

Legislative Assembly of Alberta

Title: **Tuesday, March 24, 1998** 8:00 p.m.
 Date: 98/03/24
 [The Deputy Speaker in the chair]

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

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: I would like to call Committee of the Whole to order, please. We have a number of bills before us tonight. I'm sure I can count on co-operation from both sides of the House so that we can move ahead.

Bill 2 Conflicts of Interest Amendment Act, 1998

THE DEPUTY CHAIRMAN: The hon. Minister of Justice.

MR. HAVELOCK: Yes. Thank you, Madam Chairman. I do have an amendment which I would like to put before the House. I'll just wait a moment while it's being distributed, if that's okay.

THE DEPUTY CHAIRMAN: Thank you, hon. minister, for the amendment.

The hon. Minister of Justice.

MR. HAVELOCK: Thank you, Madam Chairman. The amendment that I've placed before the House is to accomplish two things. One, it's to allow the Lieutenant Governor in Council, on the recommendation of the Standing Committee on Legislative Offices, to appoint an acting commissioner when there is a vacancy and also to allow the Lieutenant Governor in Council alone to appoint an acting commissioner when the Ethics Commissioner is temporarily absent because of illness or other reason.

The reason for this is that it may well be that our Acting Ethics Commissioner may be away for some time, and there is no express mechanism to provide for an acting commissioner while he is absent. Plus, this will take care of the issue in the future. I think it's quite a straightforward amendment and will certainly ensure the smooth operation of the legislation. Right now, as you know, Madam Chairman, there is no authority for the appointment of an Acting Ethics Commissioner.

MR. SAPERS: I guess I'm speaking on the amendment to Bill 2, and I'm looking forward to some robust debate from my colleagues.

So this asks for the Lieutenant Governor in Council to make some more regulations. I would like if the Government House Leader would jump to his feet with lightning speed and just explain to the House once more why it is that this particular amendment is required at this time to Bill 2.

MR. HAVELOCK: Well, a couple of reasons, Madam Chairman. One, we're taking the legislation through at this time, so I can think of no better time to put forward an amendment than in Committee of the Whole. But the primary reason is that there is no express provision for the appointment of an Acting Ethics Commissioner in the legislation, and we may have the unfortunate situation where an Ethics Commissioner perhaps passes on or becomes ill, and therefore we need to appoint an Acting Ethics Commissioner in place instead.

You will notice that there are two provisions here. Again, to explain it to the hon. Opposition House Leader, section 35(1) does allow the Lieutenant Governor in Council, on the recommendation of the Standing Committee on Legislative Offices, to appoint an acting commissioner when there is a vacancy – obviously, there may be a vacancy based on resignation or death or whatever – or will allow the Lieutenant Governor alone to appoint an acting commissioner when the Ethics Commissioner is temporarily absent because of illness or other reasons. So we're trying to facilitate that appointment as quickly as possible. They're slightly different mechanisms, but of course the situation is different.

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

MR. SAPERS: Thank you, Madam Chairman, and my thanks to the Government House Leader for illuminating the purposes behind this amendment, which would fix a flaw in the bill. Certainly, as a member of the Standing Committee on Legislative Offices, I would endorse that that committee does need the ability to fill an untimely and unfortunate vacancy in the office. I would only suggest that of course whenever a member of the Official Opposition sees that Executive Council through the office of the Lieutenant Governor is having expanded powers, it's always just such a red flag to us that we're blinded to what else might be in the section. But now that I've had the chance to fully appreciate this amendment, I would suggest to my caucus that it is supportable.

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

MS OLSEN: Thank you, Madam Chairman. I only have one question, if the minister would care to respond. What would the length be and what would be timely in terms of if there was a passing on of the Ethics Commissioner or something like that? What are we looking at in terms of time for somebody to hold this particular position temporarily and indeed, in the same manner as an illness, where it's continued on and it doesn't look like the Ethics Commissioner or whoever is in that position is going to be coming back to fill that spot? That would be my only question, and indeed I also encourage my colleagues to support this particular amendment.

THE DEPUTY CHAIRMAN: The hon. Minister of Justice.

MR. HAVELOCK: Thank you, Madam Chairman. I guess the difficulty I have in being specific is that it depends on the circumstances. I can't put forward a time frame which might be appropriate in the case of illness because it depends on the illness itself. What I would suggest generally is that if there is a vacancy, obviously filling that position as expeditiously as possible would be in the interests of all parties concerned. I think the same argument could be made with respect to illness. It may well be that if there is an illness, an appointment is made for a certain period of time based on what the illness is, and it may well be that the Lieutenant Governor would then extend that if the illness has not abated. Unfortunately, I can't be specific. We're simply trying to I guess outline the general terms and conditions under which this could be done, but that's about all I can offer at this stage.

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

DR. PANNU: Thank you, Madam Chairman. I also rise to give my general support, I guess, to the amendment. It's an amendment which certainly will allow the government and this House to deal with unexpected circumstances, so I'm generally in support of the amendment.

Thank you.

[Motion on amendment A1 carried]

8:10

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

MS OLSEN: Yes. I also have a number of amendments that I would like to introduce. There are four coming to the table. I'll just wait till the first one gets handed out.

THE DEPUTY CHAIRMAN: Edmonton-Norwood, for the sake of time, if you have several amendments, could we not pass them out all at once?

MS OLSEN: Certainly. I have absolutely no problem with that, Madam Chairman.

THE DEPUTY CHAIRMAN: Thank you.

MS OLSEN: If I may, Madam Chairman, there are two that have just been approved on one sheet that will also be passed out.

THE DEPUTY CHAIRMAN: Okay. Thank you, Edmonton-Norwood.

If you'd just bear with us a moment, we'll get all of them sorted out and passed out.

MS OLSEN: Madam Chairman, in the co-operation that is shared in this House, I would like to adjourn debate on Bill 2 at this time and come back to it later this evening.

THE DEPUTY CHAIRMAN: Is the committee agreed to adjourning debate?

You haven't introduced any amendments yet. They've just been passed out.

MS OLSEN: No.

THE DEPUTY CHAIRMAN: Okay. Is the committee agreed that we should adjourn debate on Bill 2 at this time?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: It's carried.

Bill 17

Metis Settlements Statutes Amendment Act, 1998

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

MR. DICKSON: Thank you very much, Madam Chairman. In speaking to Bill 17, I just want to make a couple of observations. I support the bill and will be voting for it. Lest the government never hear praise or kudos for doing things well, I want to say that I think one of the things we've done in Alberta that I think all legislators should be proud of is the pioneering work we've done in terms of the Métis settlement agreement and statute. I think, frankly, that Métis and native groups in different parts of Canada look to the kind of leadership that's been shown in this province, the kind of model that's been developed, and they view it very much as that, as a model for self-government.

I think what Bill 17 does is simply a sequential or a further step in pursuing what's been done so effectively to date in the province of Alberta. How could one not support the goal of increasing accountability and self-regulation of the Métis settlements? The provision for changes in government funding and in the administration process seem to be appropriate. At least from my review of the provisions of the bill, it seems to me that it's remedial and appropriate.

There's one concern I have, and I think it's been expressed. I think I recall one of my colleagues raising it before, and I just want to reiterate it. This new legislation carries with it some fairly major additional responsibilities, new responsibilities. I think there's a question of whether the Métis settlements currently have all of the requisite expertise readily accessible to them. I don't know exactly what the cost implications are or what other sorts of challenges will be involved, but if you look at Bill 17, if you look at the very broad array of new powers, I expect there are going to be some transitional challenges.

I guess the other thing is that there have been complaints in the past. I don't have a good sense of how frequently complaints have been raised in terms of government under the Metis Settlements Act and the Metis Settlements Accord Implementation Act. I think it points out that there's always a need for public accountability, and I'm not sure how that's addressed in Bill 17. A review of Bill 17 pays little attention to the accountability issue. Some members may have other views on that. I mean, clearly we support more independent Métis settlements, and I understand the government claim that this Bill 17 will increase accountability, but it's not readily apparent to me exactly how government expects that's going to happen.

As I understand it, preparatory to Bill 17 there were some public meetings, which is always a positive thing, but there weren't meetings with the settlement councils. I know for sure that there were public meetings. There may have been some meetings with settlement councils, and if someone can give some clarification with respect to that, that would be helpful.

I understand that at least one settlement didn't support the proposed delay in transferring to the matching grant system, and that was because they would have received more money under the former model. I suppose at the end of the day – I think there was an indication on February 23, '98, that all eight settlements were represented, and I remember when they were introduced in the House. To some extent it appears that the bill is satisfactory and meets the needs of the leadership in terms of Métis settlements.

The concerns that I alluded to before related to the Kikino Métis settlement. I know it's certainly come to the attention of my caucus that there was a belief that there wasn't proper consultation with people on that particular settlement about Bill 17. There was a public meeting, I understand, but it didn't cover all elements of the bill. It only covered some elements. So that continues to be an item of concern. It's not a reason to vote

against the bill, not something that warrants further amendment but just a thing that ought to be flagged.

Now, I expect that some of my colleagues may have some additional perspectives to offer with respect to the bill, but on balance I think it's positive. It simply enables the Métis settlements to achieve the promise of previous legislation in the Metis Settlements Act, and I think it warrants support.

Those are the comments I want to make at this time, Madam Chairman.

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

MR. DUCHARME: Thank you, Madam Chairman. I am proposing amendments to section 22 of Bill 17. At the request of the Métis Settlements General Council, Bill 17 contains amendments to sections 68 and 69 of the Metis Settlements Act.

8:20

THE DEPUTY CHAIRMAN: Hon. member, if it's okay with you, if we could distribute the amendments so that . . .

MR. DUCHARME: I believe they have been handed out.

THE DEPUTY CHAIRMAN: No, they have not. Just bear with us for one moment, and we'll resume.

I think you can proceed, hon. member.

MR. DUCHARME: Thank you, Madam Chairman. As I was saying, I am proposing amendments to section 22 of Bill 17. At the request of the Métis Settlements General Council, Bill 17 contains amendments to sections 68 and 69 of the Metis Settlements Act, which are designed to enable settlement councils to more effectively enforce notices they have issued to occupiers of land to clean up nuisances. If an occupier does not remedy the nuisance, Bill 17 as currently drafted allows the settlement council to do the work itself and to register the costs only against interest in land held by settlement members. No further dealings with the interest in the land without the settlement's consent can then occur until the responsible occupier pays the cost. Individuals other than settlement members, however, can hold interests in settlement lands. For instance, nonsettlement members can lease settlement lands.

The Métis settlements council therefore requested that consideration be given to amending the current provisions of Bill 17 to enable a notice to remedy a nuisance to be registered against anyone holding an interest in settlement lands and if necessary to register the costs against the lands. This will enable the settlement council to hold the party who created the nuisance responsible for remedying it.

When reviewing the proposal with the Métis Settlements General Council, the need was identified to provide a right of appeal against the issuance of an order by the settlement council if the person holding the interest in the land felt that they should not be responsible for fixing the problem. As a result, with the agreement of the general council's representatives, the amendment to Bill 17 also establishes a right of appeal to the Métis Settlements Appeal Tribunal to enable an occupier who has received a notice to remedy a nuisance to have the notice quashed. Only if a notice under section 68 is not appealed or is confirmed by the appeal tribunal can the cost be registered against an occupier's interest in the land in question.

Madam Chairman, this amendment to Bill 17 will enable

settlements to ensure that any party responsible for creating nuisances on settlements will also be responsible for paying to have them remedied.

Thank you.

THE DEPUTY CHAIRMAN: Thank you.

The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks, Madam Chairman. I received the three-page amendment just moments ago. This sounds like a familiar comment. It is always helpful if amendments can be provided in advance of the time we have to consider them, particularly when they tend to be detailed and technical.

I'm looking at amendment C, 22(18). Perhaps what would be easiest is if the sponsor of the amendment – and I'm referring him specifically to section 22(18) and the part that will now go in substitution for section 69(2) – would explain in some detail, because I didn't understand his initial explanation, what we're doing with section C, if he'd offer that explanation. If he covered it before, I didn't understand his explanation. I wonder if the Member for Bonnyville-Cold Lake would stand again in his place and specifically address the mischief that would be remedied by amendment C and the operation of it.

Part of problem is that we don't have all of section 69 in Bill 17. While I'm waiting for the page to bring me a copy of the original bill, I'd ask the Member for Bonnyville-Cold Lake if he'd offer that more detailed explanation, Madam Chairman.

Thank you.

MR. HANCOCK: Perhaps, Madam Chairman, I could offer an explanation for that particular section. All of these amendments relate to a concept which was introduced in the bill which provided that a settlement council could order a nuisance to be remedied and could charge the costs of doing so or, if it wasn't remedied, could remedy it themselves and charge the costs of doing so back to the settlement member as a charge against an interest in the land. On review of the statute, it became apparent that some of these nuisances might be being committed by occupiers who were not necessarily settlement members or did not necessarily have a direct interest in the land. They might be leaseholders or otherwise occupying the land. So the gist of the amendment allows for the settlement council to make that order against the occupier.

Specifically with respect to section C, the concept under section C is that a settlement order is not final in and of itself. An occupier could appeal that to the Métis Settlements Appeal Tribunal. The order would not then be effective against the individual occupier until the Métis settlement tribunal had made its decision on it. So section C basically replaces 69 with a broader 69, which includes the concept of a "responsible occupier" and allows them to give notice to a responsible occupier, which includes not just settlement members but the broader definition, and then that notice is effective if it's not appealed or after the appeal is heard.

The section does go on a little bit further to provide that the costs and expenses incurred can be charged against the land if it's, in fact, a land interest, or if the responsible occupier doesn't hold a land interest, then they can be charged against the occupier themselves as a debt against the occupier, and they could be pursued by way of an action for debt.

So the gist of it is to change the existing amendment, which is narrower in terms of its effectiveness as against a settlement

member or a Métis land interest holder, and to broaden it to include occupiers.

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

MR. DICKSON: Thank you, Madam Chairman. Well, I appreciate the explanation from the intergovernmental affairs minister, and the explanation certainly makes sense. What I'm just trying to do is scan the text of the amendment. If we look at section 69 which currently exists in the Metis Settlements Act, it's only a two-clause section. I think I can see the advantage in the amendment. The difficulty is just trying to determine if there are some other interests that are going to be affected rather than the occupier and the person who's on the land. I take it that what we're talking about is somebody that would be doing some drilling activity or some other sort of activity on the land under some sort of a licence or contract arrangement but wouldn't have a property interest per se in the land in question.

Madam Chairman, I appreciate the explanation I've got from the minister. I think I have a sense. There may be other members who have some questions about it. I'll spend my time reading through it a little more carefully. Thank you for your patience.

8:30

THE DEPUTY CHAIRMAN: Thank you.

The hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you, Madam Chairman. I'm just wondering what the term "occupier" is defined to mean. A settlement member? I'm just wondering in this huge, wonderful bill here if that definition has been expanded to include the person that's in actual occupation of the land as well or if the minister feels that that's somewhat redundant. I'm talking about the definition of "occupier." It's defined to mean a settlement member under this amendment. We talked in the amendment, to the amended sections, about the fact that if there wasn't an actual settlement member occupying the land where there was a nuisance problem, then indeed the occupier would be the person who had the lease on the land, be it the oil company, be it whoever else who is going to end up paying. Now, I'm just wondering if the definition of the word "occupier" might not be expanded to the person in actual occupation of the land, which then would be the oil company or the gas company or whoever and if that's an issue under this particular act in terms of defining exactly who an occupier is in the definitions section of the act.

MR. HANCOCK: Madam Chairman, I first would like to apologize because I had intended that the actual specific wording of the amendments would go to my friend opposite earlier. I had contacted her earlier with the gist of what they were going to be about, but the actual draft obviously didn't reach her.

In answer to the specific comment that was just made, in fact that's exactly what we're doing in (b) under section (17), amending section 67.1 to define "occupier." The last line of that one says, "and a person in actual occupation of the land." So that's exactly what this amendment does: expand the definition of occupier and then in the following section say that you can enforce the costs of fixing the nuisance or an order to fix a nuisance against an occupier, which has the broader context.

MS OLSEN: I'm going to hopefully assume that this term

"occupier," when we're expanding the definition, would apply only to this specific section. Are there other sections within the original act that may indeed require an expanded definition? I'm just trying to determine whether if we just expand it here for this section, it's going to be relevant to any other area in the act.

MR. HANCOCK: Just sections 68 and 69.

MS OLSEN: Okay. Then my question to the minister would be: as we work through this, given that it's only going to apply to 68 and 69, are we absolutely sure that there's no other place in the act where an expanded definition would be required and where the broader definition may be required under the definitions section to clarify any problems?

MR. HANCOCK: Perhaps just briefly to respond to that. No, I can't say that I'm absolutely sure that there's no other place in the act where a broader definition of occupier would be useful, but I can just reiterate to her the process that we go through with respect to amendments to the Metis Settlements Act, and that is the consultation process with the general council and in the broader context. Most of these amendments have been derived from a long term of consultation, and this change has really been brought up just because in doing a final review of it to make sure, in the penalty section and the concept of enforcement of these costs against occupiers we discovered that "occupier" wasn't quite broad enough and didn't include people who weren't able to have an interest in Métis settlement lands. So, no, I can't assure her that there's been no other one, but I can assure her that both our people and the people from the Métis Settlements General Council have gone through the act numerous times, and we're not aware of any others.

THE DEPUTY CHAIRMAN: Edmonton-Norwood.

MS OLSEN: Thank you. Given that we also identified that in a letter to the minister as being a problem and he quickly responded saying that they had identified as well that that definition as becoming an issue, I will urge my colleagues here to support this amendment. Given that there's been so much time spent on this particular act and we're trying to move the settlements into a more positive direction, I would encourage my colleagues to support this amendment.

[Motion on amendment A1 carried]

THE DEPUTY CHAIRMAN: Edmonton-Norwood.

MS OLSEN: Thank you, Madam Chairman. I would like to first thank the minister for responding so quickly to a number of issues that have arisen as a result of this particular piece of legislation. I know it's very, very difficult to work within communities that are all over the province and all have different needs and different concerns. I must say that one of the things I need to identify is the issue of some of the settlements' members just not feeling that they have indeed been consulted. I'm not quite sure that the minister is going to resolve that problem. I'm hoping that the particular act, as the amendments come forward and are passed into legislation, will help with that problem. Accountability is just a horrendous issue. It keeps coming back to my doorstep from the community I represent, and I need to have some confidence that this particular bill is going to satisfy that.

There was a concern. Some members wanted to ensure that the financial systems for the Métis settlements are transparent in nature. We're moving forward towards a fully accountable financial system, and I think we see some changes, but I need to put forward some of the concerns of those folks that have identified those issues.

There is concern, too, about certainly the control of land, and again I see some movement to deal with that. I think Bill 17 is again another attempt to rectify some of those concerns. However, there is a certain constituent population that doesn't feel that the bill is going far enough to do that.

8:40

Some of the other concerns in relation to the act. Many of the settlement members that I've spoken to were wanting to see incorporation of the MGA, the Municipal Government Act, and dealing with conflicts of interest. I know that there have been some amendments to section 39. This whole issue of conflicts of interest is much broader for the ordinary citizens on the settlements. I think we're identifying the problem here. One of the things that I think we really need to do is ensure that the message is out there and that the whole issue of conflicts of interest doesn't just cover the financial aspects of the office but certainly covers other aspects of the office, the whole issue of trust and the whole notion in some settlement members' minds that there may be advantage given to those councillors who are certainly in office on the settlements.

Another issue that's come to light and that actually has been brought forward a number of times is the whole issue of the Métis Settlements Appeal Tribunal. There's been a move toward an ombudsman-type position. I have a lot of feedback not just from the Métis community but certainly from the aboriginal community on-reserve and off-reserve. The urban aboriginal population in the city of Edmonton is fairly significant, and they don't feel they have a voice. One of the issues and one of the concerns brought forward is: where do I go when there's a problem? What if we have a problem where we feel that accountability is an issue and we go to the Métis settlements tribunal, which only holds jurisdiction over lands and membership issues? It can hear other issues with the consent of both parties. However, it's not felt that the settlements tribunal gives sort of that arm's-length independent ruling or perspective on the issues brought forward.

We can look around the province and we could put our hands on some of those concerns. One of the biggest problems with the Stoney reserve was that Stoney people, once the entire issue broke, did not feel that they had a place where they felt safe going. If they went to the federal government, they felt that their issues wouldn't be considered and that they wouldn't be seen as real or valid. If they went to the province, the province would say: we don't have any responsibility or jurisdiction here, so we're not interested. If they went to their band councillors, well, the band councillors were the problem. So they felt very much like they had no place to turn and that nothing was going to change. I made recommendations to the federal government at the time to put in an independent complaint process either via a 1-800 number or an independent agent acting on behalf of the aboriginal people on the Stoney reserve, and in fact, that did happen. By virtue of having a third-party management company, they were also able to take anonymous complaints from the aboriginal folks on the reserve.

This is the type of thing that not just the Métis community, as I said, but other communities are looking for. I think it's something that we need to give some serious consideration to,

either in the form of a human rights tribunal for the aboriginal community or in the form of a provincial ombudsman, acknowledging that there are some jurisdictional issues and overlap but also acknowledging that these are indeed citizens of Alberta if we are indeed having some responsibility under the Metis Settlements Act and the accord. We have a number of those Métis people who live off-reserve who have other issues that they need to deal with. So I would really urge the province and the minister to consider some form of independent arm's-length body that can deal with the issues pertinent to the aboriginal people in the province, Métis as well as off-reserve status Indians.

The other issue that was brought forward was the issue of alternative dispute resolution, and that's an option of course. That is an aboriginal tradition: looking at alternatives to dispute. However, not being able to actually bring forward their issues, or what some perceive as the inability to bring forward their issues, they're in no way able to enter into the whole issue of alternative dispute resolution.

I'm glad to see that the minister has addressed the issue of the right to reside on settlements and the whole issue of common-law relationships. Indeed, this was a huge concern to some of the settlement members in that if they married somebody or they had a common-law relationship with somebody who was not indeed a settlement member, why couldn't they move onto the settlement? I think that that's been addressed.

I think that the whole issue of membership in relation to Bill C-31 is an issue. There's a lot of C-31 aboriginal people living on the Métis settlements. I think I would like to urge the minister to move along with that issue. There needs to be some grandfathering of the aboriginal people who have lived on there, who are status Indians through C-31 or otherwise and who shouldn't be herded off the settlements. But certainly, again, there are concerns throughout from some of the ordinary residents on the settlements.

I think that that would pretty well outline my concerns and the concerns brought forward. I've tabled some letters, and tomorrow I will table some other letters that I'd like the minister to certainly have a look at. There is certainly a movement out there, a move to reform, a move certainly towards independence. I think that the spirit of this particular bill is heading in that direction. I felt it necessary, of course, to bring those issues forward to the minister, and I look forward to working further with this bill. I think it's been a long time coming, and there'll be more changes as the aboriginal community, Métis and otherwise, moves forward towards self-government. I see that as a positive move. I see the intent of this legislation as a positive move and would urge my caucus to speak in support of this but certainly add their comments to the legislation.

Thank you.

MR. DICKSON: I take my colleague from Edmonton-Norwood up on her suggestion. I'd refer the minister to page 41 of the act, the Surveys Act. I see reference there that if we look at the new sections 29.1 and 29.2, the cumulative effect of that is that if it's unsurveyed territory - we're talking about Métis patented land - it can't be granted or transferred to a member of a settlement. I wonder if the minister can tell us how much land that is currently subject to the Metis Settlements Act is unsurveyed. My concern has to do with extinguishment of if not vested rights then easements, profit à prendre, things like that.

I mean, the provision on pages 41 through 44 would have serious effect, and I'm asking the minister: how many people

would be affected? Are we talking 1 percent or 50 percent of land subject to the Metis Settlements Act being unsurveyed? I have no idea, but because of the severity of section 29.2, I'm wondering whether there are people who are currently living on that land in unsurveyed form who may stand to lose something. We've seen some bills in this House that talk about property rights, about respecting right of ownership, rights of interest in lands. So I guess my question is: how many people would be affected if they currently live, Madam Chairman, on unsurveyed land and now there's a restriction on alienation? The restriction on alienation would be in the new section 29.2. Is that fair?

8:50

On the face of it, it sounds fairly significant, and if there are people who are going to be deprived of an interest in property, albeit unsurveyed land, then there's some particular prejudice. I think under section 7 of the Charter of Rights and Freedoms those people may have an argument, but surely it shouldn't have to come to that. There may be some other members who know the answer to this, but on the face of it, I'm concerned about a prohibition against alienation, because that seems to me to be what 29.2 is saying.

If the minister could give me some indication of how many people would be affected and how much land subject to the Metis Settlements Act is currently unsurveyed. It may be that this is a half of 1 percent and isn't something we should worry about, but I ask the question out of ignorance and look forward to being enlightened.

Thanks, Madam Chairman.

MR. HANCOCK: Madam Chairman, I'm sorry to disappoint the hon. member about the enlightenment part. I can't tell him how many people live on unsurveyed land, but the context of those amendments to the Surveys Act is not designed – I mean, if you look at 29.2 in isolation, it would appear that people could be disenfranchised. The concept is to say you can't transfer unsurveyed land, but then if you go on to the next one, you can do a survey of land. So the context is to bring the land into a registrar rather than having metes and bounds descriptions and transfers of parcels by description and by historical title and that sort of thing.

MR. DICKSON: Okay. I appreciate that clarification and the minister's customary candor.

My follow-up question, then, would be in terms of the cost. I'm familiar with how most of Alberta was surveyed back at the turn of the century. I understand how new land is surveyed in communities in Alberta now, but I don't know what the process is for land subject to the Metis Settlements Act. So what I guess I'm looking for: is there a cost to those members of a Métis settlement who would be living on unsurveyed land? Are they responsible for the full cost of surveying the land? [interjection] Just so it's on the record, Madam Chairman, I think the representation from the minister of intergovernmental affairs is that the survey would be something undertaken by the council or by the corporate body responsible for managing the settlement lands. So this wouldn't be a cost, then, to the prejudice of the individual claimant.

MR. HANCOCK: Madam Chairman, just to be clear on that – and I will check into that and get you a response on that – it's my understanding that the Métis land registry is responsible for holding and issuing title and would be responsible for accepting plans of survey. If land is unsurveyed within a settlement, it's my

understanding, subject to going back and checking – and I'll do that – that it would be up to the council to determine if it needed to do a plan of survey. If it did that, then it would be responsible for the costs of doing that. But I'll check that and get that information to you.

MR. DICKSON: I appreciate the explanation and the undertaking from the minister.

Thank you, Madam Chairman.

[The clauses of Bill 17 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

Thank you.

Bill 18

Engineering, Geological and Geophysical Professions Amendment Act, 1998

THE DEPUTY CHAIRMAN: Edmonton-Calder.

MR. WHITE: Thank you kindly, Madam Chairman. There is not a great deal to speak to in this bill. There is general agreement in the profession, although there are some members that may in fact feel that they're disenfranchised, the single proprietor. But in fact the association has assured me that their interest will be taken care of.

I'll take my seat and get on with the business at hand.

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried. Thank you.

Bill 3

School Amendment Act, 1998

THE DEPUTY CHAIRMAN: We have before us a subamendment. The hon. Member for Edmonton-Mill Woods has moved to amend Bill 3 in the proposed section 6(b) by striking out "education" and substituting "work experience." That's where we left off last committee.

DR. MASSEY: I'd like to move adjournment of debate on Bill 3.

THE DEPUTY CHAIRMAN: Does the Assembly agree?

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: It's defeated.

The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Yes. The subamendment to the government's amendment on Bill 3 would strike out the term "education" and substitute the term "work experience." Madam Chairman, this is an amendment we've sought not just for this particular section of the bill but for several other sections. The reason rests in our concern with the broadening of the kinds of programs that would be offered off campus from the rather narrow definition that we all recognize as being work experience programs. So without information as to why this particular definition widening out the powers to include off-campus programs or off-campus education and what that would actually include, we have offered this amendment.

The problem is that the boards already offer off-campus programs. Almost every school offers part of the program off campus. That can be at a centre like an environmental education centre; it could be a field trip that the students are involved in; it could be something as extensive as a trip to another continent. These are all off-campus education programs that are now being offered by school boards. So we can't quite understand the reason for taking the notion of work experience out of the legislation and substituting this broader definition.

I think those are the comments we would make about the subamendment to the amendment, Madam Chairman.

9:00

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

MRS. SOETAERT: Thank you very much, Madam Chairman. I'd just like to take a few moments to speak to the subamendment. Hopefully the Assembly will support this amendment. What it does is try to define a bit better and clearer, I think, the understanding of work experience rather than off-campus education. That's a very vague term, off-campus education, that maybe could be anything. I mean, what's an education off campus? We could go on a ski trip. Do people get credit for that? You could go in a police car and go for a little ride. Do you get credit for that? I think off-campus has not been defined, so there's a concern about it.

When you put in "work experience," that has most certainly been defined by high schools, educators, the Department of Education. Those are programs which I have seen be extremely successful in our high schools. In fact, there's one counselor, Mr. Ernie Oginski, at Sturgeon composite. Many people probably know him because maybe some of his students have actually worked in their offices or places of business. A big part of his job – and he does tremendous work – is placing these students in all kinds of programs around Edmonton, around the Namao area, around the Redwater area. That's why defining this as work experience would certainly put in plainer English, if that's the correct term, what work experience is.

It's a very successful program. Students get credit for it. I know even special-needs students, who are often very successful in work experience and who struggle through the regular routine of the classroom day, would have great success in work experience. In fact, I know of one student who is now out at a school where he used to be. He's working with the janitor. He's a fetal alcohol syndrome young man, and he is absolutely enjoying this

work experience program that is set specifically to his needs. He's finding great success. In fact, I spoke to him just this past weekend, and he is truly enjoying that experience.

That is why this subamendment, I think, is very important. The words "work experience" are understood in the education system, in high schools. People are very clear about understanding it, whereas "off-campus education" leaves a bit of doubt and hasn't been defined.

I would encourage all members to support the subamendment. Let's not start getting programs that we don't understand, that maybe aren't certified, that aren't supervised, that aren't managed as well as work experience certainly is now, which I would say is extremely successful in our high schools across this province. So with that, Madam Chairman, I would certainly encourage everyone in this Assembly to support this subamendment.

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

MR. DICKSON: Thanks, Madam Chairman. I'm also rising to speak in support of the subamendment. I had a chance the other day to raise some of the concerns, but I just wanted to reiterate some of those concerns. There is no problem with work experience programs being provided off-site in other areas of a community, but to in effect simply refer and authorize educational programs and services to be available off-site is virtually an unfettered kind of discretion. It's very broad. It's dangerously broad, excessively broad. In fact, the case hasn't been made for why we won't limit it specifically to work experience.

We're seeing enormous changes going on in terms of education, in terms of a different kind of competition, a proliferation of private schools, a proliferation of for-profit educational opportunities. There may be some members who say: well, we're only talking about three words. We're talking about striking one word and substituting two. But in the kernel of three words is a concept which is as broad as the importance of public education, the importance of public responsibility.

Sometimes I think, Madam Chairman, that what we need is a Canada education act which sets out principles like accessibility and accountability and public administration. Emphasize "public administration." We don't have that. We don't have it, and that's one of the reasons why the subamendment is important. Because we don't have an education act equivalent to the Canada Health Act that sets some parameters, sets some frameworks, elevates some values to legislative codification status, then we have to attempt to build it in as best we can incrementally in several statutes as they come past us. So I'm supporting this subamendment because it is an attempt to do what a Canada education act or an Alberta education act that stress those kind of goals that I mentioned a moment ago would do.

If there are good and compelling reasons why the word "education" is essential, cannot be deleted, why "work experience" wouldn't be a satisfactory substitute, I hope the Minister of Education will stand in his place. I hope the former Minister of Education, now Minister of Health, will stand. These gentlemen have ample experience, and hopefully they'll be able to stand in their places and share with us. When I look at the quizzical look from the current Minister of Health, it puts me in mind, Madam Chairman, that this minister perhaps knows some compelling good reason why the subamendment isn't a positive feature. I hope that the Minister of Health, former Minister of Education, former president of the Alberta Teachers' Association, is going to take

that quizzical look and, in fact, marry it with concrete action and stand and indicate what the compelling, the cogent reasons are why we ought not to support the subamendment introduced by arguably the one individual in this Assembly who has more expertise in the area of education than all of the other school trustees, teachers, and school administrators combined. It's a measure of the respect that we accord the Education critic for the opposition that when he puts forward an subamendment, we want to support that subamendment unless someone can offer compelling good reasons why we shouldn't. [interjection]

9:10

Madam Chairman, I was about to take my seat. The current Minister of Health obviously was not in the House last evening, when we dealt with this and I offered an explanation and so did colleagues in terms of why the amendment was important, but I'm happy to go back and remind the Minister of Health why we believe the amendment is important. [interjection]

Madam Chairman, this is the second night in a row when we see evidence of disharmony in the front row on the government side. It's alarming when we're dealing with something as serious as public education that we see the friction developing. We see the pressure points in front of us. One of the things I've always observed with great admiration is the extent to which governments that have been in power for more than 20 years have the ability to appear to paper over serious differences within their caucus, serious differences in public education, and we saw evidence of that a little earlier.

I just want to say that I think the subamendment is important if we want to ensure that the government amendment does not further weaken a publicly administered, publicly delivered public education system. It's as simple and yet as important as that. There may be other members who wish to speak to the subamendment as well, but I want to be clear on the record. I'd think that other members would want to indicate why they might be prepared to leave the door ajar, create an opportunity for further encroachment on a publicly administered public education system. If they want to leave the door ajar, then they're going to be accountable to their constituents. They're going to be able to defend that hopefully in the House this evening and make that clear.

Thanks very much, Madam Chairman.

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

MRS. SOETAERT: Yes, Madam Chairman, if I may, because I know it's committee and it's rather informal, I just have a question for the minister that I would really appreciate having explained here. I'm worried about parts of the education system being privatized and contracted out. I think that's why I'd like to see this subamendment passed. When we say "work experience," that's very plain. Has "off-campus . . . program" been defined? Do you have a definition for that here? Would you mind explaining that to us? I'm hoping he will, because it's committee and he has that opportunity. He may not, but I would appreciate it if he would. Gary, stand up. He's not going to? So call him arrogant.

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

MR. WHITE: Madam Chairman, thank you kindly. It's rather

difficult to deal with the proposed legislation as a legislator when the minister will not simply explain the effect that a bill has. I can read English quite plainly, and I suspect most of those here can. When a minister is called upon – this side really wants to know. If you do want any kind of co-operation, any kind of consideration at all, it would be advantageous to all concerned to say, "This is what it means," so that one can agree or disagree. This side of the House is left with saying that we're going to have to stand and talk about this until it happens. We're not trying to be obstinate, understand, but it is that we do want to understand.

Now, in a high school, I suspect, and perhaps in a junior high school also it's often done and rightly so. It's a very good program for sending children out to get a feel for what the world actually has to offer and how they deal with the world when they do graduate from some course or another and get a feel for whether they want to be in a trade or whether they want to be in a profession or whether they want to be in a retail business or something such as that, so that they get a feel for it. Oftentimes they'll go out there and find out, "Hey, this is definitely not what I want to do." I know in my early years of work experience, I definitely decided I needed an education so I didn't have to bust my tail all day long and have somebody sit in the office, what I thought was an easy job. It turned out not to be quite that case, but that's the kind of thing we're looking at.

Now, if that is what the intent is, I'm saying: hair on you; that's good. That's exactly what we want to do. That's just dandy fine, and the minister is doing exactly the right kind of thing. However, that's not what it says. Taking this in context with what the government just did when it gave the private schools a lot more money, we're saying: what happens if private schools say: "Okay, we're a religion-based school. We take the meaning of this, and we take a non work experience but an "off-campus" program experience and that happens to be digging vegetable gardens in the church lot or doing any number of things, and they get credit for it." [interjection]

I have a high note from a member opposite. Can that member opposite tell me exactly what this means? Certainly not, when the minister can't. I mean, I don't know. Legislation is that which is confinement of those that practice under that legislation. If we don't know what it means and it can't be explained, quite frankly, I don't know what is intended, and neither do the rest of the members in this House.

Now, that is not the way to run a good show. If you want any kind of reasonable co-operation here, I suspect it would be wise for somebody, anybody on the other side to say: listen; let's hold back here. Let's understand that there's no reason to upset anyone here when there's decent legislation, as we have just done. You'll just notice on another piece of legislation that it passed from second reading to committee with very little chat. It passed from committee to third with, I think, about three sentences from this member, because it is decent legislation, it is fully understood by this side, and those that it affects outside this Legislature fully understand it also because they had a hand in drafting it. Is that not the way to deal with legislation so we can get into some substantive discussion about items? I would think so.

We just saw another demonstration of it here in a bill dealing with the Métis nations. A very, very co-operative effort. You saw minister, critic, critic, minister; back and forth, understanding precisely what was being said, putting it on the record, understanding what each section said. That is the way it's done.

Those in this Legislature that have spent some time in municipal government – and there are quite a few – will understand that

you'll never agree with everything, but if you understand what all things mean and you can explain that to your populace, you can say: "Well, I took it this way. It didn't work out, but the majority rules. Hey, that's the way it is."

I can't say anything about this. Is that the way to run a ship? I think not. I can't believe that it would continue in this vein, and I, quite frankly, am disgusted with this. It just doesn't please anyone, and it doesn't make any sense whatsoever to leave a piece of legislation like this.

Thank you, Madam Chairman.

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

9:20

MRS. SOETAERT: Thank you, Madam Chairman. Just a last point. The minister is responsible for this legislation. We very politely asked a question for an explanation. If the minister won't answer, he's either ignorant of the fact or just plain arrogant. I would like an answer about what "off-campus" means. If he cannot give it, stand up and say: we haven't defined it yet. Or stand up and say: I don't want to give you the answer. But to sit there and not even respond to very legitimate, very concerned questions is rather arrogant.

Thank you, Madam Chairman.

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

MS OLSEN: Thank you, Madam Chairman. Well, I guess that leads me to a question that I should ask the minister then: has he amended or does he intend to amend the definitions section to include exactly what "off-campus education" is going to be, thereby leading us all forward with a very clear definition? You know, we can talk about co-operation. We can talk about the meanings of some things. I understand that the minister is interested in promoting public education, so I'm concerned that his inability to define this particular terminology in a definitions section of a particular act is going to create somewhat of a problem. So I ask on behalf of all of us in this Assembly: what in heaven's name is an "off-campus education program"?

I guess in support of the amendment and speaking to the whole issue of "off-campus education" versus "work experience", we know what work experience is. Many of us in our past lives have participated with schools and school boards in accommodating students for work experience programs. Certainly, I know in the Edmonton Police Service we did that. I know what the whole role is.

We do indeed have off-campus education when we send our kids to the Bennett centre overnight. But it's not defined; it's not set out in a bill. So I'm wondering why you would choose that specific terminology. We send them off to trips overseas to Europe, to Quebec. All of those are off-campus education, but they're not replacing any work experience program. Therefore, I would very much like the minister to try and come up with a definition for that.

The other issue is: why would we want to broaden the definition of work experience? Work experience is just that. It's two weeks, four weeks of a school term in a certain grade. It does not amount to school credits, if you will. It's part of many programs that exist to give youth an understanding of what's in the community and the types of work that are out there. But it absolutely is not part of an academic program, nor should it be.

I think the narrow definition of work experience is exactly what needs to happen and needs to be put in this act.

So I'm wondering if the minister would indeed clarify for this Assembly what he means by "off-campus education." I know he seems to be tuning out, and I know this seems to be somewhat repetitive, but maybe he can help us out here.

Thank you, Madam Chairman.

Chairman's Ruling Parliamentary Language

THE DEPUTY CHAIRMAN: Just something I would like to say. The previous speaker talked about "arrogant." "Arrogant" has been ruled unparliamentary, and I would ask that we watch what we do say.

Debate Continued

THE DEPUTY CHAIRMAN: Are there any other speakers on the subamendment?

[Motion on amendment S1 lost]

THE DEPUTY CHAIRMAN: We now will move to the government amendment, the amendment deemed A1, that was moved yesterday.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Yeah. The government amendment that was moved yesterday was the amendment that we would like to have amended with the subamendment, Madam Chairman. The government just soundly rejected the subamendment, which we felt would have strengthened the government's hand in its defence of public education. So while we think that the government amendment goes some way to addressing some of the earlier concerns raised in debate about Bill 3, their rejection of the thoughtful subamendment indicates that perhaps our assessment was made in haste.

I think that the lack of clarity around this whole area of "work experience" and "off-campus education program" indicates some confusion on the part of what it is that the Minister of Education is hoping to accomplish with Bill 3 as a whole.

I would like to believe that the Minister of Education has a sound argument for the amendment. There wasn't a lot of debate on the subamendment, so I would invite some comment on the government amendment so that I can be in a much better position to evaluate what the rejection of the subamendment really means. I would hope that we would hear some of that, and maybe we can hear it right now.

THE DEPUTY CHAIRMAN: The hon. Minister of Education.

MR. MAR: Madam Chairman, thank you. In working with school boards, the expression "off-campus education program" really better describes what is currently offered by school boards in terms of programming for their students. It is a broader rubric than simply the issue of work experience. Accordingly, that is the reason cited for the amendment here.

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

DR. MASSEY: Well, thanks, Madam Chairman. If you look at the government amendments to Bill 3, amendment A is really a

necessary amendment to clean up the grammar and to make it consistent, to make sure that plurals match plurals and singular cases match singular cases. The amendment B goes back to the same problem we just had with the subamendment, and that is the substitution of "off-campus education" for "a work experience program," this time in the Employment Standards Code.

So the government's intent with this bill is obviously to go through the act and make every reference to "work experience" consistent by changing it to "off-campus education." The minister offers that it was, as we have suggested, meant to broaden what school boards may offer, but it still begs the question as to why. For years boards have been offering all kinds of off-campus education programs. They've also been offering work experience programs. Why and what kinds of activities does this legislation now allow them to offer that they didn't before?

Again, one of the underlying suspicions is that it's a move to open the door and to broaden the kinds of programs that school boards can contract out, so that parts and portions of the K to 12 program will be contracted out to boards. It will be by boards, and it will be done and legitimized by changing the legislation. So we're still faced with not really knowing why, no specific examples of why this has to be changed from work experience programs to off-campus education. It's for that reason that we'll have difficulty voting for the government amendment, although we agree that the grammar has to be cleared up and the bill should be made consistent.

So with those comments, Madam Chairman, we are faced with exactly the same difficulty.

9:30

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

MR. DICKSON: Thanks, Madam Chairman. Well, the Minister of Education offered an explanation, and I wonder if he'd be good enough to indicate how many school boards wanted the expanded role and if he could give examples of the additional activities he talks about. He spoke in general terms. I don't recall receiving any communication from either of the school boards in my area that indicated a need to use a different expression, different wording. So maybe the Minister of Education can give us some particulars. What he's offered has been fairly vague, and as my colleague from Edmonton-Mill Woods has just indicated, many of the same concerns are still outstanding. Surely the minister has got particulars, and this would be a most appropriate time to share them with members.

Thank you.

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

MS OLSEN: Thank you. I just want to reiterate the comments of my colleagues. I guess I wonder why, after all these years of using something that is so plain and so easy to understand and so straightforward, words such as "work experience," all of a sudden now we have this need to change. If the school boards are saying, "Well, we need to change," then what indeed is their rationale behind it? Because what you've explained to date is hardly reason to change something that is so straightforward.

I'm just a little concerned that we're moving away from the whole notion of public education. We're opening the doors to some serious problems, and an erosion of public education is going to begin. I was to understand in many previous debates in

this House that the minister indeed was a supporter of that. I'm just wondering why he would not protect that specific institution. Why not offer us something far more substantial than we have in terms of the need for change? We're still waiting for an answer, and I think it's incumbent upon you as minister to do that. I know it's tough to stay awake – I know that – given that you just got off a plane. However, I think it's important that you address this situation as it is right now or adjourn the entire bill until you can justify it. That's good; I'm glad to see that you started to scratch your cheek because I was very, very concerned. So I would appreciate . . .

THE DEPUTY CHAIRMAN: On the amendment, please.

MS OLSEN: I indeed am on the amendment, Madam Chairman. I'm just concerned for the health of the minister. It scares me.

Maybe we could indeed have a better explanation. Something that's certainly more plausible. So I'll sit down and maybe allow the minister to give a very forthright, understandable explanation.

[Motion on amendment A1 carried]

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

DR. MASSEY: Thank you, Madam Chairman. When the subamendment was distributed the last time the bill was discussed, we also distributed with that an amendment to Bill 3, amendment A. If I might just read that amendment.

Section 2 is amended in the proposed section 37(1), (2), (3), and (4) by striking out "education" wherever it occurs and substituting "work experience." So it's exactly the same argument that we've been through. This would change the body of Bill 3, the School Amendment Act.

THE DEPUTY CHAIRMAN: Hon. member, the table does not have a copy of this amendment.

DR. MASSEY: They were distributed last night, Madam Chairman.

THE DEPUTY CHAIRMAN: All the members received one last night? [interjections] Okay. Go ahead, hon. member.

AN HON. MEMBER: It's all Rob's fault.

THE DEPUTY CHAIRMAN: That's another story for another time.

DR. MASSEY: He didn't mean that.

Thank you, Madam Chairman. Again we're concerned with the broadening from work experience to off-campus education programs and have not really been given any reason why that change should be made in the act and are still curious as to the motivations that lie behind the changes and I guess are somewhat fearful of the kinds of things that might occur should this change to the act be endorsed by the Assembly. I think it's curious, and again there must be some history, some explanation that we are not privy to in terms of this particular change.

If it has been at the request of a variety of boards, as the minister has indicated, I'd certainly be interested in the kinds of reasons that they saw such a change as necessary. It may be partly in the kind of coverage that students have under different

acts, such as the Employment Standards Code, that there's some argument for this change being made. I can't think, from a legal perspective, of a rationale for it, other than there is some reason that we are, as I said, not privy to.

Until we get such an explanation, we'll have our amendment stand, Madam Chairman, and would like to see those sections of the act amended so that off-campus education programs are substituted with the term "work experience," as they originally were.

Thank you very much.

MR. SAPERS: I'm speaking in favour of my colleague from Edmonton-Mill Woods' amendment for all of the reasons that I have previously stated on the record, and I won't take up the time of this House to repeat them.

MR. DICKSON: Madam Chairman, a few minutes back we were dealing with a subamendment, and the Minister of Health reminded me that the person moving the amendment should carry the burden of proof to demonstrate that the amendment is required, and I stand corrected. So now we're dealing with an amendment which ought to be demonstrated to be necessary and appropriate by the mover, and I think my colleague from Edmonton-Mill Woods has done exactly that.

9:40

To recap, Madam Chairman, we're in this position where the government is using an expanded definition, using education in a broader way, and we haven't got any clear explanation. If I could paraphrase the hon. Minister of Education, what I understood him to say was that there's a range of programs provided, that some of them are broader than what many of us know as the traditional or typical work experience program, that these things are provided off site, if you will, and that this is a remedial change required or sought by school boards.

In response to that, the minister was asked to offer some particulars in terms of how many boards, what boards have made this request. He was asked to particularize the kinds of programs or activities that are carried on that would be broader than the traditional work experience program, and we've received no response from the minister to that question. I suggest that it's a legitimate question, and I suggest, Madam Chairman, that the Minister of Education has a responsibility to provide the additional information.

If the government comes forward with an amendment package as they have with Bill 3, we don't have the benefit of being able to interview the Deputy Minister of Education. We don't have the benefit of being able to interview or get reports from people in the department. We don't have access to ministerial briefings. We don't have access to similar kinds of material that government members do. So it seems to be a pretty unsatisfactory way to change something as important as the School Act without having a whole lot more material made available to us. If the minister comes into the House wanting to amend something as important as the School Act, something that affects so many Alberta families, then surely we're entitled to a greater degree of detail. We're entitled to fuller explanations than anything we've heard to date this evening or last evening.

Those are the points I wanted to make, Madam Chairman, speaking in support of the amendment in front of us. Thank you very much.

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

MR. MacDONALD: Thank you, Madam Chairman. I, too, have a few comments regarding my hon. colleague from Edmonton-Mill Woods' amendment to Bill 3. Now, we're talking here about striking out "education" whenever it occurs and substituting "work experience" in section 37. Now, it's very important that we understand work experience and how it relates to programs that are delivered by this government, not specifically by the Department of Education but by the department of advanced education.

Section (4) here:

A student who is participating in an off-campus [work experience] program is considered to be attending school while at the workplace provided for the program.

Well, the hon. member should be congratulated for coming forward with this, because this aptly describes RAP. The hon. Minister of Advanced Education and Career Development is very proud of this program. A student who is outside the classroom is getting accreditation, so that is the essence, that is the theme of what my hon. colleague from Edmonton-Mill Woods is proposing here, work experience.

Now, the Alberta qualification certificate program is a work experience program. It is people coming forward, helping themselves. It's a program that exists so that people can help themselves, and it is no different than what the hon. Member for Edmonton-Mill Woods is proposing here. So I would encourage all members across the way. If they're going to be on the side of the minister of advanced education with the Alberta qualification certificate program, they cannot vote against this amendment.

Thank you.

MRS. SOETAERT: Well, Madam Chairman, I would like to speak in support of this amendment. I can't help but express my concern that this use of the off-campus programs is the opening to privatization of education. I think that's why people have been uncomfortably silent tonight and unable to respond to this, because they don't know. And they think that's what's going to happen.

You know, in one of the recommendations made to this government, in one of the reports it was said: one of the ways that a person could have a business opportunity in Alberta was to grab and jump at the parts of this government that they're letting go. They're talking about the opportunities that can flow from what's really happening with the privatization agenda of this government. It's talking about new small and middle-sized businesses and telling them where they could make money: liquor stores, provincial parks, jails, some social services, inspection services, all that the government is virtually losing responsibility for.

What concerns me is that within this report and this recommendation, one of the things is education. It says

educators should plan for a regime where 50% of all teaching takes place outside the K-12 system and should seek to be actively involved in comparative performance measurement.

Now, I have real concerns about the direction this is going. I think that as the minister responsible for public education, you would want to defend public education. I'm not against joint agreements that schools have and the work they do with it, but ultimately the programs have to come down to qualified people who administer the courses or who monitor the work experience. So I am very fearful that the whole idea of off-campus education is going to create a flurry of private-sector opportunities to make money off the public education system when the public education system dollars should be going to our students, not to private companies.

With those concerns, Madam Chairman, I'm not hopeful that

this amendment will pass, but I think it has to be said that it should. I'm hoping every member of that caucus can defend what off campus means, because they will be sure to be asked.

Thank you.

MR. MAR: Madam Chairman, I listened very carefully to comments made by all members on the side opposite, particularly the Member for Spruce Grove-Sturgeon-St. Albert, who expressed her concerns about privatization. In response to that, I would invite the hon. member to actually read section 2 of Bill 3, which talks about the board having the authority, subject to regulations, to "enter into an agreement with a person" or persons "to provide a workplace for students who are participating in an off-campus education program."

9:50

Madam Chairman, because the boards would not be inclined to see an erosion of resources going to public education, I think that should alleviate the concerns the member has about this. I strongly believe that her concerns, while sincere, are not warranted because of the provisions of the act. In my view the amendment proposed is not required as her concerns are not, in my view, ones that should be taken seriously in terms of the kind of outcome that she's referring to.

[Motion on amendment A2 lost]

MR. SAPERS: Madam Chairman, I understand that we just voted on an amendment and that we're still on Bill 3.

THE DEPUTY CHAIRMAN: That's correct.

MR. SAPERS: At this point I would like to introduce another amendment to Bill 3. This amendment has received the signature of Parliamentary Counsel. I will immediately hand this to a trusted page who will see that these are distributed forthwith to all members of the Assembly, and I will take my seat momentarily while these are being distributed.

Madam Chairman, most members now have a copy of this amendment, and for the record we are referring to this amendment as amendment . . .

THE DEPUTY CHAIRMAN: A3.

MR. SAPERS: Amendment A3. All right. So amendment A3 would actually amend section 65 of the Employment Standards Code, and it would amend this Employment Standards Code because the Employment Standards Code is amended as a consequence of government Bill 3. After section 6 we would put in this amendment: that subsection (1) be changed to read the word "condition" wherever the word "conditions" now exists, and in clause (b), in subsection (2) again the word "conditions" would be replaced by the word "condition," a singular.

This is made necessary because of the government's drafting of the bill, which caused these consequential amendments to the Employment Standards Code which removed all but one condition in the section rendering the section grammatically incorrect, seeing as the word "conditions" applies to a multiple of conditions, and there is only one condition left for this section to pertain to. [interjections]

[Mrs. Laing in the chair]

The Minister of Education is anxious to enter debate, and I would ask that he restrain his enthusiasm because we could also define the word "harassment," and I wonder just exactly how that member would pursue that.

In any case, I also noted that the Minister of Intergovernmental and Aboriginal Affairs was anxious to enter debate and was wondering who might care. That's, of course, an odd question for a member of this Assembly, not only that, a member of Executive Council, and not only that, the member responsible, I understand, for legislative review, the person who's supposed to ultimately make sure that all of the government legislation is of the appropriate form.

I would say that if this amendment, Madam Chairman, does not pass in the Assembly this evening, we will be haunted, nay, I say plagued by this amendment in the form of miscellaneous statutes at some other point, because somebody in the minister's department or perhaps the Minister of Labour's department will eventually care that their legislation is grammatically incorrect and therefore of huge embarrassment to Her Majesty's government.

So I would ask that all members read this amendment, understand that there is nothing political about this amendment whatsoever. In fact, it is simply a result of the excellent research work done by the Official Opposition in making sure that the government dots its i's, crosses its t's, and eliminates its s's when necessary.

Thank you.

THE ACTING CHAIRMAN: Any further speakers on the amendment?

[Motion on amendment A3 lost]

[The clauses of Bill 3 as amended agreed to]

[Title and preamble agreed to]

THE ACTING CHAIRMAN: Shall the bill reported?

HON. MEMBERS: Agreed.

THE ACTING CHAIRMAN: Opposed? Carried.

Bill 2

Conflicts of Interest Amendment Act, 1998

THE ACTING CHAIRMAN: Hon. minister.

MR. HAVELOCK: Yes. Thank you, Madam Chairman. I move that debate on Bill 2 be adjourned.

THE ACTING CHAIRMAN: The minister has moved that the debate on the bill be adjourned. All in favour?

HON. MEMBERS: Agreed.

THE ACTING CHAIRMAN: Opposed? Carried.

The hon. House leader.

MR. HAVELOCK: Yes. Thank you, Madam Chairman. I move that when the committee rises and reports, it reports progress on Bill 2.

[Motion carried]

THE ACTING CHAIRMAN: The hon. Government House Leader.

MR. HAVELOCK: Yes. I'd like to move, Madam Chairman, that the committee do now rise and report.

[Motion carried]

[Mrs. Gordon in the chair]

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

10:00

MRS. LAING: Thank you, Madam Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports Bill 18. The committee reports the following with some amendments: bills 17 and 3. The committee reports progress on Bill 2. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Having heard the report, does the Assembly concur?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? Carried.

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

Bill 32
Appropriation (Supplementary
Supply) Act, 1998 (No. 2)

[Debate adjourned March 24: Mr. Sapers speaking]

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

MR. SAPERS: Thank you. So happy to be back, Madam Speaker, to speak on Bill 32, because at 5:30 this afternoon I was interrupted by the clock in midword. The point that I was making was that part of the appropriation requested in Bill 32 is to recognize the efforts of the employees of the legislative offices.

I want to conclude my remarks on that part of the supplementary appropriation bill by saying that I do not want to leave any misunderstanding in the minds of my colleagues in this Chamber that I'm suggesting the government would interfere with the work of the Standing Committee on Legislative Offices and either manipulate or in some way influence the independence of that committee as it comes to the discharge of their duties.

The budget for leg. offices is reviewed by that select committee, and that committee makes its recommendations independent of government. I think all the members that serve on that committee should be commended for the way in which they conduct themselves . . .

MS OLSEN: Thank you.

MR. SAPERS: Well, you're not on that committee, hon. member. . . . and for the manner in which they maintain that independence and neutrality. But the point that I was making during debate was that there seems to be a lack of communication

between various parts of the government, including the Public Service Commission and other officers of the Legislative Assembly, including the leg. offices, when it comes to just simply exchanging nonpolitical, nonpartisan information such as details surrounding the recognition plan put forward by the government in support of public servants.

So what I was suggesting in my earlier comments is that it would have been nice if there had been more communication between those agents of the people of Alberta so that when the Legislative Assembly estimates were being put together, they could have included some estimates about recognizing the government's intent to reward public service sector employees. Then the Standing Committee on Legislative Offices would not have had to have their meeting convened primarily for the purpose of reviewing that request, resulting in this supplementary estimate. It could have been part of our regular process, and it could have been part of the Legislative Assembly's regular budgeting initiative so that we could have seen it in the estimates that were tabled when the Provincial Treasurer tabled the estimates of all of the government and the Legislative Assembly.

I'm not for a minute calling for any interference between the government and that standing committee, nor am I suggesting that standing committee in any way jeopardized its neutrality or the independence of the leg. offices. I'm just saying that there could have been some better communication. I don't think anybody in this Assembly is particularly happy when we start dealing with two or three sets of supplementary estimates. Particularly in this case, what we see is an interfund transfer from lottery to general revenue, from general revenue to Health of \$130 million to deal with a computer program problem, the year 2000 problem, that clearly could have been anticipated, should have been anticipated years ago and, once again, could have been properly budgeted for and could very well have been part of the general estimates.

Even at this late date, March 24, only a few short days before the end of the fiscal year, we were informed that arguably the largest health authority in the province of Alberta, at least by volume of services provided, the Capital health authority, still does not know what their portion of this \$130 million will be. So we have the largest health authority, coping with the largest volume of service, probably with the largest physical number of pieces of equipment that would be required to be reprogrammed, recalibrated, somehow adjusted to deal with the year 2000 issue, still not knowing how much money they're going to receive. Now, they may know how much money they need, but the government hasn't made it clear in the appropriation bill that's before us how much money is going to be allocated to each of the regions.

So what we have is we're being asked by the government to, in a way I guess, buy a pig in a poke. We're being asked to approve \$130 million, which is coincidentally very, very close to the projected cumulative deficit of all the regional health authorities. They're saying it's between \$130 million and \$140 million. So we're being told that we should allocate this \$130 million on sort of goodwill, that we should trust the government, that we should trust the Minister of Health, and that we should trust the Treasurer that they somehow have deduced this is the right amount of money, even though they can't tell us how they made the calculation.

There's a popular movie where the expression "show me the money" was popularized.

MRS. SOETAERT: Yeah. *Jerry Maguire*.

MR. SAPERS: *Jerry Maguire*. In this case, I guess, I'd like to take liberty with that and say: show me the math. How did you determine, government, that \$130 million was the right amount of money to spend if you can't show me the calculation, if you can't say that region 1 needed this much and region 2 and region 3 and you add that to region 4 and region 5 and then to region 6 and 7, all the way through the 17? Then, hopefully, some of that money is going to go to the Cancer Board. Hopefully, some of that money will go to the Provincial Mental Health Advisory Board, because they have equipment too. Maybe some of that money will have to go to the Provincial Health Council of Alberta. I understand they use computers, and I mean, their budget is so tight right now that I'm not sure they would be able to buy the latest upgrade of Windows when it comes out let alone deal with the year 2000 problem.

So without knowing that calculation, this is nothing but a faith exercise. Now, the government may say: well, if we vote against this appropriation, we'd be voting against solving the millennium bug problem; we'll be voting against supporting the legislative officers and their staff in their bid to share in some of that money. They would suggest that we're voting against – what is it? – the million dollars that was needed for the ice road in Athabasca and that somehow this is an evil conspiracy on the part of the Official Opposition to not provide funds for these necessary things.

Now, that would be very misleading, and not only that, it would be very ironic, Madam Speaker, because what happens is every time a member of the Official Opposition stands up and demands that the government live up to its responsibility and spend according to the priorities of Albertans and says, "Put that taxpayer money into public health care, into public education," what do we hear from the members of the government? "Oh, tax and spend, tax and spend. Whoa." As though governments anywhere in this country do anything other than collect tax money and then spend it. What exactly did they think their job was when they wanted to be cabinet ministers? It's to make those decisions. It is in fact to tax and spend and be accountable for spending in a way that meets priorities and to make sure that the accounting is transparent and understandable and communicated. That's pretty basic.

So I would think that it would be pretty shallow, simplistic, and even beneath this government if they were to try to accuse this opposition of not wanting to support necessary spending when they spend most of their waking hours figuring out ways to accuse us of being irresponsible in what it is we would choose to spend money on. I don't even think this government could reinvent history and recreate reality so fast that they would even be able to spin that one much beyond the walls of their own cabinet room.

10:10

If in fact the Official Opposition decides not to support this supplementary estimate, it won't be because we don't want the millennium problem dealt with, because we do. We've been asking the government to deal with it for some time. It won't be because we don't think that the people in northern Alberta who are isolated as a result of weather changes and the fact that that ice road just melted – I won't even blame the government for the weather; I won't even say it was the government's fault that the ice melted. Certainly it won't be because we don't want to see the support to those communities that needed that support at that time.

It won't be because we don't think the public servants of this province that happen to work for the leg. offices deserve a share in those performance bonuses. It'll simply be because we don't

think that it's good enough for a government to come forward asking for nearly \$140 million saying: "It's okay. I'm from the Legislature. Trust me." We don't think that it's good enough for the members of the government to simply say, "Well, we think \$130 million might be about right, but we can't really justify it because we didn't really do the math, and besides, don't ask us any tough questions because we're not really sure of the answers."

We don't think that it's enough for this government to come forward with yet another set of supplementary estimates this close to the budget cycle. We didn't have a fall session. This isn't like the government has had the advantage of a third-quarter adjustment and then some dramatic changes in the financial status of this province. This supplementary estimate comes just mere weeks after the budget itself was introduced, and in fact it came at the same time we were still debating the main estimates. Now, I don't know how you spell incompetence, Madam Speaker, but I spell incompetence: supplementary estimate, No. 2.

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

MRS. SOETAERT: Thank you, Madam Speaker. Listening to Edmonton-Glenora inspired me to join in the debate on this supplementary supply act. You know, the minister responsible for the Treasury Department is starting to get a nickname, the king of sups.

However, it's interesting about this money coming to handle the millennium bug. I find that this is \$130 million from the lottery fund. I'm wondering. When the government does their budget, do they sit back and say, "Well, we can do this here and this here and this here, and then if we screw up somehow, we can always go to the lottery fund, use it as a slush fund, and just fix any little problems we have"?

MR. SAPERS: They know. They play truth or dare.

MRS. SOETAERT: They play truth or dare.

Madam Speaker, I would venture to say that it's time that there be some serious re-evaluation of how the budget process works. I hate to see more supplementary estimates, on the one hand, because that shows that we have a bad, bad accounting system on the other side. On the other hand, I know that health care and education don't know how they'll make it through the next year unless they do get some more supplementary dollars. So we're hoping that comes in before March 31.

MR. SAPERS: Seven shopping days left.

MRS. SOETAERT: Seven shopping days left. Maybe there's more lottery dollars they can go dipping into. It's difficult to not support handling the millennium bug. On the other hand, as opposition it's our role to say: get your act together, you guys, and do this right. Mind you, maybe the millennium snuck up on them unexpectedly; they hadn't realized it was coming. They could be recycling, reducing, reusing and using old calendars.

Madam Speaker, there's been other money spent here for the offices of the Auditor General, the Ombudsman, the Electoral Officer, Information and Privacy Commissioner. I realize there's not a ministry responsible for that, so we can't really debate that and get an answer. We rarely get an answer anyway. It's not much new.

The other one is . . .

MR. SAPERS: The ice road.

MRS. SOETAERT: The ice road to Fort Chip of course we support. It's a pity that happened. I know it was very difficult for that community. Maybe we should have kind of like disaster services. I know we shouldn't slip around the slippery slope of the ice road to Fort Chip.

I know it's hard to budget for disasters. I guess you don't budget for disasters. We don't want to plan for a disaster, but reality is that almost every year certainly that I've been here, if it wasn't the Pincher Creek Flood, the Oldman Dam . . .

MR. SAPERS: There's been a Tory government every year since you've been here.

MRS. SOETAERT: A Tory government disaster. Yes, that's been there as well.

MS OLSEN: Government by disaster.

MRS. SOETAERT: The government by disaster.

I guess it's not allowed in the Transportation budget. Maybe the minister should think of a line there. I mean, I understand why he has to come forward with supplementary estimates on that; the Peace River flood as well. Rather than through supplementary estimates it'd be nice if that was provided for.

I also wish that under the disaster supplementary estimates the farmers in the Peace country and the farmers in Athabasca had been considered part of these people who have suffered from a disaster. They're not considered in the supplementary estimates. They've met with the minister. Their communities will be in jeopardy. If all those farmers fold, those communities up in Cleardale and Saddle Hills will be in jeopardy, and that would be a disaster for northern Alberta. I'm surprised it isn't more of an issue in this Legislature by the members from those constituencies where the farmers are affected. I certainly have expressed my concern on their behalf, and I wish their members had. So I'm wishing that under these supplementary estimates those farmers who suffered from two very wet years who will not be able to get on the land to even sow their crops this year would be considered under the disaster relief program.

Those farmers are coming to the city on Thursday – from my understanding, a few busloads – and they're going to be talking to the minister. I hope the minister of transportation joins in that conversation, because he's the minister responsible for disaster services. I think this government should see that those communities are in crisis. I'd be willing to stay in this Legislature longer for more supplementary estimates if it meant helping out those farmers who have suffered from two very, very wet years.

In Education as well, there were more supplementary estimates. I guess the department in its wisdom or lack thereof couldn't figure out what the mortgage was on some of these buildings. I do have some questions about the money spent within the Education supplements. Are there any interest penalties associated with early payment of these debentures? Has it been a smart move to pay off some of these mortgages? I mean, in any other circumstance you'd think that's the kind of a question that shouldn't have to be asked, but knowing this government, we should ask it. Was it a good move? By overpaying, have you really cost us in the long run? I'd like to know which debentures are being repaid early. It would be nice if there was a little list handed out so that people could know. I'd like to know which

schools and school boards are benefiting from this. I don't think that's an unreasonable request, and I'll bet all members of the Assembly would like to know. Maybe they don't, but I personally do care about the school boards and schools within my riding. I'd like to know which ones.

10:20

Have we heard the answers to any of these questions as we went along? If we haven't, that's why I'm repeating them. As I recall, I haven't heard anybody else speak on these. In other words, the minister has not replied to these questions that we've asked, so for his benefit I'll ask them again. What are the interest rates on the debentures that are being repaid early? We asked which school boards and schools are benefiting from these early payoffs. Maybe there are some in my riding, and I'd like to know that, just to say: "Isn't this good? How did it work out?" Who are the holders of the debentures that are being paid early? Who's getting the money right now? Who's getting the cheques? A fair enough question in an open and accountable government, I'm sure.

What is the net present value of retaining the original payback schedule versus the net present value calculated for the early repayment option? In other words, are we getting the best bang for our buck? By renegotiating these, have we perhaps got a lower interest rate? Is that what has happened? I'd just like an explanation of that. I don't think that's an unreasonable request, and I'm sure the minister will send over a copy of who's getting what just as soon as he can.

I realize these supplementary estimates are essential, but they also indicate a lack of planning and a lack of ability to properly look at where the needs are in Alberta. If the minister is responsible for each of the departments – certainly, we knew the millennium was coming. In fact, I think they planned for a birthday party, so surely they knew it was coming. So if they knew it was coming, I'm really surprised that they hadn't planned on this bug attacking. However, they probably ordered the cake already, but now they're going to budget to pay for that.

Actually, a question within that. How is that \$130 million going to be divided amongst the health authorities? How much does each health authority get? Speaking to the Capital health authority, they're not sure what money they will be getting. Or will they know tomorrow, once this is passed? They're not even quite sure what they'll need. This millennium bug has a few people worried, and there's a bit of an unknown. It sounds like a science fiction story. Does the minister – you obviously do have that breakdown. I'm hoping. Oh, my goodness, Madam Speaker, if the minister doesn't know, no wonder we have supplementary estimates ahead of us.

MS OLSEN: Only the Shadow knows.

MRS. SOETAERT: Only the Shadow knows. Now, that's an old story based on an Irish lad.

I'm sure the Minister of Health knows where that money's going to be allotted, and we'll anxiously await that little news release that breaks it all down and gives all the health authorities what percentage of the millennium bug money they're going to get.

Madam Speaker, I have spoken to this before. I've raised some questions and concerns at first and second reading, at committee, and now. I've yet to hear an answer, but I'm ever the optimist, you know. I'm a Liberal. We have to be.

With those few words, I appreciate the opportunity to speak to

this appropriation supply. I'd love some answers to some of my questions. However, I live in hope of that, and we'll see if that ever happens in here.

Thank you.

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

MR. DICKSON: Thank you, Madam Speaker. I was thinking when I was reviewing Bill 32, the Appropriation (Supplementary Supply) Act, 1998, (No. 2), that the Provincial Treasurer, in sponsoring this, reminded me of someone, and I was trying hard to think of who that might be. I remember now. In North Africa there are two very big camel markets, one in the south of Egypt and one about midpoint up. The one near Aswân is very close to the Sudan. When the camel herders bring, in some cases, 700 to 800 camels from the Sudan into the south part of Egypt, they have this large camel market. The camels have one leg tethered so they can't escape. It's a lot like a large car mart, where you can go in Calgary or Edmonton and they have a number of car dealers that come together to sell in the same areas so you can . . .

THE ACTING SPEAKER: I hope we're going to see some relevance here.

MR. DICKSON: Madam Speaker, in fact, this is relevant. The point I wanted to make was simply this: I remember watching this one camel herdsman in particular. The negotiation is done as the purchaser and the vendor sit in the sand in the shadow of the camel that's about to be transferred. Fascinated, I watched. One price was mentioned. Somebody was interpreting, and they indicated the price for the camel had been fixed at a certain value. They thought they'd made the deal, and the purchaser went to take the camel. He grabbed the rein of the camel and started heading off. The vendor then insisted . . . [interjections]

MR. SHARIFF: A point of order.

THE ACTING SPEAKER: Point of order, Calgary-McCall.

Point of Order Questioning a Member

MR. SHARIFF: Citation 333. I'm just wanting to ask a question with regards to what the hon. Member for Calgary-Buffalo just said. I'm curious to know whether he was talking about Liberal camel trading or what. I didn't catch that point, so can I ask that question?

THE ACTING SPEAKER: I seriously plead with the Assembly. It's 10:30 at night. Can we move on? A camel is a camel is a camel. I would like, Calgary-Buffalo, to see some relevance to the supplementary supply act, please, very, very quickly.

Debate Continued

MR. DICKSON: Madam Speaker, I know you weren't being provocative when you suggested all camels are the same. I was simply trying to make this point, and I'll get to the point directly.

The point was simply this: in my observation, what happened was that when the purchaser thought he'd come to terms with the vendor, in fact, that wasn't the price because the price changed twice more. While the purchaser had his hand on the rein of the camel and was ready to lead him out, the vendor kept changing the price.

When I look at Bill 32 – and it may be that our Provincial Treasurer had some training with bedouin herdsmen in the Sudan – the thing simply isn't closed off. We deal with a budget in good faith. We look at a government that has all of the resources of the government of Alberta, and we expect them to come up with the most precise and the most accurate information possible. When we look at Bill 32 and we look at the preamble, it says, "Not otherwise provided for during the fiscal year ending March 31, 1998." That's the provision in the preamble. Those are the operative words. What we find is that the information that comes forward – can we genuinely say that this is "charges and expenses . . . not otherwise provided for during the fiscal year"? And if not, why not?

10:30

You know, the Minister of Health, as I look across at him here – and we talked about the problem with year 2000 compliance, and my colleague a moment ago talked about the Capital health authority not knowing exactly the extent of the problem. I asked the other day: how does the Minister of Health know \$130 million is going to be sufficient? In fact, I quote from an article in the *Lethbridge Herald*, Sunday, March 22, and the quote is this:

The CHR isn't sure yet just how much of its equipment and various systems will be affected. But Walker expects thousands of man hours will be spent making sure critical systems and equipment will continue to operate. Some equipment may need replacing and others upgrading.

Now, this is a quote from Mr. Walker, director of material management for the Chinook health authority.

"We really don't know a lot at this point," Walker admits. But he's sure it's going to be a big job.

So the reality is you've got the Capital health authority, that says they don't know the extent of the problem, you've got the Chinook health authority saying they don't know the extent of the problem, and one is left looking at the \$130 million that's committed for in the supplementary estimates. Madam Speaker, what possible reason would we have to think that this \$130 million is accurate? It just seems to me that lack of planning has a cascading, compounding effect, and how many other times are we going to have to sit down and deal?

The provision in Bill 32, particularly in terms of year 2000 compliance, frankly is a very clear testament to a lack of adequate planning, and the point has been made before, and I simply reiterate it now. I simply reiterate that it's not good enough for the Minister of Health to say that we're doing better than many other jurisdictions, Madam Speaker. This is a province that likes to pride itself on being out in front, that prides itself on doing a better job than other jurisdictions.

We're simply trying to make a point. [interjection] Well, absolutely there's consistency in the position we've taken around Bill 32. I'm happy to go back. I won't do it tonight, but I'll do it privately. I'll share with the minister the number of times we've raised the point that there hasn't been adequate planning around the year 2000. We still don't know and the minister cannot make representations in this Assembly that he now knows what the extent of the problem is, because the people who are actually delivering the service, retooling the computers, don't have that information as well.

The only other point I'd make, Madam Speaker, is just to reinforce a point made by my colleague that there has to be better provision of information or communication of information from the Public Service Commissioner and his office to the legislative offices. Had it not been a chance bit of information that came to

the attention of I think the Auditor General, but for that, the legislative officers would not have had any idea what the Public Service Commission was planning to do in terms of adjusting the pay scale, the wage compensation to senior government employees. So this is an item in Bill 32 that could have easily been headed off. This is an unnecessary item to deal with by way of supplementary supply. Some advance notice could easily have accommodated it in the regular budget process.

So those are the points I wanted to make at this stage, Madam Speaker. Thank you very much.

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

MR. MacDONALD: Thank you, Madam Speaker. I, too, have some comments regarding Bill 32, Appropriation (Supplementary Supply) Act, 1998 (No. 2). The Provincial Treasurer wears in this Assembly the loony on his lapel. Well, I think he should have two loonies. He's the king of supplementary supply. We have two bills; he should have two loonies. If this Assembly carries on into the merry month of May, I don't know how many more appropriation bills we'll have and how many more loonies he's going to have on his lapel. He may wind up with a lot of glitter. He may be like the king of rock and roll instead of the king of supplementary estimates with all these loonies.

THE ACTING SPEAKER: Let's have some relevance here. Speak on the bill, please.

MR. MacDONALD: Okay. Absolutely, Madam Speaker. As I see it, one of the main problems with this government has been improper management of the budget. This is why we need this bill, because of improper management. You didn't manage the cuts properly in health care and education. That's evident. You're not effectively managing the reinvestment. We all know that. The province is quite aware of this, and you refuse even to consider better management practices in light of volatile oil prices.

Now, the hon. members from this side of the House have proposed a stabilization plan. There is quite a good idea here with the stabilization plan, the stabilization fund. If we had this plan in place, two supplementary estimates probably would not be necessary, because there would be good management and good planning in place.

Now, Madam Speaker, \$130 million is requested to authorize payment – and this is coming from the lottery fund to the Department of Health – to ensure that the health system's medical equipment, facility operating equipment, and core systems are year 2000 compliant. We discussed in second reading about how the Auditor General had helped out the Department of Labour by solving some of the problems there. Well, the Auditor General had his eye on this as well, this compliance 2000, long before this Bill 32. Long before that it was recognized by the Auditor General as a problem and by the Liberal opposition.

Now, what equipment is it that's going to need this \$130 million? Is it everything in the health care delivery system? What kind of salesman came along and sold this government on this equipment that obviously is not sound? What kind of process is in place for this? We need to talk about this. [interjections] Who is accepting responsibility for this equipment that obviously does not work, this medical equipment . . . [interjections]

Speaker's Ruling Decorum

THE ACTING SPEAKER: I certainly will welcome anyone after

this speaker that wants to get up and talk on this bill. I cannot have approximately five people in the front row here interjecting. I cannot hear the hon. member.

Go ahead, hon. member, and stick to the bill.

10:40 Debate Continued

MR. MacDONALD: Thank you, Madam Speaker. Now, the \$130 million that's in this bill for the compliance 2000, to fix this problem: how do we know that this is going to be enough now? How do we know that next week or the week after we're not going to need another \$40 million that was earmarked in January? I can remember distinctly asking the minister of . . .

AN HON. MEMBER: Public works?

MR. MacDONALD: No, the Minister of Health. He was kind and gracious, and he informed me where this \$40 million was going. Suddenly we need another \$130 million.

Well, Madam Speaker, perhaps we're going to need more money. This is coming from the lottery dollars, and that is a very unstable source of funding. It is ludicrous that this government talks about good fiscal management using lottery funds to cover what they call pressure points in the health care system. What is going on with this government? They seem to have lost all direction. They're focused on laptop computers instead of looking after the welfare of this province, particularly the people who need it, and those are the seniors who need access to the health care system.

I think, Madam Speaker, they should be more alert, and this \$130 million would be allocated where it should be, not in supplementary No. 2, Bill 32. We need to think about sound fiscal management, and we need stable planning, particularly in health care, so that we don't repeat what happened last week. If we have stable financial planning where we don't need supplementary estimates No. 1, supplementary estimates No. 2, Bill 32, we won't have labour relations trouble like we had last week, because the regional health authorities will know how much money they have going into the fiscal year, and they'll be able to deal with the problems. If the Auditor General, his staff, the staff of the Ombudsman, the Chief Electoral Officer are receiving bonuses, increases in pay, then it is safe to say that all the support staff workers across the province will get an increase in pay too.

I know the Minister of Health is listening very keenly to what I'm talking about regarding support staff pay increases.

MR. JONSON: I'm giving your remarks due consideration.

MR. MacDONALD: Okay.

With those remarks on Bill 32, Madam Speaker, I shall take my seat. Thank you.

THE ACTING SPEAKER: Edmonton-Norwood.

MS OLSEN: Thank you, Madam Speaker, and we could have a discussion about some ways to control crowds. A little crowd control management in the Assembly would be probably something we could use.

AN HON. MEMBER: No crowd over there.

MS OLSEN: No crowd over there.

Government by disaster management: that's what this appropria-

tion supply bill should really be titled. This government and the minister talk about his ability to manage, and it is great that we have a tremendous surplus. That's great. That's certainly contingent on the economy and the oil and gas prices, and it's certainly contingent on lottery dollars. There's no question about that. The more people we have jamming money into those machines, the better off this government is.

I know, however, that the Auditor General has spoken many times about the need for the government to come on-line in terms of quarterly budget updates, and surprisingly, what quarterly budget updates would do is allow the government to know where their position is in the year. So we wouldn't have the daughter of supplementary supply, we wouldn't have the granddaughter of supplementary supply, and we would indeed see some responsible management. Really, with responsible planning and fiscal management, that notion, we should come within 1 or 2 percent of the budget. The variance on either side should only be 1 or 2 percent, not the 1,000 percent we see happening here.

That, then, would alleviate the problems occurring with the government right now and its need to have these supplementary supply bills put forward. So it would make the government better managers and not so reactive and reacting in a way where they're not quite sure where the money's going to; they're not quite sure what's happening; there's no planning in place. How many times tonight have my colleagues spoken to the \$130 million going to the year 2000 problem and crisis, if you will, in the Department of Health and for that ministry and for the RHAs. This is not a new phenomenon. It's been pointed out, and again the Auditor General has recognized that as a problem. This government chose not to deal with that. So I think that that leads to these kinds of bills coming through.

The whole notion of having to put a million dollars into the Ministry of Transportation and Utilities to assist municipalities and offset costs for the closure of the winter road in this case between Fort MacKay and Fort Chip really speaks to the need for disaster management planning. It's been made abundantly clear in this province in the last 10, 12 years. We've had tornadoes, we've had serious floods, and now we've had the only road between these two communities shut down as a result of a problem that obviously the government isn't responsible for, but certainly they're responsible for their lack of planning for disaster management.

You know, certainly the government needs to be far more prudent than it is being right now as a result of that. I don't consider the phenomenon of lowballing budgets that's occurred across North America as prudent management. I would hope that this government would stop that type of forecasting and move on to some much more stable management practices.

Speaking of stable, a stabilization fund would be something that should be considered by this government given the fluctuations in the revenue coming from our natural resources. I find it somewhat distasteful that year after year after year the government indeed makes more money, more revenue comes into this province through video lottery terminals, and I'm quite concerned. What happens when the oil and gas revenues diminish, when we go into the slump, and we're not getting the kind of money that we're getting now? Are we going to increase the number of hotels, motels with VLTs just so we can keep up the revenue?

In doing that, I find it rather interesting that the government slams the whole notion of running a deficit. It's okay for the regional health authorities to do it, but the government won't do it. The regional health authorities can run a deficit, so all you're

doing is passing the problem of the government somewhere else. [interjection] Yes. Yes, hon. minister, that's what's happened. So, you know, I think that in fairness to the RHAs adequate funding should be put in place to cover the costs of the health care system. It's an expectation, and it should happen.

10:50

Also in relation to the fact that we now have deficits in the RHAs, we need this money now for year 2000 compliance for the regional health authorities, and the money's coming out of lottery funding and we're not giving any concern – there's no concern – to the cost to gamblers, the exploiting of the gambling industry in this province.

Very clearly Saskatchewan has embarked on a similar route and found in many of their communities that they can't sustain gambling. The gambling industry is not what they thought it would be, so their revenues aren't as high. They don't have oil and gas revenues like we do to count on. I can see that same thing happening here. It would be nice if it happened here actually, that we did see many of those highfalutin casinos that are operated in places like North Battleford and Regina go by the wayside and not have the population to sustain them. I would clearly love to see that happen here and have the government take more responsibility for its management and look at other revenue sources to sustain the province and the programs of the province.

I think that these types of bills should not be necessary. It is absolutely government by disaster management, and I would urge this government to look at other alternatives. We look at the whole issue around the money going into the Ministry of Education to fund the payment of accrued interest on school capital construction debentures which are subject to early principal repayment. Well, great. But should this not have been covered off in the budget? Is this an oversight? Far be it for us to have the Education minister make an oversight after all. There's no reason for this type of mistake. It should be included in the budget.

This is typical of what's happening now. We've got no foresight, no thought, no planning, and I clearly would like to see government by disaster management go by the wayside.

That's all I have to say.

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

DR. MASSEY: Thank you, Madam Speaker. Just a few concluding comments on Bill 32. The opposition, I think, has indicated that we'll support the bill given that the kinds of uses being made of the money are ones that we legitimately support, and they come in areas such as education and health. But I think that if you look at what's happened over the last two months, we've been asked in the Legislature to endorse another \$720 million for the current fiscal year. That seems like an inordinate amount of money when you contrast that with the great effort that the government has made to refine and to make better its planning. A lot of that planning has been embodied in the business plans that were put before us. The business plans were sold as a way of departments not only looking at the current budget but looking two or three years down the road at the kind of expenditures that they were going to be involved in.

If you look at departments like Education, they make the point that accountability is a key feature of the provincial investment in education. The provincial government and school boards report annually on the use of education funding and the results achieved,

and there are projections given in the key performance measures for future targets that they intend to meet. So a great focus on current spending and looking at the implications for the future.

The same in the Department of Economic Development. They have a specific goal. It says:

An Economic Planning Framework – Ensure that the government's economic planning framework operates effectively and achieves identified priorities and desired results. Encourage forward thinking about the long-term future of the Alberta economy and the elements needed to maintain competitiveness and quality of life into the next century.

Again a strong emphasis underlying the need for planning.

Yet what supplementary estimates are are an admission that that kind of long-term planning has not taken place. In some cases it's because of circumstances beyond control of the government, and I think everyone can understand that. But for there to be two supplementary estimates before the House in the short period of time that they have appeared seems to at least raise questions about the effectiveness of the long-term planning that is being undertaken. I think it calls into question all of the other planning, all of the good planning that has been done in the business plans that we have examined over the last few weeks. I think that's unfortunate.

The \$4 million plus in Education was clearly an oversight, and that kind of thing is going to happen when you're involved in trying to monitor the kinds of debentures that that department has to monitor on buildings across the province. Some of the others I think are quite understandable. But I think we've heard time and time again from speakers that there's little confidence on the part of many members in the House that the requested \$130 million being put into the health system is going to do the job and is in fact based on any kind of solid investigation in terms of what the real costs might be.

So I think the estimates deserve our support, but I think they also should cause the government to think rather carefully about the kind of long-term planning that they're involved in and how this kind of after-the-fact budgeting can be avoided in the future.

Thank you, Madam Speaker.

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

MR. GIBBONS: Thank you, Madam Speaker. I stand tonight to speak on the appropriation bill No. 2, Bill 32. As the bill actually states, the Legislative Assembly is being asked to approve the additional \$135.637 million. Of that, \$267,000 is being appropriated for the Legislative Assembly, \$130 million has been requested to authorize payment from the lottery fund to the Department of Health – where would we be without gamblers, I wonder, in this province? – and \$4.37 million is being appropriated for the Ministry of Education.

Now, education is one area that we really have to emphasize too. I hate to think that people think it's a bottomless pit, because it's a pit that is our future generation's, our kids that are out there having to get educated to be upfront, our leaders, those who follow us into this House.

Under the \$1 million being appropriated for the Ministry of Transportation and Utilities to provide assistance to regional municipalities and so on, let us examine what is really happening. The unconditional grants from Municipal Affairs have been reduced by \$56 million in '97-98 and \$36.6 million '98-99. Financial support to local authorities is reduced from \$497,000 in '97-98 and \$363,000 in '98-99.

Municipal Affairs established a new \$10 million municipal assistance grant program to help eligible municipalities with capital projects. These are great funds, but when you consider the MAG grant has dropped from \$113 million to \$40 million and is proceeding down to zero at the end of this year, I hope that maybe what was said last night in the committee with the AAMD and C, that \$240 million is going to be recognized as what they need as their figures to offset what is actually happened in building the roads.

In the same breath, Madam Speaker, the new programs are offset by reducing other grants. In fact, support to municipal programs under Municipal Affairs will continue to decline from \$128 million in '97-98 to \$116 million in 2001, an additional downloading and off-loading of \$12.6 million.

Madam Speaker, it's evident that the government has betrayed us yet again. With this appropriation supplement bill, we have to look at this and say: are we going to be here, are we going to come back in the fall and have supplement No. 3, No. 4, No. 5? We have been asked for an appropriation of an additional \$721 million for the current fiscal year over the past two months. This is evidence that the government needs a better budget management system. I keep saying in a lot of the things I've been saying that we need a road plan, we need a road map, and we need vision.

11:00

MR. SMITH: A business plan.

MR. GIBBONS: And a business plan. I'm agreeing with that. But, you know, without a vision, Murray, we need to go on from there.

The Auditor General made recommendations on year 2000 compliance over two years ago in his '95-96 annual report. What took so long to act on these? And do we have to keep going? I've used this term – it comes from a past MLA in this House who was my MLA for a number of years up in our end of town – that we can't keep playing the same tune with a one-string guitar.

MR. FISCHER: Get a new guitar.

MR. GIBBONS: Well, unfortunately I'm not in your seat to do that.

Under Economic Development and the lottery funds, the Ministry of Health is authorized a payment of \$130 million. That was from the lotteries. Now, there are a lot of dollars going there. There's an extra \$45 million that actually came out in the last short while. Are we going to be emphasizing this? Higher casino slots and VLT revenues is one thing, but do the people in the province of Alberta know that it has actually hit \$698 million to date? We actually talked about \$653 million not too long ago, but maybe these figures should be set aside and put into a slush fund or a sustainable fund that helps plug some of these holes that keep springing in the dike. If there is an announcement to cover off the short-term deficit of the RHAs before March 31 of this year, will it come from the additional \$45 million I just mentioned from the VLT revenues booked this month alone? How much more can they squeeze out of the gambling addicts in the province between now and the end of the month to cover off these offsets?

I do hope that maybe with all these shortfalls we are looking at, something can be produced out of the infrastructure task force. There again it's actually coming down to working with the MDs, working with the municipalities, working with the cities and towns to partnership in what we're going to do. The secondary roads –

you know, there's a difference between the B trains and the three-tonne trucks. The roads are designed for one thing, and we're pushing them down. We have an Alberta advantage. Let's use it. Let's start planning.

Madam Speaker, I'm going to take my leave and see if anybody else would like to speak to this.

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

MS CARLSON: Thank you, Madam Speaker. I'm happy to be here this evening to speak to supplementary appropriation Bill 32.

I spent most of the evening in my constituency, Madam Speaker, and they were very interested in why I would be coming back here this evening to speak to a bill in which the government had to ask for additional moneys. When I explained the concept to them of supplementary supply estimates and how it is that the government can come back to the trough, so to speak, once or in this case twice this year to ask for more money, they wanted to know where they could get in line too. They thought it would be a wonderful opportunity if everyone could run their household the same way the government does, where they can't in fact plan properly in the first instance and need to come back to the taxpayer and readjust their budgets and move forth accordingly.

There's no doubt that if we saw this experience happening in households, we'd have a lot more bankruptcies. There's no one to bail them out. They have to pay the piper themselves. There are no other options for them unless they have a rich grandmother somewhere. If industry does this same thing, where they underbudget in areas, particularly to the tune of \$721 million as we're speaking about this time, certainly the CEO and whatever staff helped put together those atrocious budgets would have to account to somebody: shareholders, owners, suppliers, customers. Somebody down the line would be asking them to pay the piper, and quite likely they'd be paying with their jobs, Madam Speaker.

It's certainly amazing that in this province treasurers can get away with this kind of budgeting. They have the information, Madam Speaker. We know that the Treasurer has appropriate information. We know that he can make changes to the budget on a quarterly basis, on a monthly basis if he wanted to, so that the budgets that come in at this time of year are closer to the actual need, closer to the use that the government is going to need to supply services, and they would be adequately funding those services.

I find absolutely no excuse for a government to have to come back not once but twice and the second time for \$721 million in order to finish their business of the day in the time that's remaining in this fiscal year. There's no doubt that if in the first instance the appropriate estimates were done of what kind of funding would be required to provide a base amount of education funding, a base amount of health care funding that would adequately meet the needs of the people in this province – never mind infrastructure, transportation networks, social services, children in care, and all those issues that the government has got enough information on to properly forecast. When every household can do that for a 12-month period, when every industry can do that, when every small business, when every large business, when every nonprofit can do that, it's quite surprising that a government that has this kind of expertise and this kind of staff backing them up can't do it. Surely it isn't because they don't have the ability to do it. Surely there's another reason behind them not coming in on target with these funds.

People in my constituency, those people I was having coffee with tonight at the local restaurant, would like to know what that

reason is. They would like to know why they put their faith in the government to properly account for moneys, to properly spend them in the province when they run into this kind of situation, when they run into a situation where there are red alerts in their hospitals, when their children can't get the proper kind of care when they have asthma attacks, when they are threatened both in public and separate systems that teachers are going on strike because this government sees fit to grab 5 percent away from them without any negotiation and then won't give the 5 percent back to all groups across the board in the same manner they took it away from them, when teachers, who really are in my mind an essential service, are forced into a position where they have to threaten to strike in order to get the government to pay some attention to what they're doing and to properly account for the kinds of dollars that are needed and ensure that they have that proper kind of funding.

I ask you, Madam Speaker, who could be more important in this province than our children? What could be more important than ensuring that they're safe, they're healthy, they're fed, and they're well-educated. That's what makes a well-rounded citizen, someone who's going to be able to compete in the global market. That is in fact what would be an Alberta advantage for us.

What do we find in this province? We don't find any of those specific targets being met across the board. There are isolated pockets where people can afford to pay and get the kind of service and the kind of care for their children that they want. But people who are disadvantaged, people who are poor, people who don't have jobs, people who can't find jobs, people who are unable to work don't have those same kinds of luxuries for their children. Anyone in the public or separate system these days is facing increasing hardships for their child. If your child is in the absolute median range in the school system, these days there's a good chance they're going to get through the system with the kind of education that they need and want. But, Madam Speaker, that isn't true for anybody on either end of the spectrum. If they're a special-needs child either because they have learning disabilities, behaviour problems, or they're exceptionally bright, they just fall through the cracks in this particular system. Even with the funding that we see going back in these supplementary estimates, it doesn't adequately address the need.

11:10

We have seen that concern addressed time after time in this Legislature, time after time in letters to the ministers, time after time in phone calls, with people coming into the gallery and expressing their concerns, with people petitioning outside the Legislature, sending these petitions inside here to be read about the concerns. Even these supplementary estimates, the additional funding that's been put in here, do not adequately address the needs at this time for a majority of the people in this province. I'm wondering how that can be. How can it be, with all the expertise they've got here, that they can't meet those needs? What is it that leaves this government with shutters on all the time when it comes to the kinds of needs that people are asking for and wanting in this province?

They're asking for extra money here to do some spot fixing, but we still haven't entered into the basic discussion in this Legislature about what a properly funded system is. Where does it say in these supplementary estimates that the additional money they're going to put into the Ministry of Health is now going to adequately meet the needs in health care? It doesn't say that we have now established what the basic level of service is in health care and that we have now established the basic level of funding that

will provide that service. It doesn't say that in here. It's what people have been asking for. It's certainly what we've been talking about for a number of years, to just properly address the problem, but it isn't addressed.

All we have here is a request for more money. No reason is given in here why they couldn't plan properly, why they didn't foresee the kinds of problems that are here, and why they can't foresee a solution to solving this problem once and for all so that next year they don't have to come back one more time or two more times or three more times, as it looks like is going to happen this time, and ask for more money.

Once again, in the other areas we don't see it happening either. All of the good ideas that have come forward from all sorts of groups throughout this province in education, and what do we see? Some spot funding going into some areas but absolutely no discussion that this spot funding is now going to adequately meet the needs in education. No discussion here about what the parameters are for a basic education, about how early intervention plays into that. We know that it has an enormous impact on children when you can integrate them into the education system early, identify problems and solve them before they get very far in the system, ensuring that what we get at the end is a well-educated child who is ready to enter the workforce. No discussion here about how important advanced education and lifelong learning are to people to be able to compete in this global marketplace. No discussion in these supplementary estimates about some cradle-to-grave education, which is an integral part of what's required for people to compete in this marketplace. Absolutely no discussion anywhere about what the basic necessary level of education is for any Albertan in this province regardless of age.

What we do see is a discussion here about school capital construction debentures. Well, that doesn't at all meet the needs of what people have been saying is necessary. It doesn't tell us that now education is going to be properly funded. In fact, we know that education isn't properly funded when we have the kind of crisis that we're seeing in the schools.

I've had ministers in the government repeatedly tell us in our debate here in this House that you have a choice these days in terms of working bingos and casinos and selling chocolates in order to fund essential services in the schools. They say that you're not funding essential services when you do that, that what you're doing is providing extra field trips for your kids. Well, Madam Speaker, I don't know what it's like in your constituency, but I'll tell you that in my constituency that money goes to buy computers, it goes to buy desks, it goes to buy lab equipment, it goes to buy paper, and it goes to buy crayons. It goes to buy all those kinds of things that are essential.

You know, I don't know when the last time was that you were in a school, but I've been in several of them this week, and I've noticed an amazing thing. In the junior high schools we have many young men who are over six feet tall, we have many children who are over five foot seven or eight, and they are stuck in these teeny, tiny desks that were established for children around five feet in height. They're squished into them. Their backs are all bent. Their knees are out past the sides of the desk, and people are tripping over their feet going by. When you ask them if their back is sore, all of them say yes. They're extremely uncomfortable. Yet no one in either the public or the separate school system at this point in time has enough money to properly fund any of these schools to put the proper size of desks in there.

Now, what could be more essential to basic learning and what

could have been more important to see in these supplementary estimates than proper desks for our children? How can it be, Madam Speaker, that in this province we can't even properly outfit a child with a desk? We hear time after time in industry that the ergonomics of a proper chair and a properly situated desk are vital to a stable and healthy workplace for people who are working at desks in offices. Those people are at those desks in offices no longer than the children are at their desks. Yet I understand that the government is refitting a number of their offices, upgrading them to accommodate those kinds of styles . . .

MRS. SOETAERT: How about nice cars?

MS CARLSON: Well, next you'll have ergonomic cars. There's no doubt about it. If that's what the government wants, that's what the government's going to get.

MRS. SOETAERT: How many desks could you buy for those luxury cars?

MS CARLSON: How many desks could you buy? That's a very good question.

So here we're doing the right thing when it comes to adults, but we're not prepared to do the right thing when it comes to children.

MRS. SOETAERT: Well, I don't think that the cars are the right thing for adults though.

MS CARLSON: The cars aren't the right thing, but the ergonomics in terms of the work spaces definitely are, and that's a step in the right direction.

Well, Madam Speaker, how can it be that we don't move that step in the right direction in this appropriation bill? The government is asking for more money anyway. Why not do the right thing and make sure that children have proper desks to sit at so that they can pay attention to what's going on in the classroom, so that they're in a climate that's conducive to learning and not having to worry if the teacher walking down the aisle is going to trip over their feet and not having to worry about how they can pay attention to what's going on when they've got sore backs? How come we haven't seen those kinds of issues addressed in these supplementary estimates?

I would put a challenge to the Provincial Treasurer that in the next set, in the third set of appropriation bills that we see come through this Legislature this spring, he address those kinds of issues: that he address the basic issue of stable funding for education, that he address the basic issue of stable funding for health, and that he address the kinds of needs that meet the criteria that other countries have established for sustaining a well-balanced and healthy child population so that at the end of the day, we really truly can have an Alberta advantage. The way that this government is going, they're running this province into the ground.

THE ACTING SPEAKER: The hon. Provincial Treasurer to close debate.

MR. HAVELOCK: On behalf of the Provincial Treasurer, I close debate.

[Motion carried; Bill 32 read a third time]

11:20

**Bill 31
Appropriation Act, 1998**

[Adjourned debate March 24: Mr. Renner]

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

MR. MacDONALD: Thank you, Madam Speaker. Bill 31, the Appropriation Act, 1998, is not the fiscal accountability that Albertans are demanding from government. Performance measures and benchmarks identified in the three-year business plans are secondary to inputs. There must be more of an attempt to link outputs to results achieved, and there are many accountability frameworks that have been going on in other jurisdictions that this government could learn from. Now, we can talk about performance measures and about this and about that, but the overall theme in this budget, this Agenda for Opportunity, is an agenda for opportunity for Bay Street and Wall Street financiers, not for the 2.8 million Albertans who live on the main streets of our communities.

Many people in this province are familiar with Henry and Martha, the couple from Rimbey that were mentioned many times during campaigns. I don't know them personally, but I know many people like Martha and Henry. There are many people like Martha and Henry from Rimbey who live in Edmonton-Gold Bar. I'm sure that people like them live in Wainwright, in Ponoka, in Calgary, in Ellerslie, in Norwood. Martha and Henry are a reflection of this province, and this budget does not meet the needs of Martha and Henry.

[Mr. Shariff in the chair]

Mr. Speaker, Budget '98 is not a plan for the future. It is a recycling of leftovers from the past, recycling a \$140,000 speech that the Premier just gave before this session started. We all heard the throne speech, and that was another example of this government's idea of recycling. The recycling of reinvestment announcements has gone on and on and on. Recycling money has been announced; we'll spend the same dollar three or four times. Now, I don't know if many of the government planners were fortunate enough to get to the south of Egypt and look at how the Bedouin traders look after their camels and exchange them. There is also in North Africa, in Morocco, a fairly decent camel market.

But it's the same old playbook, this budget. It's the same old playbook from a government that's sold its soul, its compassion, its courage, and its vision for the future in exchange for a triple A credit rating from Standard and Poor's and Moody's. This is a government that's lost its way, its moral compass. Its only reason for existing is to earn money, not to serve the interests of the people. Budget '98 is a pact between this government and the almighty dollar, with the interests of Martha and Henry being left out. This is a government of greed, not a government of need.

The centrepiece of this bill, Bill 31, is not strategic and sustainable investments in people development, as endorsed by Albertans at the Growth Summit, but a window-dressed, politically motivated, public-relations, 22-cent-a-day tax cut, a tax cut that will not even buy half a cup of coffee at a restaurant. Martha and Henry can't even buy half a cup of coffee with the tax cut that's proposed in this budget.

MRS. SOETAERT: Certainly not a latte. It would take you a week to buy a latte.

MR. MacDONALD: Yes, exactly. It will take them five working days to buy a latte. And they're going to have to share that one. They can't even afford one each. They've got to share one.

This is not a sustainable tax cut. We saw this tax cut and we saw what happened with the oil markets, not so much with the natural gas but with the oil markets. Oil went down to at its lowest \$14.27 a barrel, Mr. Speaker. This budget I believe pegs oil at \$17.50 a barrel. We all realize the importance of oil revenues to the provincial treasury. Once again, the stabilization fund that we had proposed applies to this Bill 31 because it would allow for more sound, prudent fiscal management by this government. What is missing in this bill is a vision or road map that would tap the full potential of Alberta to achieve the balance between fiscal and economic responsibility and people and communities, communities such as Rimbey, where Martha and Henry reside, the communities and the quality of life that are so vital to our future competitiveness and the growth of our society.

What we have received in Bill 31 is a rehash of the stopgap, trickle-down, pressure-points policy that this government has followed blindly for the last two years. We canceled the fall session of the Legislative Assembly and had the Growth Summit, but this government has ignored the recommendations of that Growth Summit. Rather than calling Budget '98 Agenda for Opportunity, it would be more appropriate to call this missed opportunities. This budget and this bill represent another missed opportunity for the government to put the focus back where it belongs on the strength of our people and of our communities and on building Alberta for the next century.

[Mrs. Gordon in the chair]

This budget and this bill are built purely on a 22-cent tax cut. Now, the 22-cent tax cut, this reduction of the personal income tax rate from 45.5 percent of federal tax payable to 44 percent of federal tax payable, is as symbolic as an earlier 17-cent-per-day tax cut implemented by this same government just six years ago. Madam Speaker, in 1992 the provincial budget reduced the personal income tax rate from 46.5 percent to 45.5 percent. The Premier and the Provincial Treasurer were members of the 17-cent-per-day government of 1992. Obviously the current Provincial Treasurer learned his tax cut trade from the Provincial Treasurer of 1992. I think we should compare the words: the budget cuts provincial personal income taxes for all Albertans. History has a tendency to repeat itself.

Now, we all know about the user fees and the premiums and the licences and how in estimates every department seemed to have some amount of revenue. Some departments had a more significant amount of revenue than others, all generated from premiums, user fees, and licences. This bill contains user-fee mania. Premier Klein and former Provincial Treasurer Mr. Dinning and the present regime have cracked the century mark in new or increased direct user fees. This does not even include the 380 new or increased user fees that have been imposed by cabinet through regulations. That's governing by fax machine. Every Friday without fail the regulations come through to the constituency office, and they're there for everyone to see. There are, Madam Speaker, 104 new or increased direct user fees contained in the 1993, 1994, 1995, 1996, '97, and 1998 budgets. Between 1992-93 and 1998-99 revenues from user fees, licences, and premiums have increased from \$1 billion to \$1.2 billion, an increase of \$216 million, or \$77 for each and every citizen of this province. This certainly negates the 22-cent-per-day tax cut.

According to the three-year fiscal plan, revenues from fees, licences, and premiums are expected to increase by another \$29 million or 2.3 percent, or \$10 per Albertan, between 1998-99 and the year 2000-2001. Alberta has the fourth highest rate of increase – that's 27.2 percent – of user fees among all Canadian provinces, and that's between 1992-93 and 1996-97.

11:30

Madam Speaker, Alberta ranked third among the Canadian provinces in 1996-97 in revenues raised per person from user fees, and that is \$473.83. What has the Premier had to say about user fees: we'd better look very, very carefully at user fees, just as we look at taxation, because we want to make sure we maintain our competitive position and maintain what we refer to very proudly as the Alberta advantage.

We on this side of the House, Madam Speaker, believe that there is a real reason for concern about the tax burden imposed by user fees and premiums. The more Albertans are asked to pay in user fees and in premiums, the less money they have in their pockets to help Alberta's economy grow. We believe, along with the Canadian Federation of Independent Business and others, that all future user fees, premiums, and licensing increases should be referred to this Legislature for discussion.

Now, we all watched with interest last fall, Madam Speaker, the Growth Summit. Some of us attended and sat in the bleachers. I have held on to my yellow identification card as a souvenir of the Growth Summit. Many members of this House had the same card with "observer" written across it. We all went down to the Shaw centre instead of coming here to discuss ideas that were very, very important to Albertans.

Now, after the conclusion of the Growth Summit, people development was what everyone concluded was the number one issue with all Albertans. The blue ribbon panels came to the conclusion that people development was what should happen. Now, there are notable absences in this bill regarding people development in the Alberta Growth Summit report. Some of these are:

Our [education] system must be funded at a level which allows the provision of the high quality of education desired by Albertans, including appropriate staff/student ratios for each age and subject . . .

In order to attract and retain the best teachers and researchers, the Alberta government must ensure that school boards, colleges, technical institutes, and universities have access to sufficient funding in order to be able to provide competitive salaries and working conditions . . .

Hire new [employees] into the public service, attract the best in talented young people and compensate people in ways that respect and reward accomplishment . . .

Implement a Head Start program for children in high-risk situations . . . by 2005.

An emphasis should be placed on supporting families and communities to foster child literacy . . .

Develop protocols that ensure a seamless delivery of services to students with special needs.

All this, Madam Speaker, does not appear in Bill 31. We must ensure adequate public funding for needed health services for all Albertans, and we must ensure that these services are provided for, and they must be provided for under the guidelines of the Canada Health Act.

Also from the Growth Summit, Madam Speaker:

Hot lunch programs should be implemented immediately in schools where there are hungry children . . .

Make Child Abuse/Family Violence Intervention Teams available across Alberta as soon as possible.

Other recommendations:

All levels of government should consider reinstating social housing programs for seniors and people with disabilities . . .

Develop ways to recognize the value of community service, voluntary and non-profit groups . . .

Re-examine the notion of health care premiums to eliminate inefficiency and duplication . . .

Develop health education and health promotion programs for low-income, pregnant women . . .

Provide support for infrastructure financing that is more stable and predictable, and reflects local citizens' needs and priorities.

Now, the hon. Member for Edmonton-Manning has been traveling last fall in the absence of the fall session and throughout the winter here. Barring bad road conditions, he has traveled all over the province and understands only too well the problems that the municipalities are having regarding inadequate funding. Secondary and primary roads are collapsing under the weight of the increased traffic of both industrial and private vehicles. The member understands this very well, and he is frustrated by how little is being done at the present time to help these municipalities out. All this, Madam Speaker, was talked about at the Growth Summit.

Now, the Growth Summit also talked about providing "funding for infrastructure on a more predictable basis". This is something the hon. Member for Edmonton-Manning will talk about often and privately with me. This basis reflects local needs and priorities complementary to anything that goes throughout the province. There have been some good ideas in this. The idea of the north/south trade corridor is a very good idea to relieve the traffic congestion, Madam Speaker, in the south end of the city with the Anthony Henday and over to Ellerslie, what we all call affectionately the grain elevator turnoff. All these are going to be improvements. They are in the budget, but there are a lot of recommendations from this Growth Summit that so much faith was put in. The public had so much stock in that, and none of these recommendations found their way into Bill 31.

Now, the Growth Summit wanted to increase the Transportation and Utilities budget in 1998-99 to address immediate provincial and municipal transportation infrastructure requirements. That was not met.

The Growth Summit wanted to "implement and expand Special Places 2000." Now, that certainly has not been accomplished, Madam Speaker. Also, the idea of strengthening the role of the Children's Advocate to represent all children and to report to this Legislative Assembly.

Now, Madam Speaker, I shall retire the floor for my colleague from Edmonton-Norwood.

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

MR. HAVELOCK: Take all the time you need, Sue.

MS OLSEN: Thank you, Madam Speaker, and thank you to the hon. Minister of Justice. I will indeed do that. [interjections] I've got five. Okay.

I'm pleased to be able to speak to Bill 31. I haven't had the opportunity yet to do that. This government has undertaken phenomenal reform. Budgets like this Treasurer's and his predecessor Jim Dinning's have lowballed the past four budgets. This process ensures a surplus. This is not responsible budgeting or forecasting. This government has been out by over a thousand

percent. So given economists' belief that prudent assumptions will produce variances of about 2 percent, I can only say that this government is a poor manager of the province's money. It's a manipulator of the provincial purse for political optics.

11:40

The Conservative government blew the budget so badly over the previous years. I believe there were something like six deficit budgets voted on by our Premier and many of his caucus colleagues, and now the Premier wants to be Boy Wonder and claim ignorance of his past, of the Conservative governments that preceded him. This is not a new government. This is a recycled government with no place to go. Manipulating Albertans is one of the ways this government tries to achieve that.

Well, the government has only ridden on the luck, and I say the luck, of the oil and gas revenues. They have not put in place sustainable programs to carry Albertans through the peaks and valleys of a volatile marketplace, and we have seen that during the past few weeks. Indeed, in the past two weeks we've watched the oil prices dip and rebound and go through those peaks and valleys.

The Liberal position is that we create a stabilization fund. I know that the government has relied a lot on our past colleague Dr. Mike Percy. Dr. Mike Percy developed for us and helped us come up with this stabilization fund. I know that they should think it's a good idea because they really respect Dr. Percy, and so they should, because he has some great ideas.

Given that, I'm hoping that by the time the next budget comes in, we don't see the huge variance and the budget lowballing we've seen in the past. I've talked about that before, about that

being a phenomenon across North America, giving even smaller provinces and states incredible surpluses. I'm hoping that this government will indeed see the errors of their way and start very quickly working on a stabilization fund, and indeed they have the opportunity to do it.

I, like many of my colleagues, am wondering where indeed we see the recommendations of the Growth Summit going. We know that many Albertans, especially working Albertans, who have this great tax reduction that was given to them in a time when I think it's probably not appropriate – we could have waited, because we see what's happening in the marketplace. We see where our revenues are going, and in order to give a hundred dollar tax break, we're increasing the need for revenues generated through video lottery terminals. I just want to point out, given that the average Albertan has got this tax break of approximately \$100, that we know that it goes in one pocket and out the other, you see, because the hon. minister of social services has decided to eliminate the day care operating allowance. For a middle class family, that means . . .

THE ACTING SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Norwood, but in accordance with Standing Order 61(5) the chair is required to put the question to the House on the appropriation bill on the Order Paper for third reading.

[Motion carried; Bill 31 read a third time]

[At 11:46 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]