisms through amendments that would save the Bill, we certainly will live up to that responsibility that we as the Official Opposition have to bring those amendments forward and to act on them. At this point I'm not sure what amendments there could be to save this Bill. It is an amending Bill, so I suppose you could simply move to delete sections 1, 2, 3, 4, and 5 of the Bill and that would fix it, but that of course amounts to just pulling the Bill.

I hope that as second reading debate continues, somebody from the government – and I note that there are a couple of members of the government still here today – will speak to Bill 22 and address those concerns. Maybe I've missed something. Maybe they'll be able to quell my fears and through me the fears of all those Albertans who would have doubts about the government's intentions regarding this Bill. If they can't do that, Mr. Speaker, then this Bill won't enjoy my support, and in fact it won't enjoy support not only at this stage of its progress but at any stage of its progress.

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

MR. WHITE: Thank you, Mr. Speaker. I'd like to pick up where my hon. colleague left off in charging members of this Legislature that actually believe this Bill has some worth to enter debate and to explain to this member what the value of this Bill is and the reason for it. I've listened to other debates on other Bills, notably Bill 41 and Bill 57 in previous Legislatures, which were brought forward and briefly spoken to by members opposite.

The rationale at that time seemed to be to get out of the business of being in business. We heard that a great deal at that time. Looking at the Bills, those Bills and this one, it seems that the object of the exercise is getting government out of the business of being in government. The authority delegated to persons unknown in this Bill is unbelievable. In five short pages this government has said: we don't have to deal with this; we don't have to deal with that. And it doesn't even explain who and what these people are.

### 3:10

One of the interesting aspects of this delegated authority is the amount of money that goes along with these authorities. I'd point to a designated authority, a DAO, that currently exists. It's now called, after some changes in October of '96, the Tire Recycling Management Association. Well, I happen to know something about that business and the difficulties of recycling tires. We've delegated this authority, and this member certainly can't find out what strings are attached to the authority because it doesn't seem to be published anywhere that I can tell, and there seems to be a connection between the minister and these people. For one, I know there's a political connection, because I know a great deal of the people that are so involved.

There's a great deal of money involved here, a great deal of money, not the least of which is the responsibility for it. Every time a question comes either in question period or in debate over the budget of this particular department that manages this or we hear an estimate dealt with, we always have the minister looking at these people that are responsible, and they must respond as though they are responsible. Well, I suppose they are, but I always thought the reason we elect governments is so that we can hold somebody responsible, and if those don't do what we the people decide they should do, then collectively we vote them out.

So how do you deal with someone that is appointed? This sort of faceless mass out there – people may come and go. They change. They have a title. They spend a lot of money. They do a lot of things with this delegated authority, but they're not really, truly accountable. A minister can dip and dive and say all that he or she wishes when it comes to this authority, but the fact is that somebody else is the fall guy.

This is a case of having your cake and eating it too. I mean, here's the government with all this authority that's over there and all this responsibility that's way over here. Take for example the Petroleum Tank Management Association or any one of the other currently existing delegated authorities. If a disaster happens in one of those areas, who's to blame? Do you really expect the minister in this House to stand up and say, "It's me; the buck stops here; I'm the guy" or the woman "that takes this upon myself."? No, no, no. Not likely. "It's somebody over there. Gee whiz, they did it." We've heard it time and time and time again in this House, listening to the Premier, to virtually every member that has spoken on behalf of the application of good health in this province. They all say: "Oops, sorry. Gee, don't talk to me. They did it. We didn't do it." And you ask about bed shortages: "Hey, it's an RHA. It's got nothing to do with me. Gee whiz, I'm only the minister. I'm only elected to do these things," in fact paid for doing these things.

In a similar vein, you ask some questions of the minister responsible for the Treasury Board: "No. We appointed somebody to that. It's got nothing to do with me. I couldn't be held responsible for that." We went through the exercise the other day in question period, and we've gone through the exercise in Public Accounts before too. It's admitted: the Treasury Branch is in fact

a branch of government. Any losses of the Treasury Branch accrue directly or indirectly, I think the minister was saying, to the people of the province of Alberta. The questions come and it's, ping, diverted just like that. At least teflon might take a dent. This is super teflon. There's no smack or hint of this question or that problem even touching a minister or the ministry or any of the ministers. It just bounces right off.

Environmental Protection particularly concerns me. Many of you in this House know that I've been recently asking a number of questions about the responses to the public from the department. I asked a question the other day about a firm that for all I know is an exceptionally good firm and does what they can to protect the environment and get on with making a dollar in their business. But the difficulty is that they have had some \$9,000 applied to them in the way of fines and other levies that may be administrative levies; we can't be sure at this point. The difficulty is that we just simply cannot find out.

Now, I don't know about you, but I'm sure there are members opposite – one member opposite may have had some kind of a speeding ticket or some kind of a fine levied somewhere at some time. [interjection] Oh, no, no. No, it would never happen. Sorry, sir. I retract and say that nobody would ever have that. But if we were to have one, I'm sure it would be public knowledge in the town. I mean, all fines and levies and things applied by the Crown are in fact public knowledge. You can go down and look them up.

In this particular case you go specifically after the department and say: gee whiz, what happened here? There's a journalist, a young journalist with the Red Deer *Advocate*, that has been doing just that. She has been trying desperately to find out. She made application to the department. The department answered her questions the first three times with: I'm sorry; we don't know; we'll try to find out. It staved off the questions for a month. By the end of the month – it got all the way to the minister's office – they said: well, gee, I guess we can't divulge that information. She learned how to make a freedom of information application, did so, got to the end of the period of a month when it was supposed to respond. An application was made, justifiably maybe, by the department to get another extension. An extension was given. It got to the end of that period. The administrators of the FOIP Act said: well, we can't give you that information because in fact that information is going to be public. Indeed, in due course, some six weeks later, that information was sent down the line to that reporter.

Now, you would think the very next time one made a similar application, as a matter of fact exactly the same application, through the ministry for some more information of a similar nature, just a different set of fines and applications . . . [interjection] The minister wishes to say something? Or is he just blowing some air?

### Point of Order

#### Questioning a Member

DR. WEST: Would the hon. member entertain a question in debate?

THE SPEAKER: Certainly it's a permissible opportunity under the rules for an hon. member to rise and ask another hon. member to entertain a question, hon. Member for Edmonton-Calder, in spite of the fact that the hon. Minister of Energy doesn't give the citation, but this has been happening quite frequently. Please proceed.

MR. WHITE: I'd appreciate a question, sir.

### Debate Continued

DR. WEST: The hon. member is waxing eloquently about a company, a firm in this province that he respects for their conduct, one that wants to make money and that sort of thing, and he supported that company. Then he turns around and says that he wanted to find some information on them about fines and about some of the processes they went through, but he full well knows that under FOIP or under freedom of information there are certainly privileged information things that businesses would not want made public. If he is in great support of this company and it's a constructive search for information he wants, why do you not go directly to the firm – you know its name – and ask them straight to their face for this information if you're so concerned for their well-being and the well-being of this province?

3:20

MR. WHITE: Thank you, Mr. Speaker. I'd like to respond to that question, if I may. First of all, I'd like to thank the minister for complimenting my humble attempt to deliver some reasonable debate in this House by calling my statements “waxing eloquently.” I'll send the note to my mother. Thank you very much.

Now to the specifics of the case. The minister was asking why I didn't go directly to this firm. Well, in fact if you'd listened carefully – unfortunately, you've been a bit distracted with the noise in the House now and again – I was saying that this is a reporter that was after this information. She did just that. The very first thing she did to find out was she called the firm, because that's what a reporter does: gets this side of the story and that side of the story. The firm said: no, I'm afraid this is information that we'd just as soon not talk about. She said: well, I can understand that.

It was on some fines. They wanted the specifics of the fines: when they occurred, the occurrence that would give rise to a fine by the department, whether they were administrative fines or they were fined under the Act proper or the regulations, when they occurred, and specifically what they were, because they may be something as minor as crashing a culvert or something. Those were the kinds of questions that were asked.

Now, these are fines. These are something that is in contravention of something that has been put in place to protect the environment. All of us in this House would agree that we are doing the best we possibly can to save the environment for future generations. I would think that with a violation of an Act, it would be fundamental to democracy to have that being public. Well, there's a very big difference between private information, as the minister had asked, of a firm that they may have good reason to keep from the public for competitive advantage, which is a very valid point, and fines levied by a department. A totally, totally different thing. I hope that has answered the member's questions.

Now I'll move on to complete the story of Ms Lana Michelin, who is a reporter for the Red Deer *Advocate*. When she went to do the second application and thought, “Well, I'll just go to the department, get this information, and I can write my story and get on with business,” she was denied again and stonewalled to the point now that the department has either been instructed to or are just neglecting to return her phone calls. So she's having to make the same application again, spend the firm's money to go through the same application again to get the same information. Now, that does not seem to be open and accountable at all.

If you're going to amend the Environmental Protection and

Enhancement Act by this amendment, some of those areas might be able to be rectified, but oh no. No, no. Not only do we have this Bill amending so that authority is delegated away, one step further removed from the minister, but now we have nothing, absolutely nothing in the Act that says that this delegated authority carries with it the responsibility to answer to the freedom of information Act. It doesn't say that. It's silent on it. So we're left to find out, on application, whether it can go up that way and down that way and whether you can find that information. I for one think it's a poor substitute at best for what we call freedom of information and open and accountable.

Now, I'd like to move on to some others. Time's marching on here. I know the minister would like me to move on to some other subjects, too, I'm sure. There are these wide powers that have been given these delegated authorities. I wonder if the administration has set regulations in order to narrow the areas in which these delegated authorities can operate, or is it just a holus-bolus blank opportunity to wield power in these areas without responsibility? Without responsibility, the classic one is that this authority is delegated with – the classic one is the very last. Five thin pages have a great deal of effect on the operation of the department of the environment.

Here's a classic one. It's part of the original Act, and it's still here.

No action for damages may be commenced against

(f) a member, employee or agent of, or a person under contract to, a regulatory board.

That's being changed in this to a “delegated authority referred to in section 35(d).”

Here we have the ridiculous situation of a minister saying, “Okay, you people,” to those that he has appointed – and the boards, authorities, and tribunals that I know currently have delegated authority are members of not necessarily a party but are certainly political friends, shall we say, and acquaintances and those trustworthy souls that probably wear blue underwear for all I know. I haven't looked lately, but I'm sure they do. These people then are delegated this authority, and we say: okay; you have this authority to do this. Then we say to them: but if you mess up, hey, it's okay, because you're absolved of any responsibility. Then where does the responsibility lie? If it doesn't lie with these people, the delegated authority, it doesn't lie with the minister, because he kept saying: oh, it's them over there. There is not a little crack here; there's a chasm. There's a great big gap of responsibility here. Some ministers would take that – and I know the minister opposite would certainly take responsibility and say, yes, the buck stops here, but it certainly doesn't in the reading of this Bill.

[The Deputy Speaker in the Chair]

There doesn't seem to be anything in the amendment to the Act to deal with public involvement in setting up another delegated authority organization. There doesn't seem to be anything that says, look, before we go do this, maybe we should consult with the people in the industry or people that have a vested interest, whether it's in forestry . . . [A buzzing noise interrupted] Once in a while I speak kind of loud, yes, but that wasn't me.

THE DEPUTY SPEAKER: Perhaps the Sergeant-at-Arms or one of the pages may determine whether that's a buzz saw coming through or a deliberate attempt to stop Edmonton-Calder from speaking.

Edmonton-Calder, please continue.

MR. WHITE: Thank you kindly, sir. Actually, it was probably delegated authority. You know, somebody thought that up there, sure. See what I mean? There are clandestine operations everywhere. [interjection] They're here; they're there; they're everywhere. Thank you, member opposite.

The public input, first of all, in setting up these organizations. One would think that would be a reasonable thing to do, to go off and ask the vested interest groups and say: "Well, look; if we do do these delegated authorities, how will it operate differently than dealing with the ministry? Will it be good or bad?" Those kinds of things should be done, and you'd think that to add to the debate of a Bill such as this, that kind of information would be presented in the House or presented at least to the members who are particularly debating this Bill, those who have a great deal of interest in it.

That deals with one area of public concern. The other one is the public complaints. What happens in the case of a complaint that one has with an action or an inaction of one of these bodies? Where does one go? One goes to the minister, presumably, but there isn't anything formal. There isn't any mechanism at all to say yes or no to a public hearing or any kind of public debate on any kind of information that comes forward on a complaint basis.

Another area of concern, too, is that these firms – they're almost businesses with no responsibility – these delegated authority organizations can set fees. As we've known, there is a substantive fee set by the tire recycling board, which now is called the Tire Recycling Management Board. They collect a great deal of funds. Now, who tells them that they are collecting too much or too little? I mean, I can tell a member in the House . . . [Mr. White's speaking time expired] Mr. Speaker, it's unfortunate; I'll have to take my place and resume discussion of this matter some other time.

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

3:30

DR. PANNU: Thank you, Mr. Speaker. I'd like to speak to Bill 22 before the House. Bill 22, unlike many other Bills that have come before this House during this session of the Assembly, has one virtue: it's simple, easy to read, and deals with one specific area. I certainly thank the minister of the environment for bringing before us a Bill that can be easily understood. Issues pertaining to changes that he's proposing can be addressed clearly, but that seems to be the only virtue that Bill seems to have.

It's a Bill which is consistent with the underlying logic that every other Bill this House has considered in this session also is influenced by. The logic that underlies this Bill and all other Bills we have just been considering is that somehow the government, wherever possible, should be stripped of its powers to govern as a political entity. If I may use the term that's been made popular by our hon. Minister of Energy, it's a logic that seems to want to strip government naked, or as he called it in a famous speech – or should I call it an infamous speech? – last November, government must be subjected to the process of nakedization, as he would prefer to call it. Just a reminder, Mr. Minister, that you are capable of coining actually wonderful terms. That's a great contribution to the English language that you have made. Thank you for that.

The Bill, Mr. Speaker, is about stripping this government and certainly this Legislature of the powers that Legislatures in this province and Legislatures like this in western-style democracies have fought over the centuries to have. It's an attempt to narrow in very important ways the matters that can come before this

House, and by virtue of the fact that they come before this House, they in essence are open to the gaze of the citizens of this province.

This Bill, like many other Bills, as I've just referred to, is an attempt to move away from direct access by citizens to the processes of making decisions that widely affect their lives. Therefore, the principle underlying this Bill is a principle which in my view weakens the democratic process. It undermines the ability of citizens of this province to express political will through the debates that this House necessarily must undertake in order to express the citizens' concerns, be those citizens poor, be they rich, be they powerful, be they weak. By attempting to delegate authority to unelected, unknown entities, officials, individuals, and groups, this Bill strikes at the very root of the democratic decision-making process.

Privatization of not just businesses – and again the commissar of privatization is flexing his muscles, sitting right in front of me, Mr. Speaker. I'm referring to the Minister of Energy. Perhaps he has a wrong portfolio. He should be called the minister of privatization rather than of Energy.

These attempts to whittle away the powers this Assembly has, legitimately has and has acquired through the struggle of ordinary people over a long period of time, is an attempt to whittle away that authority bit by bit until such time that this House might begin to look to most citizens of this province as if it is redundant. If the government of this province, if the front benchers in the House are indeed attempting to do that, I submit to them respectfully that that would be doing a great disservice to the very institution they have the honour to represent.

Privatizing public authority is privatizing democracy, and the two are in my view mutually exclusive, are contradictory. I certainly would challenge members of the front bench to argue against more democracy if they so choose to, if that's what they are indeed determined to do. I don't see how we in this House can disagree on the basic principles of democratic decision-making, how we can deny the fact that we are here to represent the wishes, the will of the citizens who elect us, who send us here. Delegation of authority in the manner in which this Bill proposes and many other Bills before that have proposed is precisely to undermine the ability of publicly elected representatives to exercise authority that is duly theirs.

Freedom. Whose freedom are we talking about? Freedom of Syncrude? If freedom of Syncrude is what this government represents, if that's what it's all about, then let it say so. If it's the freedom of energy corporations it wants to speak about and only that freedom it wants to represent here, then let it come out and say so. Let the people of Alberta judge them on that basis. To privatize through the back door the political authority of this Legislature is to condemn democracy to certain death. To discredit democratically elected government – not a government that somehow is imposed on us, a government that we constitute ourselves – to discredit that kind of government, to simply say that government is bad regardless of whether it is democratically constituted, whether it is democratically elected, is to disserve democracy, is to betray the democratic principles. I respectfully submit, Mr. Speaker, to members of this House that that's what this Bill in fact seems to represent in terms of its logic, in terms of the principles that seem to drive it.

There is a tension, Mr. Speaker, in this Legislature, in this government between the executive powers and the legislative powers. It seems to me that the executive seems to be winning. The delegation of authority, the ability of the cabinet to pass in secret all kinds of regulations without submitting its decisions to the prior examination by this Legislature, having been elected



democratically, having been called to the Legislature by the people of Alberta – then to go and say executive power is paramount and legislative power is the one that's subordinate I think is a betrayal of the democratic principle. That's what bothers me about this Bill. That's what bothers me about the pattern that I read into the Bills that have come before this House during this session to date. This is a government that wants to govern by regulation, not by legislation. This is a government that wants to govern by decree. Dictators do that, not democratically elected governments. Democrats go to legislation; they don't pass decrees. It's the Mobutus of this world who govern by decree.

### Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. member, just by way of reminder, when you're debating in the House, theoretically you only talk to the Speaker. Once you begin talking and listening to some of the other people, who should not be talking and baiting you and know better than that – you talk through the Speaker. Then if you want to get angry at the Speaker, you can do so, but it's so much easier to get angry at these individuals who may inappropriately be speaking out. So if you would talk through the Chair, then we may be able to quieten the calls from others and enjoy the thoughts that you're trying to give us.

### Debate Continued

DR. PANNU: Thank you, Mr. Speaker, for your guidance.

Mr. Speaker, the verity of these Bills has been justified, the delegation of authority through these Bills has been justified by reference to strengthening the competitive advantage of this province. I haven't heard one iota of evidence. I haven't seen it. I haven't heard as to when this province did become competitively disadvantaged. The party that represents this government has been in power for the last 25 years. Did they work? Did they do their work over the last 25 years or not? Let them answer. This is a simple question. Let them answer this.

3:40

Mr. Speaker, to say that we need to take away the powers of this Legislature and put them in the hands of companies and corporations and private individuals so that they can conduct their business free of any social obligations is to admit that this government, this party has not been doing its work. This party in '93 did absolutely nothing during the election to put real policies before the people. They tried to avoid issues. They tried not to listen to people but to tell them: everything's okay; don't worry. Then they come here and tell us there's a competitive disadvantage developing, and therefore we need to empower the Syncrudes of this world against the will of the people so they can do their business nicely and compete against God knows who. I mean, these are companies that operate here. These are companies that operate in the U.S. These are companies that operate all over the world. Their branch plants compete with each other.

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

### Point of Order Relevance

MR. MAGNUS: Thank you, Mr. Speaker. *Beauchesne* 459. I've been sitting here listening very intently for 10 minutes to the hon. member, and I haven't heard him refer to that Bill one time.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Strathcona in response to the call of relevance.

DR. PANNU: Mr. Speaker, I submit that I've been speaking about the Bill. I'm supposed to be speaking about the Bill in principle at this stage. That's precisely, I submit, what I've been doing. If I may continue.

THE DEPUTY SPEAKER: Relevance is often, as has been said, in the eye of the beholder, but to the extent that this Bill does deal with privatizing or delegating authority – it may not necessarily be privatizing – from one area to another, then the hon. member, in the hearing of the Speaker, was talking of that rather passionately, one might say, and therefore is in his view on the topic.

### Debate Continued

DR. PANNU: Thank you, Mr. Speaker.

Mr. Speaker, another principle that seems to form this Bill is the principle of governance by managers. Managers govern led by the principle of efficiency and efficiency alone. Political entities such as this House are governed not primarily by the principle of efficiency but the principle of popular will. That's the difference between governance, as we refer to it. In this House we are here to sort out the political will, the public will, not efficiency at any cost. I think of the former Prime Minister of Britain, Mr. Churchill, who drew our attention to it: democracy is not the most efficient way of governing, but what is the alternative? What is the alternative? It is the dictatorship of the powerful, whether they are communists or whether they are corporate magnates or whatever. It doesn't matter what label you put on them so long as they are the ones who would allocate to themselves power to make decisions and take that power away from the citizens of a society and a country. They are one and the same. Call them Stalins, call them communists, or by any other name. It doesn't really matter.

I think I would agree with my hon. colleague there that we must protect the democratic process. We must protect democracy at any cost. It's not a means to an end. Democracy is an end in itself. What this Bill seems to suggest is that, no, it's a means like any other means, and there is a better means to do it, so let's ditch democracy, democratic control, and let's shift this power to some delegated authorities. Mr. Speaker, I can't accept that trade-off between democracy and efficiency. If I have to trade something for democracy, it will not be efficiency. It will be more democracy, not efficiency.

The market ideology confronts in this Bill the principles of democracy. This Bill pits markets against democracy, and this government that proposes this Bill votes in favour of markets and against democracy in my view. That's why this Bill must be rejected, because it says market comes first, democracy next, and if you can't balance the two, then market comes first and democracy must be compromised. That, Mr. Speaker, is something that Albertans do not want. That's not what this last election was about, I want to remind members of this House, particularly on that side of the House.

So, Mr. Speaker, the Environmental Protection and Enhancement Amendment Act allows cabinet to establish private authorities and transfer certain powers and functions to these authorities, authorities over which this House will have little control, on policies over which it will have little say. That's why I have spoken against this Bill.

Thank you.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I must express grave concern over Bill 22. It must be a son or daughter of Bill 57 I think. Sometimes I worry about all the delegated authorities that are happening across this province, all the power that is leaving this Legislature. By the time some backbenchers move up to the front, there won't be a department to run, because it'll all be delegated out. [interjection] See, that's why you're still back there. [interjection] Sorry. I'm sorry. [interjection] No. My sister's gone.

3:50

THE DEPUTY SPEAKER: Hon. Member for West Yellowhead, I'll put you down on my list if you wish to speak. Otherwise, we'll try and listen to the hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Mr. Speaker, if we delegate everything out of this Legislature, just think: when school groups come, this will be a museum with some wax dummies of maybe the Minister of Energy sitting. Now, that would be a sad statement, and maybe it's exaggerated. But you've got to wonder. If we keep seeing Bills like this, what are we debating in here? I wonder if that isn't the little subtle hints – well, they're not so subtle – as they come across from that side of the House: let's keep putting Bills forward that take away the power of the Legislature.

I would venture to say that many new MLAs don't realize that that's what's really happening. I heard somebody say: "What Bill are we on? It really does this?" Well, hello. Haven't you read these? Don't you know what they're going to mean? Do you know that this will create a delegated authority to which the minister, the environment minister, can delegate almost any power? So why have the minister? Why have an election in Rocky Mountain House? We don't need them. We've delegated them out of here. We all know why we have elections in Spruce Grove-Sturgeon-St. Albert: she speaks up in here.

MR. WOLOSHYN: To get rid of you.

MRS. SOETAERT: I stayed, and I'm back.

AN HON. MEMBER: And you didn't have to cross the floor.

MRS. SOETAERT: I didn't have to cross the floor to stay.

### Speaker's Ruling Decorum

THE DEPUTY SPEAKER: It is late in the afternoon of the end of the week for the legislative part of our work. I wonder if we could stick to the contents of the Bill and the principles of the Bill as opposed to posing a whole lot of rhetorical questions, which unfortunately some people are only too happy to answer. If you ask a lot of questions rhetorically, you get the kind of responses that are happening, even though I'm trying to hold the responses down. I wonder if you could address yourself to the contents of the Bill or the principles of the Bill, and we are on Bill 22. That would make us all happier and me less upset.

MRS. SOETAERT: Thank you, Mr. Speaker. It'll be quieter in here. I'll be very specific to the Bill, and I'll try not to sway from that. It's just so tempting sometimes.

### Debate Continued

MRS. SOETAERT: I want to speak about what this Bill will mean to us. I guess it's because people don't want to sit in here and actually exercise their right to speak out for their constituents. As we continue to give these authorities away, less and less debate will be in here. I don't think that's healthy for Albertans. As arrogant as people on that side may be and pound their desks and say, "Yeah, we don't have to sit in here and talk," that's a sad, sad statement about the arrogance of this government.

I would like to point out a few things about this Bill that maybe people over there don't realize will happen if this Bill passes. I sure hope it doesn't. Under the original plans of a delegated authority they can administer selected government programs that can be financed by users. That money is now out of the hands of the minister. They can collect fees that the minister has approved. It can be run by a board of directors who can be selected by the stakeholders and the minister. So once again we've got an issue of patronage.

I want to point out some problems, as I see them, in this Bill. Specifically, section 3 is repealed, and that is:

impose any conditions on the regulatory board's exercise of the delegated rights, powers or duties that the Minister considers appropriate.

So it virtually hands over all the powers of the minister, if he so decides. If this gets out of the hands of the minister, then what will happen to access to information? Will they fall under the freedom of information legislation? I don't think that's been dealt with, and I have some concerns over that, because there are many things that I think the public deserves to know about what regulated boards are doing. Will they fall under freedom of information? I would hope they would. I don't see that that is answered in this.

Now, I am wondering: will subdelegation by delegated authorities be allowed? Then we'll have layers of bureaucracy of those who've been appointed by the minister and then they have subdelegations, and pretty soon there's no control and everything is widespread. If the minister isn't sharp enough to watch everything that's happening – and I would venture to say they're probably too busy to know exactly what's happening – we're going to have a lot of things happening that the minister is not aware of, and as authorities keep delegating things and subdelegating, we're in certainly not a system of democracy. I mean, we're elected here to do those jobs. So I'd venture to say that maybe it's because the government is lazy; they don't want to do this work anymore. They should be doing them. I don't mean to be offensive, Mr. Speaker. But you're not a government member right now in your chair; you're the Speaker. So it would never apply to you.

Another question comes to mind. When you've delegated all this authority, who would be liable for mistakes? Is it the same way, then, that a minister can pass off anything that's wrong on a health authority? Or would he ultimately be responsible? If he delegated that authority to someone, is he ultimately responsible? Or when he hands over that authority, does he also give up the responsibility? I daresay he shouldn't or she shouldn't, because ultimately they were elected for that purpose. They're given that portfolio, and they're ultimately responsible for what happens in that. I would say that in the case of Bill 22, this is unclear.

Now, I'd like to know. There are no terms, as far as I see, to end a delegated authority, and I'm wondering if that's just been forgotten with regards to this Environmental Protection and Enhancement Act.

Some other sections. Under section 4 it repeals subsections concerning regulations that cabinet could make with respect to regulatory boards and substitutes provisions for delegated authorities. So it gives the cabinet the power to establish any delegated authority. That's too much power, and then it devolves that power. They have the power to create whatever they want, and they give those people the power to do whatever they want. Ultimately they have to take the job on and do it. If you don't want to do the job, don't sit in the chair. I would venture to say that it's a lazy attempt at governing.

Section 4(e): "respecting the delegation to one or more delegated authorities." Such delegated authorities may take over any "powers . . . of an inspector, investigator or Director" and those of the minister. The only powers excluded are the minister's "power to make regulations and a power to delegate." Well, I have some concerns over that. Once again: take over any of the powers of the inspector. We're giving power to an unelected board, that could be appointed. Not that some people on appointed boards aren't very, very capable people; however, I'm afraid that some of them are appointed just because they're friends of someone. It's the old patronage that rings out here, Mr. Speaker. I wouldn't suggest that that happens to every board member, but certainly on the health authorities we've seen that happen time and time again with drastic repercussions.

Mr. Speaker, just a few more comments in closing. I have grave concerns over this Bill. We have seen Bills like this time and time again come into this House.

**4:00**

MR. SAPERS: Too often.

MRS. SOETAERT: Far too often; far too often. My only hope is that Bill 22 doesn't see the light of day. Maybe it'll fall off the Order Paper.

MR. SAPERS: Deep-six Bill 22.

MRS. SOETAERT: Deep-six 22. That's a good, good idea, hon. member.

The only way to properly handle this would be, I guess, to delete all the sections. If that's the amendment, we could even do it, but I suppose that would change the intent of the Bill, so I don't suppose Parliamentary Counsel would approve of that.

You know, over the years we should be very proud that we're elected, each one of us, very proud to be elected to represent our people. The more we give away this power, the more we show disrespect for this institution and democracy. Rule by regulation: I'm tired of it. I'm tired of also being expected to vote for a Bill that will say: regulations will follow. So is the minister going to write up the regulations, or is his delegated authority going to write up the regulations? It kind of gets a little bit convoluted in all that.

Mr. Speaker, I would express concern that many members in this House on the government side may not have even realized the repercussions of this kind of Bill. I would venture to say that over the weekend you may have time to have a gander through it.

AN HON. MEMBER: No. I'm too busy.

MRS. SOETAERT: I know you're very busy, but I would suggest that you really take a read and really question: do I want to be part of a government that just delegates authority to everyone else except this Legislature, where democracy should be present? But

we see it slowly and surely slipping away from us as Bills like Bill 22 come forward. That's sad to see, Mr. Speaker. I hope that government members will have a real look at it, and maybe somebody will stand up on that side of the House on Monday and say: you know, I read this over the weekend.

If you can honestly defend that you don't mind the demise of democracy, go ahead. Stand up and defend it. On the other hand, if you're really concerned about it – now, maybe you're not allowed to speak in public, but maybe within your caucus you could say: let's have a look at this; let's revisit it.

It's a bad Bill. It marks the demise of another process of democracy, and I'm very sad to see that we have to continue to try to make this a better government, because they just are a bit slow at learning that democracy may not be a process they like. They may not like the Thursday afternoon process of debating Bills in this Legislature. But you know what? It's the best system we've got. Hopefully, you'll listen to some of the wise words of people on this side of the House, maybe wake up a little bit, have a look at the kind of legislation your ministers are putting forward. Maybe some of the new people haven't had a real chance. I mean, it's quite overwhelming when you first come in here. Maybe some of you will really have a look at the power you are giving away as legislators, the power that you were elected to implement. You are giving that away. So pretty soon you will have given away enough power that you won't be needed in here. Mind you, at the rate of debate maybe they aren't.

Mr. Speaker, with those few words and deep concern over Bill 22, I hope that all members will take a few minutes out of their busy schedules to have a look at what is slowly but surely eroding democracy. Maybe, just maybe, one of these days one of the government members will stand up and debate one of these Bills so that they can tell me why they support it, why it came in here. I would really like to hear not just the minister who put it forward say why he wants it done, but I'd like to hear why the members support it and if they truly understand what it means. I don't believe they're all sheep. [interjections] I wanted to wake them up. I don't believe they're all sheep. I believe some of them have very strong opinions on certain things. I would hope that they would speak to Bill 22.

#### **Speaker's Ruling Parliamentary Language**

THE DEPUTY SPEAKER: The Chair has some difficulty when one categorizes the behaviour or the attitudes of other people by using terms such as that. Then, you know, we get people talking about the parrots or magpies, and it just really doesn't add to the debate. So, hon. member, if you would stay on Bill 22 and the democratic process, that would be helpful.

MRS. SOETAERT: Mr. Speaker, I didn't mean to imply that they were sheep. I was saying that I'm hoping they aren't. I'm really sorry for that. Baaad, it was very baaad. However, it woke them up on a Thursday afternoon.

#### **Debate Continued**

MRS. SOETAERT: I do hope that everyone will have a look at Bill 22 and see that it does demise the powers of this Legislature and that they will maybe take it back to their caucus and convince the minister that it's not a good piece of legislation or really question him as to why he's putting it forward. I fear that many people don't really realize the implications of this Bill.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Mr. Speaker. It's a pleasure to rise this afternoon and speak to Bill 22, the Environmental Protection and Enhancement Amendment Act, 1997.

This Bill, Bill 22, is going to create more delegated authorities, to which the minister can also delegate power. This is a country cousin, a kissing cousin – I don't know – but it's a cousin of Bill 41 and Bill 57. One was introduced and one was passed in the 23rd Legislature.

I was taught in school about responsible government, Mr. Speaker. It was a long course, and I thought I was paying attention. I entered this Legislative Assembly as a new member. I read with keen interest the proposals, the delegated authorities organizations that were proposed in both Bill 41 and Bill 57. Mrs. Bettie Hewes, the Member for Edmonton-Gold Bar, led the challenge on Bill 57.

MRS. SOETAERT: She did a heck of a job.

MR. MacDONALD: You bet. She did a wonderful job.

MRS. SOETAERT: And you're carrying that torch.

MR. MacDONALD: Yes.

Unfortunately, there is a lot in Bill 41 that allows for delegated administrative organizations. Now I see that when they're in here, the ministers of the government, the Executive Council, chat among themselves, but obviously the ministers with this proposal in Bill 22 and what we have been outlining all spring with the delegated administrative organizations in the Department of Labour – and I speak of the Safety Codes Council, the Alberta Boilers Safety Association. These are examples of organizations that are delegated from the minister, and they're not working. I do not understand why this government would propose this Bill when they know that other DAOs are not working.

This Bill is going to allow for the creation of taxes. It's called fees in here, but it's no different than what is happening with the Safety Codes Council and the Alberta Boilers Safety Association.

**4:10**

AN HON. MEMBER: What happened to “no taxes”?

MR. MacDONALD: The taxes? Of course they're taxes. Facility fees, fees; it doesn't matter. A fee is a tax, and we're allowing taxes or fees to be collected upon approval of the minister in this Bill. This is not appropriate. It is not responsible government. The buck stops with the minister. You can't have legislation going out the back door. I agree with the Member for Spruce Grove-Sturgeon-St. Albert that eventually there's going to be no purpose to this Assembly. That is not responsible government. What are we going to do? Sit over here and chat amongst ourselves?

MRS. SOETAERT: That's what they'd like.

MR. MacDONALD: Yes.

Every time we come in here, there is more and more deregulation and privatization. It is not working, Mr. Speaker. It won't work in this Bill 22. It does not work with any of the other legislative proposals, and over the next three years the public of Alberta will see through this. They're seeing through it in the

initiatives that were proposed in 1995 in the Department of Labour, and they will see through this with the Environmental Protection and Enhancement Amendment Act. The government with this Bill is putting money before people. It's been a characteristic of theirs. People come first.

Now, I have to again caution the House, Mr. Speaker, about this Bill 22 when you compare it to what has gone on in the past. The government already has powers. They already have powers under the Government Organization Act, Bill 41, too many powers, absolutely. We object strongly to such widespread delegation of powers. It should not continue. Bill 22 allows the delegation of power to continue from Bill 41 in the 23rd Legislature. These are very wide and sweeping powers, and they can have inappropriate circumstances evolve from them. Who's responsible? There is no legislated provision for public complaints, for instance, in this Bill 22 – there is not – once a delegated authority is in operation, although cabinet can make regulations governing appeals. That is an interesting little . . .

MRS. SOETAERT: It's scary.

MR. MacDONALD: It is scary. It is an interesting sentence in this legislation. There is . . .

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

THE DEPUTY SPEAKER: Hon. members, conversation is invited to be held outside the Chamber. We seem to have an act going here where somebody is feeding the lines, and we're having a two-way conversation here. It is a debate, so the hon. Member for Spruce Grove-Sturgeon-St. Albert will allow the hon. Member for Edmonton-Gold Bar to say his piece on this.

MR. MacDONALD: Thank you, Mr. Speaker. We shall take that under advice.

#### **Debate Continued**

MR. MacDONALD: The Petroleum Tank Management Association of Alberta is another DAO in the Department of Labour that is involved with the environmental protection. This DAO is going to oversee the removal of contaminated soil from around underground storage tanks. Yes, that is what is going to happen with that delegated administrative organization. Now, we don't know who's going to pay for this, and this is going to have to come back with some form of taxation. We can call it a fee, but it is really a tax. Taxes are back. With Bill 22 we can make lots and lots of taxes. We may be kind and call them fees, but in reality it's a tax. The taxpayers are going to see this, and they're going to be aware of this.

Now, cabinet is not going to make the taxes. The delegated authority will make the taxes, and we can wash our hands of this. We can say: of course there have been no tax increases. You look even at, once again, Mr. Speaker, the Department of Labour, and I caution the government. The Department of Labour, through the annual report of one of their delegated administrative organizations – they're talking about increasing – increasing – the facility fees is what they call them. A tax on welding tests is what it is. If that can go on with that delegated administrative organization, it can also go on with the one that's in Bill 22.

I will have to, Mr. Speaker, caution once again the members in the government about this Bill 22. We know that responsible government starts with the ministers. The ministers have to

accept responsibility for the legislation that they propose. They have to do that. And more and more of our democratic process is being eroded as we propose more and more legislation like this Bill.

With those words, Mr. Speaker, I would like to leave the floor to the hon. Member for Edmonton-Glengarry.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

It goes back and forth, hon. members, and if one on this side stands up, they are recognized.

MR. SAPERS: But he's going to adjourn debate.

MR. HANCOCK: Yes. Mr. Speaker, at this time I would move that we adjourn debate on Bill 22.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader has moved that we adjourn debate on Bill 22, Environmental Protection and Enhancement Amendment Act, 1997. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

### **Bill 20 Conflicts of Interest Amendment Act, 1997**

[Adjourned debate June 2: Mr. Havelock]

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

MR. SAPERS: Thanks, Mr. Speaker. When I rose before, I said I was going to rise and continue the comments of the Member for Calgary-Buffalo. When we were talking about Bill 22, the Speaker admonished me to be more cautious with my words. Certainly I am not going to continue after a debate by the hon. Government House Leader, but following his remarks, which was really the intent of my earlier comments, we would be led to believe in this Assembly that Bill 20, the Conflicts of Interest Amendment Act, satisfies the needs of Albertans for a little bit more truth and honesty and instills a little bit more trust in politicians and senior officials.

I will note that when this Bill was introduced by the government on May 29, it was introduced along with . . .

THE DEPUTY SPEAKER: The Chair hesitates to interrupt the hon. member, but the records I have at hand – I don't have any record of anybody moving this. They have? Good. All right. Then you may proceed.

MR. SAPERS: Thanks, Mr. Speaker. I share some of the same concerns that you have, but this one was moved.

As I was saying, I'll note that when it was introduced into the Assembly on May 29, the government even went so far as to issue a press release titled Conflict of Interest Amendment Act Embodies Spirit of Tupper Report. Then the press release includes a

background document which is several pages in length, and it details some 27 or so recommendations of the eminent persons panel report, or the Tupper report. It begins to indicate that the government response was, generally speaking, to accept all of the major recommendations. I do believe that the words the government uses are: "The majority of the recommendations contained in the Tupper Report have either been incorporated into this legislation or dealt with administratively." You know, there's a danger right there when you're looking at Bill 20.

Bill 20 is a Bill that talks about conflicts of interest. This should set the highest standard of any legislation that we talk about in this Legislature. If we are to have any credibility with our constituents, then you would imagine that Bill 20 would be the most straightforward type of Bill. But what we see in the government press release is not a statement about saying that the absolute number of recommendations dealt with by Tupper are in the legislation. You get this statement that says that some have been dealt with by legislation and some have been dealt with administratively. A lot of sins can be hidden behind that word "administratively," Mr. Speaker.

**4:20**

They go on to say that

the Government has accepted 18 of the Tupper Report's recommendations. Six recommendations will be dealt with under the Public Service Act and two were rejected.

But there are more. If you add 18 and six and two together, Tupper actually went further than that. So right off the mark you've raised this member's suspicions when the government says that they've accepted the majority of things, and then they sort of dip and dive around words like "administratively." Then they try to presuppose debate in this House on Bill 20 by issuing a press release that says that "the government has accepted" the recommendations. It would lead one to conclude that by simply tabling Bill 20 in the House, something much more substantial has happened.

At this point, all Bill 20 is is the government's best shot at trying to convince the Legislative Assembly that they've done something remarkable about satisfying the conflicts of interest needs and requirements of the people of Alberta. Then they issue a press release, which may lead people to conclude that instead of the Bill just being tabled as a proposal, as a collection of ideas, in fact it's now the law of the land, that it's now government policy, that it's now established in statute. We know that that's not the case.

I can't understand why the government would want to play out this particular charade. Why would a press release come out to leave that impression in the minds of the people of this province when in fact it's just simply a Bill? It hasn't even proceeded to the point where we can say with any certainty that it's going to receive Royal Assent. In fact, Mr. Speaker, I would speculate at this point that Bill 20 won't make it much further than this particular stage of debate during this particular sitting of the Legislature. That suggests even another problem.

You know, if the government was serious, if they really meant the words that are contained in this press release about, you know, embodying the spirit of the Tupper report and that the Conflicts of Interest Amendment Bill will really do the job, if they really meant that, then you'd think that they would have brought this Bill in maybe as Bill 1, maybe as Bill 2, maybe as 5 or 10 but not as 20. Then you would suspect even further, Mr. Speaker, that the government would say: "You know what? This is an important Bill. If we can't get the hard work done on this

Bill to make it the best law on conflicts of interest in the whole country, if we can't get the hard work done in this spring sitting of the Legislature, then we will absolutely commit to a fall sitting of this Legislative Assembly to ensure that the hard work required to be done on making the best conflict of interest law in the whole country will be accomplished and will be accomplished in the most timely way possible."

You know, it's the very same Minister of Justice who introduced this Bill who with his other hat on is acting as the Government House Leader and shrugging his shoulders and saying: well, I don't think we're going to have a fall sitting. So, Mr. Speaker, I can't take this as a serious commitment to dealing with the Tupper report. I can't take it as a serious response to all of the concerns raised as a result of the Multi-Corp affair. I can't take this as a serious commitment to dealing with the very legitimate concerns that Albertans have raised from one part of this province to another regarding the behaviour of their elected officials and senior officials working for government.

So we are left with a quandary. You know, the government tries to do this to the opposition many times. They package a Bill, call it the Conflicts of Interest Amendment Act, issue a press release with some fanfare, use the vast resources they have through the Public Affairs Bureau, through all the communications people that the government has at their disposal, cast far and wide, broadcast it throughout the kingdom, as it were – you know, long live the king; he's doing the will of the people – and then we're stuck in this Assembly with all of the restrictive and limiting rules of debate to try to communicate the voice of reason and the truth about what it is that this Bill would and would not accomplish.

Now, the principle behind Bill 20 is a good principle. In fact, I am absolutely thrilled that a preamble is to be included in Bill 20, that the Conflicts of Interest Act would be amended to include a preamble, clearly indicating the intention of this Legislative Assembly. I can stand foursquare behind this preamble, and I know that the Member for Calgary-Nose Hill . . .

MR. MAGNUS: North Hill.

MR. SAPERS: North Hill, whatever, to quote your colleague from whatever. I know that that member will stand at my side foursquare behind this preamble and this statement of intention.

Then, Mr. Speaker, it all begins to fall apart. In the lofty words in the preamble it starts off by reading in the proposed section 2: "Whereas the ethical conduct of elected officials is expected in democracies." It sets a high standard, as I said. After reading those words, it all begins to fall apart. As you go through the Bill – and I know we're not doing a sectional analysis at this stage of debate, and I'm not going to be tedious in going through chapter and verse of the Bill. That will wait for committee, if this Bill even gets that far. Between you and me, I'm not convinced that the government has any intentions of letting this Bill get that far. Let's pretend for just awhile that they're sincere about it getting through the Assembly.

As you go through this Bill, you will find sections that will muzzle the Ethics Commissioner as he continues to do his duties. This is a bit of contradictory information, Mr. Speaker. The very same government that has made it their business to reappoint the Ethics Commissioner in spite of a recommendation in the Tupper report, which the government claims to endorse, in spite of a recommendation that the Ethics Commissioner office and the Privacy Commissioner office be separated, the very same

government that has hastened to reappoint Mr. Clark to both offices for a period of five years, no less, that very same government then turns around in this Bill and hides in a little section in little teeny-weeny print how they're going to muzzle that very same Ethics Commissioner, because you know what? They really don't like him. They really don't like the work that he does. They really don't like to hear from him.

What they're doing in this Bill is taking away his ability, and they're not even just doing it by regulation or by suggestion or perhaps by some exchange of correspondence or trying to sort things out. The government, that does so many things by regulation and by ministerial authority, is actually going to put in the statute, in the law, the very narrow things that an Ethics Commissioner can issue a report on, what can be included in that report. Why is that, Mr. Speaker? Why is it this government is so afraid of the office of the Ethics Commissioner? Why is it that they do not want that Ethics Commissioner to be able to include in a report the breadth and scope of his investigation? Why do they not want the Ethics Commissioner to fulfill his mandate to the best of his ability? Why would they have it prescribed in statute that the Ethics Commissioner will be simply limited, will be muzzled, will be neutered in the pursuit of his duties?

[Mr. Clegg in the Chair]

Mr. Speaker, this is what gives me cause to rethink that the government is not serious about dealing with the conflicts of interest concerns that have been raised in this province, raised as a result of the conduct of the Premier, raised as a result of the conduct of other government members, raised as a result of the conduct of other government officials. That is the history behind the Tupper report.

So here we have a government that talks out of both sides of its mouth. We're going to say one thing – the Conflicts of Interest Amendment Act legislation; we're getting tough – and we're going to do something else: we're going to muzzle the Ethics Commissioner. People in Olds-Didsbury-Three Hills won't like that, Mr. Speaker. They won't like that at all.

MR. WOLOSHYN: They'll support it 100 percent.

4:30

MR. SAPERS: Oh, I'm not so sure, minister of public works. Spend a little time in Olds.

Then we get to some other really contradictory parts of this Act. We get to the part where the Act, if it was amended according to this ill-conceived Bill, would then say to the same Ethics Commissioner, who on the one hand the government wants to muzzle: you know, if there's anything that's prescribed with a time limit as far as your duties as the Ethics Commissioner go, you can ignore that time limit either before or after that time limit has expired. Now, you're looking at me with a look of horror, of despair, Mr. Speaker, and I share that with you. I was amazed, as you are, when I read that in the Bill. It is inconceivable to me that the government would say to the Ethics Commissioner: well, if you can't meet a deadline, all you have to do is say either before or after you have failed to meet the deadline that you don't intend to meet the deadline.

Now, there's nothing in here that says that then you have to set another deadline. There's nothing in here that says that then you have to say: well, I'm really sorry; it'll never happen again. What it says is that it gives the Ethics Commissioner permission – and I suppose if the government felt that it had the political

advantage, it could put immutable pressure on the office of the Ethics Commissioner. If they felt that they could bend the Ethics Commissioner to their will by whatever mechanism, whatever means, whatever nefarious way that they would be able to do that, then they could somehow get the Ethics Commissioner to keep on missing his deadlines. In this Bill they're saying to the Ethics Commissioner, who I believe is an honourable gentleman: it's okay; either before or after the time has expired, you can extend the time of doing anything under this Act.

What kind of certainty does that give Albertans that their government is sincere about reporting on conflicts of interest in a timely way and in a way in which appropriate action could be taken and in a way in which a consequence, if that was required, could be handed out? What it says is that they really don't care about that, Mr. Speaker, and that they're willing to let these issues drag on forever and ever and ever and ever and ever because it might be the politically safest thing to do. Again, what we see is evidence that this government is not sincere about dealing with the Tupper report, that this government is not sincere about closing the loopholes in our conflicts legislation. This government is just sincere about protecting its own backside. That's what this government is sincere about.

Now, we get on to some other problems with Bill 20. The current Premier made a big deal about setting up his eminent persons panel and getting them to do the good work that they did and about appointing Professor Tupper, who, unfortunately, will be leaving his role in this province and moving on. The government made a big deal about that, and included was the notion that there should be a nonpartisan or at best a bipartisan review of conflicts of interest. Mr. Speaker, conflicts of interest, breaches of ethics, questions about ethical behaviour are truly nonpartisan issues, because when one member of this Assembly fails to resist temptation and breaches the standard of conduct, all of us are tarred with that offence. Each and every one of us is diminished in our ability to be parliamentarians, diminished in our ability to represent our constituents, and diminished in the eyes of those voters who trust us when any one of us breaches the law.

So you would think that the government would recognize that and would know that this is not a partisan issue. This is something that transcends partisanship. This is something that includes not just the members of the government party and the Official Opposition party but even members of the third party. If there was a fourth and a fifth and a sixth party in this Chamber, it would affect them as well. It would also affect all of those people who have stood as candidates for elected office for this Chamber and who were unsuccessful. Mr. Speaker, politicians are already faced with a significant enough battle in terms of achieving the trust and confidence and credibility that I believe the process itself deserves. So you would expect the government to do whatever was in its power to bolster that trust and that confidence. You would expect them to do whatever they could to elevate this issue to the height that it deserves.

So we get to the very last section of what is Bill 20, the amending Act for the Conflicts of Interest Act, where it talks about a five-year review of the Act. Now, that's good. Mr. Speaker, I want that clearly on record. I like that. I like a statutory review. I like sunset clauses. That's been a feature of Liberal proposals for legislation for years, and it's about time the government actually paid some grudging attention to the need for statutory reviews and the need for sunset clauses in Bills, particularly those Bills which would commit the expenditure of funds.

But what we find with this Act is that this government wants to drag that review right back down into partisan politics. This government intends to make sure that that review is the most superficial, cursory kind of review that could possibly be. They want to make sure that this is a review where they could maybe set up the circumstances for another payback to some backbencher for some good deed done, and they want to make this a review that is based on a committee of the Legislative Assembly, not a select committee, which you would expect, but a special committee. Isn't that special, Mr. Speaker? A special committee. A special committee that no doubt would only consist of those loyal supporters of the government, not all members, not a representative committee, not a select standing committee of this Assembly like the very committee that would appoint the Ethics Commissioner. No, no, no. A committee that no doubt would be made up of backbenchers who would serve the government's will because they all want to be front-benchers.

Now, how can you separate out the fact that those very same people with their own aspirations, political and otherwise, would be asked to do a five-year review of the Bill? How could you, therefore, ever make the claim that the government didn't make this into a very partisan and therefore limited exercise? Mr. Speaker, it would be impossible for me to go to my constituents and say: "Trust them. Trust the government. Trust that they would be open about it. Trust that they would do it right. They really meant to make it an all-party process; they just forgot to." I couldn't do that, Mr. Speaker.

THE ACTING SPEAKER: The hon. Member for . . . The hon. leader of the ND opposition.

MS BARRETT: That was the easy way out, Mr. Speaker. Or you could also refer to me as the shortest MLA in the House, and that would always be correct. As the Minister of Federal and Intergovernmental Affairs knows, there's very little difference in my height whether I'm seated or standing.

I have to speak against this Bill. What's in it is fine. But I have a question that is not addressed here, and that is on the recommendation that came down that

the Integrity in Government and Politics Act should require the registration of lobbyists and set standards for their conduct. Such legislation will make government more transparent and more accountable.

This is absent in the Bill, and there is no commitment by this government under any other legislation to amend that legislation or introduce legislation which would require lobbyists to be registered. I believe that this is very important.

You may recall the Sinclair Stevens event of nearly a decade ago already, I would think, that finally caused the Conservative government at the time to introduce legislation and regulations governing the registration of lobbyists. Even though it is weak legislation and particularly weak in regulation, at least it was a first step. There are a lot of, quote, unofficial lobbyists in Ottawa who should be registered, and because of the weak nature of the law, they do not have to be. However, at least there are about 300 in Ottawa that are registered, and we can track those people, know the kind of money that they're spending on which projects and so forth. This legislation contains no such provision, and it should.

4:40

I think the people have a right to know who's lobbying their government for what purposes, how much money they're spending

on it and so forth. They need to know who is influencing government decisions, because they know that basically the opposition's ability to influence government decision is, effectively, limited to either news conferences or question period.

Mr. Speaker, this legislation is weak insofar as it chickened out on the recommendation for the cooling-off period for former cabinet ministers to be extended from six months to one year. That was the recommendation of the eminent citizens committee. They wanted it extended, and I have always believed myself that it should be extended from six months to one year. In British Columbia and Ontario the cooling-off period is in fact two years. This government has just chickened out of doing what it should be doing.

Now, another part of this legislation that I find offensive, Mr. Speaker, is that the government did not accept the recommendation that

Members of the Legislative Assembly who chair Standing Policy Committees and/or who chair or supervise in significant ways agencies of the Government of Alberta

come under this law.

Now, a lot of Albertans probably don't know, but we've actually got two cabinets, Mr. Speaker. We've got the official cabinet, and then we've got a minicabinet, that consists of government policy advisory committees. If this was in Ottawa, they would be called parliamentary assistants to a certain portfolio, but this is not Ottawa. It's the same kind of thing. These people have permanent offices. They have vehicles assigned to them by cabinet. They have staff assigned to them, assigned to that office. That effectively makes them what I would call a minicabinet minister.

DR. PANNU: And access to information, that we don't have.

MS BARRETT: As my colleague for Edmonton-Strathcona points out, they've got access to information that cabinet and only cabinet has. So that makes them cabinet ministers by any other name. What is the government so afraid of? Why wouldn't they incorporate these people under the legislation?

MS OLSEN: Multi-Corp.

MS BARRETT: Well, the Member for Edmonton-Norwood says Multi-Corp, and I agree that that's one. That set the precedent for the fear, but there must be other layers of fear which are associated with other potential nightmares that this government could face if their minicabinet ministers came under the rule of this legislation.

The Member for Edmonton-Glenora made a whole bunch of points, which I won't repeat, many of which were good, some of which I think were a little too personal. In essence, the New Democrat caucus is opposed to this legislation because of what it fails to do and what it could have done with really no significant – I don't know – fear of consequence to the government, and it chickened out. Why bother hiring these people to do a report and then just take all of the easy recommendations and ignore the tough ones that would make the government more accountable, that would make former cabinet ministers more accountable, distancing themselves from using all of the information that they got in cabinet, not just their own portfolio, friend? Remember that there's a lot of information-sharing going on in cabinet, a lot. They get to know a lot about each department, and they can walk out of here and get themselves a handy-dandy little contract six months and a day after they leave cabinet. That's not fair. That is not fair.

Finally, chickening out of registering lobbyists. Well, I can tell you, I can predict why the government chickened out on that. They wouldn't want the public to know. You know, they've got a habit of calling all sorts of organizations like parents and children and nurses and teachers and women special interest groups. Right, Mr. Speaker? I notice that this government has never called the oil companies or the banks a special interest group. Why not? That's the reason they wouldn't put the lobbyist component that was recommended into the legislation. They don't want the public to know just how much money those two sectors are spending lobbying this government.

I guess on that note I can safely say that at this and other readings, unless amendments are passed at committee, the Member for Edmonton-Strathcona – do I have your agreement? He says yes – will be opposing this Bill, as will I.

Thank you for your time.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, have a number of concerns around this Bill. I'm very concerned about the fact that we spent a tremendous amount of money commissioning some very brilliant people to research and investigate the whole integrity in government issue, conflicts of interest. They came out with some tremendous recommendations, recommendations that would have really allowed all of us, not just this side of the House but all of us, to work in a manner that would bring us credibility and allow Albertans to see that we're serious about how we do business. They want to see restored integrity in government, and this Bill just doesn't cut it.

There are some excellent recommendations that are left out. The first one that I want to talk about is a recommendation which is out of the Tupper report – I believe people commonly refer to it as the Tupper report; it's actually called Integrity in Government in Alberta: Towards the Twenty First Century – a recommendation that the "Members of the Legislative Assembly and appointed officials will avoid both real and 'apparent' conflicts of interest."

Now, when I was a police officer, I had a code of ethics to work under. That meant that I should not break any laws, that I must ensure that I live my life so that it would be and appear to be above the expectation of the rest of the population, and that I hold myself out as a community leader and a responsible person in the community. I undertook that, and I did that very willingly. I did that knowing full well that there were a number constraints that I might have to live by. I didn't have a problem doing that, nor do I have a problem living under those same kinds of constraints as an MLA. I fully expect that I should have to and that everybody should have to.

Therefore, as a previous Justice minister noted, who was concerned that if there were too many restrictions, we wouldn't get people seeking public office – well, I have to question that notion. I have to question why people who were ethical, honest, full of integrity – as the Treasury minister is there – and upstanding community citizens wouldn't want to apply for that, wouldn't want to be an MLA and stand before the public as an upstanding person and really hold to ethics and integrity. I don't believe that that statement is a correct or a valid statement. I think that that's just a way of sort of pooh-poohing, if you will, putting this recommendation in.

I think that apparent conflicts of interest is a very important



section, not only for us but for all those people beyond: for all of the senior bureaucrats, all the people that work within a minister's office, the Official Opposition leader, the opposition leader. Everybody should fall within that category. So I have a lot of concern that this particular recommendation was not accepted. I cannot buy the argument that it's very difficult to determine what "apparent" and "conflict" are in "apparent conflicts." Very basically, out of the dictionary, it is described as "seeming." And "conflict" is in the dictionary as: opposition in principle, incompatible. All these words.

I think that we can take a situation and look at it from what the reasonable man would infer. What would the average citizen infer? It would really, really help us with situations like Multi-Corp, you know, where there is a cloud of dust around a Member of the Legislative Assembly. People wouldn't be sitting back saying: well, gee; something's wrong here, yet nobody is held accountable. Until you have something that really speaks to those issues, you'll never get rid of that cloud. You'll always have a cloud of doubt, and that's not what the people in this province want. They want to know and they want to know very clearly that there is nothing going on in this government that we should not be dealing with. Quite frankly, that is just a prime example of apparent conflict of interest.

4:50

My next concern about this Bill would be the recommendation of the one-year cooling-off period. The government didn't accept this, and I'm not sure why. I'm not sure if that goes hand in hand with not having lobbyist registration. If we don't know who's lobbying the government, if we don't know who's influencing the government . . .

AN HON. MEMBER: You are.

MS OLSEN: Well, you're not. You guys sit in the back, and there's not a whole lot of debate coming out of there.

So you've got to wonder where the influence is coming from. You have to know that. I often wonder. You know, we don't want lobbyist registration, and we don't want a six-month cooling-off period. Well, maybe some of the people over here, that are no longer Members of the Legislative Assembly either by choice or not by choice, might be able to get a job over here from one of the lobbyist groups. I think that if we're really serious about that, if we're really serious about not having things appear to be unethical, then we should have a one-year – a one-year – cooling-off period. I'm sure the hon. Member for Calgary-Currie, I think it is, would be able to get a job after a year or two. I'm sure she has the skills, beyond sitting in the Legislative Assembly, to do that. So what is the big deal? What's the issue? Why is 12 months too long for entering into the public? What is the scare? What is the worry? What is the concern?

[The Deputy Speaker in the Chair]

I know that Calgary-Currie obviously doesn't take this too seriously, because there are some, you know, apparent issues in her life. [interjections] I said "apparent," and that's not a conflict of interest.

MR. DAY: Point of order.

THE DEPUTY SPEAKER: The hon. Provincial Treasurer is rising on a point of order.

MS OLSEN: I'll withdraw that remark.

THE DEPUTY SPEAKER: The hon. Provincial Treasurer has risen on the point of order.

#### Point of Order Allegations against Members

MR. DAY: The precedent of the Assembly is that when an outrageous allegation is made, the remark is not just withdrawn but in fact apologized for.

MS OLSEN: I'll withdraw the remark. I don't see it as being too outrageous.

THE DEPUTY SPEAKER: I think that one ought to reflect on the implications of what you have said, hon. member, and then conduct yourself accordingly.

MS OLSEN: Thank you, Mr. Speaker. If it pleases you, I will in fact apologize to Calgary-Currie and withdraw the remark.

#### Debate Continued

MS OLSEN: To carry on, then, if that's all right, Mr. Speaker.

THE DEPUTY SPEAKER: Proceed, Edmonton-Norwood.

MS OLSEN: Thank you.

I would like to also address the concern with the standing policy committee chairs and the fact that they are not under the same obligations imposed on cabinet members. I have some concerns. Given that the standing policy chairs do have some influence over policy and that there's a significant financial reward to those positions, I think there should be some obligation to fall under those same guidelines of integrity and ethical behaviour. I believe that should be done because of the vast influence that could be put forth within those committees. So that is an area I also question: why wouldn't we want to include these people?

I'm not sure what we have to be afraid of by enacting legislation that gives some guidelines to people, actually very clear guidelines. I would certainly be opposing the principle of this particular section in the fact that the recommendation has not been accepted. The Tupper report really does a good job of outlining why all of these concerns should be included in conflict of interest.

Again, I am concerned that senior bureaucrats are not subject to conflict of interest legislation. I think, again, we can go back to a very public incident, the Multi-Corp incident, where there were senior officials who didn't fall under the guidelines and who were in fact under scrutiny. We did have that cloud of dust, which will never disappear, that still sits there with those people. To me, when an executive member of the cabinet dismisses somebody and then leaves us believing there's an apparent conflict of interest, I'm sure that had we had stricter legislation, we would have been able to get to the bottom of those things that actually occurred. I think this is a tremendous recommendation, to have senior policy officials included within the entire legislation.

My comment earlier in relation to paid lobbyists. I think that when you have lobbyists that are continually coming to the government and putting forth their influence in proposals, you really have to have standards for that. I think that in the Tupper report the recommendation is correct that lobbyist legislation will certainly make the government more transparent and accountable.

What a lobbyist registration could have included would be that paid lobbyists would be required to disclose their name and business address, the subject matter of their activities, why they are coming forward to the government, the departments in the government that they will in fact be lobbying, the name and address of the client who they're lobbying on behalf of, that this information be registered with the Ethics Commissioner, and that a code of conduct be established after consultation. These are just good recommendations. I just think that the lobbyists' activities would be for all public officials, not just the MLAs and cabinet ministers.

I understand that this may be introduced at some point. However, if it's introduced as a private member's Bill, I can't say that the government then, if that's the way it comes in, is very serious about the whole issue, knowing that private members' Bills seldom get passed.

I think that those are some fairly substantial additions to a lobbyist registration under this Act. I think that should be considered. I think that we all have to reflect on why we're here and who put us here. You know, we're not handcuffed. This Act isn't designed to handcuff us. It's designed to give us a set of standards and guidelines which we should all be willing to operate under.

5:00

I think that when we talk about, as this news release from the 29th of May, 1997, put out by the government, does, the Act embodying the spirit of the Tupper report, I'm not sure that it in fact does. I think that there are many, many areas in this legislation that really require further investigation and simply further amendments. I think that if you look at this Act in comparison to the one that we are looking at and have introduced in the past, you'll see that there's a substantial difference in how we may want to operate.

I'd like to refer to section 40(2), which is actually on page 8 of Bill 20. I'm a little concerned about this section because it allows for open-end investigations. Really it allows for an extension in an investigation where in fact the investigation can die. It can just go on and on and on, or it can sit on somebody's desk because it is deemed to be not important, and then the investigation just goes away. So I have some problems with that. I think that there should be some time limits imposed on the Ethics Commissioner to get this done and that there should be realistic time limits.

As we all know, timeliness is of the essence in many investigations. We talk often in the justice system about, you know, an arrest that occurs in January and a trial that doesn't happen until December, and how can the perpetrator of that crime feel that – you know, by the time he gets sentenced, the whole issue has gone to bed for him; he's put it out of his mind. I think that's what can happen if we allow this piece of the legislation to go forward.

My next area of concern is section 44.2. I have the same concern that my colleague from Edmonton-Glenora had. What is a special committee? Is a special committee one person? It's certainly not inclusive of all members of the Legislature. It certainly does not include members of the Official Opposition or the opposition. It's kind of interesting why we would look at this. If we're going to take this Bill seriously, then let's do that. Let's quit paying lip service, quit putting window dressing not just on this Bill but many Bills. I'd like to see this Bill and I'd like to see the Justice minister readdress this concern and identify what is the committee, who are the people that will sit on this committee, and, if it's going to be Members of this Legislative Assembly, that it be an all-party committee for review.

The other concern I have is that this is a review within five years. I think, if we go back, there's other legislation that looks at reviews in three years, and I think that's where we should be headed.

I do want to say, however, that I'm very, very happy that this preamble exists. I would suggest that everybody in the House read this. I think that the key thing here is that MLAs

are expected to perform their duties of office and arrange their private affairs in a manner that promotes public confidence and trust in the integrity of each Member,

and that goes for everybody. I think that the end result of that is that the public will have more confidence in those people who are elected and who are here to do a job and that we don't do it under a notion from the public that we sit in here and don't do anything, that we don't go out in public and do anything, that we all get paid phenomenal salaries, and all of those issues.

I'll close, leave it at that, and really urge all members to read the preamble, because I'm not sure that the other side of the House has even looked at it by their attention to it. I'll leave it to somebody else.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker. I would now move that we adjourn debate on Bill 20.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader has moved that we adjourn debate on Bill 20, Conflicts of Interest Amendment Act, 1997. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Motion is carried.

### Bill 26 No Tax Increase Act

MR. DAY: Mr. Speaker . . . [some applause] Thank you. I'll savour this rare moment of support from the opposition.

Mr. Speaker, it's actually with a sense of privilege that I'm able to introduce this Bill for second reading today. Much is said about taxes, and as I move it for a second reading, I think we can speculate across the centuries on a multitude of commentary about taxes themselves. We know – and we hear it all the time – that there are only two certainties in life, and that's death and taxes.

A fascinating quote from Louis XIV's treasurer, an interesting treasurer he was, Jean-Baptiste Colbert. He said: the art of taxation consists in so plucking the goose to obtain the largest amount of feathers with the least possible amount of hissing. I think that's a fascinating statement for a treasurer, and I'm saying it's not this Treasurer; I'm simply quoting another treasurer.

AN HON. MEMBER: Hissing?

MR. DAY: Hissing. That's the word he used.

Mr. Speaker, you know it was also Colbert who said, when he was meeting with a group of French merchants of the day,

because he was from the government – he posed the question to them: you know, we're from the government; we're here to help you; how can we help the merchants of France? It was at that meeting, of course, that they said to him simply, "Laissez faire," and the rest is history in terms of the policy of laissez faire. Stay out of our face; stay off our backs; let us do what we can do best. That was what he was given. [interjection] The opposition is asking for more quotes, and I'm happy to give those.

You know, Mr. Speaker, you can go back to the Scriptures themselves 2,000 years ago. The wisest man who ever walked the face of the earth told people that unfortunately you do have to give to Caesar that which is Caesar's. That's going back 2,000 years. Let's bring it right up to date, to a modern day statesman, being our own Premier. I loved his comment when he said: the easiest way to balance the books is to pick people's pockets. That's the easiest way, and he went on to say: it's a no-brainer.

Well, Mr. Speaker, we know some things about taxes. We know that taxes are odious, even as odious as some of the voices we consistently hear from across the way when it's not even their turn to speak. We know that taxes are also necessary, and we know that with certain guidelines taxes actually can have a positive force in terms of the administration of government. But there's something called tax creep, and it's been talked about lately. It's a relatively new term, but it's talking about the growing effect, the insidious effect of the growth of taxes on our lives. I think we need to take into account that in many cases we are the tax creeps. We're the ones responsible for this eroding process, this insidious process of the increasing weight of taxes on people's lives.

When income tax was first introduced in Canada in 1915, it was introduced as a War Measures Act. In the ensuing debates in the House of Commons in Ottawa, where all insidious things come from, there was an MP who got to his feet and was disputing this particular income tax provision, which was brand new. Before 1915 Canadians were not taxed on their income. He ran the risk of being seen as slightly treasonous because this was said to be a temporary war measure act only. He wondered about that, and he was suspicious about that. This was a 1 percent tax that was being suggested, 1 percent of a person's income. On his feet he opposed the measure saying that the day would come, if you can believe this, when there would be governments so bold as to actually tax people 3 percent on their income. He was just about laughed out of the place. People said that no government would ever have the nerve, the audacity, the boldness to tax people 3 percent of their incomes.

### 5:10

Well, we're up around 50 percent, depending on which province we're talking about, 58 percent in some provinces. Here in Alberta we're at 46.5 percent provincially in terms of the federal rate. We're the least taxed. We walk around and we pat ourselves on the back for that. Tax creep happens, and unfortunately, Mr. Speaker, we too often are the tax creeps. Taxes are necessary, but I wonder if we really think closely enough about the effect of taxes on people's lives. Taxes may be necessary, but they're punitive.

I'll share with you a time, Mr. Speaker, more than 20 years ago, working with a great group of people in Red Deer in a packinghouse, working on the kill floor in that packinghouse. That is hot, sweaty work. It's hard work. People who work in packinghouses, people who work on those kill floors earn their pay. There would be times when the foreman would come walking down the production line and he would ask us if we

wanted to work overtime. Many times the answer was no, and the comment made by fellow workers was: "Why work overtime? We're only going to get taxed more." Taxes are punitive. Taxes are a disincentive.

I was talking to a young couple not long ago who had scraped together and saved their dollars, and they wanted to build an addition on their house. This is not what you would call a wealthy couple. They're young, a young family. They're starting out. They're trying to get ahead, trying to improve their living conditions and in fact, in doing that, were improving the conditions of the neighbourhood. They were beautifying their home. What did they face in doing that? They looked at what they would have to pay in extra taxes; in other words, for doing that work, for working in the evenings on their own time with money that they'd scraped together, that they could have used for other things, vacation or clothes or cars. They wanted to beautify their own home, and what do we say as government. We come along and say: "We'll fix you for that. We'll punish you for that. You want to get ahead. You want to make your home nicer. We'll punish you for that. We're going to tax you more." Mr. Speaker, it's a disincentive. That neighbourhood was robbed of what was a citizen initiative in terms of neighbourhood beautification. It goes on and on.

Taxes also result in capital flight and in intellectual flight. Mr. Speaker, I think of a famous Canadian cartoonist who only a few years ago, because he was so successful – but because of his success his taxation was compounding – left his province and left this country and actually quit the business that he was in, which was the business of making people happy through his cartooning abilities, and just simply retired in another country that has a lower taxation regime. We lose out when we overly tax people.

Mr. Speaker, a wise person once asked me if I knew what the definition of "instant" was, and I said: okay; what's the definition of "instant?" The response to that was: instant is the amount of time it takes an elected person to go from being elected and representing their constituents to representing the administration. It happens so often in an instant of time at the municipal, the provincial, or the federal level. On the hustings we say: we will represent you; we will be concerned for you. It happens at the school board level. Almost from the moment they're elected, they're out there defending the administration and looking for new ways to tax people.

The idea of this particular Bill is brought forward by our Premier, who has a high degree of sensitivity to the burdens on people's backs imposed on them by the government, who made the statement that people need to be protected. People need to be protected not just from any government but especially from well-meaning governments, because it's always when we're well meaning that we come up with new programs, new costly programs to lay on the backs of people and increase their tax burden. So the Premier, in a desire to protect people – you'll recall a couple of years ago, Mr. Speaker – took the initiative to put an Act in place, a law, which says that if there's ever going to be a sales tax in this province, there will first need to be a referendum where the taxpayers of this province will have to stand up en masse and in a majority and they will have to say, "Please give us a sales tax." Our Premier understands the workings of government, the insidious growth of tax creep and, not wanting to be a tax creep himself and not wanting us to be tax creeps, put in that protection.

Now he's suggesting that we take it a step further, and I like this suggestion. That is that if there is any tax increase being contemplated by this government, first the thought of that and the possibility of that should go out to the people of the province. If

we feel we really have a case for increasing the burden on people's backs, for being punitive, for robbing them of incentive, for encouraging them to think about capital flight and intellectual flight – before we do that, we make the case to them and we say, “Here are the needs that are now pressing upon us as a province. We've done everything else we possibly can in terms of innovative approaches to reducing our costs. We can't think of anything else. Can we now heap upon you a greater tax burden?”

Our Premier and this government know intuitively and are willing to accept intuitively that people are smarter than some people, some centralist governing people, want to give them credit for. People have information today. People know when they're hurting. People know and they have a sense of when government is not spending their dollars wisely. It is that simple and basic principle, Mr. Speaker, that this Premier wants to take out to the people of Alberta.

Being so concerned about what people think, he's not even saying that this is legislation which is going to be passed. He's saying: what do you as Albertans think about this type of legislation? To show that we're serious and sincere, we've tabled something that only names personal income taxes, but if Albertans come forward and say that this should include corporate taxes, if they say that it should include the gas tax, tobacco tax, alcohol tax, whatever it might be, if they respond in such a way as to make it clear that they want the taxes to cover these larger areas, then so be it. We needed to do that.

So, Mr. Speaker, this Bill is just that. We're not going to pass it this session. It is asking the people of Alberta: what do you think; do you want us to come to you in a referendum before we hit you with more taxes? I can't think of anything much more basic and much more sensitive to the needs of the population of the province than coming to them with that request. That's why it's coming forward. Let's see what Albertans have to say, and if they en masse say they want this type of legislation, let's look at putting it in place and let's put it in place quickly.

Mr. Speaker, in moving the Bill for second reading, I would also now move that for today we adjourn debate on this Bill.

THE DEPUTY SPEAKER: The hon. Provincial Treasurer has moved that we adjourn debate on Bill 26, the No Tax Increase Act. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

[At 5:20 p.m. the Assembly adjourned to Monday at 1:30 p.m.]