

Legislative Assembly of Alberta

Title: Wednesday, February 11, 1998 8:00 p.m.
Date: 98/02/11
 [The Speaker in the chair]

THE SPEAKER: Please be seated.

head: Government Bills and Orders
head: Second Reading

Bill 2 Conflicts of Interest Amendment Act, 1998

[Debate adjourned February 5]

THE SPEAKER: Hon. Member for Edmonton-Manning, do you wish to be recognized?

MR. GIBBONS: Yes, please. Thank you, Mr. Speaker. I'm pleased to rise today to speak on Bill 2, Conflicts of Interest Amendment Act, 1998. In examining the bill, I ask myself: why do we need a Conflicts of Interest Act? The answer deals with the issue of trust, particularly the trust of the public. They have little trust in the manner that politicians deal with finances. The public as a whole are much more aware of accountability and want to know where their tax dollars are being spent.

A second reason we need the Conflicts of Interest Act is that politicians are viewed as having positions where perceived or real advantages could be gained. This real or perceived advantage also includes our access to certain information. Even though most Members of the Legislative Assembly do not share these advantages, the public views us all as having access to them. This is a very sensitive issue at this time, particularly in light of the events in Saskatchewan that have been brought to our attention. If we were to survey the average Albertan as to their trust in politicians, we would find their level of trust to be very low. As a group we politicians are responsible for an extremely low rank.

At the request of the Ethics Commissioner a study was commissioned to review the Conflicts of Interest Act. It was titled Integrity in Government in Alberta: Towards the Twenty First Century. That was the report by the Conflicts of Interest Act Review Panel, known as the Tupper report. In all, the report made 26 recommendations, but only seven of them were accepted in this bill. This response is minimal and does not address the major concerns of the public. In its present form it is not adequate to restore public confidence that politicians can monitor and govern themselves. As public office holders we must understand the basic conditions, that our conduct will be carefully scrutinized and evaluated by tough standards.

I would like to begin by looking at recommendations 4 and 5 of the Tupper report. Recommendation 5 was accepted, which places the Leader of the Official Opposition in the same category as members of Executive Council and former ministers. The Leader of the Official Opposition has little or no influence on legislation but is included under the piece of legislation. I have no difficulty with this addition. However, recommendation 4, those Members of the Legislative Assembly who chair Standing Policy Committees and/or who chair or supervise in significant ways agencies of the government, is omitted. These people, who have at least as much influence on legislation as the Leader of the Official Opposition, must also be included in this bill.

The Tupper report also recognizes the cooling-off period for former ministers as "legitimate safeguards of the public interest."

The cooling-off period is presently six months, but I agree with the report that we should extend it to 12 months.

Recommendation 13 is for a committee of the Legislature to review the integrity in government and politics act every five years. This is an excellent suggestion, but what is a special committee? Does special committee mean an all-party committee? I would like special committee to be clarified further.

The report also identifies a group to be known as policy officials and that they

will be subject to obligations and restrictions outlined in the Integrity in Government and Politics Act. "Policy officials" means all present "senior officials", all assistant deputy ministers, executive assistants, senior staff in the Office of the Leader of the Opposition and a further group who, in the view of their Minister and the Premier, wield enough policy or administrative influence to be included.

The inclusion of the group in this bill would be a great addition. Why shouldn't these people who occupy very influential positions in our government be included? This is an important change and would certainly strengthen this bill.

The inclusion of recommendation 23 would subject these policy officials to a one-year cooling-off period, the same restriction that applies to recommendations 4 and 5. This would be another welcome addition.

Finally, Mr. Speaker, I strongly agree that the policy officials should have a disclosure statement, disclosed to the public through the Ethics Commissioner.

In the preamble the bill refers to legislation that will promote "public confidence and trust in the integrity of each Member." I feel that with the necessary additions, Bill 2 can fulfill this goal. Thank you for this opportunity to speak to this bill.

Thank you, Mr. Speaker.

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

MR. HAVELOCK: Well, thank you, Mr. Speaker. Just briefly, I would appreciate all members supporting this legislation. It does reflect the majority of the recommendations in the Tupper report and will, hopefully, enhance accountability for all members in the Legislature.

Thank you.

[Motion carried; Bill 2 read a second time]

Bill 15 Gaming and Liquor Amendment Act, 1998

[Adjourned debate February 10: Mr. Renner]

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

MR. SAPERS: Thank you, Mr. Speaker. It's a pleasure to be here to talk about Bill 15. The Gaming and Liquor Amendment Act has been presented as a relatively benign set of amendments. Yesterday in the House – and I had a chance to review *Hansard* – there was a fair bit of discussion about the implications it has on the current debate in the province regarding VLTs. I do think that it has some bearing on that debate, but I do recognize that it's not a bill that's exclusively about VLTs. So I think that in addition to some of the discussion which we may have in this Assembly regarding video slot machines, I would like to comment about what I see as some of the difficulties about supporting Bill 15. Then once we get into committee, I'm hoping that either the

sponsor of the bill or the minister responsible for the commission will be able to address these concerns.

The section about the creation of the office of chief executive officer does concern me. I note that it is a fixed term to be decided by regulation, by Lieutenant Governor in Council. Mr. Speaker, we've had lots of debate in this Assembly regarding the Official Opposition's problem with these behind-closed-doors, decision-making regulations. It seems to me that we could have a fixed term for the CEO in the bill, and if not a fixed term per se then how about a fixed period of time by which the CEO would have to be reviewed by legislation? While we're on that topic, maybe it could even be a review by either a select committee of the House or by the kind of commission that the minister and I were discussing yesterday in regard to another bill, which would be seen to be a nonpartisan, nonpolitical, nonmanipulative process. While you could argue whether or not we need a CEO at all, it's clearly the government's intent to create the position of a chief executive officer. What would be the problem with having that CEO subject to a regular review in the legislation? Let's not leave it to regulation.

8:10

I also want to comment on another major component of the bill, and that's the part of the bill – I believe it's in section 10, which amends section 126(1) – which talks about “agreements, activities and relationships” between a number of parties. The licence holders that I have spoken with tell me that this has been a concern, that it has not been clearly identified to them when there would be conflicts. It has not been made clear to them why some decisions are made in one way and then in other cases they seem to go another way, and the licensees tell me that they seem to be in similar circumstances.

There seems to be some confusion about the role that so-called affiliates of liquor licensees may play in the whole licensing process. As well, there have been suggestions from time to time that people who have a direct relationship in one way or another with the commission itself seem to confuse that relationship when it comes to their dealings with certain licence holders. So I am pleased that the sponsor of the bill has seen fit to include section 10, the amending section regarding the relationships between suppliers and vendors and affiliates and employees and commissioners and board members.

Mr. Speaker, the definitions section, which gained so much attention earlier at second reading, which is found in section 2 of the bill, talking about video lottery terminals, could be improved. I mean, we have to recognize that these VLTs are computers, and that in itself is part of the definition that would be in the bill. But what it doesn't go on to say – and I think it should be made clear; I think it behooves the government to make it clear – is that these computers are programmed. They're not programmed to react randomly. They're not programmed to react to players sporadically. They're programmed in fact quite specifically and quite purposely to pay out at a certain schedule, to reward players at a certain rate, to take, to skim off the profit at a certain amount.

If you put together a whole bunch of VLTs, the government has even said that they're programmed to give so much of a return. There's been an argument over what the actual ratio is, but it's clear that the intent is to set up these machines so that they operate at a certain speed, so that they pay out at a certain rate, and so that they entice players to keep on plugging them with more and more of their change because they think that next spin or that next punch of the button is going to be the lucky one or the winning one, because it will be their turn. Just often enough

those greedy, greedy machines actually do pay out a little bit of cash. You get a couple of credits back, and then you think: “Oh, boy; I'm on a roll. All I have to do is win one more time, you know, and I'll make back the rent money. All I have to do is win one more time after that, and I'll be ahead.”

I would suggest that if we wanted to make it absolutely clear in this bill what we're talking about, the section dealing with the definition of VLTs should go on to say that VLTs aren't just a computer or a video device but that they are a computer that has been programmed by the government of Alberta to take a certain skim, to make sure that there's a certain profit per machine. I think that that ratio or that rate of skim could be in the legislation, and then everybody would know. Anybody who ever wanted to read the *Revised Statutes of Alberta* would know exactly what it was the government was doing by law, not by regulation, not by some cabinet discussion behind closed doors. Every Albertan would know that the government of Alberta set up a law to put computers in bars that are designed, that are programmed to take more money away from the people that use them than they pay back. I think that would be a worthwhile amendment to this bill.

Mr. Speaker, I would like to encourage some more debate on Bill 15, and I do very much look forward to a discussion about the suggestion of fixed terms or fixed reviews for the CEO. I would like perhaps the minister or the sponsor of the bill to elaborate a little bit about some of the problems that led to the amendments in section 10 regarding the relationships of licensees, licensors, vendors, affiliates, et cetera, and I would certainly like to invite some more debate, particularly coming from the government side, on this whole notion about calling these VLTs really what they are and making it crystal clear in the legislation what the government's intent is in having these VLTs available in licensed premises.

With that, Mr. Speaker, I'll conclude my remarks at second reading and invite other members to stand in their place and enter debate.

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

MR. GIBBONS: Thank you, Mr. Speaker. I stand to talk to the principles of Bill 15, the Gaming and Liquor Amendment Act, 1998. The first relates to the separation of the chairman and chief executive officer position into two separate, distinct positions. As I was reading this, I was asking myself: was it not working? We thought everything was all right. If the minister were here, I would ask her to answer that, but I put that question through to the Member for Calgary-Bow. How will the duties be divided? Can the minister assure us that MLAs will not be appointed to this position? Was there too much work for the chair to do, and therefore, the position of CEO was created?

The second one, Mr. Speaker, is the addition of the section which will permit the board to consider government policies when making decisions concerning gaming and liquor. Why is this needed? I'm looking forward to answers back on that one.

The third, Mr. Speaker, involves the definition of video lottery terminals. Did the commission request this? What “policies, principles, standards and criteria” is the minister having trouble implementing that she now requires a change to the act? Has the commission done or not done something that the minister is concerned about? Is this a major concern, and why? As I read what the Member for Calgary-Bow says, this is a requirement of the Criminal Code and will aid the commission inspector. Was there a problem, or do we know that there was a problem with VLT contraband?

Number four, Mr. Speaker, really provides more precision, the

definition of unlawful. In clarifying that, I would like to know: is there a problem with prosecution with the present act? If so, I agree with this one being put in.

The fifth will clarify regulations enabling authorities respecting . . . Should the board be allowed to impose penalties on a licence on the basis of their opinion of what is a violation under the Criminal Code or of any other acts now listed? Can we ask for more specifics? Did the government have trouble prosecuting? If so, I'm looking forward to this one.

I'm encouraging more debate from members in this Legislature, and I look forward to this being brought up so that we can look at different amendments in Committee of the Whole.

Thank you, Mr. Speaker.

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

MRS. LAING: Thank you, Mr. Speaker. I would strongly urge that everyone vote for Bill 15, the amendment act. We will be answering the questions in Committee of the Whole.

Thank you.

[Motion carried; Bill 15 read a second time]

[On motion the Assembly resolved itself into Committee of the Whole]

8:20

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

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: We're now in Committee of the Whole, and as everyone is well aware after last night, things can work well without incident. You are allowed of course to act differently, but I would ask that you still respect the House and what we're doing here.

Bill 4

Libraries Amendment Act, 1998

THE DEPUTY CHAIRMAN: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Madam Chairman. I would like to take this opportunity to respond to some of the concerns that were raised during the discussion under second reading. So I will begin this evening by identifying those concerns.

The first was a question that was raised on whether any of the boards would be closed or terminated. The only board that is being closed is the Alberta Library Board, which was an advisory committee to the minister. The minister receives feedback from the two provincial organizations that do exist, the Alberta Library Trustees Association and the Library Association of Alberta. There are no municipal or system boards closing. That's entirely a decision up to the municipalities to make.

There was also concern raised with regard to which fees may be paid. The emphasis in the act is to highlight those areas that the library cannot charge for. They are, just to reiterate them:

- (a) admittance to any portion of the building used for public library purposes;
- (b) using library resources on library premises;
- (c) borrowing library resources in a format normally lent by the library;
- (d) acquiring library resources through inter-library loan;

- (e) consultation with members of the library staff;
- (f) receiving basic information service.

The intent in the bill is to clarify that those services that are not considered to be basic public library service can be charged for, such as photocopying or downloading a copy of information on a diskette.

In reference to this there was also some concern raised about charging for library cards, and I would like to take a moment at this time to make a reference to the long history in the province with regard to library cards. Public libraries were opened to the public at the turn of the century by the women's institutes, by agricultural societies, and other community groups. There was no funding support from the province or from municipalities at that time, and their income was based solely on their membership.

The first funding from the province was only small book grants to libraries from 1911 to 1956, to a maximum of \$750. In 1966 the maximum per capita grant was 75 cents. The boards followed the principles of free access but needed some revenue, of course, to operate. The small amount required for a membership card normally just offsets the cost of record-keeping of patrons who borrow the materials.

There is no cost to use the material in the library. There is some concern as to the way it is phrased, but it's specifically for the administration and the tracking of those who borrow the materials. There is not a cost for borrowing the materials per se.

There was also a question raised with regard to the availability of forming library boards to Métis and native groups. Both those groups can ask to form a community library under the legislation. The Métis settlements that are striving for municipality status under the Municipal Government Act may also join a library system. Both the Métis and the native groups can also contract for system service if they wish, but they would do it by way of contract.

Some questions were raised with regard to staffing. Under the regulations that will be coming forward as soon as the act is proclaimed, there are regulations requiring library boards that serve more than 10,000 people to have a qualified librarian with a postgraduate degree. Systems must have one postgraduate librarian for every 25,000 people whom they serve.

The proposed changes to the grant regulation for 1998-99 recommends the use of the most recent population data published to date. I know that is of interest to many communities, and it is addressed under the proposed changes under the grant regulation.

With regard to the federation boards the intent is to provide a vehicle for the large urban library boards surrounding and including the cities of Edmonton and Calgary to form a partnership for co-operative initiatives and new service delivery mechanisms. The essence of the federation boards is for co-operation, for exchange, for the ability to return services, et cetera, and to pool those services.

The question was raised by one of the members with regard to what the specialized municipalities identified were. They are the regional municipality of Wood Buffalo, which has new status, as well as Strathcona county, which is a specialized municipality.

The question was raised whether there was considerable input and whether feedback had been received during the public process. The Public Library Review Committee, just to remind everyone, spent three years working with the partners in library service delivery. They had a series of public meetings all over the province at which 325 presentations from library boards, municipalities, and interested agencies and individual members of the public were heard. In addition, about 163 responses were received, and from that time there have been drafts of the

proposed changes to the act sent out to the community, and that feedback has been supportive of the act.

The number of system areas is being reduced from nine to seven, as is proposed here. The proposed regulations to accompany the act include an area map, and it will define the boundaries of the seven proposed regional system areas. The two areas that are being amalgamated into area 7 reflect both changes in municipal status and the response to the system development in the province. The old area 9 will be only one municipality, and that is the specialized municipality of the regional municipality of Wood Buffalo, because they have no one else to join with. The old metro Edmonton area has wide differences in population and needs for different service levels, so the new area 7, which will include the Northern Lights system, gives the municipalities in this new area the choice of joining an existing system or not joining it. In addition, the large municipalities have the option of forming a federation if the system is not sufficient for their needs as they deem fit.

8:30

Finally, I'd like to make reference to the electronic highway. The Department of Community Development has recognized the needs of the library community in this electronic age, and they have committed some \$4.8 million over the next four years towards the Alberta public library electronic network, which will connect all the public libraries, and they will provide a resource-sharing network and access to the Internet and similar electronic highways.

In conclusion, Madam Chairman, I hope I have been able to respond to some of the queries that were made with regard to the legislation, and if there are others, I'd be happy to respond to them as well.

MS BLAKEMAN: Thank you very much for providing the information and reassurances. I'm appreciative of the effort of the hon. Member for St. Albert. Most of the concerns that I raised and that I heard my colleagues raise have been addressed, and we now have it in *Hansard*, so if there's any question 10 years down the road, we can come back and take you on your word.

I'm glad to hear that the systems will be available to the First Nations. I'm still a little concerned. Métis settlements are written into the legislation, but there's no reference in the legislation about First Nations. I'll take your comments in *Hansard* as keeping that door open.

I'm very pleased to hear that the '98-99 library grants would be based on the most recent population base. That is something that is really important to a number of areas. Unfortunately, there are probably some who will receive less funding because their population base has dropped, and I guess at that point it's up to the municipality to decide whether to close them or not. I would hate to see any library closed because I think libraries are our link. It's a very accessible, user-friendly, comfortable access point for Albertans into literacy. We are not 100 percent literate in this province, and I think it's important that we remember that and that we have a commitment both personally and as legislators to maintain and support our libraries to the greatest extent possible. I would be very unhappy to see a library close in a smaller centre for lack of funding, and I hope there are ways that could be worked around to give them support. I understand that that may happen with the change in the funding and basing it on the population.

I was talking about literacy and access to libraries, and I think

that is an important point that we need to remember. I remember going into the central downtown library in Edmonton and questioning some people on the number of street people that would be in the library, thinking they were just in there to get warm, but if you really watched them for a while, they were in fact reading. Lots of them really liked to read the large-print magazines and books that were available there, which is a warm memory for me. Even if they hadn't been avid readers before, necessity and cold drove them indoors, but they did take advantage of the fact that they were in a library and they did access the library materials that were available to them free of charge. So it's very important that we always maintain the no-cost access into the building and access to the resources and to the expertise of the staff that are there. I hear the commitment from the hon. member, and I'll accept that.

I would like to commend the hon. member for the amount of consultation that's taken place with the constituencies, the libraries, the library boards, the municipalities, and the interested groups. I would give credit to that for the support you're receiving for this bill. It has been looped back through the community. As I say, I did quite a bit of research to see if people were happy with this, and indeed they were. They brought up a few small points, and we seem to be able to work with those points. So my congratulations.

I didn't quite catch all the comments at the end about the electronic highway, but I think that's really exciting especially because it can connect some of the isolated library communities more than they are on the information highway.

I have nothing further to add to this bill while it is in Committee of the Whole. Again, I congratulate you on both a nice piece of housekeeping legislation and hopefully moving us forward updating the library systems in Alberta.

Thank you.

MRS. McCLELLAN: Madam Chairman, I would like to make just a few comments on this bill. I had intended to do it at second reading and in fact missed the opportunity. My fault I'm sure. So I want to just make a few comments.

First of all, I want to thank my colleague the Member for St. Albert for bringing this bill forward and for the work that she has done to be very familiar with this bill and working with the staff in my department. I know that she is truly dedicated to this task. I want to also as minister express my thanks to the hon. members opposite for their input into this bill. I was particularly interested in the questions, which I think were answered most ably tonight. I was interested in our colleague for Edmonton-Mill Creek's comments on his trip to the Edmonton Public Library, or the Stan Milner library, and the amazement that I sensed he felt when he found out the number of visitations to that library, the number of activities that occurred in that library. I think if each one of us visited our libraries – some of us do, I know – on a regular basis, we would be amazed.

The Member for St. Albert has one of the most progressive, enthusiastic, active libraries that I have visited. It is a hive of activity. It is a place for young and old. It is a place for information, for learning, and it is a very welcoming place. I think we should remind ourselves that libraries are in the business of providing information. They do it in a number of forms. The electronic network is going to be tremendously important to position our libraries into the 21st century, and we are very pleased to have been able to commit those dollars to get that done.

I think that Bill 4 sets the stage for moving into the new age, the information age, the 21st century. I believe that our libraries and our library community are enthusiastic about the challenge of meeting those needs. When you go into a library today and you see CD-ROMs, multimedia kits, videoconferencing, audiotapes, Internet access, one of the things that impresses me a lot is the availability of services for people with special needs. I think that tells me that the library community in this province is looking at their whole community and that they are dedicated to serving that community.

I think we have to be conscious of the fact that our libraries in some cases are aging. We have to make sure that we keep them up and keep supporting them. Libraries are a partnership in this province. They are a partnership between the municipalities, the province, the community and, to a large extent, also the school system.

I wanted most to stand tonight to again pay tribute to the library community. I want all members to understand that Bill 4 is a direct result of the work of that library community. My staff was certainly there to assist and to guide, and I as minister was there to interact and to have discussions with them when they requested it, but truly Bill 4 is their bill. The Public Library Review Committee that was led by Keith Turnbull, whom I introduced in the House, and the library funding review task force, that was led by the Member for Innisfail-Sylvan Lake, were instrumental to this success, and the Alberta Library Trustees Association, the Library Association of Alberta, the library systems boards, the volunteer members of Alberta public library boards, the folks who were interested in developing the federation's nonsystem side, all came together.

8:40

I must tell you it was very interesting. I had a meeting with these groups in one room to finalize the discussion on Bill 4, and I was kind of amazed when they told me it was the first time they had ever met as a collective group with the minister. They were very enthusiastic about that process. I think they felt very proud, as you could tell when they were here in the House the day that this bill was introduced. They're very proud of what they've accomplished, and I think we as Members of this Legislative Assembly should be very proud to support them, and I thank you for that.

Madam Chairman, those really are my comments. Again, a big thank you to the library community and my colleague for bringing this bill forward.

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

Bill 5
Canadian Airlines Corporation
Amendment Act, 1998

THE DEPUTY CHAIRMAN: The hon. Member for Calgary-Lougheed.

MS GRAHAM: Thank you, Madam Chairman. As the sponsor of Bill 5, namely Canadian Airlines Corporation Amendment Act, 1998, I'm pleased to rise in Committee of the Whole and speak to this bill again.

During second reading of this bill it was gratifying to hear members of the opposition, specifically the MLA for Calgary-Buffalo and the MLA for Edmonton-Mill Woods, speak in support of the bill. Clearly they recognized and acknowledged that the thrust of the amendment contained in Bill 5 would be a positive thing, being the removal of the 10 percent ownership cap on the voting shares of Canadian Airlines Corporation, for this ought to make the corporation more attractive to large-scale investors and eventually lead to an improved financial picture for the corporation, which is certainly in the best interests of all, not just employees and shareholders but Albertans as well.

That said, Madam Chairman, I would like to briefly address two of the concerns raised by the hon. members, which were essentially the same two concerns. Firstly, the concern was raised that the removal of the 10 percent cap on ownership might have the effect of diluting the influence of the employees of Canadian Airlines at the table. It was pointed out that these employees in recent years have made significant wage concessions to ensure the viability of the company. That has not been overlooked. I can advise that the removal of the 10 percent ownership cap really has no direct impact on board membership. The reason for that is that there is currently an agreement between CAC and the unions involved in Canadian Airlines whereby the unions are entitled to appoint four of their members to the board of directors, and there are 12 members of the board permitted. At the current time there are only 11 in total, including four union appointments. This agreement will continue until the year 2008. Another provision of this agreement also limits the ability of the board to increase the total number of board members. So that, I would suggest, is assurance for the concern raised by the hon. members in that regard.

The second concern raised was that this amendment would make CAC more vulnerable to a possible takeover by another corporation and in particular another airline, specifically American Airlines, which currently owns 25 percent of the operational company Canadian Airlines International Ltd. That is the current situation. In reply, the fact is that a takeover by another corporation would be easier as a result of this amendment. I can advise that no such deal is pending at the present time. That is the advice of the company's management. Nevertheless, a takeover by another corporation is not necessarily a bad thing, and it may in fact be what is necessary to ensure the long-term viability of the corporation. That, of course, would benefit the many employees that I've spoken of already as well as the shareholders. As well, it must be kept in mind that because of the regulations under the Canada Transport Act a foreign individual or corporation would be limited to no more than a 25 percent interest in the corporation, that is in voting shares, which is what we are concerned about. So I think that's significant to keep in mind.

As to the possibility of a takeover by another airline, I would say that such a move would be subject to our federal competition laws and would in fact, as I understand it, trigger a review by the Competition Bureau. So it is not a given that American Airlines – and of course American Airlines is a foreign interest and is therefore limited to the 25 percent maximum interest in any event.

In summation then, Madam Chairman, Bill 5 will make it easier for this corporation, the Canadian Airlines corporation, to attract new investment and ensure its financial strength in the long term.

It is also consistent with our government's regulatory reform policy. That being said, I look forward to the support of all the hon. members in this Assembly for passage of this bill.

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

DR. MASSEY: Thanks, Madam Chairman, and thank you for the answers to some of the questions that we posed in second reading to the Canadian Airlines bill. I was delighted to hear of the union agreement and the concern that has been extended those employees, because as has been mentioned again, they did make some sacrifices and are working hard to make this a viable enterprise. I should have asked before, and maybe it can be answered now: how deeply involved were the employees in the crafting of the amendments? I suspect they must have been party to the amendments that were brought forward. If there can be some comment maybe at a later time on that.

I think the member has tried to assure us and I think there is good cause to be assured that the limits on foreign ownership, the federal competition laws, will mean that a foreign airline would not take over Canadian and leave the interests of Alberta and a strong Alberta transportation infrastructure at the side as they moved operations south or made some other decisions that might not have Alberta's interests first.

So I accept the explanations given and thank the member for them. I think it's a good amendment, and we'll be supporting it. Thank you.

8:50

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

MR. SAPERS: Thank you very much, Madam Chairman. I'd like to take a couple of minutes of the time of the Assembly to talk to Bill 5 at committee. Bill 5 is a bill that is receiving some support but not without qualification. It's a bill that removes the 10 percent ownership or shareholder restriction of Canadian Airlines for Canadian residents. We've heard from the sponsor of the bill that we shouldn't be concerned about this dissolution of shares leading towards anything else necessarily because of federal law, and that's true. I personally would be a little more comforted if we had some provincial law about what has been in the past seen as a jewel in the provincial crown. As I said, that's just a personal opinion. We are concerned that the removal of this ownership restriction may also dilute the influence of Canadian Airlines employees.

Now, we support the need on this side of the House for greater private equity investment, and we would like to see Canadian Airlines become a strong global player in the transportation marketplace, and perhaps this bill will be the ticket to that.

Before I conclude my remarks on Bill 5, talking about that ability of Canadian to thrive in the marketplace, and particularly for the benefit of the Government House Leader, I just wanted to make reference to a passage from *The Unconscious Civilization* by John Ralston Saul. I think it's particularly relevant at this point.

Those who believe that democracy issued from the womb of the marketplace have a tendency to link freedom of speech to capitalism. George Bush, for example, in his inaugural address spoke of how a "more just and prosperous life for men on earth" was accomplished through "free markets, free speech and free elections." The order given to the three freedoms is astonishing from the mouth of a man assuming the chief responsibility for the

exercise of the American Constitution. His suggested sequence of freedoms is an historical and contemporary fiction. The world is filled today, as it has often been in the past, with nations that embrace free markets, close censorship and false or no general elections. Singapore and China spring to mind. And the more complete these markets, the tighter the controls become on the other two freedoms.

Finally, free speech and democracy are closely tied to an active, practical use of memory – that is, history – as well as an unbroken sense of the public good. Commerce has no memory. Its great strength is its ability to constantly start again: a continual recreation of virginity. Commerce also has no particular attachment to any particular society. It is about making money, which is just fine, as far as it goes.

Thank you, Madam Chairman.

THE DEPUTY CHAIRMAN: Thank you, hon. member. The Deputy Chairman tonight is allowing you some latitude. The reason why we do sit down and go into Committee of the Whole is for a detailed discussion of the clauses of the bill. So being that this is the first time I've been in the chair in this capacity, hon. member, I have allowed you some latitude.

[The clauses of Bill 5 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

Bill 6

Dangerous Goods Transportation and Handling Act

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

MR. MARZ: Thank you, Madam Chairman. A number of points were raised during second reading by the hon. Members for Edmonton-Gold Bar, Edmonton-Mill Creek, Edmonton-Glenora, Edmonton-Strathcona, and Edmonton-Calder. I'd like to take this opportunity to respond to those issues that were raised.

This is an important piece of safety legislation, and the province is determined to ensure that public safety in the transportation of dangerous goods is maintained. To this end, the federal regulations have been adopted and are in full force and effect in the province. As a result, every dangerous good transported into, from, or through the province must meet the same stringent safety requirements. These requirements are developed from the United Nations' classification system for dangerous goods, and those are the classes referred to in the schedule in the bill.

Every new chemical manufactured and transported must be tested against the specific physical and chemical criteria set out in the federal regulations for dangerous goods. If the chemical meets the criteria, it is then classified as a dangerous good and must be transported as such. So the regulations do encompass the 400 explosive types and the 3,500 or so chemical groups that are regulated internationally.

By using the United Nations' system, the province conforms to national and international standards; that is, it's uniform right across Canada. That allows our products to move freely into the

export market without additional regulatory requirements. It does mean that the province is tied to the international numbering system, but this system along with the colour-coded safety marks and the international hazard symbols will communicate basic safety information to workers, emergency response forces, and the general public.

Madam Chairman, by adopting the federal regulations, the province has ensured uniformity of requirements for all aspects of the transportation of dangerous goods, including shipments from the United States. Simply put, if Canada regulates a product more stringently than the United States and that product is imported into Alberta, the shipment must comply with the Canadian requirements.

The province recognizes that the safety marks with basic information need to be supplemented with more detailed information to all concerned. To this end, the department has in place the Co-ordination and Information Centre providing around-the-clock information and advice to industry, inspectors, and the public on all aspects of compliance with the requirements. The centre is reached by a toll-free number in Alberta and operates 365 days a year. On average, 10,000 Alberta companies and individuals make inquiries to the centre each year, and it is staffed by trained individuals who have extensive chemical and safety information resources at their disposal. Some of our employees have even been used as expert witnesses in the courts, so that's the level of the training they have. This includes the ability to liaise with Transport Canada's response centre and similar information sites in the United States and overseas. If any company, individual, or enforcement official is unsure of the requirements, all they need to do is call the number in the front of every telephone book in the province.

The hon. Member for Edmonton-Gold Bar raised the issue of tank inspections. This is a critical preventative measure and one which the province has taken seriously. All transport units carrying dangerous liquid or gaseous dangerous goods must be inspected to meet current standards. This is a fact. Alberta Transportation and Utilities recognizes that there are some tanks that are used to store a product but are not designed for transportation of dangerous goods, and these are the focus of discussions between industry, Alberta Labour, and the department to ensure that appropriate steps are taken to ensure safe transport.

The member also raised the issue of reporting accidents. The provincial regulations require that an immediate report be made to local police in the event of a transport accident involving dangerous goods, not after four or five hours or days but immediately. This enables the emergency response forces around the province to act quickly to minimize the impact on the public and on the environment. The provincial dangerous goods inspectors act as resources to the response force in these circumstances, and the bill empowers the inspectors to act to mitigate the hazard.

The hon. Member for Edmonton-Calder raised the issue of protection from liability under section 14. This section applies only to a situation where a person is acting under the direction of an inspector either to remedy noncompliance or to act to prevent a spill of the dangerous goods. In these circumstances the person is required to act on the direction and, as such, is released from the liability only in the most urgent situations.

Dealing with inspectors, these individuals are trained for specific purposes, either to inspect trucks on the highway or in the case of the department's inspectors to inspect facilities as well. The highway inspectors are drawn from the ranks of existing enforcement officers and agencies and undergo a basic four-day

course supplemented by refresher training and hands-on work under the direction of a department inspector.

9:00

The facilities inspectors undergo a more extensive six-month training course and are designated both federally and provincially to enforce the dangerous goods legislation. They have to have that course before they get certified. The inspectors are special constables and, as such, are subject to the Police Act in terms of the performance of their duties.

There's a very active enforcement program undertaken by Alberta Transportation and Utilities in relation to dangerous goods. There has been and will continue to be prosecution of noncompliance in the province. Crown prosecutors are provided with information and assistance for the cases, and expert witnesses are available to the Crown in the event they are required. The province does take noncompliance with this legislation very seriously.

The hon. Member for Edmonton-Glenora has raised the issue of permits under section 5. These permits are not permits for total exemption; rather, in the first instance a permit to allow for advanced technologies to be used for transportation in advance of legislation being amended to recognize new technology. These permits are known as permits for the equivalent level of safety and would be only issued if the province was satisfied that the proposed method of transporting the dangerous goods was as safe as the standards imposed by regulation. An example of that would be a new material used for a tank that would be as safe or safer than existing material. We could allow that to take place until the legislation catches up.

In the second instance the bill proposes a permit to allow for movement in noncompliance with the legislation if an emergency situation exists. There are occasions when by moving the dangerous goods in noncompliance with the strict requirements of the legislation, industry or the response forces would be able to mitigate or reduce the potential risk to the public.

These are only two areas where a so-called permit of exemption would be issued.

Madam Chairman, this bill is fundamental in maintaining public safety in the transportation of the many chemicals moving around our province. It brings our provincial legislation into line with the national requirements and sets the parameters for safety precautions, training, and the notifications necessary to deal with accidents involving those dangerous goods. The province's track record in this area is solid. The systems are in place to provide support and information to the industry, the enforcement agencies, the emergency response forces, and the general public and at the same time ensure compliance with the requirements to safeguard the public.

Madam Chairman, it has come to my attention from the hon. Minister of Intergovernmental and Aboriginal Affairs late this afternoon that there is a need to introduce some consequential amendments. I would like to move the following at this time. The bill is amended as follows. [interjections] Oh, I'm sorry. There are copies being circulated.

THE DEPUTY CHAIRMAN: Hon. member, you do have some copies for the hon. members?

MR. MARZ: I'll wait until they're circulated.

THE DEPUTY CHAIRMAN: Thank you, hon. member. We'll just wait one minute until everyone has received a copy.

The hon. Member for Olds-Didsbury-Three Hills.

MR. MARZ: Thank you, Madam Chairman. The bill is amended as follows. In A, section 17(1) is amended by adding "or a Métis settlement" after "Municipal Government Act."

In B, the following is added after section 32. In 32.1(1), section 16(1) of the Highway Traffic Act is amended by striking out "Transportation of Dangerous Goods Control Act" and substituting "Dangerous Goods Transportation and Handling Act."

In (2), the Motor Transport Act (SA 1992 cM-20.1) is amended (a) in sections 6(1) and 20(1)(f) by striking out "Transportation of Dangerous Goods Control Act" and substituting "Dangerous Goods Transportation and Handling Act," and (b), in section 20(1)(i) by adding ", 1992" after "Goods Act."

In (3), section 2(1) of the Radiation Protection Act is amended (a) in clause (e) by adding ", 1992" after "Act," and (b) by repealing clause (f) and substituting the following: "(f) Dangerous Goods Transportation and Handling Act."

Thank you.

THE DEPUTY CHAIRMAN: Thank you.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Madam Chairman. Well, I just can't let this opportunity pass. I'm very grateful to the member for introducing these amendments and for saving us, actually, the trouble of using our rather meagre research resources to find the flaws. You know, it was one of our research staff that had to find the drafting flaw in Bill 1. It's nice to know that the Minister of Intergovernmental and Aboriginal Affairs was Johnny-on-the-spot and found these mistakes. I can just say that we support good government and people doing their job. This demonstrates that kind of vigilance, and we're here to make sure that it happens again and again. So I'm in favour of these amendments.

[Motion on amendment A1 carried]

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

DR. MASSEY: Thank you, Madam Chairman. Speaking in committee to the specific sections of the act, I'd like first of all to indicate to the Member for Olds-Didsbury-Three Hills that the act is certainly timely and is an act that's needed. I'm pleased that the government has seen fit to bring it in, to get it here at this time.

In Bill 6, the Dangerous Goods Transportation and Handling Act, as I looked through the sections of the bill, I wondered if there had been any kind of consideration given to a preamble to the act that would address the issue of public safety which at the outset gave some indication of the significance that the government gives to public safety, particularly in this area. It's an area where I think people feel very vulnerable. I look at the concern over transportation of materials to Swan Hills. I look at transportation through my own section of the city, through southwest Edmonton, and how much we're at the mercy of the transportation networks in that part of the city where, should there be a dangerous goods spill on the Whitemud freeway, there are people that would have limited access to routes exiting that area. So bills such as this are certainly important to that population.

One of the members on this side of the House - I believe it was the Member for Edmonton-Meadowlark - requested and received from the city of Edmonton, I believe it was, a list of all the spills that had occurred in her constituency. It was rather an extensive list. Most of them were diesel or gasoline spills as a result of

accidents. It was rather a long list of spills, and again I think it points up the need for this kind of legislation.

9:10

Having been permitted those general comments about the bill, Madam Chairman, I'd like to talk about one of the sections that I don't see in the bill. I wondered again if the crafter or the drafter of the bill might consider a section that addresses public information and the public's right to know. The marked vehicles that are traveling through neighbourhoods: I believe there are very few citizens that know what those markings mean. I wonder if there isn't a need for a section of the bill that puts the onus on those conveyors to make sure there is a system of marking that the public is aware of and would make them sensitive to the kinds of materials that are being transported through their neighbourhoods and through cities.

Again, the public's right to have information I think is an area that would have made the bill a little stronger. Most of us are aware that until there's an accident, we aren't really concerned with legislation like this, and then we're immediately alarmed and realize how woefully ignorant we are about the whole transportation of dangerous goods through the province. My suggestion would be that there be some attention to public information programs, a need for public information programs and making sure that the public is aware through markings on vehicles and transportation vehicles that are used to transport these goods.

When you look through the specific sections of the bill, probably the loosest section in terms of the legislation has to be section 5, and I believe there have been a number of reservations about section 5 raised now. I guess the one that sticks with me is the wisdom of giving oral permission, and I'd be interested in maybe some more examples of when oral permission would be used. I believe the specific part is 5(2).

A permit issued under subsection (1)(b) may initially be given orally but must, as soon as possible afterwards, be issued in writing and in accordance with the prescribed requirements.

What conditions would prevail that would have the minister give that oral permission? Is it a good provision? Is it open to abuse or misuse by carriers? Also, that section of the bill raises the concern about the minister's ability to revoke certificates, and again it seems to be open to rather wide interpretation. So section 5, the exemptions by permit, are of some concern.

Again, this has been raised: section 6, the designation of inspectors. If you look at the act, those inspectors are going to have to be very knowledgeable individuals. They're going to have, in some cases, some fairly sophisticated technical knowledge. Given the kind of controversy, the disagreement we've had over, say, bus inspectors, where we've had the city of Edmonton police inspecting vehicles on the one hand and saying that school buses are not safe and we have the provincial authority saying they're being overzealous, that they're being too close in their inspection of vehicles, given that kind of experience with inspectors, I wonder if there isn't some need to be more specific about the qualifications of inspectors. Maybe that is something that will come in regulations and will follow the act, but I think it should be abundantly clear to all the kinds of qualifications that inspectors are expected to have serving in this capacity.

Section 8(1), the delay of inspectors. Again, I wonder how wise that is. I realize that we have to make sure that the government doesn't act arbitrarily, but in a situation where there was a disaster, I wonder if there shouldn't be some provision to let them act immediately rather than the kind of provision here in 8(1), that says, "An inspector may not enter a dwelling-place except with

the consent of the occupant or under the authority of a warrant.” Again, in an emergency that may put obstacles in the way of inspectors that the government certainly wouldn't intend and most citizens wouldn't want to happen.

The section on public inquiries. Should public inquiries be mandatory rather than at the discretion of the minister? It's a question I pose.

Finally, I'd like to make a couple of comments about section 17(2). That's where

the bylaw ceases to have force 5 years after its commencement or after the effective date of a renewal of approval under this subsection, as the case may be, unless that . . . has previously been renewed by the Minister.

I think of the difficulty, particularly in urban areas, over routes and designations of routes. We went through all kinds of petitions in Mill Woods lobbying against truck routes. Some truck routes are benign compared to a dangerous goods route. The difficulty of having to seek and seek again permission to have routes designated: I wonder if that has been run past urban municipal councillors and how they have reacted to that requirement.

Those are some of the sections, Madam Chairman, that have raised questions as I've gone through the bill, and I look forward to the response by the Member for Olds-Didsbury-Three Hills. Again, I'm pleased that he's seen fit to sponsor and bring the bill forward.

Thank you.

THE DEPUTY CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: Very sorry, Edmonton-Norwood.

MS OLSEN: I accept your apology. Absolutely.

Thank you, Madam Chairman. I just want to briefly address the bill. I understand the main objectives of this bill are to bring some of the provincial legislation more in line with the federal legislation, to change some of the penalty sections and change the guidelines dealing with procedures for accidents in relation to dangerous goods routes.

I'm just going to pick up where my colleague left off. I would like to talk about some of these sections as well. Mine are more concerned around some of the processes in relation to the courts. However, I'll start with section 16. This section, I'm to understand, gives the minister the power to call for a public inquiry in case the accidental release of dangerous goods occurs. Certainly that does indeed happen more frequently than we know. Interestingly enough, even in the city as a police officer there were numerous occasions when the dangerous goods team was called out, and I wasn't quite sure what for, but it was certainly drawn to my attention that many, many different chemicals, any of them, are considered dangerous, and this dangerous goods team comes out.

9:20

I guess the minister has the discretion to call a public inquiry for all of these situations and indeed in relation to when an accident results in death or injury. Under section 16 my concern is that, you know, where there's death or injury, a public inquiry should be absolutely undertaken. I think that those kinds of things have to happen in order to prevent any similar types of incidents. I'm just wondering if, in this particular section, giving that discretion where accident leads to death is actually something that should be required.

Section 17(2) apparently requires municipalities to re-examine their dangerous goods routes every five years to ensure the routes taken by the vehicles always provide the lowest risk to the public. My concern and I guess some questions I have in relation to this are: what criteria are used for determining the risk factor, and are the criteria set out at a national or international or industry standard, or are they provincial standards? If they're provincial standards or even if they're national or international standards, were the stakeholders and users and community groups consulted on those criteria? I would be interested in knowing that.

We know that, as my colleague has mentioned, some of the community groups have become very vigilant in relation to truck routes and what is going to be deemed a truck route, what is not going to be deemed a truck route. Actually in my constituency along 118th Avenue we have some difficulty with the truckers coming in and going into the flea market parking lot and picking up some of the young ladies that are on the street. Then as a police officer I would go and check on a trucker, and lo and behold he's from somewhere else and the young prostitutes are in the cab-over. So I have some concerns that the whole issue of where dangerous goods routes are and these big trucks coming into communities, especially in my community, would cause a problem. I've actually in fact given a \$160 ticket – I think that's the fine – for a truck off a truck route in those instances. So there's a concern I have in my own constituency with truck routes.

However, I would like to move on to section 27. We talk about standards being set for court and when an inspector does a test on the contents of a vehicle which has had an accident. If the vehicle was carrying dangerous goods, section 27 would allow the results to be put forward in court and for the inspector's test to stand alone. I'm to understand that this would only occur if there is no other evidence which challenges the validity of the test.

I'm going to assume that these are expert witnesses, because they're talking about a specific area, that being dangerous goods, and having knowledge of what all those dangerous goods are. I'm wondering how the expert, then, can go into court and not have to explain his tests and methodology, in the same manner that an expert witness from a homicide scene or a breathalyzer operator has to, when requested in the court, talk about the apparatus, the instrument that he's dealing with, and has to explain to the court how that particular instrument was operating and how he reached his conclusions. I'm just wondering if that's an appropriate way to go. I think it would be prudent to have somebody come in.

Now, on the other hand, if there's an admission of guilt, you wouldn't do that and you wouldn't submit anything into evidence, as we know. But if somebody is actually going to appear in court and go to trial on a charge under the act, then you might want to allow that evidence to come before the court with the individual who was the expert witness doing the test. I just want to make sure that we're not going to miss any of the steps here, so I'd like to just get the comments back from the sponsor of the bill.

Sections 29 and 30 deal with the power of the court to impose fines and penalties. We talk in the act about that money going into a research fund, I'm to understand, or some sort of safety initiative in other programs. I'm just wondering if the victim surcharge is out of that particular offence and the provincial victim surcharge is applied to that new research fund and safety programs or if the whole fine goes there and then there's the surcharge on top of it. So I just want to make sure that the victim surcharge fund gets its money. I don't want the victim fund to be shortchanged here. I just want to make sure that happens.

I think the whole idea of having fines go to research, safety programs, and those kinds of initiatives is outstanding. I think

that, you know, if the minister of transportation were here, I'd give him a good pat on the back for that. That's the kind of thing that needs to happen, and we'll see changes when that kind of thing happens.

MR. DUNFORD: Point of order.

THE DEPUTY CHAIRMAN: The hon. Minister of Advanced Education and Career Development.

**Point of Order
Referring to the Absence of Members**

MR. DUNFORD: You can't make a reference to somebody who's not here in the House.

THE DEPUTY CHAIRMAN: That is very true. We do not make reference to members that are not in the House.

MS OLSEN: Thank you, and my most humble apologies.

THE DEPUTY CHAIRMAN: Accepted.

Debate Continued

MS OLSEN: Those are my concerns around the surcharge, and I'm sure that civil remedies are still available to victims. I just wanted ensure that that occurred.

So those are just some of my comments on the bill. I really am, though, concerned about the routes and what criteria are used. I'm not sure whether you have that answer, but it would be helpful.

Thank you, ma'am.

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

MS BLAKEMAN: Thank you, Madam Chairperson. I just have a few brief questions that I hope you can address for me, just a few things as I went through – and I don't mean to draw this out at all – and a few urgings to be brave and go further with it.

The first section says that it can't exceed the level established under the Atomic Energy Control Act. I just wanted to urge you to have Alberta take the lead and have more stringent regulations in place than the federal regulations, which I think we could do. It would be nice to take the lead in that, having tighter control on dangerous goods – sorry, this is about emissions; that's what we're talking about – and for us to have a higher standard, set the bar higher in Alberta, which would be I think very reassuring and something Alberta could be quite proud of.

9:30

Second point. I was very interested to see in section 3 that this act takes "prevalence over other legislation," with the exception of the Alberta Bill of Rights, the Human Rights, Citizenship and Multiculturalism Act, or the Financial Administration Act. I'd be really interested in knowing what was foreseen here that you would need to have these acts come into play, particularly the Human Rights, Citizenship and Multiculturalism Act. As you know, that is an act that is very near and dear to my heart. I believe in upholding it and protecting the rights of people in Alberta. I'm just interested in how protecting the rights of the people in Alberta comes into play with dangerous goods. If you could enlighten me with that, I'd be very interested to hear.

My third and final point is section 5. I have as always a deep

concern over a minister being able to issue a permit that overrides decisions. I believe that if it's at all possible, there should be a review put in place by a legislative committee. [interjection] I'm speaking as quickly as I can. I think that's always something that relieves the mind of the public, to know that decisions of this importance that are being made by a single human being have an opportunity to be reviewed by the Legislature. That's both for the protection of the minister and the protection of the public, and I would ask you to consider that within the context of this bill.

Those are the three comments I'd like to make, and I look forward to your response.

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

MR. MARZ: Thank you, Madam Chairman. I'd just like to respond to some of the questions. I was unable to keep up with the details of all the questions and would be more than happy, upon examining *Hansard*, to answer in detail later those that I don't answer now.

As far as the public information question that was brought up on signage, I believe I responded to that in my opening comments. The signage does reflect beyond a number that identifies the chemical for the specific agencies, also a picture depending on the action of the chemical. If it's corrosive, there's a hand with a skeleton bone sticking out; explosives, there's a picture of an explosion; flammable fluid, there's a picture of a flame. These are quite universal, and most people do understand them. We don't want the public to undertake remedial action themselves. We want them to recognize a sign and avoid the situation and call people that handle that. So those things are quite universal. As we are getting more international in scope, we are seeing more international signs not just in dangerous goods but in all sorts of things. I believe that really answers that situation.

As far as oral permission goes, followed up by written permission, there could be situations I could give an example of: a substance that may have to be transported immediately or it loses its effectiveness, such as a rabies sample or something like that which someone's life depends upon. There's no time to get written permission, so oral permission would be granted to transport that immediately to a lab, and written permission would follow that up.

The preamble. A question was also raised on that. The intent of the drafter was to mirror as closely as possible the federal legislation without duplication. I believe that's why there was a preamble as such.

The other question that was raised: in section 6, inspectors needing technical knowledge. A lot of the inspectors are already highly trained individuals, such as police officers, RCMP, highway inspectors, and they take additional courses to handle this. They also have hands-on training under the director of trained inspectors. As I stated before, they don't get to practise until they pass these courses and they're certified.

The other questions, Madam Chairman: I would like to refer to *Hansard* and answer them later.

Thank you.

[The clauses of Bill 6 as amended agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

MR. HAVELOCK: Madam Chairman, I move that the committee do now rise and report.

[Motion carried]

[Mr. Clegg in the chair]

MRS. GORDON: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: Bill 4 and Bill 5. The committee reports the following with some amendments: Bill 6. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Thank you, hon. member. All those in favour of the report, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any? Carried.

head: **Government Bills and Orders**
head: **Third Reading**

Bill 7
Rural Gas Amendment Act, 1998

THE ACTING SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you, Mr. Speaker. I am pleased to move third reading, but I'd like to just have some clarification on this one. I would just like to reverify that we have two federation members, four co-op members, and two government members.

I certainly want to thank the other side for their co-operation and understanding, because I think it's important. This is what the people wanted, and I want to really stress that that's the big reason we're here. Sometimes I think we lose that, but I think that with this bill they'll be very pleased.

So at this time I will sit down, and we'll go from there.

9:40

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

MR. HLADY: Can you top that?

MR. SAPERS: Thank you, Mr. Speaker. Can I top that? No, I can't. They don't grow them that big where I come from.

Mr. Speaker, the Member for West Yellowhead is to be congratulated on the way that he has stickhandled this piece of legislation through the Assembly. I want to say that I had some reservations about this bill. I met with the Member for West Yellowhead, and I asked him about my concerns regarding the impact this would have on gas co-ops. I asked him about my concerns regarding the environment. I asked him about, really, my lack of understanding about the distribution network. I was amazed to find the reservoir of knowledge that that hon. member had about this bill. You know, I'd known the hon. member in a previous life, in a previous capacity, and he never impressed me

as much as he does today in this Assembly. Actually I really wanted to say with all sincerity that I appreciated him taking the time to make sure that our concerns were addressed in debate and also outside the Chamber. He was very accessible, and I know that on behalf of my colleague and the primary critic for this area, they too found him to be very approachable and quite willing to answer the questions, taking them seriously. I just wanted to get that on record, because it hasn't always been that way, Mr. Speaker. So thanks and let's move ahead to pass this.

THE ACTING SPEAKER: Does the hon. Member for West Yellowhead have any closing remarks on the bill?

MR. STRANG: No.

[Motion carried; Bill 7 read a third time]

Bill 10

Regional Airports Authorities Amendment Act, 1998

MR. KLAPSTEIN: Mr. Speaker, I move third reading of Bill 10, being the Regional Airports Authorities Amendment Act, 1998.

Passage of this act will provide the amendments sought by both the Calgary and Edmonton airport authorities. The amendments will allow for additional members to the boards of the airport authorities and make it easier for airport authorities to secure long-term financing for the upgrading of their facilities.

MR. SAPERS: Mr. Speaker, I'm the first speaker in a flood of speakers on this bill at third reading, as I know my colleagues are anxiously lined up right behind me.

AN HON. MEMBER: Way behind you.

MR. SAPERS: Yeah, a little too far behind me, Mr. Speaker.

So what can I say about this bill, Mr. Speaker? We have had an opportunity to query this hon. member as well, and I don't want this to go on and on and on. The point about Bill 10 was that we had some questions. The questions were primarily raised by my colleague from Calgary-Buffalo. They were addressed at second reading. This is clearly the type of legislation that we can support.

What I wonder about, my only concern about Bill 10 at this point – and I think we raised this, really, at second reading as well – is that this bill is something that's clearly to the benefit of both Calgary and Edmonton. It's the kind of legislation we would have liked to have seen come as soon as possible. I just reflect back on the government, particularly the Premier and the Government House Leader, saying in months past: there is no reason to convene the Legislative Assembly, because they have no laws that need to be written, debated, and passed. I guess I take a look at Bill 10 and think, well, this is a piece of legislation that clearly could have come to the Assembly sooner and clearly could have been to the benefit of Albertans sooner and clearly could have aided in the aspirations and the implementation of the plans of the regional airport.

So let this be a lesson to the government, Mr. Speaker, that they should never hesitate to bring good legislation forward. They have nothing to fear from bringing their ideas to the Legislature and allowing the opposition a chance to scrutinize them, because every once in a while they do the right thing, and we're here to support that.

THE ACTING SPEAKER: Before I ask the hon. Member for Leduc if he has any closing remarks in this debate, I would ask unanimous consent to introduce guests in the gallery.

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed, if any? Carried.

head: **Introduction of Guests**

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

MRS. BURGNER: Thank you, Mr. Speaker. It's very interesting tonight to see the progress of the House and the camaraderie, so it's quite fitting to have a special guest visiting with us this evening. He is the spouse of the hon. Member for Lacombe-Stettler, otherwise known as Mr. Allan Gordon. Allan is visiting with us this evening sitting in the members' gallery. Would he please stand and receive the very warm affection and reception of the House.

head: **Government Bills and Orders**

head: **Third Reading**

Bill 10

Regional Airports Authorities Amendment Act, 1998

(continued)

THE ACTING SPEAKER: Hon. Member for Leduc, would you have any closing remarks in third reading?

MR. KLAPSTEIN: No further comments, Mr. Speaker.

[Motion carried; Bill 10 read a third time]

Bill 11

**Alberta Sport, Recreation, Parks and
Wildlife Foundation Amendment Act, 1998**

MRS. McCLELLAN: Mr. Speaker, I would respectfully move third reading of Bill 11.

THE ACTING SPEAKER: Thank you, hon. minister.

The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I would like to speak very briefly to third reading of Bill 11, the Alberta Sport, Recreation, Parks and Wildlife Foundation Amendment Act, 1998.

As we have all recognized in following this bill all the way through, it is essentially a housekeeping bill. I'm happy to support it. I will say once again that I think it's an excellent idea to remove the MLA from the foundation, and I recognize that that was not the minister's motivation in doing this. Nonetheless, for my own reasons I think it's a very good idea, and I will acknowledge and give credit to the Member for Edmonton-Mill Creek, who first brought this up in connection with this foundation in 1994.

I think removing the MLA from the foundation protects the integrity of the foundation, and this is not to say there have been any aspersions cast on the foundation up until now. I think it is a cleaner method of doing it. Certainly the other foundations have always operated that way, and it does protect the arm's-length decision-making process on the grants that are being made. So I think it's a good thing to have.

I'm disappointed that my amendment to open up the appointment process was not passed, but that's fine; I'll live with that. It was offered up as assistance to the government, to help them be open and accountable. We're here to help. I will take the fact that it didn't pass. This is a very clean bill. It is just tidying up a few loose ends. Well done. That is all I have to say to this bill in third reading.

[Motion carried; Bill 11 read a third time]

9:50

MR. HAVELOCK: Mr. Speaker, we've actually made such tremendous progress, it brings to mind that adjournment motion we had passed a little while ago, but I won't suggest it at this time.

[At 9:51 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]