

Legislative Assembly of Alberta

Title: Tuesday, February 24, 1998 1:30 p.m.

Date: 98/02/24

[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon. Let us pray.

O Lord, grant us a daily awareness of the precious gift of life which You have given us.

As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country.

Amen.

Please be seated.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I have a number of petitions from people around the province in regards to freedom of choice to meet their insurance needs through the credit unions in the province. I have about a thousand from the city of Calgary, 242 from Edmonton, and 160 from other areas of the province that agree with freedom of choice, and I have 11 that don't agree with that choice through the credit unions.

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

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

MS GRAHAM: Thank you, Mr. Speaker. As chairman of the Standing Committee on Private Bills and in accordance with Standing Order 94, I wish to advise that I have reviewed all of the petitions which I presented on Monday, February 23, 1998, and I can further advise the House that all four petitions comply with Standing Orders 85 through 89.

head: **Notices of Motions**

MR. HANCOCK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I am giving notice that tomorrow the House leader will move that written questions appearing on the Order Paper stand and retain their places with the exception of written questions 5, 9, and 10.

I am also giving notice that tomorrow the House leader will move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 8, 12, 13, and 14.

head: **Tabling Returns and Reports**

MR. JONSON: Mr. Speaker, I'm pleased to table with the Assembly the annual reports of the regional health authorities for the fiscal year ended March 31, 1997, as follows: the Aspen regional health authority No. 11, the Lakeland health authority No. 12, the Mistahia regional health authority, the Peace regional health authority, the Keewetinok Lakes regional health authority No. 15, the Northern Lights regional health authority, the Northwestern regional health authority, the Capital health authority, the Crossroads regional health authority, the David Thompson regional health authority, East Central regional health authority No. 7, Calgary regional health authority, Headwaters

health authority, Palliser health authority, Chinook regional health authority, and regional healthy authority No. 5. Due to the volume of this tabling, copies of these reports have been given to the Clerk's office directly.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I rise this afternoon to table four copies of a letter that I have sent to the Minister for International Trade in Ottawa. This letter is urging the minister to hold full public parliamentary committee hearings to allow every Canadian the opportunity to comment on the potential impact of the MAI agreement.

MRS. McCLELLAN: Mr. Speaker, I am pleased to file copies of a letter I sent to Margaret Flynn, who is the founder and artistic director of the Edmonton School of Ballet. In that letter I am congratulating them on the 30th anniversary of the Edmonton School of Ballet.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to table four copies of a letter sent by the Sturgeon Foundation encouraging the Minister of Health to properly include the Alberta Senior Citizens' Housing Association on the long-term care review committee.

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

DR. MASSEY: Thank you, Mr. Speaker. With your permission I'd table four copies of a householder being distributed by the Calgary board of education entitled "An empty promise," indicating that funding is inadequate and sets up expectations that cannot be fulfilled.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to members of the Assembly 58 visitors from the Caledonia Park school in Leduc along with their teachers Mrs. Brenda Schwer and Mrs. Paula Foley and parent Penny Cowles and helper Miss Weslosky. I ask that the House extend to them a warm welcome. They are seated in the members' gallery, and I'll ask them to rise.

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

MR. WHITE: Thank you, Mr. Speaker. I rise today with pleasure to introduce to you, sir, and through you to Members of the Legislative Assembly six students from the Harvest Baptist Academy in my constituency. They are Amanda Hood, Dan Hood, Cheri Cavanagh, Tyler Whyte, and Jeremy Killoran, and of course they're with their teacher, Alice Robinson. I'd like them to rise and receive the warm welcome of the House.

MR. MITCHELL: Mr. Speaker, I have great pleasure today to introduce to you Justin Forth, who is in the gallery this afternoon. This five-year-old fellow is in the gallery this afternoon with his

mother, Bonnie, who is a researcher in our research bureau. He's very interested in politics, has an extremely firm handshake, and probably has a promising future as a Liberal politician.

head: **Oral Question Period**
Education Funding

MR. MITCHELL: Mr. Speaker, in this brochure the Calgary public school board states that

the provincial government is on the right track in promising to reinvest in public education. But after careful analysis Trustees have concluded that so far, it is an empty promise.

In addition, this poll commissioned by the government itself indicates that Calgarians want lower class sizes and they want better pay for their teachers. The Premier has got a fight going with the mayor of Calgary, a fight going with the regional health authority in Calgary, a fight going with the Catholic bishop in Calgary, and a fight going with the Calgary public school board. My question . . .

AN HON. MEMBER: Get out of town.

MR. MITCHELL: Yeah. My question, Mr. Speaker, is to the Premier. Since the Premier doesn't believe the mayor, doesn't believe the Catholic bishop, doesn't believe the Calgary health authority, why is he arguing with the Calgary public school board when they tell him that they are \$8 million short for teachers' salaries?

MR. KLEIN: First of all, Mr. Speaker, I haven't seen the document. I'm not arguing with anyone. I'm not arguing with the mayor. As a matter of fact, the Provincial Treasurer went down to meet with the mayor on Friday, and everything seemed to be copacetic. I met with the chairman of the Calgary regional health authority about a week and a half ago, and he's reasonably pleased with the way things are going. Yes, he identified some pressure points. We'll look at those pressure points, and if adjustments are needed, then we'll make the appropriate adjustments. I'm not picking a fight with the incoming bishop of Calgary at all. As a matter of fact, I'm going to have a very nice meeting in a few days with Archbishop MacNeil, and we'll discuss a number of issues related to the Catholic church, Mr. Speaker. So we're not fighting with anyone.

1:40

Relative to education, Mr. Speaker, it was identified as the number one priority of this government. Significant additional funds, over \$300 million in additional funds over the next three years will go back as a reinvestment in education: a reinvestment to provide more teachers and teachers' aides, a reinvestment to provide for early intervention as it relates to reading, a reinvestment to alleviate classroom sizes, a reinvestment to address the needs of special-needs students, a reinvestment to address the problems of sparsity and distance. I think that this is a significant reinvestment. I would say to the Calgary board of education that I don't want to argue with the Calgary board of education; I want to work with the board of education in the spirit of co-operation and not confrontation.

MR. MITCHELL: The only element that's consistent in all these controversies is the Premier himself, Mr. Speaker. That's got to say something.

Why won't the Premier listen to Calgarians and to the Calgary

public school board and give them the budget they need to fix the class size problem in Calgary?

MR. KLEIN: Mr. Speaker, I think that we have done a reasonable job, a good job in addressing the needs not only of the Calgary board of education but the 62 or 63 school districts throughout this province. I would like to point out something, and I've pointed this out before. Certainly you have to spend a reasonable amount, but you've got to make sure that those dollars are directed to the right places and for the right reasons. I pointed out before that on a percentage basis Alberta is doing very well indeed, probably better than any other jurisdiction in Canada and better than I believe it's about six jurisdictions in the United States in terms of providing dollars to the classrooms.

Mr. Speaker, what has this resulted in? Well, I happen to have the third international mathematics and science study in my hand here today. Alberta's grade 12 students achieved the third highest score in science literacy and the fifth highest score in mathematics literacy compared to students in the 24 countries and provinces taking part in the third international mathematics and science study. The Alberta results were very comparable with other students from Canada and significantly higher than the results of students in the United States.

Mr. Speaker, our students – and that's the important thing about education. The most important component in education is the students, and our students are doing quite well thank you.

Speaker's Ruling
Recognizing a Member

THE SPEAKER: Just a short message to the hon. Member for Spruce Grove-Sturgeon-St. Albert. I do believe that you would want to catch my eye later on in the question period. You keep going in the direction you are, and I will unfortunately not be able to see you.

Education Funding
(continued)

MR. MITCHELL: So fifth place is okay in education, but it's not okay in taxation, Mr. Speaker: money first, children second.

Why won't the Premier at least co-operate with, side with kindergarten students, second language students, and children with severe needs rather than underfunding their programs in Calgary by \$2.6 million? Can't you co-operate with them?

MR. KLEIN: Mr. Speaker, those are precisely the people we are co-operating with, those students and their parents. Clearly identified in the education budget are those areas of education: early intervention in reading so that students by the time they reach grade 3 can in fact read, a return of full funding for ECS, kindergarten, a clear identification of class size as a problem and a clear identification of special-needs students and more dollars going to those programs.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Norwood.

Child Welfare

MS OLSEN: Thank you, Mr. Speaker. Over the past four years as welfare rates have dropped, the number of child welfare cases has risen. The minister refuses to explore a correlation between the two. To the Minister of Family and Social Services. You

have had four years of rising child welfare caseloads. What, then, is your explanation for this?

DR. OBERG: Thank you, Mr. Speaker. I must say that the hon. member is probably referring to the study that was presented to the SPC last evening by the Edmonton Social Planning Council. That study talked to 38 people, 38 out of the 11,000 people we have on the child welfare caseload. For me to answer that question and find out the exact reason, I would have to go into fetal alcohol syndrome; I would have to go into 110,000 different explanations as to why. But I think what I will do is quite simply quote from the Premier of the province to the west of us: the government with unlimited amounts of money could not solve these problems; it needs a community response.

MS OLSEN: Thank you, Mr. Speaker. What percentage of families involved with child welfare services are current SFI and AISH recipients or past recipients deemed ineligible?

DR. OBERG: Mr. Speaker, what we have at the moment is approximately 6 percent of the people on welfare falling into this category.

MS OLSEN: In the past four years what increase has your department reported in the number of families involved with child welfare due to the fact that parents were unwilling or simply unable to provide for the children?

DR. OBERG: Mr. Speaker, that's a fascinating question. We have seen an increase. In the Edmonton Social Planning Council report that was given last night, they used the words: the guardian of the child is unable or unwilling to provide the child with the necessities of life. Period. The actual Child Welfare Act goes on, and I'll read what the actual section from the Child Welfare Act states:

... including failing to obtain for the child or to permit the child to receive essential medical, surgical or other remedial treatment that has been recommended by a physician.

Mr. Speaker, we have seen an increase in this caseload. The majority of the caseload that we have seen the increase in is 16- and 17-year-old children who have essentially been removed from their families, who have been kicked out from their families and have gone on the child welfare caseload. For the hon. member and for the Edmonton Social Planning Council to link the increase in child welfare cases with the decrease in welfare cases based on 38 interviews is absolutely ludicrous.

MS CALAHASEN: Mr. Speaker, I'd like to supplement that if I may. One of the factors that I think has been ignored is the fact that increasing expectations of communities for services to more children and families is attributed to their participation in the redesign of services to children. But one of the areas that I think is really important is that when you look at the Children's Advocate's annual report, one of the things he indicated is that from his reading of the preliminary service plans prepared by steering committees in the 18 regions, communities are identifying numerous creative ways to support families and children. I think that's the key when we start to look at some of the caseload issues we're talking about, because identification of those caseloads has increased in the community awareness. Now they're moving into where the community will take over to be able to deal with that, and I think that's a key issue.

Health Care System

MRS. SLOAN: A new standard of health care is rapidly emerging in communities and cities across Alberta described as pressure points in one breath and accompanied by a now-hollow commitment to the Canada Health Act. Conservative politicians and their appointed regional designates promote these standards in the name of fiscal restraint. To the Minister of Health: could the minister tell the Assembly how often and in what numbers patients from northern regions are now regularly bypassing Edmonton and being transported to Calgary or Vancouver for medical treatment?

1:50

MR. JONSON: Mr. Speaker, it's my understanding that not during the past two weeks but in the six or so weeks previous there were six patients transferred to other locations to be able to access intensive care unit, ICU, beds. I'd also like to point out – and I've reported in the House before, but I would like to just generally emphasize it again – that there has been a very significant amount of additional funding allocated to the Capital regional health authority. Secondly, the Capital health authority has opened additional ICU beds.

The other point that I'd just like to make because I do think that it bears upon this particular issue is that we have coming into the Capital health authority on a fairly regular basis people seeking treatment from, let's say, the Northwest Territories and needing access to the ICU beds in the Capital health authority. So we are not by any means a regular exporter of patients for this particular need.

MRS. SLOAN: Again to the Minister of Health: could the minister tell the Assembly what the longest wait for a bed in Edmonton has been within the last 30 days?

MR. JONSON: No, Mr. Speaker, I cannot give you the longest waiting time. I know that there have been waiting times. I also know that the Capital health authority has been dealing with a particularly busy time in terms of demands on their emergency system. They have been caring for patients. As I've said, additional dollars in a very significant way have been allocated to the Capital health authority. The Capital health authority is working to expand their capacity.

MRS. SLOAN: Well, how about seven and a half days.

To the Premier: how far is this government going to stretch the principle of accessibility in the name of fiscal restraint and pressure points?

MR. KLEIN: Well, certainly, Mr. Speaker, the issue of accessibility is one of the fundamental principles contained in the Canada Health Act, and again it's a priority of this government to make sure that adequate medical care is not only accessible but is comprehensive and is there for the patients when they need it. I'll have the hon. minister supplement.

MR. JONSON: Certainly, Mr. Speaker, the Premier has indicated our support of the importance of accessibility in our health care system. The other thing that I think should be pointed out when various statistics are quoted is that when we're talking about the emergency departments in the Capital health authority, yes, there have been extensive waits on the part of some patients for a regular bed in a ward, but when it comes to patients receiving treatment, having a bed, if that is what is necessary for their

condition, in the emergency ward, those, I'm assured, have been provided.

School Custodians' Strike

MS BARRETT: Mr. Speaker, the custodial workers at Calgary's Catholic school board have been out on strike for a month now because their board is being forced to contract out custodial services by this government's policy of privatizing at any cost. I remind the government that studies, including the government's own studies, show that privatized, contracted-out custodial services are no more efficient and, in fact, result in dirtier and less safe schools. Even the new Catholic bishop for Calgary has sent out a letter to both sides at the bargaining table stating that contracting out contravenes Catholic teaching, and I've got copies to file for the Assembly. My question, then, to the Premier is this: will he commit today to rescinding his government's policy of forcing school boards to contract out at any cost and remove the only roadblock in the way of an agreement between the Calgary Catholic school board and its custodial workers?

MR. KLEIN: Mr. Speaker, there wasn't really a question there; there was a comment or an allegation. We are not forcing school boards to do anything of the kind. We challenge school boards to find efficient and effective ways of doing things. If contracting out fits into their own business plans, then that is entirely up to the board.

Relative to the situation as it affects the strike, I will have the hon. Minister of Labour supplement.

MR. SMITH: Thanks. Mr. Speaker, what the Premier says is exactly true. There is nothing either from this department or any other that I know of that directs school boards in how to do their business. In fact, some of them have done better than others, and that's Alberta ingenuity at work. The only other thing we have with respect to this particular work stoppage is that we have offered mediation. They have come and gone from mediation, and we are in constant contact with the two parties.

MS BARRETT: Well, how can the Premier say that his government has no policy to contract out at any cost, when a memo sent to every superintendent – I've got a copy; I can send him a copy – says that as of April 1 funding for school maintenance will be based upon, quote, the market cost of privatized contractors. I've got it right here.

MR. KLEIN: Mr. Speaker, that memo didn't come from us. That came from the administration of the Catholic school board in the city of Calgary. If that's a policy of that particular board, well, so be it. We don't dictate that policy.

MS BARRETT: Well, then perhaps the Premier can answer this. How can he justify forcing a policy on the Catholic school board that clearly contravenes Catholic teachings? I quote from the bishop: "Contracting out offends seriously against Catholic principles."

MR. KLEIN: Well, Mr. Speaker, I am not going to get into an argument with the bishop. If the bishop wants to send some directives to both the union and the school board, that is entirely the prerogative of the bishop.

I have to reiterate that there is no policy on the part of this government to direct boards of education or hospital authorities or

municipalities or any of the other agencies that depend on government for financing. We simply do not send out directives ordering them to contract out services. That is entirely up to them.

MR. SMITH: Mr. Speaker, could I just add a couple of quick words to that? It's my understanding of the issue that they have now reached agreement on many of the specific topics. The outstanding issue in this particular labour dispute is the ability for the school board to have the authority to contract out, and that's what created this dispute.

Speaker's Ruling

Questions outside Government Responsibility

THE SPEAKER: Before calling on the hon. Member for Calgary-McCall, I would also like to point out to all members *Beauchesne* 409(6), which says, "A question must be within the administrative competence of the Government." I am not sure that Catholic theology or ideology is within the administrative competence of the government.

Child Welfare

(continued)

MR. SHARIFF: Mr. Speaker, the Edmonton Social Planning Council put out a report yesterday titled *Alberta facts*. The report states that between March 1993 and March 1995 the number of child welfare cases bringing children into care under section 2(c), which applies to guardians who are unable or unwilling to provide their child with necessities of life, increased by 570 cases. The report alleges that the increase in the caseload is attributable to intensifying poverty and that conscientious social workers apprehend children from very poor families. Could the Minister of Family and Social Services confirm, deny, or provide an explanation of why his department apprehends children because the family is poor?

DR. OBERG: Mr. Speaker, thank you very much for that question. It's an absolutely excellent question. Again, as I stated to the hon. member across the way, last night the Edmonton Social Planning Council gave a presentation to the standing policy committee, and one of the points that they made in their paper was that child welfare workers were actually taking children from the home because the Canada food guide was not being provided; the parents were not providing food to these children. That is anything but the truth. There's a lot of words that we cannot use in this House, in this Legislature, but what was said last night in the report from the Edmonton Social Planning Council was absolute garbage.

2:00

MRS. SLOAN: Point of order.

DR. OBERG: Mr. Speaker, the child welfare workers do not – I repeat: do not – apprehend children from families simply because they are poor. Under section 2 in the Child Welfare Act there are things such as:

- (d) The child has been or there is substantial risk that the child will be physically injured or sexually abused by the guardian of the child.

There are probably 10 different things here that cause child welfare workers to apprehend children from the home. I will say categorically that a lack of food is not one of the reasons child

welfare workers, especially conscientious child welfare workers, apprehend children. Given the hon. member's background, I would be extremely, extremely insulted if I were that member.

MR. SHARIFF: To the same minister: could the minister confirm, deny, or provide an explanation for the allegations made in the report that frontline social workers are providing frequent and consistent reports suggesting that many families who find themselves in the child welfare system would not be there if they were not so desperately poor and that the number of child welfare cases would drop if the minister increased social assistance benefits to child abusing families?

DR. OBERG: Mr. Speaker, again a very fascinating question, and considering the member's background in child welfare, it's an absolutely excellent question. When you think about the philosophy of that question, what the Edmonton Social Planning Council is actually saying is that if we paid \$100 a month or \$50 a month or \$25 a month more to these families, there would be no child abuse; there'd be no apprehension of children; there'd be no need for child welfare. That's absolutely, again, not true.

Unfortunately, the Edmonton Social Planning Council document is filled with untruths. The numbers that they use are wrong. A lot of the allegations that they use are wrong. This does a great disservice to our child welfare workers. It does a great disservice to the people of Alberta. If the Edmonton Social Planning Council wants to be a credible force in this province, they must provide credible data.

MR. SHARIFF: Mr. Speaker, my final supplementary to the same minister: could the minister confirm that the Edmonton Social Planning Council has a budget of \$600,000 to produce such reports that are damaging to the social work profession, and could he confirm how much of that budget is provided by the taxpayers of this province?

DR. OBERG: Mr. Speaker, last night the Edmonton Social Planning Council stated that their budget was approximately \$600,000. Of that, \$147,000 is in the form of an early intervention project that is funded by this government. The majority of their funding actually comes from the municipal and federal governments. So to the hon. member: yes, it is taxpayers' dollars.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Bonnyville-Cold Lake.

Calgary Region Birth Weights

MR. DICKSON: Mr. Speaker, if this government discredits the Edmonton Social Planning Council, let's see how they respond to a report from their own Calgary regional health authority, an authority that said: low birth weights mean fewer healthy babies and mothers, more demands on our health care system. The CRHA reports that the number of low birth weight babies in Calgary is already higher than the provincial average and that number is rising. Low birth weights may be due to another trend also noted by the CRHA. The number of parents who do not have sufficient food all the time has increased from 1995 to 1997 "particularly among parents with children 2-17 years old." My question to the hon. Premier this afternoon is a simple one. Why is the number of low birth weight babies increasing in the wealthiest city in the wealthiest province in Canada? Why is that, Mr. Premier?

MR. KLEIN: Mr. Speaker, I don't want this to be construed as being facetious in any way, shape, or form. It's a perplexing question. It really is. Because certainly the city of Calgary has the lowest unemployment. It has the highest growth of any major city in Canada. The amount of building, new homes going on is unbelievable. It's growing at about 5,000 people a month, I understand. And why this occurs, I do not know. I can tell you this, that I've had a brief discussion with the hon. Minister of Health, and he has promised to launch an investigation as to why there is this particular manifestation.

MR. DICKSON: Mr. Speaker, when the Premier finally takes off his rose-coloured glasses, will he give us a full explanation of why so many Calgary families have been left behind in the prosperity that he likes to boast of in the House day after day?

MR. KLEIN: Mr. Speaker, I'm not wearing rose-coloured glasses. I can only pass on to the hon. member the facts, and I'm sure he's already aware of those facts. Calgary has the lowest unemployment of any major city in Canada. Yes, there is phenomenal growth taking place there. That growth is directly attributable to the very accommodating economic climate we now have in the province of Alberta. Why this particular manifestation is occurring in the city of Calgary, I do not have the answer, but as I said before, the hon. Minister of Health has promised to have his officials examine this situation and perhaps at a later date provide some answers.

MR. DICKSON: Mr. Speaker, my final question is this: why another investigation? Why won't the Premier simply accept what his handpicked regional health authority has already clearly told him?

MR. KLEIN: Mr. Speaker, I think it's only fair that we have the opportunity of an examination of the facts. The fact is that, yes, I don't dispute or argue that this is taking place, but we want to know why. What is causing this? Once we can identify clearly what is causing this, then we can address the situation.

THE SPEAKER: Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Manning.

Truck Driver Training

MR. DUCHARME: Thank you, Mr. Speaker. On February 20, 1998, the Bonnyville-Cold Lake Commercial Transport Advisory Committee met for the first time. Representatives from the sectors of the transport industry met to discuss various issues. One of the concerns dealt with class 1 drivers' licences. The industry is concerned that private driver training centres are not providing adequate safety training and are not providing loaded trailer driving experiences. Albertans' expectations are that upon completion of the driver training and receipt of a class 1 driver's licence, these drivers are employment ready. Not so, says the industry. To the Minister of Transportation and Utilities: who is responsible in establishing the standards and the auditing of these training centres?

MR. PASZKOWSKI: Thank you, Mr. Speaker. The province of Alberta through Alberta Transportation and Utilities is responsible for providing the auditing and the monitoring of driver training. As far as truck driving is concerned, it's not mandatory, though, that there is preliminary training before the actual licence is

applied for, in that the person can go forward and write the exam, and if he's successful, he can go ahead.

The situation with driving training and the curriculum of course is that it's very varied and broad and that truck driving isn't all just truck driving down a highway, as we understand it. There are many, many different types of truck driving. So ultimately, at the end of the day, the instruction has to suit the particular needs of that particular driver. There's a variety of training that can be used. Certainly the province is auditing and monitoring the schools that are there. The type of training that is used by that particular student to obtain his class 1 driver's licence will depend on the requirements of the particular student.

2:10

MR. DUCHARME: Mr. Speaker, to the same minister: will the minister consider granting class 1 drivers' licences on a probationary or apprenticeship time period so that all users of Alberta roads can be assured that all commercial transport drivers are truly professional drivers?

MR. PASZKOWSKI: At the present time there is no consideration being given to probationary driving licences. Part of the reason for that is that we basically are in the process of developing a national strategy as far as truck driving is concerned, because truck driving is not something that just happens within one province. So there's a standard trying to be developed. We're working very closely with the industry, and we're working very closely with our provincial brothers in establishing a standardized process. As a matter of fact, we'll be having a meeting as of next week with the industry to develop further the format that we have in place today. Again, it's very difficult to establish something in one province that isn't consistent with all of the other provinces.

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

Video Lottery Terminals

MR. GIBBONS: Thank you, Mr. Speaker. When Ralph Klein became Premier, there was no such thing as VLT addiction.

Speaker's Ruling Referring to a Member by Name

THE SPEAKER: Hon. member, please. I hate to interject when you're just starting to form your question, but this has been going on now quite repeatedly. It's "the hon. member" or "the Premier." We don't really refer to names in this Assembly. You are not alone in this, hon. member; just today was the day that I think I should make that statement once again. "Hon. member" or "the Premier" or "the minister." Start again.

Video Lottery Terminals (continued)

MR. GIBBONS: Thank you, Mr. Speaker. When the Premier became Premier there were no such things as VLT addictions in Alberta. Now 5 percent of adults are problem gamblers, mostly because of VLTs. The government gives a token response of two-days' worth of VLT profits to fight problem gambling. To the Premier: is it government policy to underfund AADAC so that people remain addicted to VLTs?

MR. KLEIN: Mr. Speaker, I don't believe those statements are entirely factual. I don't think they are factual at all. To say that

there was no addiction to VLTs or any other kind of gambling is absolutely wrong, but I don't have all the facts and figures in front of me.

If I'm allowed, Mr. Speaker, I would certainly like to have the chairman of the Alberta Alcohol and Drug Abuse Commission respond or supplement.

MRS. BURGNER: Thank you, Mr. Speaker. I would like to provide some information to the hon. member. The 1998-99 AADAC budget, which will be discussed this evening, had an increase of 6.8 percent, about \$2 million. In addition, there was a 2.6 percent increase in general revenue to meet our volume needs and an additional 33 percent to go toward problem gambling and other fee and contract revenues, which are related to a 43 percent increase overall in that area. Quite clearly there are a number of program initiatives which deal with the treatment of problem gambling, and we are quite proud of our effectiveness in this area.

Thank you, Mr. Speaker.

Speaker's Ruling Anticipation

THE SPEAKER: Hon. member, the question you raised – and I did let you go through with it – is an anticipatory question under the basic understanding of the rules. Quite clearly tonight, starting at 8 o'clock in room 512, the estimates of the Department of Community Development will be reviewed, and it is now my understanding that AADAC is part of that. Now, having let the question proceed, I also let the answer proceed. So in your supplementary question please try and avoid the anticipatory rule with respect to the budget tonight.

Video Lottery Terminals (continued)

MR. GIBBONS: Mr. Premier, will you do the right and honourable thing and get rid of VLTs or have a provincewide plebiscite?

MR. KLEIN: Mr. Speaker, we are having a complete review of the Gordon report, as it's referred to, and we have committed to have that review . . .

MR. MITCHELL: Judy didn't do it right in the first place?

MR. KLEIN: No. In answer to an unauthorized supplementary question, one of the recommendations in the report that was accepted was that there be a review of the report prior to August of 1998. We are in the process now of doing that review. Certainly the conference at the university over the past few days will provide some valuable input. The departments, AADAC, and the Alberta Gaming and Liquor Commission are doing their own internal review. Certainly there will be an opportunity for the public to participate in a very meaningful way at a summit that is being planned for the end of April of this year. All of this information will be fed into the review, and at that time we will make a decision as to what changes, if any, need to be made.

MR. GIBBONS: Well, Mr. Premier, what is the government's target for the number of problem gamblers a year from now? Will it go up or down?

MR. KLEIN: Well, Mr. Speaker, of course you target for zero, but you're not going to achieve zero. It's a simple fact of life that

even if you've eliminated all forms of legal gambling, people will find a way to gamble. Those people who have a problem with gambling will find a way to gamble. If they can't gamble in Alberta, they'll go to Saskatchewan to gamble or they will go to Las Vegas to gamble. It is a simple fact of life.

You know, I admit that I once had a problem with horse racing. I mean, I couldn't stay away from the track. I used to beat the rail every night. There was a way out of it, though. I bought a horse, and that made things even worse.

Mr. Speaker, you will never achieve zero. You will never achieve zero. People who want to gamble and have an addictive personality will find a way to gamble.

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

Currie Barracks

MRS. BURGNER: Thank you, Mr. Speaker. Following the announcement of the closure of CFB Calgary a few years ago, the federal government, the provincial government, and the city of Calgary entered into a contractual agreement to develop the planning process for the disposition of Currie barracks. Currently on site there is a supply of housing available, some of which could be used for low-income families who are having difficulty finding affordable housing in the boom currently on in Calgary. To the Minister of Municipal Affairs: what action is being taken to ensure that the federal government will respond to this pressing need for low-income families?

MS EVANS: Mr. Speaker, our department, as the hon. member has cited, has been involved as an equal partner in the planning process for over a year. Currently we are reviewing with the city of Calgary some of the concerns that have been raised by residents as planning issues change in the Currie barracks area. But probably more importantly, I had an opportunity to speak with the minister responsible for the land corporation last fall in Ottawa and underscore the concerns – the low vacancy rate, the need for low-income family accommodation – and recently again have written a letter to that minister urging that the federal government relax its policy and become more involved and more proactive in assisting the development of these lands for housing.

MRS. BURGNER: My first supplemental to the same minister: are there specific funding initiatives that the province is prepared to make so that some of the barracks can become available for low-income housing?

MS EVANS: Again, Mr. Speaker, the private landlord rent supplement program is one of our mechanisms. We have over 1,225 units available for Calgary, and on an urgent, as-needed basis we're prepared to subsidize that tenant's rent to the landlord for any difference between 30 percent of income and the landlord's actual rent. That particular program still has availability within the city to use and support low-income families.

MRS. BURGNER: Finally, Mr. Speaker, not recognizing any response yet from the federal government, what housing has been provided through your department in the city of Calgary to assist the homeless, the hard to house, and those special housing needs of low-income families?

2:20

MS EVANS: Mr. Speaker, over 25 percent of the dollars that we spend on housing in Alberta are spent in the city of Calgary. We have over 10,309 units or beds available for people who require housing. We have over 4,000 in the area of community housing. We have 845 lodge beds. We are a partner with the Salvation Army, Horizon Housing, and Elizabeth Housing. We also are involved with private, not-for-profit organizations in the provision of 294 units, 107 special-purpose housing, and 3,796 self-contained units. And we are doing more than that. We fund the registries in Alberta for part of their costs. The Accessible Housing Society in Calgary is one of those agencies that receives funding from Municipal Affairs to find placements for people that may be hard to house.

One last point, Mr. Speaker. We have department representation on the positive growth task force in Calgary, which along with private developers examines all of those avenues where we can work co-operatively with the city in making housing less of a problem and really allowing those people an opportunity to take part in the Alberta advantage.

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

Hunting and Fishing Licences

MRS. SOETAERT: Well, thank you very much, Mr. Speaker, because it's a very good question I have for the minister of environment today. This government scheme with ISM to privatize Alberta's hunting and fishing licences also involves the issuance of a WIN card, a wildlife identification number. These identification cards will have a life of five years and take the form of a plastic photo ID. These cards will mark every Alberta hunter and angler with an identification number. My question is to the minister of environment. Will WIN cards be issued at the \$1,500 point-of-sale terminals that are being forced upon the licence issuers? Will they be issued right there at the terminal?

MR. LUND: No, Mr. Speaker.

MRS. SOETAERT: No. Okay. Then I will ask the minister: what is the process that will occur when a hunter applies for a card? Would you inform the Assembly if ISM will be producing the hunter ID cards in Alberta or British Columbia? Do they mail them to the hunter? What's going to happen?

MR. LUND: Mr. Speaker, if you currently have a WIN number, then the vendor can type in that number, and the card will be eventually mailed to the purchaser. The person that is getting the card can go ahead and purchase a licence to fish or hunt at that same time as they're entering in their old WIN number to get a new one. Now, if you don't have a WIN number, you would go to a vendor and the vendor would take all of the information and then would put that into the machine, and the card would eventually be produced and mailed to the purchaser.

MRS. SOETAERT: This is getting worse.

My final supplemental. When the ISM contract ends or should this whole scheme fail like the Alberta Tourism Partnership, who owns the tracking system and the data it contains? Will it be the government, or will ISM have it?

MR. LUND: Mr. Speaker, the contract is for seven years, and if something should happen and the contract is not fulfilled by ISM, then the information becomes the property of Environmental Protection.

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

Intergovernmental Regulatory Negotiations

MR. CAO: Thank you, Mr. Speaker. In one of my recent meetings with the oil and gas servicing organization in Calgary related to employments standards, questions were raised about the oil and gas servicing work across provincial borders. My question is to the Minister of Intergovernmental and Aboriginal Affairs. What are the government efforts in harmonizing the regulations for servicing across our provincial border?

MR. HANCOCK: Thank you, Mr. Speaker. It's a good and timely question because we've just had a meeting of internal trade ministers. Two chapters which we talked about will be completed this year hopefully. The energy chapter, which deals with some of the energy issues that perhaps the Member for Calgary-Fort's constituents were raising, will be in front of energy ministers this spring and hopefully back before internal trade ministers by early summer. So that chapter should be concluded shortly.

It could also impact on the labour mobility chapter, and that chapter is being worked on. In fact, at our recent meeting we were encouraged to come back and encourage ministers responsible for labour to work with their officials to get that chapter moving, and we'll be doing that, if I haven't already done so today.

MR. CAO: Thank you, Mr. Speaker. My second question is also to the same minister. Could the minister tell the Assembly if we have a similar issue with our southern border?

MR. HANCOCK: Yes, Mr. Speaker. We still do have cross-border regulatory issues. That's one of the reasons Alberta participates in organizations such as the Pacific Northwest Economic Region, of which the Member for Livingstone-Macleod is now the president, and members on both sides of the House attend meetings. There are cross-border regulatory issues on transportation and on other areas, but we're working with Legislatures in those jurisdictions to try and resolve those.

Certainly, NAFTA has gone a long way to improve north/south border trade. NAFTA has improved the cross-border trade, and the statistics in the western economic region indicate that trade in Alberta is up significantly as a result of that agreement.

MR. CAO: Thank you, Mr. Speaker. My third question is to the same minister. How can we maintain the Alberta advantage for Albertan oil and gas workers doing business across provincial borders?

MR. HANCOCK: Thank you, Mr. Speaker. Again, it's a very good question. Of course, working across borders within this country is a good avenue for us to increase business. It's estimated that the new MASH agreement, which was signed on Friday, will open up some \$60 billion worth of procurement trade from the MASH sectors, but in the energy sector, in the regulations sector, there are still some areas that need to be resolved. Hopefully, as I said, the energy chapter will resolve some of that,

as will the labour mobility chapter. There's also the problem that we have in dealing with our neighbour to the west in terms of some of the regulatory reform issues, and we're looking to continue to try and do that.

head: **Members' Statements**

THE SPEAKER: Hon. members, we have three members who have indicated that they wish to make a statement today. We'll proceed in this order: first of all, with the hon. Member for St. Albert, followed by the hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Bow.

Scotiabank/U of A Partnership

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to speak today to an exciting program recently established between the Faculty of Arts at the University of Alberta and the Bank of Nova Scotia. Scotiabank is giving the U of A liberal arts faculty \$1 million to fund a number of annual bursaries for students needing financial help in scholarships for academic achievers.

However, Mr. Speaker, what I wish to point out today is the uniqueness of this corporate funding program on two scores. First of all, the heart of this initiative is the financial interest of a very large financial institution in the educational success of arts students. This program indicates the faith the bank has in the values and virtues of a general education. At a time when practical training is gaining a higher-preferred profile than an arts education, this recognition from Scotiabank is a welcome endorsement of the critical thinking and communication skills which are at the core of an arts education.

This leads me also to highlight the other strength of this program. It is an unique program with both funding and employment components. As a bonus to the Scotiabank package the successful students in the Faculty of Arts will be eligible to take summer jobs at the bank. This, I believe, is in recognition of two factors: first, the U of A Senate's wonderful Success by Degrees report, which indicates the substantial success of arts graduates in finding employment and, secondly, the fact that the arts faculty at the U of A is the only arts faculty to be a member of the Conference Board of Canada's employability forum.

2:30

At a time when the learning of specific skills is lauded as the entry ticket into the job market, I appreciate this opportunity to acknowledge this partnership and to use this occasion to praise the value of a liberal arts education to both the students and their future employers.

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

Advanced Education Tuition Fees

DR. PANNU: Thank you, Mr. Speaker. This is a government that shows by its actions that it's completely out of touch when it comes to the impact of its tuition policies on Alberta postsecondary students. It's also a government that has shown it cannot be trusted when it says that it's capping tuition fees at 30 percent of the operating cost.

Last week the minister of advanced education made a big deal about tabling some document in this Assembly in response to a motion for a return that I'd placed on the Order Paper. What I got back were several documents dating back to 1990 and the early '90s. Interestingly, one of these documents called Tuition

Fees for the 1990s states that tuition fees would be capped at 20 percent of an institution's net operating cost. None of the documents the minister provided had any information whatsoever about the impact of the government's current tuition policy on accessibility of postsecondary education.

From this one can draw one of two conclusions, Mr. Speaker: first, that the minister is deliberately withholding information about the impact of these massive tuition increases on Alberta students or, second, that the tuition policy has been developed with no analysis whatsoever of its impact on students. In particular, the government's tuition policy is discriminatory towards those students with relatively modest means. These students constitute at least 50 percent of those enrolled in our colleges and universities. These students are facing a crushing debt burden. Furthermore, the growing debt burdens send a chilling message to our high school youth that for most of them college or university may no longer be affordable. It's clear that Albertans do not support this government's tuition policy. As reported in the *Edmonton Journal* last week, a recent University of Alberta survey of 900 Albertans showed that only one-third of Albertans support the current policy and only 15 percent believe that parents of students should pay for any further increases in tuition costs.

In conclusion, Mr. Speaker, this government's tuition fee policy lacks any reasoned justification, and it's not supported by Albertans. If this government still values equality of opportunity, it must freeze tuition fees forthwith and start a radical review of its wrongheaded policy.

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

Girl Guides Thinking Day

MRS. LAING: Thank you, Mr. Speaker. I'm pleased to rise today and recognize Thinking Day, which Girl Guides and Girl Scouts celebrate around the world on February 22, 1998. Thinking Day is the birthday of both Lord Robert Baden-Powell, who founded the Girl Guides organization, and his wife, Olave, Lady Baden-Powell, who developed Girl Guiding and Girl Scouting worldwide. Thinking Day is celebrated throughout the world as a day of international friendship, peace, and mutual understanding by 9 million girls and women in 136 countries. Over 230,000 members of Girl Guides Canada share in the celebration of this special event.

While Thinking Day is a celebration of the founding members of the Girl Guides organization, it also represents a fostering of understanding among girls and women alike across countries and cultures. The day also gives other people a chance to share in the event and recognize the contribution of Girl Guides and Girl Scouts throughout Alberta and the rest of Canada. Girl Guides and Girl Scouts teach young women and girls the importance of community and volunteerism, which fosters their career and personal development. The skills acquired and the friends and associations made along the way are among the tenets of lifelong learning that we find so important.

I would like to congratulate all the Girl Guides and Girl Scouts and their instructors for all the good work they do in our community and invite all Albertans to join in recognizing not only Thinking Day but the contribution of this organization to Alberta, the rest of Canada, and around the world. As a former Girl Guide I also would like to recognize the important contribution it made to my life.

Thank you.

THE SPEAKER: Hon. members, before we proceed to Orders of the Day, we have two purported points of order. The chair does have a suggestion to both hon. members, that being the hon. Government House Leader and the hon. Member for Edmonton-Riverview. If you feel that you don't really need to hone your parliamentary skills today, I'm quite prepared to provide a ruling on both purported points of order before I even hear them.

MR. HAVELOCK: Mine was preambles.

Speaker's Ruling Preambles

THE SPEAKER: Hon. Government House Leader, I anticipated that, in fact, would be what the hon. Government House Leader would like to deal with, the question of preambles in this Assembly. I particularly make these comments – we're fortunate today, as we are every day to have the three House leaders in the Assembly, because of the great attendance that they have. So these comments are made to all three House leaders.

There was an agreement that was signed, and it has the signatures of the three House leaders. It was signed in April of 1997. It was provided to the Speaker, and the agreement quite clearly makes comments about preambles. I continue to wonder why the three House leaders would have signed something without having obviously conveyed the full text on the preamble to all members of their caucuses. Perhaps today, tomorrow, there will be an opportunity for the House leaders to basically just remind their members what the text of that particular document was and what a preamble really is. There would have been, without any doubt, righteousness on the side of the Government House Leader if he had proceeded with his point of order today.

Now, hon. Member for Edmonton-Riverview, did you want to say something, or are you prepared to hear what I'm going to say even though I don't know what it is you want to say?

Point of Order Improper Questions

MRS. SLOAN: There are several remarks, Mr. Speaker, that I believe are important to put on the record. Citing from 409 and 410 of *Beauchesne*, a question should seek the information on an important matter. It must not suggest its own argument, be argumentative, or make representations. Further, it

must adhere to the proprieties of the House, in terms of inferences, imputing motives or casting aspersions upon persons within the House or out of it.

Finally, "the primary purpose of the Question Period [should be] seeking information and calling the Government to account."

I would propose, Mr. Speaker, that the intention of the question raised by the hon. member this afternoon with respect to the report recently released by the Edmonton Social Planning Council was not of that nature. It was intentionally to provide a platform upon which the Minister of Family and Social Services could intentionally defame the council and its good members under the cloak of this Legislature.

THE SPEAKER: That's not what I anticipated would be the point of order, but having alluded to the motives of the hon. Member for Calgary-McCall, we'll now hear from the hon. Member for Calgary-McCall, because it was his question.

MR. SHARIFF: Mr. Speaker, I am really surprised that the hon. member is questioning the intent that I had raised in my questions to the Minister of Family and Social Services. There was a report

presented yesterday by the Edmonton Social Planning Council that in my opinion was really damaging to the profession of social work. It was alleging that social workers were distorting the Child Welfare Act and apprehending children. [interjections] It's a point of order. I believe I'm entitled to answer.

The question basically stems from the fact that the report alleges that child welfare workers are apprehending children under an act and distorting the intention of the act. I think that is damaging to the social work profession. I don't believe anybody has that right to insult the social work profession. There was no setup. There's no reason to give this minister an opportunity to respond but to make sure that the social work profession is duly honoured in this House and outside this House. The report also was using partial information, using small statistical samples to generalize on this profession.

Mr. Speaker, I don't believe there is a point of order. I believe this member has just stood up and tried to make her point, but I stand by my questions. I believe that these questions are valid and needed to be answered and that Albertans deserve a response to such questions.

THE SPEAKER: Okay. That was a good extension of the debate rising out of question period.

head: **Orders of the Day**
2:40

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

Bill 205
Alberta Bill of Responsibilities

[Adjourned debate February 18: Ms Blakeman]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. It is with pleasure and with respect for the Member for Calgary-McCall that I rise to speak to Bill 205, the Alberta Bill of Responsibilities.

I have a great deal of empathy for what the member is attempting to accomplish through the passage of this bill. All too frequently we hear today of the rights enjoyed by all Canadians with little regard for the responsibilities encompassed by such freedoms. Yet while I agree with the member's sentiments, there are a number of difficulties inherent in the proposed legislation.

To summarize, Mr. Speaker, this bill declares and recognizes several obligations imposed upon individuals and the government. With the exception of parents being responsible for the actions of their minor children, all of the individual responsibilities so imposed are already the subject of existing laws. Consequently, if the intent of this bill is to simply restate that individuals have a responsibility to obey existing laws, then the same should be clearly stated. If not, then the necessary implication is that this bill creates new obligations, which could result in some unforeseen legal interpretations of such obligations. By way of example, would the responsibility to allow others to exercise freedom of the press result in publishers losing control over the kinds of advertising they would allow in their publications?

Further, as mentioned earlier, there is one obligation incorporated in the bill that does not currently exist in law, that being parental responsibility for the actions of their minor children. To begin with, Mr. Speaker, this is inconsistent with the concept that individuals should be responsible for their own actions. In

addition, it is not clear whether the imposition of this responsibility would mean that legal action could be commenced against parents for the damages caused by their children. This bill leaves open that possibility, and that possibility remains with all of the obligations set out in the bill as there is no enunciation of the legal consequences flowing from responsibilities being recognized and declared.

This bill also imposes responsibilities on the government, section 3(c) in particular stating that government has a responsibility to "promote individual well-being by maintaining effective health care, education and social welfare systems." Mr. Speaker, not only is that a lawsuit waiting to happen, but if these governmental responsibilities are legally binding, the courts – and, I believe, inappropriately so – would be involved in interpreting and enforcing the obligations of government.

In conclusion, Mr. Speaker, due to the vagueness of this bill's provisions, there is a substantial risk that a court would place an interpretation thereon which would be inconsistent with this Legislature's intentions. One need only look to our experience with the Charter relating to prisoner voting rights to underscore this point. As a consequence and while I appreciate the sentiment, again, behind why the member has brought this bill forward, I would urge all members of the Assembly to vote against this bill.

Thank you.

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

MR. DICKSON: Mr. Speaker, thank you very much. After listening to the Minister of Justice and his analysis, I find absolutely nothing I could disagree with. [interjection] As uncomfortable as the feeling is, I've always had respect for the Government House Leader's analytical abilities; they're just not always manifest in the work of the Assembly. I'm delighted to find myself in enthusiastic support of his comments.

There are a few things I'd like to add. I want to preface my analysis of the bill by this observation: that I have a great deal of respect for the sponsor of the bill. He and I have shared many events in the city of Calgary that we've attended together. I've had a chance to talk about a range of issues with him, and I believe that the member is very genuine in terms of trying to reinforce a sense of responsibility.

But, Mr. Speaker, when we do bills in this House, the standards shouldn't be a lot different whether it's a private member's bill or a government bill. You have to ask: what's the mischief that this bill would remedy? How would this change things in this province? Well, there are some real concerns when we look at this. The first thing I do when I see a bill is look for the object clause because I want to know what the sponsor is trying to do, what he's trying to change. Now, Bill 205, I regret, doesn't have an object clause.

What we do, then, is look at the preamble to try and inform ourselves in some fashion in terms of what the sponsor is attempting to achieve. Right off the bat we have some difficulty. It's a question of "Albertans enjoy those rights and freedoms set out in the Canadian Charter of Rights and Freedoms and the Alberta Bill of Rights." One immediately thinks of what's happened with the Delwin Vriend case, currently before the Supreme Court of Canada, and the fact that here we've got a province where the rights of some Albertans to avoid discrimination when they're trying to simply find a place to work, a place

to live – that kind of discrimination is permitted if not condoned, and there are no steps taken to protect a whole lot of Albertans in that respect. And there are other examples one can cite.

If we go further, we look at affirming and recognizing “principles of individual responsibility and respect.” It strikes me that there's a very different view of what human rights are than the view I would have and, I think, a very different interpretation than what the Charter of Rights and Freedoms has. Mr. Speaker, the Charter constrains government from infringing on our rights and our freedoms. I think that's fundamentally important, because in government historically often the will of the majority has been used to trample on the interests of minorities and on different members of the community. But what Bill 205 would have us do is something very different. I mean, a less charitable view would view this as political rhetoric masquerading as legislation. I don't think the sponsor would engage in that, so I look beyond that to find some meaning to the bill.

I think when I go through Bill 205, what strikes me is that what the member is attempting to do is a question of saying: “We don't like the community the way it is now; we don't like people's attitudes the way they are. We're going to change that through an instrument of a piece of legislation.” I just respectfully say, Mr. Speaker, that my view is that it's always very dangerous and more than a little presumptuous for legislators to decide that we're going to change the attitudes, we're going to change the values that are important to Albertans. I think in many respects there are cases where people aren't sufficiently responsible, but to try and set out a code of responsibilities, to codify it, simply isn't manageable. It's not at all helpful in that respect.

I'll give you some examples. If we look at section 1, it's recognized and declared that in Alberta individuals have a responsibility to . . .

- (d) allow others to exercise freedom of speech, including freedom of the press, without impediment.

Well, in our human rights legislation now it's a balance between competing interests. There are no absolute rights in this country.

Our Charter of Rights and Freedoms lists a number of freedoms, but it provides and imports a balancing mechanism where it says in section 1: subject to the limitations “demonstrably justified in a free and democratic society.” So we've built within our Charter, I think, effectively and functionally a bit of a balancing. What we have in Bill 205 is this absolutely unimpeded freedom of speech. So when I stand up in a crowded movie theatre, with a group of other people watching *Titanic* or whatever else we've paid our money to see, and scream “Fire,” under our existing regime of laws I can't do that. Why? Well, that's our freedom of speech, one can say, but there's a balancing because there's some broader public interest in people not being able to do that. People will get hurt in the stampede. So how could you begin to say that we're going to allow freedom of speech without impediment? That simply isn't workable. It doesn't make any sense. It's aberrant in terms of the existing regime of laws we have around this.

You know, when I looked at Bill 205 again, it seemed to me that really what we're trying to do here is bring the heavy hand of government into the homes of Albertans and trying to change the attitudes of individual Albertans. I could never accept that or be part of it. I mean, I think that it's not our function and I think it is presumptuous of us to go around telling Albertans that they're thinking wrong things, that their values are wrong, and that we, Big Brother, are going to step in and tell them how they should manage their lives. To me, I'm very uncomfortable with that, and I expect that there may be a few other members that may be

uncomfortable with government trying to get involved in terms of managing individuals' sense of responsibility. There are other ways we can encourage that; there are other ways we can cultivate it.

2:50

When I go further through the bill and I look at section 2, I find it's simply not very helpful. “It is recognized and declared that individuals are responsible for . . . their actions and the consequences of those actions.” Well, what does that mean? Surely in this Legislature when we pass legislation, for those of us who believe we don't pass laws unless they serve a useful purpose, it means that the laws have got to be sufficiently clear that any individual Albertan can pick up a bill and say: by doing this, I'm violating the law; by doing something else, I'm complying with the law. This is hopelessly ambiguous. Nobody would ever know whether they're being responsible for their actions and the consequences of their actions.

Section 2(b) is particularly problematic: “individuals are responsible for . . . the actions of their minor children.” Mr. Speaker, we used to have some legislation called the Juvenile Delinquents Act in Canada. I had the experience of practising law for a time when that was the law. Effectively what that said was: if children do wrong, it's the responsibility of their parents, and it's the parents we're going to bring into court and deal with. When the Young Offenders Act was being developed, in the early stages of its genesis I think a lot of thoughtful people came around and said: really the point is how do we make young people responsible for their own actions?

I think that was a powerful statement and one on which I challenge any member of this House to stand up and say that 15- and 16-year-old children should hide behind their parents. Surely that's where we teach responsibility. That's why it was a powerful statement, and this member certainly in section 2 would take us back to the days when if my daughter or any other member's child does something illegal or unlawful, instead of that child stepping up to the plate, accepting responsibility, the responsibility is deferred to the parent. To me, that's an enormous retrograde step. That's a big step backwards and something that I certainly couldn't support.

I think there are some other specific things I see. Section 2(d): parents have a responsibility to maintain and protect “their children until the children reach the age of majority.” Well, that doesn't make good sense. What if you have a disabled child? Under the law now, when that child achieves their 18th birthday, their age of majority, the parents' responsibility doesn't stop. If you have a child who's a paraplegic, a child who's got some crippling illness, the parents aren't legally entitled to sort of take the child out to the front doorstep, close the door, and lock it and put the no vacancy sign on the door. Those parents still have a responsibility. I would think that that would be important to continue.

Under the existing Divorce Act parents have a responsibility. If you have a child who's continuing on in a course of educational studies, isn't able to be self-supporting, parents still have a responsibility. I don't have a difficulty with that, but clearly the Member for Calgary-McCall does, because that would be absolutely inconsistent with what's set out in section 2(b). [interjection] Mr. Speaker, I know that some members are anxious to come to the vote, but I think in fairness to the member that sponsored the bill, he's entitled to all of the input and advice that we're able to provide him in the time afforded. I know that other Calgary MLAs who are champing at the bit are going to

have their chance to offer their opinion, if they haven't done that already.

Mr. Speaker, just on that business of being responsible for children, the other thing that's implicit in this bill is that when a child misbehaves, it's the parent's responsibility. Coincidentally, I received an E-mail just the other day – and I'm just going to read part of it – from a constituent who says:

I have a 12 year old son who is getting into a lot of trouble everywhere he goes. I have only had custody of him for the past year, and he has succeeded at pushing me to the brink of crazy. I have tried to find programs that can help him, and have got nowhere. I have been told, on too many occasions to list, that there is nothing that these agencies can do for me unless my son is either a ward of the Government, or a ward of the Courts. I find it very hard to handle that the same Government who would consider making me, as a parent, responsible for my child's actions, would tell me that there is no help, or resources, in our Province that are at my disposal without putting my child's future on the line.

Isn't that really the point, that there are lots of parents and lots of families struggling with children with problems? These parents have exhausted every remedy, every resource, every facility they can find in their communities for help, and they still haven't found the solution to deal with that difficult 17-year-old son or daughter. Surely we can be more helpful to them as a community than simply to sort of wash our hands and say: well, that's the parents' responsibility. As a Liberal, as a legislator, and as a parent I believe that the whole community has some stake in assisting those children. I'd be very disappointed if in my province my Legislative Assembly felt that parents simply be cut loose and that if they can't fix it, well, tough. What do we do? Write off another family, hon. member? Write off another child in crisis?

There are some popular stereotypes that say that we have a lot of parents who simply don't accept responsibility, and there are Albertans like that. But my experience has been far more with parents who are looking for help to deal with problem adolescents, and I think we have some responsibility to listen to those concerns and try and provide some remedies. I don't have any difficulty in accepting the notion that it takes a whole village to raise a child. I feel that as a member of a community I have a shared responsibility with other members of the community and parents and families to assist children, and I don't know how we could ever think that we don't have an enormous stake in the life of every child in this province.

It scares me, frankly, Mr. Speaker, to think we would get to a point where we start writing off children. In effect, that's what this whole notion about assigning responsibility is. Really what this is about is government then being able to duck responsibility and shirk it and simply say: it's up to the family. Well, I have enormous difficulty with that. That's not consistent with what I know or what I expect.

If we look at section 3, it's interesting to me that we talk about what government's responsibility is and we look at the way these things are ordered. The first thing is protecting environmental and natural resources. Well, it's pretty important that we properly husband our grizzly bear population or our natural gas and oil. Our second priority is "fiscal responsibility to ensure that [the government] operates within its means." And only the third priority is where we get around to "promote individual well-being." Well, to me, I'd respectfully suggest that we've got our priorities definitely out of whack.

Our first responsibility is in terms of providing "individual

well-being by maintaining effective health care, education and social [service] systems." Mr. Speaker, there's a real question in terms of how much of that is government's responsibility and how much of that is individual responsibility. But I'm just so uncomfortable with this notion. It seems to me we're deferring this public responsibility, that we're deflecting it, passing it on to someone else. This might be what one might describe as the abdication bill, because it seems to me that that's much of what runs through this bill.

Section 4 is interesting because to anybody looking for some meat, looking for something substantial in this bill, at first glance it looks like we might have something here. But all it says is that a minister in the secrecy of his own ministerial office "must consider whether the business plan complies with this Act." If we thought this was important, there should be a statement in the business plan in terms of how it addresses individual freedoms or individual responsibilities. Otherwise, it's vacuous; it's meaningless. There's nothing to it. I mean, why, hon. member, through the Speaker, would we even put in something like section 4? One would think that competent ministers would always consider these things. Are we really to a point where we have to tell a minister of the Crown that in preparing your ministry business plan, you must exercise fiscal responsibility? Does that take us beyond where we are now? Do we really have to tell a minister that you have a responsibility to preserve and manage Alberta's environment?

3:00

MR. LUND: No.

MR. DICKSON: Well, I'm glad, Mr. Speaker, that the Minister of Environmental Protection is here to confirm what I've always suspected, that when he looks at his environmental business plan, uppermost in his mind, one of the top criterion he looks at, is whether this is going to preserve and manage Alberta's environment. I might ask that hon. minister: is this bill going to have you do something different than you would before? I think not. He already does it.

Similarly, I challenge any minister in the House, the minister of FIGA – I can't believe that it would not occur to that minister, in looking at his department's business plan, whether his business plan addresses fiscal responsibility. I suspect he's probably got a bumper sticker from the Premier's office which has been posted right above the door of his office which talks about fiscal responsibility, and I suspect he checks that several times a day, never mind just once a year when he's doing his business plan.

In terms of promoting "individual well-being by maintaining effective health care," surely the Member for Calgary-McCall is not suggesting that any minister in this government doesn't have that item first and foremost every day of that person's operating career. Now, if he's saying that, I hope he signals that and waves at me or in some fashion confirms that that's his suspicion. He would know better than I; he works much more closely with the ministers. But I can't believe that any member would have so little confidence in the front bench of the party that he's elected to serve with. That would be a frightening prospect. If I've misread it, if there are things going on in those – what do we have? – 17 ministerial offices that as a lowly opposition backbencher I would have no information on, I hope somebody's going to share that with me, because that's a frightening prospect. I'm going to have difficulty sleeping tonight, Mr. Speaker, just as I imagine that possibility.

Not wanting to belabour the point, I think I've indicated the

concerns I had. I think Bill 205 doesn't advantage Albertans, and I will be voting against it.

Thanks, Mr. Speaker.

THE SPEAKER: The hon. Member for St. Albert.

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today to speak in support of the intent of this bill. I take my cue from a document that was issued in September of 1997 entitled *A Universal Declaration of Human Responsibilities*. I'd like to quote from the initial comments of this paper.

Globalization of the world economy is matched by global problems, and global problems demand global solutions on the basis of ideas, values and norms respected by all cultures and societies. Recognition of the equal and inalienable rights of all the people requires a foundation of freedom, justice and peace – but this also demands that rights and responsibilities be given equal importance to establish an ethical base so that all men and women can live peacefully together and fulfil their potential.

I'd like to thank the Member for Calgary-McCall for his efforts to bring a private member's bill forward which addresses the need for a renewed discussion of our individual roles, a renewed discussion of the balance between what we expect from our government and our fellow citizens and what we are willing to contribute. At a time when we often struggle with our place and role in our community and in our society, I welcome this bill and agree with the principles that it addresses.

Within Canada, as others have pointed out, we have focused very seriously and intently on our rights and their evolution under the Charter of Rights and Freedoms. The very nature of such a declaration of rights and freedoms necessitated that we focus legal questions on the Charter and how these rights would be interpreted in real circumstances. It was natural for us to test the Charter and challenge it to see what it really meant to us. These challenges allow us to see how our rights are protected and how they affect us in our daily lives. Since accepting the Charter in 1982, we have moved towards a rights-based society. I think we now have reached a time when we should take the experience and knowledge we have gained through applying Charter principles and enter into a very different dialogue on what our reciprocal responsibilities should embody.

Mr. Speaker, just as it was a very natural reaction to fight for our rights as aggressively as we have as a society, I believe it is a natural progression to develop that experience in order to address the concerns which face us today. Albertans are striving to understand their role in a changing society. From my own experience it seems that we are faced with some conflicting ideas about our roles in our own communities and on the much larger provincial and national levels.

I believe there are some lingering questions about how we are expected to behave towards our fellow citizens in a society based on personal rights. Our relationships with each other are changing, and we need a framework which can assist us in dealing with these new relationships. We have developed a clear framework to articulate the protection of our fundamental rights as individuals. We now need to find the balance between those rights and our responsibilities towards others.

Inherent in granting rights to citizens are the associated duties, obligations, and responsibilities which should be accepted by citizens. Our rights are the same rights granted to each and every Canadian and cannot be fully realized unless we understand them. We cannot expect our own rights to remain safe unless each of us acknowledges that we ourselves play a role in maintaining them for our friends, families, and neighbours.

So, Mr. Speaker, the proposed Alberta Bill of Responsibilities

allows us to create the balance we need. This bill provides the framework for a discussion of how an individual can contribute to the community. This bill provides us with a framework to develop an understanding of our responsibilities and obligations as they reflect upon our rights granted to us under the Charter. The Alberta Bill of Responsibilities is a guide for our behaviour in the best interests of our fellow citizens. It is sometimes difficult to understand the principles behind legislation or legal decisions and how they should govern our actions. Therefore, we need a single reference point: Bill 205.

This discussion goes beyond the fact that each of us needs to behave within certain parameters to simply uphold the law. I believe we need to address the well-being of our communities. A society of law-abiding citizens is ideal; a citizenry who understands that they can go beyond simply obeying the law and can positively contribute to the well-being of their community is far better, Mr. Speaker. An individual who is aware of and understands their responsibility to society as a whole and obeys the law as a result is very different from someone who does not understand their responsibilities but happens to act in a manner which does not break the law. This is an important distinction, because when the individual is faced with a situation where perhaps the law is unclear or does not touch on that circumstance, we hope they will be able to reference some sense of responsibility or obligation to determine how they should behave. This makes for a better society and creates a certain amount of consistency and expectation for each of us.

3:10

The law cannot govern all circumstances, and perhaps in the interest of personal freedoms, we do not want it to. As an individual I would personally like to maintain the freedom to make certain choices. The more legislation and regulation created to govern our lives, the more considerations I must make in my daily activities, reducing my ability to make choices in an unrestricted way. We need legislation in many areas, but when no legislation is in place, I want to be able to trust in my fellow citizen to behave appropriately. The Alberta Bill of Responsibilities can provide us with this guideline.

I believe that one of the issues surrounding our rights and responsibilities is we assume that an individual will act in a certain manner, and we are surprised when they don't. We assume that the individual knows that the well-being of their community and society depends on their observance of our laws. We assume that an individual is aware of the balance between their rights and the associated duties and obligations. We also assume that our neighbours will accept their responsibility. Unfortunately, Mr. Speaker, these are only assumptions. We teach some level of responsibility in our schools, and those immigrating to Canada are taught this to some degree in their citizenship classes. But do we acknowledge these responsibilities on a larger scale? On what basis do we make these assumptions?

Alberta is a centre of many cultures, religions, and peoples. All Canadian provinces embrace their culturally diverse backgrounds. This is what built Canada and is one of the reasons that Alberta is such a sought-after province to live in. All Canadians, beyond aboriginal peoples, trace their heritage to different nations with very diverse cultures around the globe. This is the case whether they immigrated last year or their great-grandparents immigrated a hundred years ago. Although Albertans may not live their lives based on the same religious or cultural beliefs, this historic interaction and integration of values and cultures has evolved to what Albertans have come to understand as their

collective responsibility. The Alberta Bill of Responsibilities is an articulation of this common understanding.

Mr. Speaker, for these reasons I support Bill 205. I support Albertans in understanding what their responsibilities are. The Alberta Bill of Responsibilities is a sound piece of legislation, and I encourage each of you to support it.

Thank you.

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

MRS. SOETAERT: Well, thank you very much, Mr. Speaker. It's a pleasure to speak to Bill 205. I hate to break it to the hon. Member for Calgary-McCall and, of course, to the Member for St. Albert. She actually lives in my riding, and I hate to disagree with her on too many things, but I'm afraid I'm going to have to on Bill 205. I know she's probably going to be looking for new real estate somewhere.

I want to make a few comments about Bill 205, which I couldn't quite believe when I read. I thought I was maybe reading something that Stalin or Lenin may have written. I'm wondering if the Minister of Energy has had a chance to look at this bill. That would urge him to his feet today too, I am sure. I would like to say that this is virtually saying that it's the government's job to make people live ethical lives. Now, we have laws which have governed most of the issues in this and have legislated them with not just responsibility but the outcome of that, an action and legislation to go with it. This one just says: you will be responsible.

Now, everyone's heard that the state should stay out of the bedroom. Well, certainly yes, Mr. Speaker. People have heard that before: the state should stay out of the bedroom. This bill virtually says that it should be in the bedroom, in the kitchen, in the backyard, on the deck. Like, this says: the state is in your life; we are going to make you responsible for every little thing.

I think people are responsible. Now you're legislating it without any repercussions. Maybe it's a slogan bill where you can say: "I have a bill that says: Alberta Bill of Responsibilities. This tells people that they're responsible. I don't know how I'm going to implement it. I don't know whether I should, but it's a feel-good bill." We're telling Albertans to be responsible. I just don't see that as strong legislation worthy of this House. I respect the right of every member to bring forward their private member's bill, of course, but this is one I certainly cannot support.

When you're talking about Big Brother government, I guess this is the classic. So you will say: I am the government; you will be responsible. What if they say no? "I am the government; you will be responsible." It's like a parent saying, "I'd rather you not do that," and the child saying, "Why?" You say, "Because I said so." Usually a reasonable discussion is what will end up with a very responsible decision on the part of the child.

I guess this is the government's shot at maybe trying to create a utopian society. I'm sure that even Sir Thomas More knew that there is no utopia here on Earth. We all have to strive to make it better but certainly not with this piece of legislation. This is certainly social engineering run amok. [interjections] I just love waking people up on the other side, Mr. Speaker.

This, to me, you know, is really taking away choice. It is prescriptive and disappointing. I have a few more things to say about a few sections of the bill. Hopefully, it doesn't get to committee, but if it does, hopefully the member can address some of those concerns.

I was looking particularly at 2(b): "Individuals are responsible for . . . the actions of their minor children." Well, I would say that most people are. However, you and I all know about people who are not. If you've ever been in youth court and you've seen the minors there, what is very sad but very obvious is the amount of parents who are not there. That's sad. That's a reality of our society, and that's where I know we do try to have programs to help those children. I know I've had parents in my constituency office, honestly, in tears because they don't know how to handle their child and they are looking for help and it isn't out there for them. Maybe that's the kind of legislation or programming or suggestions that should be coming forward in here. How do we help those parents who need help with their children?

What if you're a noncustodial parent? How can you be totally – I agree that you're responsible, but you don't see that child all the time. I also am a believer in: do you think that when somebody turns 18, they will suddenly be responsible unless we have taught them through their lives that they are responsible for their actions? So I don't think legislating it and saying to parents, "You will be responsible for your children" – I think every one of us here is responsible for our children. But to legislate it and tell me to do that, I'm anxious to hear what the Minister of Energy would say about that – I truly am – in this private member's bill. Section 2(b), I thought, was definitely something worthy of my response.

3:20

Also, "providing a safe, secure and nurturing environment for their families." Well, of course we're all responsible for that. So now you're going to legislate it. But what's the outcome if you aren't? What if I'm not responsible? What does this piece of legislation do for that? [interjections] The minister says that this morning I was complaining about the size of babies. Not my own, however.

Yes, the birth weight in Calgary is down, and I think that's a concern. Is that underfunding of health care dollars? Is that what it is? Should we legislate that you must have a child that weighs over seven pounds? That's about the comparison of this bill. It is your responsibility to bear healthy children. That's what this bill is saying. That's ludicrous. Yes, we all want healthy children. We do what we can to have healthy children. But you know what? Mother Nature has a little bit of a say in that, and not everyone can have an eight-pound, healthy child.

However, if they're in an environment where they can get to a hospital, where they can get nutrition classes, where they are supported by programs out there, then we have a better chance. Maybe we need home care programs that teach young people how to properly eat, how to take care of themselves while they are pregnant. Shall we just legislate it, or should we provide programs for those people who don't know? But let's legislate healthy babies; that's a good one. I know that the minister responsible for intergovernmental affairs, from his background as a lawyer, must be shaking his head at this one, not at the member personally, I know, but knowing that you're going to legislate responsibility. [interjection] Oh, I know the Minister of Energy is anxious to speak, but I do want to have my chance at this first.

This is interesting:

3. It is recognized and declared that the Government has a responsibility to

- (a) preserve and manage Alberta's environment and natural resources for future generations.

Now, there's one for the Minister of Energy. I bet if he read this line, he would be offended, because he knows it is his responsibility.

ity. Despite that he's the Minister of Energy, he still has to protect our environment.

Mr. Speaker, I'd like to look at 3(b). Do the ministers on the front bench realize that this is going to legislate them to "exercise fiscal responsibility to ensure that it operates within its means"? I thought we did that awhile ago. Then that piece is redundant. You see, once before, we didn't trust this government with spending money, so they had to bring in a bill that said: okay; we're going to be responsible. Of course, there are no repercussions if you aren't. That was the part of the bill they forgot. But, you know, if it says that we will legislate a balanced budget, that's redundant, hon. member. In fact, most of the amendments to this would be eliminating it, because much of it is redundant.

For the government to "promote individual well-being by maintaining effective health care, education and social welfare systems" – this one part I would like to be able to legislate, you know, but there are no repercussions for it. We could tell them that we need a health care system that works, that we need a social services system that works, that we need an educational system that's properly funded, but there are no repercussions for it in this bill. They had a chance. They could have supported the hon. Member for Edmonton-McClung, Leader of the Opposition, but they didn't do that. Now, that had repercussions, and I think the Member for Calgary-McCall didn't support that. So, you see, it's a do-good, feel-good kind of bill, because you can say anything you like and there are no repercussions for it. No repercussions. We have a responsibility, but you don't have to follow it. So, you know, that's disappointing in this bill.

I think I've made my points.

MR. PHAM: Thank you. Thank you.

MRS. SOETAERT: I know the Member for Calgary-Montrose would like me to keep going because he always enjoys what I have to add to debate. However, Mr. Speaker, I know there are other people who do want to speak to this bill.

I won't be voting for it. I know that disappoints the member, because there are times when I do support other members' bills, but this is one I can't because it's a do-good, feel-good but do-nothing kind of bill. It gives people responsibilities, but it means nothing. I would venture to say that most people are responsible, and I think where the government steps in is to help those people be responsible through programs, through support systems, through those kinds of networks, not just through a bill that says: you will be; you will do. I don't want to live in a province with that kind of Big Brother attitude, so for those reasons I will not be supporting this bill. I know that there will be other members who agree with me on that, and one of them, I'll bet you, is the Minister of Energy.

Thank you very much, Mr. Speaker.

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

MR. CAO: Thank you, Mr. Speaker. I'm very proud as an Albertan and a Canadian to speak on Bill 205, the Alberta Bill of Responsibilities. In my response to the Speech from the Throne I outlined what we believe in our democratic principles: all are heard; decisions are based on the needs of the majority with respect for the concerns of the minority. Bill 205 sets out to define the responsibilities of individual Albertans and to ensure that all others are given the freedom to exercise their rights and freedoms.

Mr. Speaker, the rights of citizens enshrined in the civil codes and charters and bills of rights are the bedrock of any democratic society. There are two fundamental principles based on rights and freedoms: there must be protection from the state and limits on its powers, and the rights and the freedoms of citizens must be held paramount. It is the underpinning of these two principles that separates a democratic regime from an authoritarian or totalitarian one.

Mr. Speaker, over the centuries of human transgression and leading up to the last few decades of two world wars and numerous other human travesties, we have fought hard to have the rights and freedoms of individuals protected, which has evolved into our present-day democracy. Indeed, many Canadians gave up their lives for the cause of freedom and liberty, and it is from their hard-fought sacrifice that we have the rights and the freedoms we enjoy today.

The move to democratic norms and the acceptance of human rights and freedoms is on the rise, which Samuel Huntington describes in *Third Wave*. The new constitutions in such places as South Africa and Russia have enshrined the rights and freedoms of individuals, and while it will take time for these principles to enter day-to-day practices, it is a step in the right direction. While many nations have moved in the direction of recognizing rights and freedoms, there are still nations with despot leaders and random imprisonment without due process as well as other injustices. We only have to look at places like Rwanda or the war in the former Yugoslavia.

Mr. Speaker, today Alberta and the rest of Canada have probably the most progressive human rights and freedoms legislation in the world enshrined in our Charter of Rights and Freedoms. This is also the 50th anniversary of the universal declaration of human rights. I believe that not only should we keep practising it ourselves but also help to promote it in the best way we see fit.

THE SPEAKER: I hesitate to interrupt the hon. Member for Calgary-Fort, but the time for the consideration of this item of business is now concluded.

head: Motions Other than Government Motions
3:30 **Grocery Store Liquor Licences**

504. Mr. Broda moved:

Be it resolved that the Legislative Assembly urge the government to consider refraining from granting liquor licences to major grocery chains seeking to open liquor stores in communities with a population of 10,000 or less when the review of privatized retailing in the liquor industry takes place.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. At the urging of some of my constituents, I bring forward Motion 504. This motion is to urge the government to consider putting in place safeguards prohibiting major grocery chains, defined as large format retailers and classified as part of the food chain stores that are operational in communities with a population of less than 10,000, from obtaining liquor licences in those communities. It is asked that this consideration be given during the ongoing review process of privatized retailing in the liquor industry.

[The Deputy Speaker in the chair]

Mr. Speaker, I'd like to bring a little bit of background as to why I'm bringing this motion and the concerns that are out there. I was not here in 1993 when the privatization did occur, but I must commend the minister of the day for doing what he did, because I think it was the right thing to do. On September 2, 1993, the Minister of Municipal Affairs of the day announced that the Alberta Liquor Control Board would be taking a new direction. He stated in his ministerial statement that the existing 202 Alberta Liquor Control Board stores would be phased out within a six-month period and replaced with a private-sector retail system. At the time of the announcement, in addition to the ALCB liquor stores, there were 640 privately operated facilities. These operators included 30 retail beer stores, 23 retail wine stores, 532 hotels with off-sales, 49 agency stores, two winery-based retail outlets, two brewery-based retail outlets, and two brew pubs. The first ALCB store closed in Empress, Alberta, on September 4, 1993, and the last two stores closed in Calgary on March 5, 1994.

Mr. Speaker, again I must say that I think the privatization was the right move, and it is working very well. However, prior to privatization large format retailers, primarily grocery chains, expressed preference to roll out liquor retailing into existing retail space. This option was considered to be inconsistent with the policy objectives developed during the planning process and consequently was not permitted. Following the early stages of privatization, the large format retailers made representation to be allowed to carve out a separate retail store by subdividing existing retail space. This option was not accepted because it would provide significant retail advantage to the small number of large format retailers to the detriment of the majority of the new retail liquor operators, who invested an estimated \$100 million in the new retail liquor industry.

Currently, Mr. Speaker, grocery stores have been granted licences to sell liquor but must comply with legislation which requires that liquor stores operate as separate businesses and that liquor not be used to enhance the sale of other retail goods, be it groceries, gas, or other products. These businesses must be on separate premises from the grocery department.

Following the move of the sale of retail liquor to the private sector, it was announced that there would be a review of the privatized retail after five years, and we're getting close to that five years. We are approaching the end of that time line, and a review will take place before the September 2, 1998, anniversary, at which time it is expected that the issue of the grocery stores selling liquor will be raised, and now I'm raising it.

The current situation in Alberta as of the end of 1997: there were 701 private liquor stores in operation in Alberta. Since the phaseout of the ALCB stores there have been 96 independent stores that have ceased operation. At the present time in Alberta, Westfair Foods Ltd., through their subsidiary company, Real Canadian Liquor Store Ltd., operates six liquor stores in Alberta, one each in Edmonton, Calgary, Red Deer, Medicine Hat, Fort McMurray, and Grande Prairie. There are two locations approved in principle for Edmonton and one for Sherwood Park, which are planned to be operating by the end of 1998. There are also four applications before the board for liquor stores in Calgary, which have been deferred to the board of the Alberta Gaming and Liquor Commission pending the completion of an audit by the commission.

Safeway operates two liquor stores: one in Lethbridge and one

in Leduc. Horne & Pitfield, IGA, operates two liquor stores: one in Sherwood Park and one in Spruce Grove. The Calgary Co-operative Association operates three liquor stores in Calgary. There are currently no liquor stores operating retail liquor outlets in small communities. However, there is no safeguard in place to prevent the establishment of these types of outlets.

Mr. Speaker, I will look at other jurisdictions. British Columbia has a partially privatized system; some are government owned. In British Columbia no major grocery chains are permitted to sell liquor. In New Brunswick stores that are franchised are permitted to sell liquor but only one franchise for the whole province. In Saskatchewan, which is, again, operated by the Saskatchewan government, in order to qualify for a franchise to sell liquor, the community must have a population of at least 250 people and there must be no other retail liquor outlet within 20 kilometres. This system would effectively allow for a grocery store such as the Co-op to sell liquor in separate sections of the grocery store. There would be no other liquor outlet permitted. Those are other jurisdictions. I just wanted to point those out.

We in Alberta here have our own system, and it is working good. I can't emphasize it enough that it is working good. However, Motion 504, that I'm bringing forward, addresses not only the concerns of the constituents in my constituency but I'm sure addresses some of the concerns in Small Town, Alberta, because they have the same concerns. Like I say, privatization was and is a good thing. It opens up competition.

The private sector can operate more efficiently than government. However, a lot of people may say that large format stores do not operate in small communities, and maybe they're right. But in small communities - I'll say Redwater - we may have a Super A store. We may have an IGA. Those are large stores to that community. We have to address these, and we may see down the line from Edmonton to Cold Lake that there may be 10 to 15 IGA stores. If IGA, or Horne & Pitfield in this case, is allowed to have liquor stores, we may find that because they're delivering groceries, they can also deliver the liquor to these outlets at a reduced rate to the stores, whereas the private sector doesn't have that advantage. He has to look at additional costs.

So what I'm asking is that we really review this so that the private sector is on an even playing field. Right now, at the present moment, Mr. Speaker, we have communities that are close to major centres, and I'm going to speak about my community. We tend to lose a lot of our people that go shopping to the major city, and they do a lot of their shopping. That's human nature, and nobody's going to say they can't. It's open competition to anybody. Like I say, we had two liquor stores in Redwater; right now we're down to one. We may have three next week. That's perfectly okay. That's the private sector that can come out there. We can have some major outfit come out and say: we're going to put 50 or 100 liquor stores in small communities in Alberta. That's competition, and that's good.

3:40

However, when you allow a stand-alone liquor store to operate in a major store, a shopping centre, or a grocery store in small communities - they're already attracting a lot of the residents that come to do their grocery shopping - it makes it one-stop shopping. It's a disadvantage to the private sector that says: look; I'd like to be in business. Not everybody can operate a business effectively. That's why you see some people closing their businesses. In the community of Thorhild there were two liquor stores. They went down to one, and they're back to two now. But if we allow, say, the Co-op Store that's existing there, that

attracts a lot of people in, to put a stand-alone store, it'll affect the other two people. Those mom-and-dad – those mom-and-pop stores that have been put up . . .

MRS. SOETAERT: Mom and dad.

MR. BRODA: Mom and dad, if you want to call them, sure.

Some of them have put their life savings into the business. They've invested – they've purchased even some of the ALCB stores – to the tune of maybe \$100,000 to \$200,000. It's a big investment, Mr. Speaker, and this is why I'm saying: let's do a review, and if we're going to be doing a review, let's look at why we would not look at disallowing major grocery stores in small communities.

Mr. Speaker, independent liquor retailers would be protected from the advent of large format retailers entering the marketplace and using their size and power to control the marketplace. Also, to allow grocery stores to enter the business of liquor retail on premises separate from their grocery goods is of little assurance to the independent retailers, as these separate premises are often on a parking lot next door, which still allows the grocer to monopolize the marketplace. Support for this motion would demonstrate the government's commitment to small business initiatives throughout the province. The convenience of one-stop shopping appeals to consumers and lowers the ability of independent retailers to compete in the marketplace.

Mr. Speaker, in a recent issue of wine and beer *Vendor* the current minister, the hon. Minister of Economic Development, also said, "We're not finished the five year program, but clearly it's gone along fairly well," and the minister said that the Alberta Gaming and Liquor Commission

will be conducting some kind of "formalized" look back at the last five years. "You always review any kind of program where you take that quantum leap to see if, in fact, it's working in the right direction, if there are things that can be improved." . . . The minister is also suggesting there will be some form of consultation with consumers in order to gauge their happiness with private liquor stores.

I think that once that review is done, we may very well find that everybody is happy, but I am getting concerns from my constituency and I am bringing them forward. I feel that if a review is going to be done sometime in September or before September this year, we should look at all the aspects and see if there is a need to restrict major format stores or Horne & Pitfield, that supplies other stores, from coming out there.

Yes, I had one fellow comment to me, "We don't have a problem in our community," but he comes from a community of 32,000 with a drawing area of possibly 15,000 to 20,000 from the outside. Maybe those areas don't have a problem, but when you look at small communities close to major centres, whether it be Calgary, Red Deer, Edmonton, or Grande Prairie – and I'm going to refer back to my own community. We're close enough to the city so that a lot of people already shop in Edmonton, and rightfully so. I do myself because some of the items are not available. But if I go to the city, I may also pick up my liquor.

In my community the IGA owner or the Co-op Store owner is a private person. If he wants to put in a liquor store, I'm not saying to not allow him to but not on the same grounds that that particular grocery store is already. The bulk of the people are already coming into that community or into that particular facility to shop, which takes away from a liquor store that may be two or three blocks down the way. The thing is that a lot of these small businesses employ a lot of employees, in some cases up to four or

five people. That's employment that could possibly be lost if those stores were not able to have some protection given to them. Again, like I say, large stores, Mr. Speaker, in the city of Edmonton or large centres that are cities – you have a bigger drawing population.

Smaller rural communities, I hope I'm speaking for all of them. I'm just saying: let's not lose sight that we are proposing a review. This is what this motion is, Mr. Speaker. It's to review it. If it is that nobody's complaining, so be it. But it's not to say that we're going to restrict anybody, because that's not our intent. Restrictions are no good. However, we can set some kind of a policy that the Alberta Gaming and Liquor Commission can look at before they grant licences. Maybe we should look at population: how many stores are in that community already? I guess they're going to say: that's free enterprise; you can't stop it. Yes. You can't stop free enterprise, but maybe we should look at it, because we still grant licensing, and when we grant licensing, we still do have some control. If we have control, maybe we should look at some regulation that goes with that control to say that these large format stores should not be permitted to have stand-alone liquor stores in them.

Mr. Speaker, in closing here, I would urge all members of this Assembly on both sides to support this motion. I know your constituents are probably phoning, and if they haven't, they probably will be after this motion goes through. So I would urge that we as government look at it in favour of this motion.

Thank you.

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

MR. DICKSON: Thanks very much, Mr. Speaker. Despite the encouragement from the member who's just spoken, I have to admit to a little puzzlement, a little confusion, and I hope I'm going to be able to get some answers before we get to a vote on this significant motion. See, I was privileged to be here before the March 11, 1997, election, and I listened to the champion of privatization, the proselytizer with a capital P, the black belt champion of privatization, the current Minister of Energy. You know, I have often disagreed with the current Minister of Energy, but I've always respected his consistency and the fact that he has a philosophy, as varied as it may be from my own. But I've respected his consistency.

So what I'm trying to do when I listen to the Minister of Energy, who lectured and encouraged and urged members in this Assembly to promote his privatization initiative, is I'm trying to reconcile his promise that Albertans would be far better off, would be hugely advantaged to let the market decide. You know, I was finding that towards the end of the debate he was becoming more and more encouraging, and it made a certain kind of internal logic in terms of his arguments. Anyway, I listened to the Minister of Energy when he promoted it, and he was successful. He was able to persuade a majority of the members in this Assembly that this was the answer.

I remember those of my colleagues who stood up and had some concern about a proliferation of small operators, whether there'd be adequate safeguards, whether we'd have an increased incidence of break-ins to private places, whether there'd be adequate checking for identification for age, eligibility, and things like that. The current Minister of Energy, then the champion of privatization, had little patience for those things. If I can paraphrase him, it was sort of a question of: did we not have enough confidence

in the good judgment of Alberta consumers and small business-people to be able to sort that out on their own? Anyway, that's a little bit of history that I recall. There'll be other members who may have different recollections, but I wanted to create that sort of context.

3:50

Now, in my site line – you see, I have to look at the Minister of Energy to look at the Member for Redwater. As I look at the two, one shaking his head up and down in agreement and the other one vigorously shaking his head from side to side, I'm trying to reconcile sort of where the truth is, because both of these are respectable members. [interjection] The Minister of Health reminds me that this is private members' day. Well, I'm mindful of that, Mr. Speaker. But surely if this motion passes – and is there anybody here who would suggest that none of these motions pass? Occasionally they get through.

The motion is an instruction to the government, and I think a motion should be taken as seriously as a bill. If it passes, it's a direction to the government, so surely we should apply the same kinds of standards. [interjection] Well, we try and reconcile these two.

I, unfortunately, am at a huge disadvantage, Mr. Speaker. I do not subscribe to wine and beer *Vendor*, so I don't get that periodical on a regular basis. So there are going to be nuances to this issue that I'm simply not properly instructed on. [interjection] Well, there are members that probably subscribe to a whole range of magazines that we haven't heard of before.

My question is this. Now, I represent a large urban centre, so what I want to say is: why is it that we'd have two sets of rights? Why would it be that small businesspeople in downtown Calgary wouldn't have the same kind of protection, the same kind of attention paid to their needs as a small businessman in Medicine Hat or in a smaller community? Whether it's a Piggly Wiggly grocery store in Okotoks or a giant Safeway store in northwest Calgary, it seems to me that there are some principles here. We have to say firstly: who does this motion serve? Is it Albertans as consumers? My wife makes wine, Mr. Speaker, so I may disclose a bit of a small conflict of interest right at the front. Is it the consumer we're interested in? Is it small businesspeople? I'm not quite clear what the constituency is that's going to be advantaged by this. I suspect it's small businesspeople. I expect it's people who would operate independent liquor stores. That's who I would assume would be the people who would benefit, but only those businesspeople who operate in communities with a population of less than 10,000.

You know, competition is competition; that's what the Minister of Energy always told me. He also told me – and I listened closely – that whether it's a city the size of Calgary or a community the size of Drumheller, it's the same principle, and the good judgment of consumers and small businesspeople will resolve the problem without undue government interference.

Surely the 10,000 population is wholly arbitrary. I've talked to a number of people who have liquor licences in downtown Calgary, and they've had some really significant problems. I think they'd be very interested in seeing limitations put on large, huge-pocketed operators moving into their community in terms of being able to corner a very large market share. So I need some explanation in terms as to why it's tougher – there are actually a lot fewer stores in small communities with less than 10,000. There are people in the cities of Calgary and Edmonton and some larger centres who say there's too much competition there. It has been said that we have one on almost every street corner, and I

think those people could legitimately make a strong argument as well.

The other thing that's confusing to me is major grocery chains seeking to open liquor stores. Well, does that mean that if Canada Safeway has an equity interest in a small operation, they would be banned from it? We can remember when larger hotels could have a beer store and it could be on-premises but had to be a separate entrance and so on. Is that what we're talking about here? I don't know, and I'm hopeful the sponsoring member from Redwater can tell us. Is it physically situating a liquor store in a large grocery store? Is that the concern?

MR. BRODA: A stand-alone.

MR. DICKSON: A stand-alone; okay. Well, I have some concern. If the issue is concentration of ownership, something I know the Minister of Energy would not agree with, then why would it only be large grocery stores we'd be concerned with? If it's concentration of ownership, why wouldn't it be any corporation that has assets or revenues of more than a million dollars or whatever threshold we'd want to make? Why do we focus only on grocery stores? If Canadian Tire decided they were going to get into the business of liquor stores – and they have installations all across the country – would they be similarly prohibited? I'm just looking for some logic in terms of that. It seems to me that if in fact we have, as I understand, 701 private stores – I think that's what the member mentioned; I didn't know the number before he mentioned it – and the 96 independent stores, I'd be interested in knowing what their perspective is.

Now, the other thing I'm a bit puzzled by is that the member repeatedly said there's a review going on, that it may start in September. He said his motion called for a review. Well, I don't see that. I have to be clear. Is he trying to pre-empt the review, and does he want the Legislative Assembly to step in and narrow the mandate so that some decisions have already been made even before that study commences? Or is he saying that this is something he wants to only happen in the interim period until the review starts and finishes? I don't know, and I hope to get some clarification on that.

I have a lot of concern that we have too many liquor licences. There are all kinds of legal issues that are going to arise in terms of discriminatory legislation, because once you go down this road, you have property owners that have vested property rights. That gives them some particular kinds of interest. When you start then changing the rules after the fact, you expose Alberta taxpayers, you expose the Alberta government to some significant liability and damage claims. I'd be interested in what the member has done in terms of addressing those.

Those are the concerns I wanted to raise, and I look forward to clarification before we get to a vote. Thanks very much, Mr. Speaker.

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

MR. DUCHARME: Thank you, Mr. Speaker. I rise today to speak to Motion 504, one which brings to this Assembly an issue that has created some discussion within my constituency, as it may have in constituencies of other members of this Assembly. I fully recognize that this is a very emotional issue. On one hand, privatization of the liquor industry created the opportunity for the private sector to demonstrate its competency and responsibility as

the retailer of liquor products. In doing so, the market was opened up for competition in liquor sales throughout the province in all communities and cities. On the other hand, opportunities have also been created for the bigger operators, the large format retailers such as the grocery chains, to enter into the marketplace. While I am all for a competitive marketplace, this is creating hardship for some businesses in smaller communities. This is the matter which is responsible for the motion before us.

Privatizing the liquor industry was to be used as an initiative that would make a positive contribution to the economy of Alberta. I would have to say that in general this initiative has met with success. When the decision was made to privatize the liquor stores, Mr. Speaker, a number of retailing options were examined in the preprivatization planning period. The planning process was essential to ensure that a model would be developed that would effectively meet the policy objectives of the government of Alberta and ensure that the business community would take up the challenge of becoming the sole retailer of liquor products in the province. I won't go into details of the three options which were considered. Instead, I will briefly discuss the option that was chosen as being the best able to meet the objectives I just mentioned.

4:00

This was the option that requires liquor products to be retailed separately from other commodities in privately operated retail liquor stores. Under this option a limited number of liquor-related products, such as beer mugs, wineglasses, corkscrews, et cetera, would also be permitted to be sold from the retail liquor store. It was at this point that the option to allow liquor products to be rolled out into existing nonliquor retail stores – for example, grocery stores – and allow liquor products to be integrated with other food and nonliquor beverage products was rejected, although I should say they have not abandoned their desire to be permitted to sell liquor within their existing premises; that is, on the same shelves as those that are stocked with products such as bread and milk.

The grocery stores have for some time now pushed to move away from the stand-alone liquor stores and move the liquor into the same building as the groceries. Any exemptions to the requirement that liquor be sold from a retail liquor store were only allowed in the more remote rural areas of the province where agency stores had been established. Hotel off-sales outlets were not required to convert to retail liquor stores because the majority of these hotels provided over-the-counter sales from inside licensed premises.

Mr. Speaker, following the privatization of the retail liquor industry, liquor stores were established in the small communities. In some of these communities there may have been one ALCB store, and suddenly there may now be two or three privately owned stores. I can only speculate that some of these communities have not been able to sustain all of these stores.

Mr. Speaker, this motion is not about limiting the opportunities for either side to compete in the marketplace. With this motion what we are saying is that we do not want to see the level of competition increased even further by the large grocery chains setting up their own liquor stores. Given their size alone, they have the advantage of pushing the small liquor retailers out of the marketplace. Now, one might argue that a strong competitive marketplace is a positive thing and that this motion is suggesting to limit or restrain the marketplace. This is not the case. I am in favour of a competitive marketplace, but realistically there have been numerous closures of private stores simply because they

could not compete with the larger retailers. To allow larger format retailers, such as the grocery stores in the smaller communities, to sell liquor further disintegrates the ability of these small private retail liquor outlets to survive.

I suppose one could argue that these large grocery chains do not typically move into the smaller communities. The truth of the matter, Mr. Speaker, is that in communities under 10,000 population there certainly are major grocery chains. There are IGAs; there are Co-op stores and various other chains that may be specific to a certain region of the province. In these communities where the grocery stores have been established and/or have considered venturing into the liquor industry, major concerns have been expressed. These concerns include the ability of grocery stores with stand-alone liquor outlets next door to draw the consumer with a one-stop style of shopping. If a consumer can access such convenient shopping, then the store down the street or on the other side of town that would require another stop is just not going to get that business. Essentially what happens with the large grocery store selling liquor in the smaller communities is that we defeat the competitive market. We suffocate the opportunities of the small retailer to compete.

Mr. Speaker, I do not feel that the grocery stores should be allowed to become involved in the retail liquor business, especially in the small communities. At the very least, perhaps what we should do is take into consideration the existing liquor retail outlets in a community where a large grocery chain is attempting to obtain a licence to sell liquor. Addressing this issue on a per community basis would certainly be acceptable. It is not for me to say that every small community is going to have these large format retailers develop, nor am I saying that if there is no other retail liquor outlet in the community, the grocery chain cannot sell liquor. I say again that this motion is not intended to limit opportunities for any of the players in the marketplace. It is simply asking for consideration of the smaller liquor retailers.

I understand that the Minister of Economic Development is conducting a review of the privatized retailing industry. This is the perfect opportunity to look at the marketplace and see how well the private liquor stores are doing, what is happening in the communities, and yes, to look at what is happening with the attempt of grocery stores to become involved in the industry of selling liquor. I come from a small community, and I am concerned about the small liquor stores being able to compete against the large format retailers. We can see, Mr. Speaker, that there has been a terrific increase in the number of liquor outlets throughout this province. In fact, the number of liquor stores has more than doubled since the phaseout of the ALCB stores in 1993. We have already determined policy requiring that liquor stores must be stand-alone in addition to other restrictions relating to nonliquor products. Perhaps this has improved the convenience to customers, but I have to wonder what it has done to those smaller mom-and-pop stores that have had to close their doors because of the extreme competitiveness of the marketplace within a close proximity.

Now, I understand that only 96 independent stores have been closed since 1993, and at a distance we can say that this can be considered a relatively low number when considering the turnover and closing rate in the retail sector. For me this is a very cold assessment, and while it may be reality, there are people involved here, people who in many cases have been part of a community all of their lives and are suddenly unable to make ends meet. I recognize that anyone entering into business must also accept the

risks involved, in particular in small communities where business is at an even greater risk. But, Mr. Speaker, the closure of the stores for these people in the community may very well be the closure of their ability to maintain a living. This is a dramatic analogy, I know, but not unrealistic.

Mr. Speaker, I recognize that it is not the government that grants the licences in the liquor industry, that it is the Alberta Gaming and Liquor Commission. As this is the case, what this motion is intending to do is to urge the government to look at policies such as stated in this motion and have the Alberta Gaming and Liquor Commission take them into consideration when making licensing decisions.

As I stated earlier, Mr. Speaker, I understand that there is a review being conducted of the privatized liquor retail industry. All I would ask is that the concern raised in this motion be given consideration in the process of this review.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. Well, I certainly appreciate the doggedness with which the Member for Redwater has brought forward this motion. It's obviously of great concern to his constituency. But I have to admit that I'm trying to unravel the arguments that have been brought forward here. I don't have an opinion one way or another on this. I'm going to speak because there are some points that I would like to raise, and perhaps as I go, I will make up my mind exactly on this.

There are also some questions, I think, that need to be raised with the bill. The motion is asking the Legislative Assembly to urge the government to refrain from "granting liquor licences to major grocery chains seeking to open liquor stores in small communities with a population of 10,000 or less." One of the first questions that I have is – and I was hoping that the Member for Redwater would have given us the reasoning for this when he was speaking in support of the motion – why was the number of 10,000 chosen? Is this of particular significance somehow in Alberta? Does this determine whether a rural area has gone from one level to another in its municipal category? Is there not a range that's included here? What happens if you have a town that's got 9,700 people in it as compared to the one down the road that has 10,200 in it? It appears to be an arbitrary number, and I'm wondering if it has particular significance in light of what's being asked for with this motion.

I've heard a couple of hon. members speak to this, and I'm hearing what appears to me to be conflicting points of view in that they're saying: "I'm all for the free market. I'm all for privatization. I'm all for no government control. I'm all in favour of competition, except where it would be affecting members in my constituency. So I'm all in favour of that everywhere else except for when it's going to come down and affect people in my constituency." On the one hand, I applaud a member for getting up to defend a concern in their constituency, but on the other hand I have to say: what is the big picture here? If you're truly in favour of privatization, then isn't it privatization everywhere? There were certainly no exceptions in the original bill that I remember.

So now that there has been time and the five years are in place – it's up in the fall of 1998 – am I hearing, then, that this privatization in fact is not working very well for people and there is a need to go back and make some adjustments in order to take

into consideration the specific circumstances of smaller centres in Alberta? If I can get some answers back on that, that's wonderful.

4:10

Two of the members have been calling for a review and seemed to indicate that asking for a review was in the motion. I've read out the motion, and there is no calling for a review in that motion. I'm wondering why they're asking for a review and at the same time telling us that the Minister of Economic Development has in fact said that they are doing a review. Again, there's a contradiction there. It's obviously very important to the people, but what is the real question that is being asked by the hon. members?

It strikes me that what is at the heart of this is that a deal was made when the ALCB was first privatized. It seems that some participants in this deal have come to believe that there's a broken promise in the deal, if I'm understanding the points that are being brought forward. The deal, as I understand it, was that grocery stores would not be allowed to sell liquor in their stores nor would they be allowed to set aside an area in the store that was specifically dedicated to selling liquor. It now appears – and I think this was a more recent development – that they could set up a stand-alone store on their property but totally disconnected from the original grocery store. I'm wondering if this is what's causing some of the consternation, that the small operators feel that was not part of the original deal.

I can understand the economic activity that is generated by the smaller liquor stores in rural centres or in small centres that are in rural areas. They don't want to lose their investment in the store. They don't want to lose their employees that they're paying, which is adding to the economic life of that particular town or hamlet. On the other hand, I thought this was supposed to go all the way across the province and was a wonderful deal for everybody. So that has yet to be made clear, but obviously the small operators feel that whatever they bought into as part of the deal has not been upheld. For that, I can understand why there is some irritation with the present state of affairs.

I think this comes forward partly because of the rush to privatize, and I know that is part of a theory of privatization that is held near and dear by members. But I think that is what puts us in a situation like we're in right now, in that things were not thought through. It certainly does get everything in place if you just say: bang, that's it; tomorrow it shall be thus. But as people actually start to work with that process and that situation, I think what I'm hearing is that it's become clear it does not work for some segments. So then do we as legislators go: "Okay; fine. We will make exceptions because we believe it's important that in smaller areas small operators are to be protected"? Or do we say: "Nope. That's it. Everybody falls under it, and those of you that are finding yourselves in an unfortunate situation, tough beans"? It sounds like we're revisiting not only this particular privatization but all privatization, so perhaps it was not the great shining light that it was put out to be. I have to say that I was not in the Legislature at the time, so I've missed all of the elucidating debates on privatization.

One of the other things I've noted and another example I have of privatization not working the way people thought it would – I'm watching the privatization of the registries, which were privatized to cover certain services. They weren't making enough money, and I know now that they have gone back to the government and asked to have other things privatized or turned over to them so that they could make enough from them. I have to say: why did we go through all of this without understanding how

much money would have to be earned by these small private registries? Why did we get this far into it and then have these people find out that in fact they cannot make a living, that they needed to have vital statistics privatized over to them as well, that motor vehicle registry was not going to keep them alive and their rent paid? I think that is because there was not a long and thoughtful process that went into this. It was leapt into, and we are paying the consequences for it now.

So those are my reactions to that motion. I have put forward a number of questions. I hope I can expect an answer to them, and I look forward to the rest of the debate on this particular motion.

Thank you.

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

MR. CARDINAL: Thank you very much, Mr. Speaker. I won't get into the history because most of the speakers previous to me talked about the history going back to September 2, 1993, but I will talk a bit.

Even prior to privatization the large format retailers, primarily grocery chains of course, expressed a preference to roll out liquor retailing into existing retail space. This option was considered to be inconsistent with the policy objectives developed during the planning process and consequently was not permitted to move forward. Following the early stages of privatization the large format retailers sought to be allowed to carve out a separate retail liquor store by subdividing existing retail space. Of course, this option was not accepted because it would provide significant retail advantages to a small number of large format retailers to the detriment of the majority of new smaller retail liquor operators in Alberta.

Grocery stores have been, though, granted licences to sell liquor but must comply with policies which require that liquor stores operate as separate businesses and must be on separate premises from the grocery department section. The separate businesses operated by the grocery chains are often on the parking lots next door to the grocery stores, which will allow the grocer to monopolize the marketplace. This convenience of one-stop shopping of course appeals to consumers and lowers the ability of smaller independent retailers to compete in the marketplace. In addition, there is still the push by these grocery stores to be permitted to sell liquor within existing grocery premises. Clearly defined regulations would prohibit the grocery stores from attempting to ease their restrictions and allow them to sell liquor as departments, such as dairy and bakery.

This motion is asking for safeguards to be put in place prohibiting major grocery chains operating in communities with a population of less than 10,000 from obtaining liquor licences in those particular communities of that size. As there is currently a review of privatized retailing in the liquor industry taking place in Alberta, it is suggested that the concern raised in this motion be given consideration and careful examination during this review process.

4:20

It is not suggested that one type of retailer be isolated as a sole retailer of liquor; that is, the small business versus the large format retailers. What is being suggested is that we study more closely the effects of allowing the major grocery chains to open liquor retail outlets in smaller communities. As rural MLAs, because we cover such a large geographic area, we cover a lot of

small towns, et cetera, that have in some cases even two small liquor stores. In those same small towns you will sometimes find larger retailers. In fact, if larger retailers in smaller locations like that were allowed to sell liquor and be licensed, the smaller independent liquor stores would not be able to survive. Of course, that would mean unemployment for a lot more people in our communities, although no doubt even in those areas, to be honest, the large stores again would be probably more convenient for the consumer.

Since 1992 a number of these small businesses have established and depend on their – in fact, a number of families depend on those jobs as their livelihood. I believe at this time that until the review is completed, we should carefully put in processes that will allow these smaller independent businesses to continue to sell liquor in Alberta.

Thank you.

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

MS BARRETT: Thank you, Mr. Speaker. I rise to support the motion. I think at some point you have to say that the big leaguers don't have the right to monopolize markets, and that's what they will do. I'd like to add some observations to those made by the Member for Athabasca-Wabasca, and that is that the big-buck stores all together are crippling communities. They're causing the closure of a lot of small business. There's nothing you can do about it; I know that. There's nothing any of us can do about it, but we do have the ability to prevent the major grocery chains from establishing a monopoly which is under a regulated business such as liquor sales.

People will remember that even though I was not here, I did number of editorials criticizing the government for having privatized ALCB, and I maintain that position. However, under the circumstances we have to say: are we going to let, quote, the market determine everything, or are we going to be responsible as legislators and do our best to protect the interests of small businesses, many of whom struggle?

I would point out, in addition, on this motion – I'll take my seat very shortly to hear other members speak – that in the area of regulation one of the things you want to look at is also regulating how closely liquor stores can be located next to each other in the larger cities. The environment minister will know that I asked him to please grandfather three liquor stores from the new regulations which prevented those liquor stores that had been operating as universal or full bottle depots because the new regs said, no, you have to go to these specially designated ones. Well, as Dominic said to me time and again – this is the guy who owned at the time the 96th Street liquor store – “Hey, you know, they want to regulate where you can take your bottles, but if somebody wants to open up a liquor store a block away from mine, they can.” That is, in fact, what's happened. We have a proliferation of liquor stores in really close proximity to each other. It just seems to me that that's an area of regulation that ought to be looked at.

In the meantime, in supporting this motion I think we'd be sending a message to the large grocery retailers to stay out. I mean, first they're into large grocery retailing; then they're into pharmacies. Some of these stores are selling clothes and automotive supplies and you name it. Well, I don't frequent them because I don't like them, but the fact of the matter is that in smaller communities – yes, a population of 10,000 is arbitrary.

I acknowledge that. You've got to pick a number somewhere. Maybe it should be 20,000; I don't know. But let's adopt it in principle. It's a good idea.

THE DEPUTY SPEAKER: The hon. Minister of Energy in the one minute remaining.

DR. WEST: Well, I just want to say that I can't support this motion, but I respect that private members' motions bring forth things that they find in their constituency and feel strongly about. But the logic of this and the timing of it is not right.

The other side of it is that it doesn't ask for a review. It asks for a definite refraining from doing this.

By the way, so you know the history of Alberta, 10,000 is where city cutoffs are. Anything under 10,000 is not a city. So that's of significance for those members that would want that knowledge.

The other thing is that we did consider all of this, and the logic of this isn't there. If a large superstore decided to build a store in Redwater and then go beside it, they would just say: well, I'll arm's length this to somebody else and lease it to you, and you can build the store freestanding beside my superstore. So it's not logical.

THE DEPUTY SPEAKER: Okay. I'm sorry to have to interrupt the hon. Minister of Energy, but under Standing Order 8(4) I must put all questions to conclude debate on the motion under consideration.

[Motion lost]

THE DEPUTY SPEAKER: Hon. members, we have two minutes left in this particular period. We could go to the next motion, or by unanimous consent we can continue on this afternoon with the bills.

SOME HON. MEMBERS: Bills.

THE DEPUTY SPEAKER: Deal with bills? May we have unanimous consent, then, to continue with the bills?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

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

Bill 1
Protection of Children
Involved in Prostitution Act

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

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. It gives me great pleasure to move third reading of Bill 1.

SOME HON. MEMBERS: Question.

THE DEPUTY SPEAKER: We have a number of people standing, so the question is not relevant right now.

The hon. leader of the ND opposition on Bill 1, followed by Edmonton-Norwood.

MS OLSEN: Pulling rank again.

MS BARRETT: You bet. Seniority counts around here.

Mr. Speaker, I speak in favour of third reading of this bill as amended. I would have spoken in favour of it even if it hadn't been amended, but I think the amendments accomplish desirable goals.

The reason I think this bill is important is that I can't think of another jurisdiction in Canada that has such legislation, and I happen to live in and represent the riding that probably has the highest concentration of young prostitutes in the entire province.

I will repeat for members that when I was first elected in 1986, in the riding of Edmonton-Highlands I would see prostitutes maybe 15, 16, usually more like 17 years old. You'll see them in the spring. As a matter of fact, we're having a bizarrely warm February. They're out right now in the warm weather, and you'll see them a lot more in the spring. Now I would say that, oh, maybe 10, 15 percent of them are in the 12- to 14-year range. I asked one point blank. I said: do you know who I am? She said: yeah, I think so. I said: would you tell me how old you are? She said: yeah; I'm 11. Eleven.

So, as I said before, my belief about this legislation is that it's going to have an implicit whistle-blower's effect. If these kids know that they can get to a safe place, that they can get out of the syndrome, they will go, and maybe they'll blow the whistle on their pimps. And that, by the way, is the kind of evidence that the police need to charge the pimps and have the charges stick.

It's not very often I agree with the government. Two in a row this afternoon; I'm amazed. But congratulations to the government members who worked on this bill. I endorse it 100 percent.

4:30

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

MS OLSEN: Thank you, Mr. Speaker, and it's a pleasure to rise today to speak to Bill 1 for the final time. I'd like to just make some comments. I'm very happy that our amendments went through. I think that strengthens this bill indeed. The bill, in my view, replicates many of the sections of the Child Welfare Act that allow for the apprehension of a child prostitute in protective custody, and in this bill it is for a 72-hour period, after which the child must be released or the director of child welfare must apply for a permanent order.

I'm very happy that the preamble went through. That amendment was important for me because, having been a police officer for a number of years, I felt that specific section in the preamble was actually downloading the entire problem to the police as opposed to child welfare. That collaborative effort now is there, so no one entity feels like they're responsible for the whole process. This particular bill will not work as a stand-alone bill for any one agency or group. The police have to be involved. Social services have to be involved, the education system, the health care system. It's going to take a huge collaborative effort to ensure that this bill goes forward and works. That makes me feel much better.

I'm encouraged by the \$25,000 fine and the two years in jail. I would, though, also encourage policing agencies to use the section under the Criminal Code before pursuing this section under the new prostitution law. You know, I'm happy that it's there. I'm hoping that judges will see – I think that's going to take an education process for us to ensure that the judges understand that under this act the two years less a day for the penalty

under the penalty section is something we'd be looking for, absolutely, maybe even more so than the fine. So I think that's something to be happy about in terms of this legislation.

I do have a concern about the marketing of this bill. I think it's very important now that this bill is marketed throughout the province and in a way that it becomes a useful tool for all police members and all child welfare workers so that it's not sitting on the backbench, so that everybody knows that if you can't convict under the Criminal Code, then you have this bill and in conjunction with that the companion bill, the Child Welfare Act. So you have potentially three different ways to apprehend an offender under this section or to get a child off the street. We've got the Criminal Code; we've got the Child Welfare Act and then the Protection of Children Involved in Prostitution Act. So that helps.

I'm really emphatic that we need to market this. We need to get it out there, and we also have to go through that education process with not just those in the police departments and not just in child welfare but in the prosecutors' office, working with maybe the Criminal Trial Lawyers Association, the Crown Attorneys Association, working with the judges and, you know, encouraging full use of the tools that are now there for us.

The other aspect of this. I know that the Member for Calgary-Fish Creek has put a stakeholders group together. I would encourage her to look at representatives, and I'm going to speak more to the north here: to representatives, of course, from the Edmonton Police Service, to communities for controlled prostitution, a group in my constituency actually. Kate Quinn has been very, very good in relation to pushing this whole issue forward from the Edmonton perspective. The Safer Cities initiative is a very, very well-respected program that was started in this community years ago. The hon. Member for Edmonton-Glenora was a member of that original steering committee. Indeed, I had a great deal to do with that from a revitalization and community action perspective on 118th Avenue, where I now have my constituency office. We need to have people such as Brad and Shawna Seneca from Bent Arrow Traditional Healing Society, who deal with numbers of youngsters and have job-training programs, have cultural awareness programs for kids, life-skills training. Those kinds of folks need to be involved.

The RCMP. One of the things that we don't think about is the smaller communities outside the huge urban centres, outside Calgary and Edmonton. What is the impact of prostitution on the smaller communities? Well, we do know that these kids travel on a circuit, and that circuit can include some of those smaller towns. They can include Grande Prairie. They can include Red Deer. They can include Medicine Hat and Lethbridge. So we've got to ensure that all of those outlying smaller centres are very well aware of this bill and representatives from their communities involved. You know, the RCMP have smaller jurisdictions in this province; however, they certainly interact with a number of kids, a lot of the kids who migrate to the cities and migrate to the cities with high hopes of getting a job and getting an education. The next think you know they're out on the street. So we need to work with the RCMP so they can work in a preventative role, in an intervention role.

I've already mentioned the Criminal Trial Lawyers Association. In terms of having a representative on the stakeholder group, I think they would be a great place to turn to so that they understand the nature of this whole process, and the Crown Attorneys Association so that they understand the big picture. They're very progressive groups. They're looking to ensure that everybody is represented within the legal system, and that's an issue we have to look at.

The urban aboriginal groups. Calgary and Edmonton have very

strong urban aboriginal communities. The Ben Calf Robe Society: those are great people.

I am very, very much in favour of having the broad perspective on the working committee, the implementation committee, a part of what happens next, because what happens next is really what's going to carry this bill. If there are no services, if we've got them all outlined in the bill as we have, we have to now ensure that the services are there. As I've said before, this is not just a 72-hour program. This is a three- or four-year project. Each child will require that much time to help them get off the street, to remove them from the environment they're in, the culture they feel comfortable with, to help them through drug rehabilitation, to help them with any of the history that already exists in their lives, that many of us in this room have never had to deal with, things so awful in their home lives that put them out on the street or things they perceive to be that bad. So there's all of that. That is not going to take 72 hours. That is going to take a long time. That's what's going to take three to four years.

If we look at the Edmonton Social Planning Council report, today the cost of counseling for any child for a one-hour session is roughly \$85 per child. You know, we don't have 600 or 700 kids out on the street, but we have a number of kids, and we can't really put our finger on the actual numbers. That fluctuates because of the circuit. They move from city to city. The fact that they move means that we may apprehend them and get them in a program in Edmonton, but then the next circuit is down to Calgary for the Stampede. When the Calgary Stampede is on, they'll move down to Calgary, and that's where they'll work.

We may lose those kids, any of those kids on the edge. Kids we're trying to help may fall back into the whole lifestyle. We may lose them here in Edmonton, and they may get picked up again in Calgary, and we have to be prepared to extend those services down there. There has to be an information flow between cities. Somewhere on some policing computer or some computer within child welfare these kids have to be part of that system so that when we're dealing with them, we know that they've been apprehended under this particular bill and we're trying to help these kids out.

4:40

Like I say, it's not a 72-hour program; it's a three- or four-year program, and I'm looking for a commitment from this government to ensure that that money is available. Of the \$5.2 million that's already been allotted, I see only \$500,000 of that money committed for this fiscal year, and I'm concerned about that. I'm wondering why it's not more to balance it out over the three years. I'm wondering, once the implementation committee is put together, where they will then get any extra budgeting dollars from if they need it.

Now, I'm still concerned – I don't think I've been satisfied yet – that we don't know what a protective custody facility looks like. We have different programs running in Calgary and Edmonton. We have Crossroads up here. Does that mean we're going to lose a program like Crossroads because they are then going to become a secure facility? Or is Street Teams in Calgary going to put in a proposal to become a secure facility? You know, I have concerns about losing some of the existing programs. Everything has to work complementary and be supportive. So I would really encourage the implementation committee and the stakeholders to look very closely at that, and I know they will. I know they'll keep this government very responsible.

This is a responsible bill, and I would anticipate that the hon. Member for Calgary-Fish Creek has worked long and hard at

moving this issue forward. I was actually at one of the very first meetings that the hon. member held right after her election to this House. It seemed to be a movement that needed to happen, and she took the initiative to ensure it did happen. You know, I think that's a tremendous move forward for our kids.

I certainly want to continue to see the project have some targets and some measurements. That's another important aspect of it. How do we know? How are we going to measure? Those performance measurements have to be developed, and they can't change just because we might not meet them from one year to the next. We may be measuring long term. The effects may be long term, so we may not get true measurement from this project for five or six years down the road. I want to encourage the use of outcomes here, because I think this is very, very important. It doesn't matter if we only help five kids or 10 kids. The point is that we are taking five or 10 kids off the street and offering them the programs that are available so they can make good choices in the future.

I think those are mainly my concerns, as outlined previously. I congratulate the Member for Calgary-Fish Creek and look forward to attending her stakeholder meeting on April 23 and then moving forward with the implementation stage of this bill.

Thank you.

Speaker's Ruling Third Reading Debate

THE DEPUTY SPEAKER: Before we proceed further, I think it might be worth while reminding all hon. members that on third reading *Erskine May* clearly says:

Debate on third reading . . . is more restricted than at the earlier stage, being limited to the contents of the bill; and reasoned amendments which raise matters not included in the provisions of the bill are not permissible.

If we could kindly guide ourselves with not what could be and what ought to be but what is in the bill.

The hon. Leader of Her Majesty's Loyal Opposition.

MR. MITCHELL: I just have to kind of rewrite my speech now, Mr. Speaker, but that's okay. I'll come up with something.

Debate Continued

MR. MITCHELL: Mr. Speaker, I am going to support this bill. [interjection] What's Steve doing? Wait a minute. I'm going to support this bill, and I want to say that I am impressed by the work that the Member for Calgary-Fish Creek has done. I'm impressed as well and grateful that the government has accepted amendments to the bill. That's not a common occurrence in this Legislative Assembly, although it's become more common over the last three or four years since the House leaders negotiated agreements to open up the process and allow for some more freedom. I think that's just excellent. I think this addresses a problem that affects our society, that is one of the most debilitating problems we have to deal with. I believe there is not enough that we could do to deal with that, and we must never stop trying to do more.

That's really what I would like to say in these closing comments, and that is that as helpful as this bill will be, I want to make absolutely certain to encourage the Member for Calgary-Fish Creek and her colleagues to ensure that it does not become some kind of an end to the destination or end to the journey but that this is just a small step along the way. I don't want to have to hear next session or the session after that an answer to a

question from one of my colleagues such as we heard earlier, where the minister of social services didn't know what had happened under the changes to the Child Welfare Act in this area six months ago and the Justice minister didn't know what had been done under those changes over the last six months. I want to ensure that this government takes this bill and implements it effectively and monitors it to ensure that the incidence of child prostitution is measured and is reduced as a result of this bill.

I also encourage the Member for Calgary-Fish Creek to continue doing her leadership work and her visionary work in this area to see that other steps are taken. I know, Mr. Speaker, that I'm getting a little bit beyond the purview of a third reading, but if you could just bear with me, I'm being positive and I'm being encouraging to this Member for Calgary-Fish Creek. I would like to ensure that initiatives are taken to see that proper counseling is given to child prostitutes and other prostitutes as well to assist them in getting off this horrible treadmill. I'd like to see that she continues to push for initiatives that reduce poverty in our society, because there is no question that social phenomena like child prostitution are directly related to child poverty.

I would like to see her take this initiative one step further, in dealing with video slot machines and how that corrodes families and destroys families and communities and ultimately relates directly to child prostitution. I would like to see her continue with this bill and build on it within a vision of how broader social effects, broader social circumstances and characteristics ultimately have an impact, a negative impact, on issues on like child prostitution. This is not an isolated case. Child prostitution is not a coincidence in our society. Child prostitution is the result of many, many social factors that precede a child's becoming a prostitute. This bill deals with the fact once it occurs. It's useful in that regard, but it would be far, far more useful were we to have effective measures and programs and initiatives that prevented it in the first place. That takes a much, much bigger commitment on the part of a government than a single bill.

I also want to ensure that the government gives the resources that are required to support the police forces that will now have perhaps some additional area of initiative, some additional powers to deal with this problem. I want to make sure that the government provides sufficient resources to social workers. I want to make sure that there are sufficient resources to house these children for 72 hours and to house them afterwards if they want to continue with the program that this initiates.

There is much to be done. This represents a significant step, but it is certainly not a sufficient condition of declaring a victory. It is a necessary step; it is not a sufficient step. I would like to encourage this government to support that member in whatever other initiatives she can muster, and we certainly will support those kinds of initiatives as well, Mr. Speaker.

4:50

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fish Creek to close debate.

MRS. FORSYTH: Well, thank you, Mr. Speaker. It's a proud day for me, I must say. I never, ever in my life imagined that something you take on in 1990 would get this far and become Bill 1, and I thank the Premier for that.

I really, really have to start by thanking some people again that were on my task force who got involved in this issue, got behind this issue, and just really did it because of the kids. I want again, if I may, to thank them. Bill 1 has never been done in Canada. It's a first in North America, and each and every one of these

individuals has to be thanked. They are: Elaine McMurray from the parent support association; Ross MacInnes from Street Teams; Brian Serbin, Ken Ogilvie, Ernie Schreiber, Harold Keller, all from the Edmonton Police Service; Dan Jahrig; Glenn McKay; Verne Fielder from the Calgary Police Service; Shirley Hill from Calgary public school board; David Shanks from the regional steering committee for the commissioner for children; Sharon Heron from child welfare; Paddy Meade from young offenders; and the researchers' assistance provided by Elan Gough and Dee MacPherson.

Since Bill 1 hit the Legislature, I've been overwhelmed by calls from across this country and into the States. We've been busy faxing copies of Bill 1, sending copies of the task force to people. I just received a fax from someone in Vancouver, actually, which I thought was very interesting, on three individuals that they're working with. What our bill is going to do is go to B.C.

Mr. Speaker, it's sad. We have a 15-year-old girl who fled from a small town in Alberta over a year ago to the streets of Calgary. She's currently working in Vancouver for a well-known prostitution ring, and she's regarded as a high-end prostitute because she's exceptionally beautiful. Part of her wants to leave the street. Her parents want her off the streets, and she just doesn't know what options she has. It just goes on and on from all the calls I've had.

I want to thank everybody in the House. I want to thank the Premier. I want to thank the minister of social services, both ministers. I have to acknowledge the previous minister from Athabasca-Wabasca, who got behind this originally, and then the current minister of social services. I have to also thank the opposition for being supportive. We'll continue to do what they've asked, and we're moving forward on this bill. We're working now with all of the departments. We're going into working with the stakeholders. This is going to be a bottom-up process and not a top-down. We've got to go to the people on the streets. They know what the kids need. We're looking at a bunch of services and will be pleased to continue to report back to the Justice critic for the opposition.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Fish Creek has moved third reading of Bill 1, Protection of Children Involved in Prostitution Act. Does the Assembly agree to the motion for third reading?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Let the record show unanimous.

[Bill 1 read a third time]

Bill 4 Libraries Amendment Act, 1998

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

MRS. O'NEILL: Thank you, Mr. Speaker. I rise to speak briefly here to Bill 4, the Libraries Amendment Act, 1998, and in so doing, I'd like to acknowledge the extensive consultative work done by the Alberta library review committee, the dedicated library division staff in Community Development, and especially Patricia MacNamee, who was very helpful to me.

[The Speaker in the chair]

The ability to establish library federations in conjunction with either of the two major urban library boards makes this very enabling legislation. This is enabling, and it looks to the future while it facilitates the present services provided by libraries.

So, Mr. Speaker, I move that Bill 4 be now read a third time and do pass.

[Motion carried; Bill 4 read a third time]

Bill 6 Dangerous Goods Transportation and Handling Act

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

MR. MARZ: Thank you, Mr. Speaker. I move third reading of Bill 6, being the Dangerous Goods Transportation and Handling Act.

As previously stated, the intent of the bill is to bring the provincial legislation for ensuring public safety in the handling and the transportation of dangerous goods in line with the federal act.

I'd like to take this opportunity to thank the opposition members for their endorsement and support during second reading and Committee of the Whole. At the end of Committee of the Whole I said that I'd provide the answers to the remaining questions, and I did that yesterday by tabling those answers in the Assembly.

I'd like to urge all the members of this Assembly to support third reading. Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. Just a few comments in conclusion at this third reading of Bill 6, and a review of some of the highlights of the bill. As we have all agreed in the Assembly, it is a good bill, with the main objectives really to bring provincial and federal legislation more in line and to change some of the penalty sections, giving the courts more flexibility in dealing with offenders. A third, I guess, main objective of the bill is to change the guidelines for procedures in dealing with imminent accidents and emergency removal of dangerous goods.

The specific highlights of the bill I think are worth reiterating at this time. It includes railway cars for a first time under the act. It gives legal permission for the minister to enter into agreements with the federal government regarding the enforcement of both provincial and federal dangerous goods transportation acts. It allows the minister to react – and I think this is an important section that we all agree with – in case of a serious emergency. The minister also has the power to designate inspectors and to determine the qualifications of these inspectors, and we've had some response from the bill sponsor with regards to some of our questions. The inspectors are now going to be required to produce a warrant before they enter a dwelling to inspect for improper storage of dangerous goods. The minister is given the power to call for a public inquiry if an accidental release of dangerous goods occurs.

It requires municipalities to re-examine their dangerous goods routes every five years. So there is built into it a mechanism to make sure that once routes are designated, they continue to be reviewed and to make sure that the routes that are chosen are the ones that present the lowest risk to the public.

Under the act when the inspectors do a test on the contents of a vehicle which has had an accident in order to determine what the contents were and that the vehicle was carrying dangerous goods, there is a section of the bill that allows the results of the inspector's test to stand alone as evidence in the court.

Finally, the bill gives the court the power to impose fines and penalties for violations of the act.

We in the opposition support it and think it's a good bill. Thank you, Mr. Speaker.

5:00

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

MR. MacDONALD: Thank you, Mr. Speaker. It's a pleasure to rise this afternoon and speak in support of this bill. The hon. Member for Olds-Didsbury-Three Hills has helped this province a great deal with this legislation. As we become industrialized, more and more the transportation of dangerous goods and the handling of those dangerous goods is going to be paramount to public safety. I commend the hon. member for his legislation, and I'm proud to support it.

Thank you.

MR. DICKSON: Mr. Speaker, I'm trying to remember. There had been a Calgary alderman who was the MLA for Calgary-Buffalo. It would be prior to Sheldon Chumir. I remember him raising this issue, and I remember reading about it. This had been something he had been alive to I guess from city council days. The main rail line in Calgary bisects Calgary-Buffalo north and south. There are a huge number of people living and working in very close proximity to that rail line immediately behind the Calgary Tower, and it seems to me that this is a really positive move that now the railway cars in fact come under the jurisdiction, are caught under the scope and ambit of this bill. I think that's very positive, and I just wanted to salute that.

I always have a concern when we see legislation go through with this expansive delegated lawmaking power in section 31, and I regret that so far we've still been unsuccessful in persuading the government to commit that all regulations will be reviewed by the Standing Committee on Law and Regulations. That's the committee, of course, that was created after the March 11, 1997, election, has not yet been instructed by this Assembly with its government majority to meet.

Here we'd have a case where regulations are going to be made. What stakeholders will be consulted? I'm not sure whether when regulations are made, somebody is going to consult the seniors, the residents living in downtown Calgary who would be directly affected by a rail spill, by a rail derailment immediately between 9th and 10th avenues S.W. in Calgary. I think that demonstrates the problem. I suspect that the stakeholders the government will consult when they're designing regulations are going to be the large carriers, maybe some insurance companies, maybe a government MLA because there are other government Calgary MLAs who have the rail line going through their constituency. Maybe Calgary-Fort will have a chance to be involved as that regulation is prepared. I'm not sanguine I'm going to have that opportunity, so one might rightly ask, Mr. Speaker: are some of those safety concerns which are going to affect – and we're talking here, members, about 36,000 Calgarians just in my single constituency alone. Who's going to be raising those kinds of concerns?

So I'm going to ask the sponsor of the bill and I'll encourage him outside the House to give some thought to how broad the

stakeholder list should be. I think it's important that there be some representation from residents or people, certainly in our large urban centres, who live immediately proximate to a rail line.

Otherwise, not to detract from what is a positive bill, a bill that I think is being supported by everybody who's spoken to it, let's simply ensure that we make the regulations as strong and as effective as is humanly possible.

Thanks, Mr. Speaker.

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

MR. MARZ: Question.

[Motion carried; Bill 6 read a third time]

Bill 8
Agriculture Statutes (Penalties)
Amendment Act, 1998

MR. JONSON: Mr. Speaker, on behalf of the hon. minister of agriculture I would like to move third reading of Bill 8, the Agriculture Statutes (Penalties) Amendment Act, 1998.

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

MS OLSEN: Thank you, Mr. Speaker. On behalf of my colleague from Spruce Grove-Sturgeon-St. Albert I am pleased to rise in support of this bill. I understand that this bill increases the penalties for contravening 10 different agricultural acts and it removes the penalty for selling a commodity under the Dairy Board Act at below the minimum price, but there's still a penalty for failing to comply with an AEUB order or regulation.

I'll make my comments brief, because I really don't have a lot of knowledge about agriculture. However, my understanding is that many penalties are low in respect to these acts, so it makes sense to bring them into line with current fines. Although the maximum penalty has increased in some cases in this particular bill, it's associated with the removal of a possible prison term, and I think that fines that can be fairly high under this act would probably act as the deterrent as opposed to somebody unnecessarily having to spend some time in a jail. So I am pleased with that.

I guess my final comment on this bill is that it's a sensible housekeeping piece of legislation that brings the penalties in line with current prices and ensures that they remain a deterrent. So hopefully we'll see the use of this bill with any infractions and that indeed the penalties are high enough to do that.

Thank you.

THE SPEAKER: The hon. Minister of Health on behalf of the hon. Minister of Agriculture, Food and Rural Development to close debate.

MR. JONSON: Question.

[Motion carried; Bill 8 read a third time]

Bill 9
Marketing of Agricultural Products
Amendment Act, 1998

MR. JONSON: Mr. Speaker, on behalf of the hon. Minister of

Agriculture, Food and Rural Development I move third reading of Bill 9, the Marketing of Agricultural Products Amendment Act, 1998.

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

MS OLSEN: Thank you, Mr. Speaker. Again I am responding to this bill on behalf of my colleague from Spruce Grove-Sturgeon-St. Albert. I understand that the highlights of this bill are to allow the marketing boards to continue or revise their marketing plans whereas previously they could only be amended or terminated. This saves a lengthy review process every time the government's sunset policy requires a review. So the object of this bill, I would guess, is to make it possible to continue to revise the marketing plan.

This is another piece of great housekeeping legislation, and not being a farmer, involved in agriculture, I'll pass this on to any of my other colleagues that want to speak to this bill.

THE SPEAKER: The hon. Minister of Health on behalf of the hon. Minister of Agriculture, Food and Rural Development to close debate.

MR. JONSON: Question.

[Motion carried; Bill 9 read a third time]

5:10

THE SPEAKER: The hon. Deputy Government House Leader.

MR. HANCOCK: Yes, Mr. Speaker. In view of the excellent way in which we've expedited the work of the House this afternoon and the hour and given the demonstration of the need when there's nothing to be said about a bill not to say it, I would move that we now call it 5:30 and adjourn until 8 o'clock tonight, at which time we reconvene in Committee of Supply.

THE SPEAKER: Does the Assembly agree with motion as moved by the hon. Deputy Government House Leader?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

[The Assembly adjourned at 5:11 p.m.]

