

Legislative Assembly of Alberta

Title: **Monday, March 8, 1999** 1:30 p.m.

Date: 99/03/08
[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

Our Father, give to each member of this Legislature a strong and abiding sense of the great responsibilities laid upon us.

Give us a deep and thorough understanding of the needs of the people we serve.

Amen.

Please be seated.

head: Statement by the Speaker

Commonwealth Day

THE SPEAKER: Hon. members, today, March 8, 1999, is Commonwealth Day, and it's commemorated by parliamentarians throughout the Commonwealth. The Commonwealth consists of nations which share our own tradition of parliamentary self-government. The Alberta branch of the CPA is comprised of all members of the Legislative Assembly and enriches the sharing of parliamentary ideas. In commemoration of Commonwealth Day members will find a copy of Her Majesty the Queen's message on their desks.

head: Introduction of Visitors

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly a man known to many Albertans for his generosity and outstanding public service. Art Smith has just retired as senior management consultant to SNC Lavalin Inc. and is founding chairman of the Alberta Economic Development Authority. He is a former member of this Assembly, a three-time Member of Parliament, a former alderman for the city of Calgary, and a former delegate to the United Nations. Mr. Smith has helped organize the World Energy Congress, the 1988 Olympic Winter Games in Calgary, and is head of the Calgary Chamber of Commerce, the Air Cadet League of Canada, and the Alberta Cancer Foundation. Mr. Smith also chairs the Calgary Homeless Foundation, which since last summer has been tirelessly helping needy families to find affordable housing, funding transitional housing units for families needing shelter, and is helping to give other long-term support to the poor and homeless in Calgary. He's seated in your gallery, Mr. Speaker, and I ask that he rise and receive the warm greetings of this Assembly.

MRS. McCLELLAN: Mr. Speaker, I'm proud to rise today to introduce three people who were an important part of the success Team Alberta enjoyed at the Canada Winter Games in Corner Brook, Newfoundland. First, I would introduce Mr. Orest Korbutt, chairman of the Alberta Sport, Recreation, Parks and Wildlife Foundation, who with his board members supports the development of our Alberta youth athletes.

Second, I would introduce Pat Lechelt. Wearing our Team Alberta colours, Pat is the sports development officer with Alberta Community Development and was Alberta's chef de mission for the games. Pat and the rest of her staff provided care and support for the members of our team and helped them reach their goals in Corner

Brook and ensured that it was an experience of growth and pride for our athletes.

Thirdly, Mr. Speaker, I am very proud to introduce to you Matt Giuffre, also wearing our Team Alberta colours. Matt is from Edmonton and along with his teammates Wes Chan, Mark Rice, and Dan Rutherford from Calgary won the gold medal in men's team squash. Matt is representative of the over 300 Alberta athletes who represented our province with distinction and with pride at the Canada Games.

I would ask each of the members of this Assembly to offer these people a very warm welcome.

head: Presenting Petitions

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

MS OLSEN: Thank you, Mr. Speaker. I'd like to present a petition on behalf of the Save Our Schools group. The petition is:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to increase funding of children in public and separate schools to levels that cover increased costs due to contract settlements, curriculum changes, technology, and aging schools.

That brings the total to over 1,000 signatures in two weeks.

Thank you.

MS GRAHAM: Mr. Speaker, as chairman of the Standing Committee on Private Bills I beg leave to present the following petitions that have been received for private bills under Standing Order 93(2):

1. the petition of Kenneth J. Burton for the National Bond Insurance Corporation Act,
2. the petition of Shaw Communications Inc. for the Shaw Communications Inc. Amendment Act, 1999, and
3. the petition of Howard Goldford and Randy Hauge for the Consumers Insurance Company Act.

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

MS CARLSON: Thank you, Mr. Speaker. I have an additional 180 names to table on a petition today for the SOS group petition supporting public and separate schools. The petition states that they urge

the Legislative Assembly to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

head: Notices of Motions

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

MRS. MacBETH: Thanks very much, Mr. Speaker. I want to serve notice at this time that at the appropriate time later this afternoon I will move the following motion: "Be it resolved that this Assembly ratify the United Nations convention on the rights of the child."

head: Introduction of Bills

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

Bill 16

Maintenance Enforcement Amendment Act, 1999

MR. DUCHARME: Thank you, Mr. Speaker. I request leave to introduce Bill 16, the Maintenance Enforcement Amendment Act, 1999.

This bill responds to the recommendations of the MLA review committee on maintenance enforcement and child access. These amendments will result in higher collections of maintenance payments increasing financial security for Alberta's children.

[Leave granted; Bill 16 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 16 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

MR. KLEIN: Mr. Speaker, I am pleased to table this afternoon five copies of my letter to the Prime Minister and his response on Alberta's long-standing support for the objectives and principles contained in the United Nations convention on the rights of the child. In my letter and in the Prime Minister's response Albertans are reassured that parents' rights will continue to be supported so that all of our children are protected and grow up to be responsible, productive, healthy, and caring persons.

MRS. McCLELLAN: Mr. Speaker, today I'm pleased to file with the Assembly a letter of congratulations to the University of Alberta Pandas volleyball team. On Saturday the Pandas won their fifth straight CIAU women's volleyball championship, once again demonstrating Alberta's tradition of excellence in sport.

THE SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you, Mr. Speaker. I'd like to table today five copies of the 1997-98 annual report and 1998-2000 business plan for the Alberta Elevating Devices and Amusement Rides Safety Association.

I would also like to table five copies of the 1996-97 annual report for authorized accredited agencies.

I would also rise to table further documents on the issue of pine shakes. The information is already available to the public from the Department of Labour files. Being responsible for occupational health and safety, Mr. Speaker, we just tabled the other four copies in the interest of lifting by the pages.

1:40

MR. JONSON: Mr. Speaker, I'm pleased to table with the Assembly five copies of the report of activities of the Alberta Dental Association for the year ended June 30, 1998.

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

MS GRAHAM: Thank you, Mr. Speaker. Again, as chairman of the Standing Committee on Private Bills I'm pleased to table five copies of a certificate of continuance of Alberta Wheat Pool for filing in the official records of the Assembly. This certificate is filed pursuant to section 2 of the Alberta Wheat Pool Amendment Act, 1998, and serves as notice certifying that Alberta Wheat Pool was continued as a co-operative under Saskatchewan's co-operatives legislation.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I have two tablings to make

today. The first tabling is the letter of the Premier of this province addressed to President Rod Fraser of the University of Alberta, the university which enjoys a proud record of defending and protecting the right to academic freedom and institutional autonomy. In his letter the Premier attacks both of these principles rather viciously.

My second tabling, Mr. Speaker, is a letter that's written by Dr. Jim Stanford, who was born in Calgary and in fact at one time voted for the current Premier when the Premier was running for mayor of Calgary. In this letter Dr. Stanford regrets the Premier's attack on him personally and the question that it raises about the quality of the research.

THE SPEAKER: Hon. Member for Edmonton-Highlands, do you have a tabling as well?

MS BARRETT: Yes. Mr. Speaker, thank you. I do. I wish to file with the Assembly today five copies of a letter dated February 16, 1999, to the president of the Alberta Association of Registered Social Workers signed by the hon. Premier in which he outlines his government's continued opposition to signing on as Canada's last jurisdiction to the United Nations convention on the rights of the child.

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

DR. OBERG: Thank you very much, Mr. Speaker. Today I have the pleasure of filing an HRDC document that puts out the market-basket measure on poverty indicators. This is the one that the Prime Minister was talking on. This is also the one that takes into account cost of living and shows that Alberta has the lowest standard of poverty in the country.

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I have two tablings. The first is five copies of an Angus Reid January 1999 poll showing that almost without exception across all age, gender, education, and income groups Albertans at a 70 percent level believe that the government is not spending enough money on education.

The second is a table that compares the rates of increases in basic instruction grants and the rate of inflation.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie

MS CARLSON: Thank you, Mr. Speaker. This afternoon I have two tablings. The first is a letter from Mr. and Mrs. D. Selvig, who as parents

do not feel that the Provincial government is living up to its responsibility to provide a quality education for their children who are, after all, our future.

The second is a letter from parents Cliff and Alison Playdon, who wonder how this province can constantly brag about how great they are and how far ahead they are of the rest of the country when five out of 10 provinces spend more on education than Alberta does.

I will also send copies of those to the minister.

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

MR. MacDONALD: Mr. Speaker, I also have two tablings today. The first one is for the years 1995, 1996, and '97. It is the Progressive Conservative Association's PC fund report, and it lists various individuals and corporations who have donated.

The second tabling is on behalf of a constituent of Edmonton-Gold Bar, Mrs. Bonny Jackson. She outlines in this letter the concerns that she has that Alberta Education is not acting in the best interests of special needs students in how they are to write provincial achievement tests.

Thank you, Mr. Speaker.

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased to rise today to table five copies of *The Growing Gap*, a report on the growing inequality between the rich and poor in Canada presented by Armine Yalnizyan to the Parkland Institute conference *Poverty amidst Plenty* on Thursday evening. The most poignant remarks with respect to this report were cited as being that when you have a culture of insecurity in a society you have a culture of intolerance.

Thank you, Mr. Speaker.

THE SPEAKER: The chair would like to table five copies of a memorandum from the hon. Member for Little Bow requesting that Motion 503 be removed from the Order Paper. On Tuesday, March 9, after Motion 502 has been dealt with, the next motion to be addressed will be Motion 504.

head: Introduction of Guests

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted on behalf of the Member for Wetaskiwin-Camrose to introduce visitors from the Battle River Christian home school fellowship. They are seated in the public gallery. We have 29 -- 19 students, one baby -- accompanied by teachers and group leaders Mr. and Mrs. Brian Wilson, Mr. and Mrs. Les Harrison, Lynn Hitesman, Mr. and Mrs. Keith Stollery, Joan Bishop, and Karyn Hutchinson. I would ask them to rise, and I would ask you to please extend to them the warm greetings of the Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MRS. McCLELLAN: Mr. Speaker, it is an honour for me to introduce two guests in the members' gallery. First is Mrs. Patti Giuffre, who is the proud mother of our young athlete who was introduced earlier and whose family traveled to Corner Brook to support our Alberta Team. Accompanying her is Chrystal Vrabel, a friend. I would ask you all to give them a very warm welcome.

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

MR. SAPERS: Thank you, Mr. Speaker. It's my pleasure to introduce to you today and to all members of the Assembly 26 visitors from Grovenor elementary school in the constituency of Edmonton-Glenora. They're here for a week, Mr. Speaker, and I understand that they're going to have an opportunity to meet with yourself, with the Premier, and with other members of the Assembly. I had the privilege of greeting them earlier this morning and being interviewed by two soon-to-be-members of the press gallery, Ashley and Courtney, who were grueling and grilling in their questions. I would ask the whole group of 26 including teachers Mike Trent, Colette Mondor, and parents Vera Nikitin, Myra West, and Lisa Reed to all please stand now and be welcomed by this Assembly.

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

MR. CARDINAL: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to the members of the Assembly 32 visitors from the village of Boyle and area. They are accompanied by teachers Corrine Sachko and Emily Thomson and parents and helpers Bev Gingras, Sheila Anderson, Cindy Stanton, Lillian Stewart, and David Hague. They are seated in the members' gallery. I would like them to rise now and receive the traditional warm welcome of the Assembly.

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

DR. PANNU: Thank you, Mr. Speaker. I'm very pleased today to introduce Bill Moore-Kilgannon, executive director of the Parkland Institute. The institute is located both in my constituency and at the University of Alberta, which happens to be my alma mater and the institution where I hold the position of professor emeritus. Bill is in the members' gallery. I'll ask him to stand and receive the warm welcome of the members of this Assembly.

1:50

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

MR. MELCHIN: Thank you, Mr. Speaker. It's my privilege to stand today and introduce to you and to members of the Assembly Scott Kellock, who is here on business in Edmonton today. He is a constituent of Calgary-North West. He's seated in the members' gallery, and I'd ask if he'd stand and receive the warm welcome of the Assembly.

head: Ministerial Statements

Canada Winter Games

MRS. McCLELLAN: Mr. Speaker, I'm delighted to rise today and inform the members of the Assembly of some of the details of Team Alberta's presence at the Canada Winter Games in Corner Brook, Newfoundland, over the last two weeks. I was honoured to attend the first three days of the competition. As well, I was pleased that the members for Little Bow and Fort McMurray were also able to attend a number of the events and spend time with the athletes during the second week of competition.

Mr. Speaker, I will never forget the enthusiasm and excitement of Team Alberta during the opening ceremonies, and I'm sure that as they marched in, I received a high five from each one of those 370 athletes in the first round.

Once again, Mr. Speaker, Team Alberta proved they can compete with the best this country has to offer. I'm pleased to inform all members of the Assembly that Alberta finished with a total of 65 medals, including 18 gold, 21 silver, and 26 bronze. In overall Canada Games flag point standings Alberta came in fourth with 270 points, an outstanding performance. As always Team Alberta has done Alberta proud and represented our province with sportsmanship and with class. While not everyone on the team came home with a medal, many of the athletes set their own personal bests and will be satisfied knowing that they gave their very best effort.

What I want to convey to the members of the Assembly today is not about medal counts. It's about the tremendous value of the games to Alberta's youth. These young people went to Corner Brook as strangers even to their fellow team members of Team Alberta. In Newfoundland they came together with even more strangers from across this country from every province in Canada and the territories. After two weeks of hard work and good times, they came away with friendships and memories that stretch across this country from coast to coast. I think that's what Canada Winter Games are all about.

I also want to acknowledge today the host community of Corner Brook and the host province of Newfoundland and Labrador. Corner Brook is the smallest community to ever host the Canada Games, but it is a community with a very big heart. From the games organizers and sponsors to the volunteers and the families who hosted residents of our province during the games, I can tell you that Team Alberta and other teams were made to feel at home in Newfoundland. We experienced true Atlantic hospitality in the kindness and generosity of Newfoundlanders.

As an example of that, Mr. Speaker, a Corner Brook resident gave up her ticket to the sold-out opening ceremonies of these games to an Alberta mom so that she could watch with pride her daughter march in with Team Alberta. That's the type of generosity of spirit and hospitality that we were shown in Corner Brook.

Aside from sporting events a number of cultural displays, shows, and activities took place throughout the games. Every day these cultural activities brought together athletes from across Canada and gave them a chance to experience the rich tradition of Canadian arts and culture. Three Alberta artists participated in the first-ever cultural component of the games.

I want to thank and acknowledge all of the coaches, the volunteers, the organizers both in Corner Brook and here in Alberta whose hard work and dedication to amateur sport helped make the games possible. I want to commend Team Alberta mission staff led by Pat Lechelt. This dedicated group of individuals performed a number of duties, most important of which was providing the much-needed support and leadership to our Alberta athletes. I want to also acknowledge the Alberta Sport, Recreation, Parks and Wildlife Foundation and its chair, Orest Korbitt, for their ongoing support of amateur sports, athletes, and sport development in Alberta.

I especially want to acknowledge the role of parents in preparing these young Alberta athletes for the Canada Winter Games. I know what a big job it is to prepare a young person for competition. It's a job that starts years before an athlete leaves for the games. It's a commitment that involves much more than providing equipment and getting your children to all the practices. It's about encouraging children and supporting them and helping them pick themselves up after a defeat and find the courage to try again. Mr. Speaker, I was overwhelmed by the number of Alberta families who traveled to Newfoundland to support these young athletes.

When you see the teamwork, the leadership, and the self-esteem that comes from competition, you see that all of that sacrifice and commitment from all of those various people are worth it. That's what thousands of Canadians saw in Corner Brook during the 1999 Canada Winter Games, and that is why this government will continue to support the participation of Alberta's young athletes in the Canada Games.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'm very pleased to respond to the ministerial statement on Team Alberta and the Canada Winter Games in Corner Brook. I'm not at all surprised that Team Alberta did so well at these games both in medals received and also in friendships started, personal goals achieved, and a new part of the country visited and shared.

Alberta is about winter sports in my opinion, although obviously these games are more than just winter sports. I think every person here has memories of ice and curling rinks, of ski slopes and cross-country ski trails, toboggan runs, crisp mornings, and fresh air.

Albertans, despite concerns over finances, health care, and education, still value quality of life, and that means amateur athletics

and recreation and cultural activities. I hope we can look forward to increased support for these areas in the '99 budget, for participation in these activities is what makes us Albertans.

As always, the Liberal caucus thanks and acknowledges the efforts of parents, coaches, and volunteers. You make this happen for our kids. And may I send our greetings to Corner Brook. I've always felt that Albertans had a special affinity for Newfoundland and Labrador, and the people of Corner Brook certainly made our team feel at home.

On behalf of my colleagues in the Liberal opposition, congratulations Team Alberta. Well done. We are very proud of you.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Leader of the Official Opposition.

Parkland Institute

MRS. MacBETH: Thanks very much, Mr. Speaker. On March 5, last Friday, the Premier of this province sat at his desk and wrote a letter to the president of the University of Alberta which starts with:

I am dismayed to see yet another one-sided and ideologically biased attack on the generosity of Albertans by the factually challenged Parkland Institute and its apparent campaign to undermine the good work of the people of this province.

My question to the Premier is: just what did the Premier hope to accomplish by penning these words?

MR. KLEIN: Mr. Speaker, it is my duty as the Premier to stand up for Alberta. I'm proud of this province and all that it's accomplished, and I'm proud of the people, the thousands and thousands of volunteers and professionals who care for the poor and needy in society.

2:00

Why I penned those letters. It bothers me when a person like Armine Yalnizyan comes to this province and says, and I quote: people in this province, particularly in Calgary, are suffering from a lottery mentality which is creating the largest gap in Canada between the rich and poor. She goes on to say: it's the attitude of this province that I get to keep what's mine. This is an unfeeling attitude. Is she talking about Art Smith, who is devoting almost a hundred percent of his time to the homeless, because he's one of those people she alludes to who live and work between the river and the railway tracks. Is that what this lady is talking about?

It would be absolutely disgraceful and I would admonish any member of this caucus or any member of an agency of this government who went into another province and said the same kinds of things. I think it's absolutely disgraceful. [interjections]

THE SPEAKER: Hon. members, the chair has recognized the Leader of the Official Opposition.

MRS. MacBETH: Mr. Speaker, does the Premier understand that his own words could be interpreted as one-sided and an ideologically biased attack on freedom of speech in this province?

MR. KLEIN: Mr. Speaker, I am so happy that the hon. leader of the Liberal opposition alluded to freedom of speech. Is she saying that only the Parkland Institute can have its opinion and that I can't have my opinion and I can't express that opinion? Or can we only express Liberal opinions? Is that what the Parkland Institute, this institute of free debate -- are they saying that I can't have my opinion? Is that what they're saying? Well, perhaps while I'm on my feet . . . [interjections]

Mr. Speaker, this Liberal Party obviously does not believe in free speech. They're saying that there can only be one side of the issue. They are saying that the Premier of this province cannot speak out. That's what they're saying.

Speaker's Ruling Decorum

THE SPEAKER: Hon. members, as we are on the subject of free speech, it is customary in this House to observe the time-honoured rules of decorum. When the chair recognized one individual to raise a question, an example of free speech, the chair will then recognize another individual to respond to that question, another example of free speech. All hon. members will hopefully -- hopefully -- listen to both the question and the response.

The hon. Leader of the Official Opposition.

Parkland Institute (continued)

MRS. MacBETH: Thanks, Mr. Speaker. My final question is: will the Premier be giving direction to all Alberta universities as to what topics of research they may wish to pursue?

MR. KLEIN: No, Mr. Speaker. As a matter of fact, I had a nice conversation with the president of the university this morning, Rod Fraser. He's not upset about it at all.

Mr. Speaker, many times when agents of the government, including MLAs, go out in their constituencies and do something and say something on behalf of the government, whether I agree or not, I get the letter. People write to me because I'm the boss, or I'm perceived to be the boss anyway.

This is an institution that is housed at the University of Alberta and to some degree is sponsored by the University of Alberta, so it's natural that when you have a problem, you write to the boss. And that's all I did. I said: hey, boss, President Rod, I have a problem with these statements; you're the boss; take it for what it's worth. I didn't offer any direction. I didn't offer any advice. It's quite common. The Liberals do it all the time. As a matter of fact, they send out cards and letters, and they say: if you have a problem phone the Premier. Phone the Premier. So, Mr. Speaker, I had a problem, and I phoned the president. It was boss to boss.

THE SPEAKER: Second Official Opposition main question. The hon. Leader of the Official Opposition.

Poverty

MRS. MacBETH: Thank you, Mr. Speaker. The Premier is right when he says that Albertans care. What is puzzling is his attack on the Albertans who are trying to increase public awareness of the reality of poverty, an issue which affects every Albertan. According to Statistics Canada, there are over 154,000 children living in poverty in Alberta. Even more disturbing is the fact that in 1973 the top of families with children under age 18 earned an average income 21 times higher than those in the bottom 10 percent, while by 1996 the difference was 314 times. The rich get richer; the poor get poorer. My question is to the Premier. Will the Premier admit on behalf of the government of Alberta that there is a problem with poverty in Alberta?

MR. KLEIN: Mr. Speaker, there is a problem with poverty wherever you go in the world, and I can tell you that there are many places in the world where the problem with poverty is far worse than it is here. I can tell you that in the Canadian context 11 percent of

Alberta families are now below the poverty low-income cutoff, 11 percent. That is deemed to be the best rate in Canada. The best in Canada.

Mr. Speaker, while I'm on my feet, will this hon. member tell me anywhere in the world where there is not poverty? I know that perhaps there's very little poverty in her constituency, but where in the world is there not poverty? There is poverty everywhere. Believe me, this Minister of Family and Social Services, all members of this caucus, thousands and thousands of volunteers are working every day to eliminate and to alleviate poverty.

MRS. MacBETH: Well, Mr. Speaker, I wish he'd direct his anger towards fighting the issue of poverty.

Mr. Speaker, given that this government as well as the federal government and all provinces committed to Campaign 2000, which was designed to eliminate child poverty by the new millennium, a very important goal, a very important participation, can the Premier indicate what actions have been taken to remove these 154,000 children from the rolls or at least work towards removing them from the rolls?

MR. KLEIN: Well, Mr. Speaker, I'm going to have the hon. Minister of Family and Social Services respond, but I would like to remind the hon. Leader of the Liberal Opposition -- because she won't be out there telling the truth about this -- that it was this government that led the negotiations on the national child benefit program.

Perhaps the hon. minister would like to elaborate.

DR. OBERG: Thank you very much, Mr. Speaker. This government is doing a tremendous amount to address child poverty. With the national child benefit in the last two years we've introduced a child health benefit that allows people to go out and better themselves and ensure that their children are being looked after. We've introduced child care subsidies that go to the lower incomes, the lower level of income that people have. We took it from a universal operating allowance and put it towards the lower income people that needed these dollars. All of the policies in the Department of Family and Social Services are directed towards those people that need it.

Mr. Speaker, I really feel that something else needs to be said about poverty. The document that I just tabled shows the new measure that we are looking at on a federal, provincial, and territorial scene called the market-basket measure. This is what the Prime Minister alluded to in December of 1998, when he stated that we needed a better measurement of poverty, that LICOs just wasn't it. I'm quoting the Prime Minister on this. The preliminary data put out by the federal/provincial/territorial group actually states that the incidence of poverty using the market-basket measure, which includes things like taxation rate, includes things like cost of living, shows that poverty in Alberta is just slightly over 9 percent, which is the lowest in Canada.

2:10

Mr. Speaker, this is something that is a crucial measurement. It's something that is a realistic measurement. It's something that's a logical measurement. If things are cheaper in Alberta than they are in Toronto, you don't need as much money to live in Alberta as you do in Toronto. It just makes common sense. What these measures show is that we have the lowest level in Canada.

What is the best level of poverty? The best level would be absolute zero. Unfortunately, there are people that are living in poverty, but we can be proud to say that there are fewer people in Alberta living in poverty than any place else in Canada.

MRS. MacBETH: Mr. Speaker, it's too bad the minister didn't attend the discussions on the weekend.

Mr. Speaker, is the Premier willing to consider developing some

targets for reducing poverty in our province and incorporating some performance measures in the business plans of departments? It's a suggestion we'd like to make.

MR. KLEIN: I'm sorry, Mr. Speaker; that is already being done. [interjections] No. That is already being done. We have said that we wanted the lowest rate of welfare in the country and that we wanted to develop programs to get people off the welfare rolls and back into the workforce through skills upgrading and job retraining programs. We have done that.

Mr. Speaker, we have indicated that we do care about the disadvantaged in society. New poverty measures that factor in the cost of living show that, as I pointed out, Alberta now has one of the lowest poverty levels, I believe the lowest, in Canada.

Here are some facts. Extended health care benefits have been provided to 138,000 children living in low-income families. That wasn't reported by the Parkland Institute. In 1995 we introduced \$50 million for three years of early intervention programs offering support to children and families before they reach the point of crisis. We extended this funding by an additional \$19 million last year. I didn't see that mentioned in any of the documentation. We have increased our budget for women's shelters by 12 percent. Our support for persons with disabilities is among the best in Canada, and we intend to make it even better. A reduction in personal income tax rates in 1988 eliminated income tax for an additional 6,000 Alberta families, low-income families. We have raised minimum wages. Alberta seniors' programs are among the best in Canada. The special-needs assistance program for seniors, again the only one of its kind in Canada, has provided emergency cash grants averaging \$2,400 per person to about 9,400 low-income seniors since 1995 to help them with their financial emergencies. The list goes on and on and on.

What bothered me was the suggestion that people in this province particularly in Calgary are suffering from a lottery mentality which is creating the largest gap in Canada between the rich and the poor. I just don't buy that. I'm going to ask the hon. leader of the Liberal Party: does she agree with that statement, particularly as it relates to Calgarians? Does she agree with the suggestion by this person that Calgarians are unfeeling and uncaring people? Will she stand up and state her opinion? [interjections]

THE SPEAKER: Hon. members, it's . . . [interjections] Okay. [interjections] And this is only the 12th day.

Third Official Opposition main question. The hon. Leader of the Official Opposition.

Education Funding

MRS. MacBETH: Thanks, Mr. Speaker. My third question. In the five-year period from 1995 to 2000 basic instruction grants for children in public and separate schools in this province will have fallen behind inflation by 4 percent. At the same time private schools will enjoy real term increases of 22 percent. My question first to the Premier is: what message is his government trying to give to Albertans with this discrepancy?

MR. KLEIN: Well, first of all, I disagree that there is that kind of discrepancy, Mr. Speaker. Secondly, what we're trying to give to Albertans is the opportunity for an alternative. As the hon. Minister of Education pointed out, yes, we do fund 60 percent of private school operation for actual classroom instruction. None for operational costs, none for capital costs, none for transportation.

I would remind the hon. leader of the Liberal opposition -- and

it's here someplace in my pile of paper. It's one of those quotes from away back when she was Minister of Education that there has to be this alternative and we must provide some support for private schools. Maybe the hon. minister has the actual quote.

MR. MAR: Mr. Speaker, in *Hansard* recorded June 8, 1988, page 1581:

The bulk of the students in our province go to the public system; in fact, the same 97 percent. Why have we done this? [supported private schools] Number one, we believe that choices are important for people to exercise. Two, we have a Supreme Court of Canada decision suggesting that, yes, the public system must be the first and foremost . . . [to be recognized as] the first priority of government, but there should be options to recognize the rights of religious freedom and other individual freedoms through the private schooling system.

This was said by the Leader of the Opposition.

Mr. Speaker, with respect to the percentages that she talked about, to compare the education system today as it was five years ago would not be correct, because we have a dramatically different system now that has seriously reduced the administration costs of our education system. There was a time when there were 181 school boards in this province; now there are 60. To simply take the number of dollars and divide by the number of students and somehow come up with an analysis like that is very simplistic and not truly reflective of the situation in the province of Alberta. There's been an increase of almost 12 percent in education spending in the past three years: 11.7 percent. Over that same period of time inflation has been 4.7 percent in a dramatically more effective and efficient education system than ever before.

MRS. MacBETH: Mr. Speaker, I would be happy to go on a debate about the benefits of public versus private education and the statements I've made in this Legislature and this province any day they want to go.

Mr. Speaker, my question is: how can public schools possibly maintain teachers and class sizes when they're funding in real terms has fallen by 4 percent?

MR. MAR: Well, Mr. Speaker, there's an interesting question here with respect to class size. I refer to December 2, 1987, *Hansard*, page 2158. The Leader of the Opposition as Minister of Education said the following. The hon. member should not

fall into the trap of thinking that class size of itself is the only measure of what is delivered in our classes across Alberta. The quality of education, I would suggest, has many more factors than simply the size of a classroom. In fact, there is no consistent evidence that the size of classrooms of itself is a major factor in quality.

Mr. Speaker, I happen to have a report here, and I'll be happy to table it. This is the type of evidence that the hon. member's referring to. It is a document prepared by the Canadian Education Association entitled *Class Size, Academic Achievement and Public Policy*. It is exactly the type of evidence that she was referring to back in 1988, when she was able to stand in this Assembly and say that there's not clear evidence that there's a connection between quality of education and class size. I'll be happy to table that with this House.

MRS. MacBETH: Thanks, Mr. Speaker. They don't have to believe me, but perhaps they could believe the 17 . . .

Anyway, given that 70 percent, by the poll that was tabled in this Legislature today, of Albertans feel the government is not spending enough money on education, will this minister commit to adjusting public education funding rates to keep up with inflation in this province at least?

2:20

MR. MAR: Well, Mr. Speaker, I think I've already answered that question in referring to the percentages of increase in education versus the rate of inflation over the last three years. I'd also ask the hon. member to review the results report from the Department of Education which shows that in 1998, our most recent results, question number 1.7, percentage of parents, students, and the public who are satisfied with the quality of education in schools in Alberta, and the response was 88 percent. That's a pretty extraordinary figure.

Mr. Speaker, of course, we're always prepared to look at inflation costs. We're prepared to look at enrollment increases. All of these things are things that we do take into account when we set the basic instructional grant rate. Not only that particular rate, but we also increase in very specific areas. The hon. member knows that there's been a 30 percent increase in special-needs funding. The hon. member knows that \$23 million has gone into an early literacy program. The hon. member knows that \$10 million has gone into the teacher aide program. So you cannot simply look at the basic instructional grant rate and say that it is a certain percentage. You must look at the global spending in the Department of Education.

THE SPEAKER: Hon. Premier, did you want to supplement?

Privilege Parliamentary Language

MR. KLEIN: Mr. Speaker, this is not to supplement the answer. I rise, I guess, on a point of legislative privilege. I did indicate to the hon. leader of the Liberal opposition that if she goes out and makes a statement, she won't be telling the truth. That was an unparliamentary statement, and I withdraw it.

Thank you.

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

University Autonomy

DR. PANNU: Thank you, Mr. Speaker. Last Friday the Premier made an utterly unwarranted and unprecedented attack on the Parkland Institute. His letter to President Rod Fraser is a direct attack upon and a challenge to the academic integrity of this great institution which Albertans worked very hard over this century to build. Now, it is possible that the Premier acted in undue haste. I hope he acknowledges that the autonomous university is a key foundation of an open and democratic society. To the Premier: will the Premier retract his statements of last Friday which impugn the good names of the University of Alberta and the Parkland Institute, and if not, why not?

MR. KLEIN: Well, Mr. Speaker, I have not impugned the good name of the university. Not at all. I have the utmost respect for the University of Alberta. I have a tremendous relationship with the University of Alberta. Rod Fraser, the president, and I have traveled virtually the world promoting the university, selling the university, and there are so, so many good things that go on at that university. I can't speak enough about the good and positive things that happen, but I could maybe provide a list for this Legislative Assembly.

Believe me, Mr. Speaker, in my discussion with Rod Fraser today he was not offended at all. He was not offended at all, because the letter didn't allude to the university doing anything. It was simply me writing to the president of the University of Alberta, of which the Parkland Institute is a part, to express my concern. Perhaps the university president can pass the documentation that I provided him

on to the Parkland Institute. The institute is welcome to examine that information and dispute it if they want to. But, surely to God, in a free, democratic society I have the right as not only the Premier but as an individual, as a human being to speak out.

DR. PANNU: Thank you, Mr. Speaker. Will the Premier explain to this House how he can justify attacking those Albertans and those institutions who may have policy differences with his government as being anti-Albertan? How can he explain this?

MR. KLEIN: Mr. Speaker, I can express total and absolute disagreement with anyone, especially this hon. member, you know. And I do. I disagree with him on all kinds of points.

There were a number of things that I read in the *Journal*. What particularly offended me is -- I assume you take these quotes as being correct -- what I assume is the assertion that was going to be echoed by other members of the institution: that people in this province, particularly in Calgary, are suffering from a lottery mentality that I get to keep what's mine and, you know really, to heck with everyone else. Does this hon. member believe that the people in Calgary actually think that way and feel that way? If he does, stand up and say so.

DR. PANNU: We'll find that out, Mr. Speaker.

This Premier said during the 1997 election, and I quote: I believe in free speech as long as you say the right thing. Does the Premier's letter to President Fraser now signal his intention to curtail the right to free speech of those who disagree with him?

MR. KLEIN: No. Absolutely not. Mr. Speaker, absolutely not. But is this hon. member saying that the Premier of this province or any member of this Legislature cannot express their feelings as well? Does free speech only apply to you and the Parkland Institute? Does it not apply to me? Do I not have an opportunity as an individual, as a human being, as the Premier of this province to speak out especially on behalf of Albertans and to say how proud I am of the people of this province and how disappointed I am in a delegate to that particular convention who would suggest that Calgarians and Albertans are selfish and uncaring people? If he feels that person from Ontario is right, please stand up and say so.

Speaker's Ruling Provoking Debate

THE SPEAKER: Well, hon. members, you know, one of the honoured traditions is that questions and answers should not really provoke debate. We certainly had that opportunity for the last 30 minutes, and I guess that every once in a while it's kind of important that we all do this sort of thing.

The chair, however, has received several very disturbing notes. I'm going to sit down and invite the authors of such notes to raise a point of order if they choose to, and then we're going to proceed.

MS OLSEN: Point of order.

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

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

Okotoks Big Rock

MR. TANNAS: Thank you, Mr. Speaker. My questions today are for the Minister of Community Development. In the constituency of

Highwood we have a large glacial erratic known as the Big Rock, an historic resource near Okotoks. It is a famous local landmark, and there are concerns about its protection because of human activity and even vandalism at the site. However, constituents also want to make sure that the site remains accessible to all visitors. My first question to the Minister of Community Development: is it the policy of Alberta Community Development to place eight-foot chain-link fences around historic resources as the only way to protect them?

MRS. McCLELLAN: Mr. Speaker, I can answer no. It is not my ministry's policy or practice to restrict access to historic sites like the glacial erratic at Okotoks known as the Okotoks Big Rock. We believe that all of our sites should be as accessible as possible to all visitors and users.

However, there is a reason to be concerned about the long-term preservation of the Big Rock, and the hon. member knows that very well as it is a very important point of interest in his constituency. The rock surface and some of the particular carvings on the surface are at serious risk of damage and destruction from contact from climbers and their equipment. We are very concerned about the potential for vandalism at this rock.

2:30

MR. TANNAS: Mr. Speaker, again to the Minister of Community Development: would the minister consider committing to protective measures other than fencing for this historic resources?

MRS. McCLELLAN: Mr. Speaker, the answer to that is yes, we would be interested in looking at that. I must say that over the years we have tried other protective measures. We've tried working with community groups in the area. We've tried interpretive signage to protect and preserve the site. We've also tried a low wooden fence to deter inappropriate use. I must remind the hon. member -- and I'm sure he doesn't need this reminder -- that this Big Rock is irreplaceable, and we do need to take steps to ensure its preservation.

I'm looking for solutions that will help secure this resource. I am concerned about continued deterioration. I'll work with the hon. member, and if we can look for an alternative solution that will preserve this, protect it, and ensure that visitors can have access to it, I'll be happy to carry them out.

MR. TANNAS: Again to the minister, Mr. Speaker: would the minister consider having potential support groups like climbing groups act in a volunteer capacity as stewards for this special resource?

MRS. McCLELLAN: Mr. Speaker, yes, I would consider it. We have attempted to utilize some community groups in the past. Some of the groups were concerned about liability and personal safety. However, I'd be interested in looking at proposals such as Friends of the Big Rock, we might call it. As all members know, we have had tremendous success with friends organizations assisting us in the preservation and upkeep of many of our historic resources in this province. I'd be delighted if this approach worked at Big Rock, and I would be happy to work with this MLA and any interested group to come up with a solution that meets all of our needs.

Thank you.

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

Employment Standards Enforcement

MR. MacDONALD: Thank you, Mr. Speaker. Earl's Restaurants

has had 35 employment standards complaints registered against them in the last four years. In the same period they've donated over \$30,000 to the Alberta PC fund. My questions are to the Minister of Labour. Why are you allowing certain restaurants to operate outside the law?

MR. SMITH: I'd sure like that member to say that statement outside the House, Mr. Speaker.

There is a law that applies to everybody. There's a law that is working in Alberta. There's a law that's being effective, Mr. Speaker. We continue to practise it. It is there. It's consistent.

MR. MacDONALD: Thank you, Mr. Speaker. My second question to the Minister of Labour: when are you going to enforce the law and prosecute those companies for chronic employment standards violations? When are you going to do that?

MR. SMITH: Mr. Speaker, the prosecutions have taken place over the past two years. There has been a prosecution in Alberta, unlike British Columbia or Saskatchewan, where there have been no prosecutions.

The program, Mr. Speaker, is complaint driven. Our first priority is to ensure that the employees who file a claim get their money back. In those cases we are successful virtually 100 percent of the time.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is to the Minister of Labour. Is having immunity from Employment Standards Code prosecutions your definition of the Alberta advantage?

MR. SMITH: Mr. Speaker, could I get the member to repeat the question? He was gesticulating and making a scene.

MR. MacDONALD: Yes, by all means. Mr. Speaker, to the Minister of Labour: is having immunity from Employment Standards Code prosecutions your definition of the Alberta advantage?

MR. SMITH: Mr. Speaker, the good member is referring to his comment about crony capitalism that he feels is practised in Alberta. I heard him make that remark at the Alberta Building Trades last year. I guess probably because of what he'd seen practised by the Liberals in Prince Edward Island before he moved out here. Who knows?

Mr. Speaker, there is no immunity. There is one law that provides equally to employer and to employee across this fair province that results in good employment opportunities, an employment rate of over 94 percent in this province, a personal disposable income that's just between second and third in Canada, productivity that is the highest in the land. Probably one of the reasons the good member decided to move from Prince Edward Island to here was to take advantage of that very Alberta advantage.

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

Student Finance

MR. CAO: Thank you, Mr. Speaker. Besides our natural resources, human resources are Alberta's strength. We heard from Albertans that education is part of people development. It's among the top priorities. The importance of education, specifically advanced education, is reflected in government programs such as student loans

and grants. Recently a constituent of mine encountered difficulty in applying for financing his studies outside Canada. My question is to the Minister of Advanced Education and Career Development. What is the government policy to financially assist Alberta students to study in other countries?

MR. DUNFORD: Mr. Speaker, we try to provide Albertans with as many educational opportunities, of course, as we can. As far as an Albertan wanting to study outside of the country, we would first want to run an examination to see whether or not the program was offered in Alberta, and if it was, we would not fund a foreign study. If it is offered in Alberta but it is full, then of course that same Albertan that we're talking about could receive assistance to go offshore to study that program.

MR. CAO: Thank you, Mr. Speaker. My next question is to the same minister. Does this apply to studying in other provinces?

MR. DUNFORD: Mr. Speaker, at one time, as long as it was out of province, basically the same policy existed, so it didn't matter whether it was, say, in Ontario or perhaps in England. However, through the internal trade agreements that we're trying to bring forward in Canada, Alberta has been asked and we're responding now to find a way to harmonize the student loan system. We're not all the way there yet, but my prediction is that we will sign the agreements, and when that happens, Albertans would then have a choice to take programs either in Alberta or somewhere else in Canada and receive financial assistance.

MR. CAO: Thank you, Mr. Speaker. My third question is to the same minister. Could the minister tell us: what's the cost to Alberta taxpayers in financing student loans and grants?

MR. DUNFORD: I think this is an excellent question, because I think a number of Albertans think that as long as it's a student loan, it's just the obligation of the student in terms of that loan. I'd like to remind all the members here in the Legislature that every dollar that we move out through the student loan assistance program actually costs the taxpayers 64 cents. This is made up in a number of ways. Twenty one cents of it is for loan interest, and I would again remind the member that students would pay no interest during their particular study period or for six months after graduation. Of that 64 cents -- and this might be a surprise to everyone here in the House -- 37 cents actually goes for remission. We have an excellent program here in Alberta where we forgive some of the Alberta loan obligations upon graduation. The last 6 cents is for risk premium.

Again, the members will know that we use chartered banks to handle the student loan process, and of course, that does cost the taxpayer money to have that kind of a system. We do take on some risk on behalf of young Albertans who are going through our student loan program.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Edmonton-Beverly-Clareview.

Pine Shake Roofing

MRS. SOETAERT: Thank you, Mr. Speaker. You know, many of my constituents have been burned by this government's bungling on the pine shakes issue. First there were problems with untreated pine shakes, and now concerns are being raised about the treated pine

shakes. My questions are to the Minister of Labour. Is your department currently conducting tests on treated pine shakes?

2:40

MR. SMITH: Yes, we are, Mr. Speaker. This came to the attention of the department. A fact sheet was put forward and information put on the Alberta Department of Labour web site about spray applications for pine roofs. At that time it was found that PQ-57 was not an effective agent for deterring this, and then the discussion came to using treated pine shakes.

MRS. SOETAERT: Thank you, Mr. Speaker. My second question: what are the test methods, and are they approved by the Canadian Standards Association? We've heard that they're not.

MR. SMITH: Mr. Speaker, we will certainly be prepared to file the tests that are taking place for treated pine shakes as they meet the treated pine shake standards.

MRS. SOETAERT: My final question. Should not the treated product have been tested prior to its inclusion in the Building Code, not after thousands of Albertans have already put them on their homes?

MR. SMITH: Mr. Speaker, it's been very clear in responses throughout this House about the Building Code that the Building Code does not comment on durability. Nor does it comment on longevity. Those are clearly in the domain of the manufacturer, the manufacturer's warranty and guarantee implied with the installation of the product. Whether it be a treated pine shake or an untreated pine shake, that's where the issue lies.

THE SPEAKER: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Edmonton-Manning.

Prostate Cancer

MR. YANKOWSKY: Thank you, Mr. Speaker. On February 22, 1999, federal Minister of Health Allan Rock announced a \$15 million grant for prostate cancer research. In 1998 alone 16,000 men were expected to be diagnosed with and 4,300 men were expected to die of prostate cancer Canada-wide. Those who have successful surgery often end up with serious physical or physiological after-effects which translate into a social and economic burden on society. My questions are all to the hon. Minister of Health. Could the minister tell this Assembly what Alberta is doing in regards to prostate cancer research, especially in the area of better and cheaper ways of diagnosis?

MR. JONSON: Mr. Speaker, certainly the member focuses on one of the major areas of a very deadly disease, and that is cancer. In Alberta we have an ongoing entity, the Alberta Cancer Board, which has as one of its primary mandates the oversight of research in the province. Alberta Health has been providing on an annual basis \$2.8 million to prostate cancer research, and certainly this initiative recently announced by the federal government will be very much welcomed in the province.

Mr. Speaker, the Cancer Board, working of course with scientists, has an overall program of research into prostate cancer. They're working towards actually establishing an overall centre of excellence here in Alberta with respect to research in this area and other areas of cancer.

MR. YANKOWSKY: Thank you, Mr. Speaker. My second question

is: could the minister tell this Assembly how much Alberta is spending on breast cancer detection versus the amount being spent on prostate cancer detection?

MR. JONSON: Well, no, I'm not able to provide that particular amount. There are two reasons for that, Mr. Speaker. First of all, I don't know. But, secondly, I do know that we have an investment annually in the overall budget of the Cancer Board in excess of \$100 million. Part of the research that goes on, of course, is what might be referred to as nonspecific or general theoretical research into the causes of cancer. Then beyond that, there are certain specific research projects that deal with breast cancer or prostate cancer or other areas of cancer research.

So, Mr. Speaker, I think we would find, if we compare it to other provinces, that our commitment compares very favourably, and I would undertake to get the specific numbers for the hon. member.

MR. YANKOWSKY: Could the minister tell this Assembly if his department has given any consideration to funding prostate screening clinics similar to breast screening clinics?

MR. JONSON: Mr. Speaker, no, we have not. The diagnostic approaches are somewhat different for the two conditions. However, we have overall been advocates of regular physical examinations and having the appropriate tests if there's any suspicion of an abnormality which might be related to cancer. We are putting an emphasis on the overall breast screening program in the province. We want to see that much improved. Certainly prostate cancer is another item to focus on.

THE SPEAKER: The hon. Member for Edmonton-Manning, followed by the hon. Member for West Yellowhead.

Pine Shake Roofing

(continued)

MR. GIBBONS: With the cities of Calgary and Edmonton moving to market value assessment this year, this government's lack of accountability on the pine shake issue continues to grow. My questions are to the Minister of Municipal Affairs. Has the government requested municipalities to take into account rotting pine shakes when assessing market value of residential properties?

MS EVANS: Market value assessment is a form of evaluating the assessment, not in fact taking a look at the particular assessment if it's reduced. Assessors have a manual. In fact, we won an international award for the manual that's been produced by the Alberta Assessors' Association and Alberta Municipal Affairs. Within that manual, Mr. Speaker, anytime there is any functional obsolescence, economic obsolescence, or other things that are occurring that are detrimental to the property, the assessor has the opportunity to manage that.

MR. GIBBONS: To the same minister: will the minister admit that the market value of homes with rotting pine shakes has been negatively affected?

MS EVANS: Well, Mr. Speaker, in the first place I'm not an assessor, and I'm not really quite clear on what is intended by the question. But if I could make this comment. If in fact any type of feature, pine shakes or rotting pine shakes, interferes with the sale or the appropriate valuation, then of course if the home is evaluated to be reduced, indeed the taxes are subsequently reduced because of the reducing assessment.

MR. GIBBONS: Madam Minister, should homeowners with rotting pine shakes pay additional property taxes under the market value assessment when the value of the residence has been diminished by this government's inaction on this issue?

MS EVANS: Mr. Speaker, I believe I've answered the question. To imply that additional property taxes would be paid, of course, is wrong.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: On a point of privilege, Mr. Speaker.

THE SPEAKER: No, no. Sorry. We'll recognize the points later. We're in the Routine right now.

2:50

Recognitions

THE SPEAKER: Under Recognitions today we have seven hon. members who've indicated their desire to deal with recognitions. We'll go in the following order: first of all, the hon. Member for Edmonton-Mill Creek, followed by the hon. Member for Edmonton-Centre, then followed by the hon. Member for Calgary-Bow, then Edmonton-Norwood, then Little Bow, then Spruce Grove-Sturgeon-St. Albert, and then Clover Bar-Fort Saskatchewan. In 30 seconds from now we'll recognize the hon. Member for Edmonton-Mill Creek.

Avonmore School

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to recognize a very special group of students who are enrolled in the Nellie McClung alternative program at Avonmore elementary and junior high school in my constituency. Victoria Baldwin, Lavinia Berndt, Kristina Friesen, Rachelle Huppelschoten, and Kelly Rolfe all recently won gold medal prizes in the 1999 Edmonton Science Olympics at the Shaw Conference Centre. They beat out more than 400 other competitors in the truss-building competition by building an incredible cantilever truss made of popsicle sticks and strong enough to support a weight of 54 kilograms. What a remarkable achievement for these young girls and what an outstanding accolade for Avonmore school and its staff.

I'd also like to congratulate Nicole LaHaie, another Avonmore student, who recently won the top prize for her poem in celebration of International Women's Day at city hall.

Congratulations and thank you also go out to Principal Lloyd Ungeran, Assistant Principal Barb Bryson, and all the teachers, support staff, and parents at Avonmore who have helped to encourage these achievements by Alberta's most precious resource, our students.

Thank you.

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

International Women's Day

MS BLAKEMAN: Thank you, Mr. Speaker. Today, March 8, is International Women's Day. This day has marked many struggles and successes for women over the last hundred years, from New York women, garment workers, marching to improve dangerous working conditions and low wages at the turn of the century, to women in the second decade advocating for the right to vote and the right to be regarded as persons before the law, to the marches of the '60s and the '70s to acquire benefits like maternity leave and equal

pay, to the '80s to enshrine women's equality in the Charter of Rights and Freedoms, and to the '90s to stop violence against women, to have our work in the home valued in the national census and the GNP, and to celebrate ourselves as different but equal.

I attended three excellent events this weekend. The event sponsored by the Edmonton IWD committee honoured our foremothers and was a wonderful event. The Member for Edmonton-Castle Downs hosted an information session, and on Sunday I attended a Women's Day brunch with 400 other women.

The next time I speak on International Women's Day will be the new millennium. I challenge everyone in this Assembly and outside: what wonderful thing can we do that I can speak about next year?

Thank you.

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

International Women's Day

MRS. LAING: Thank you, Mr. Speaker. I, too, would like to note that March 8 marks International Women's Day, a day for women of all cultures, colours, races, religions, and ages to unite and celebrate their goals of equality, development, freedom, and peace. In 1977 the United Nations passed a resolution calling for countries to observe International Women's Day on March 8. This year Canadians will celebrate the theme Going Strong, Celebrating Older Women. The theme was chosen to coincide with the International Year of Older Persons and to acknowledge the achievements of older women. I personally know of many women in Calgary-Bow who continue to make significant contributions throughout their lives, and today provides an opportunity to recognize those women who share their wisdom gained through their life's experiences.

I congratulate the organizations throughout Alberta that have found a way to celebrate women in meaningful ways. I encourage all Albertans to take part in these celebrations, and I call on members of this Assembly to join me in recognizing International Women's Day.

Thank you.

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

Constable Dennis Monpetit

MS OLSEN: Thank you. On March 3, while we had the privilege of sleeping through the night, a 10-year constable with the Edmonton Police Service was facing gunfire. At 0215 Constable Dennis Monpetit was following a vehicle traveling in excess of 150 kilometres an hour. The vehicle pulled over. Constable Monpetit approached the vehicle, occupied by three men, and quickly determined the driver had been drinking. He asked the driver to step out of the vehicle, and they walked back to his police car. Dennis noticed a knife in the pocket of the driver and requested the individual to empty the rest of his pockets on the trunk of the police car. It seems routine, Mr. Speaker, but not so.

While Constable Monpetit was scanning the property, the driver pulled out a .45-calibre handgun and ordered Dennis to the ground. Before he could comply, the driver began firing. Constable Monpetit dove for cover as the driver continued shooting. A bullet entered his jacket but did not, by sheer luck or the grace of God, enter his body.

I had the opportunity to work with Dennis in north division. I'm very glad I'm able to acknowledge his courage today. A very dangerous individual was apprehended through a very dangerous situation. Thank you, Dennis, for keeping our streets safe.

THE SPEAKER: The hon. Member for Little Bow.

Canada Winter Games

MR. McFARLAND: Thank you, Mr. Speaker. I'm very pleased to rise today to recognize the wonderful athletes, families, coaches, and officials who participated on behalf of Team Alberta at the 1999 Canada Winter Games in Corner Brook, Newfoundland. On behalf of this Assembly and as a board member for the Alberta Sport, Recreation, Parks and Wildlife Foundation I was proud to spend time with many of these young athletes during the games and at a Team Alberta pep rally during week two. Seeing the athletes together and hearing about their preparation and excitement before competition are memories I won't soon forget.

I had the opportunity to talk to many of the family members, coaches, mission staff, officials, and volunteers and to thank them on behalf of this Assembly for their efforts. These people are dedicated to Alberta's young athletes, and without their hard work the games simply would not have been possible. I was also privileged to attend many of the sporting events, Mr. Speaker. I noted the young age of many of these athletes, and I'm pleased to remind this Assembly that there are many talented young ambassadors for Alberta residing right here.

Alberta athletes shone at the Canada Winter Games, and thanks to the continued support for amateur sport in Alberta, the future remains very bright. As the honorary team captain, Patrick Jarvis, himself a para-Olympic athlete, suggested to the team members at the pep rally, when you're keyed up and nervous and the demon is sitting on your shoulder getting you nervous before a competition, just remember: right here, right now, no place I'd rather be.

THE SPEAKER: Hon. members, on Mondays and Wednesdays it's one minute. On Tuesdays and Thursdays it's two minutes.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

Sturgeon Basketball Tournament

MRS. SOETAERT: Thank you very much, Mr. Speaker. This weekend I was fortunate to take in quite a few basketball games. As I watched these young people play, I realized that they learn about life playing on a team and being coached by someone who cares. In Sturgeon school division junior basketball finals this weekend the Sturgeon Heights girls beat the Camilla girls by one point, and the Camilla boys won by 10 points over the Gibbons junior boys. I saw young people being praised for their abilities and their spirit when they lost. I saw young people thanking their coaches after a victory, and I saw proud parents and grandparents who cheered on their children and grandchildren.

Mr. Speaker, great coaches are gifts from God. They give their time freely. They guide young people and touch their lives like no others. I am pleased to be able to thank all our coaches across this province.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

Jenny Cartmell

MR. LOUGHEED: Thank you. Mr. Speaker, I rise today to recognize Jenny Cartmell, the captain of the national champion volleyball team, the U of A Pandas. This past weekend the Pandas captured their fifth consecutive national championship at the varsity gym. They were led by Jenny, who received tournament most

valuable player honours. Earlier this week Jenny received the Mary Lyons award as the country's most outstanding player in CIAU women's volleyball. She was the top spiker in the nation and also was near the top in digs.

As an athlete Jenny is recognized as one of the best, but, Mr. Speaker, she is also an outstanding person. I got to know her when she was a student enrolled in my physics 30 class in Bev Facey composite high school in Sherwood Park. I found Jenny to be an intelligent and gracious young lady that excelled in her studies, was liked and respected by staff and peers alike, and who led by her good example both on and off the court.

Jenny, we wish you all the best in your future athletic, academic, and professional endeavours. If you do become a teacher of elementary students, I'm sure you will enjoy, as I have, the experience of seeing them mature and go on to bigger and better things.

THE SPEAKER: The hon. Member for West Yellowhead.

Privilege Member's Apology

MR. STRANG: Thank you, Mr. Speaker. On a point of privilege. During question period during the questions by Edmonton-Strathcona I made an inappropriate comment. At that time I said: go back to India. At this time I wish to withdraw that comment and extend my apologies to him, to the Assembly, and to you.

Thank you.

3:00

THE SPEAKER: Thank you, hon. member.

During question period a number of hon. members also caught the eye of the chair to deal with points of order. Now, hon. Member for Calgary-Buffalo, you caught my eye. During question period the hon. Premier withdrew a statement, and then you shook your head and indicated that that was to be withdrawn.

MR. DICKSON: That's satisfactory. Thank you.

THE SPEAKER: Now, the hon. Member for Calgary-Buffalo and the hon. Member for Edmonton-Norwood have a point of order.

MR. DICKSON: We're not proceeding, Mr. Speaker.

THE SPEAKER: You're not proceeding? Okay.

Thank you very much to the hon. Member for West Yellowhead. Thank you very much to the hon. members who participated in the exchange of notes with respect to this matter.

Hon. Member for Edmonton-Strathcona, you also sent me a note with respect to this matter. Are you satisfied it's been dealt with?

DR. PANNU: Mr. Speaker, I am. I accept the expression of apology from the hon. member. [applause]

head: Motions under Standing Order 40

THE SPEAKER: The hon. Leader of the Official Opposition on a Standing Order 40 petition.

UN Convention on the Rights of the Child

Mrs. MacBeth:

Be it resolved that this Assembly ratify the United Nations convention on the rights of the child.

MRS. MacBETH: I think Albertans were very surprised and

heartened over the weekend to see that after refusing to ratify for nearly a decade, the government had, by the news reports, indicated a ratification of the United Nations convention on the rights of the child, an important decision and important to remove what was a black mark on our province, certainly one that members on this side of the House have raised through bills, through motions. Certainly it was good to see the change of heart, at least in the reports that were given, by what we saw over the weekend.

The reason I'm proposing a Standing Order 40 is because I think it provides an opportunity for all members of this House to stand by the convention, to implement the convention, and to do whatever we can within our own ability to see that that implementation is carried out. I'm assuming that the government by its actions, at least the reporting of those actions, is ready to do the same thing.

There are two things that I think I have to establish on a Standing Order 40, and those are the issue of urgency and that it be a pressing policy matter. The issue is really the need for an urgent debate. The urgency of the issue itself is not relevant at this stage, because of course Canada has signed the convention. What I am trying to build is the case that the issue is the need for the debate at this point. In fact, there are no other means to raise this issue in this House at this time, at least that we are aware of.

It may well be that the government is going to come forward with a motion that could be put to the Assembly, and we in the Official Opposition would certainly support a motion which said that we would be implementing what had already been ratified by the government of Canada. However, in the absence of that and not knowing if that exists, we believe there are no other means to raise this issue in the House than by this Standing Order 40.

I've come to that conclusion because motions other than government motions have already been set out on the Order Paper. There is no other way to bring forward this matter in this session. There is certainly no bill before the Legislature, although there have been bills proposed by the Official Opposition in the past. All we have to know about what bills are coming before the Assembly are those that have been listed in the Speech from the Throne and also the Premier's press release at the beginning of session, so we are assuming that there is no bill or motion coming before the House. The throne speech debate is nearly past, and acceding to the convention was not mentioned in the throne speech.

There is also a need, I think, to obtain clarification on what the government has done in private. We are confronted with the public announcement this weekend and a conflicting article in the *National Post* this morning which says that the government has not officially changed its position because the convention hasn't been ratified by the Alberta Legislature. In fact, this is the opportunity to do that, to have this issue clearly defined so that Albertans will understand clearly where the government stands. I'm assuming from the letter that the Premier has written to the Prime Minister that there is no question about the ratification of the convention, but that is something that we need, I think, as an Assembly to confirm.

With respect to the issue of pressing, I think the point I'd like to make is that the government has basically changed its policy of many years of defending it in this Legislature without seeking a ratification in this Assembly. They have changed their policy, we find out by a letter written two months ago, and we believe it would be in the best interests of this province and of this Legislature, given the debate that's gone on in the past, to provide a clarification for that. Certainly we in the Official Opposition will voice our support for the government's apparent move to ask for the ratification of the convention. I say "apparent." That's exactly the question.

So our request is that there be unanimous consent to put the motion before the Assembly. It could very quickly pass, given the

debates and the positions that people have expressed in the past. It's certainly an opportunity for this House to be clear to Albertans and the nation and in fact the world on our position with respect to this convention.

Thank you.

THE SPEAKER: Hon. members, might we have unanimous consent to proceed with the motion as proposed by the hon. Member for Edmonton-McClung? Would all those in favour please say aye?

SOME HON. MEMBERS: Aye.

THE SPEAKER: Would all those opposed please say no?

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is defeated. [Several members rose] Sorry, hon. members. This is a Standing Order 40. It requires unanimous consent, and the chair clearly heard more than one. It only requires one, so it would be quite redundant now to vote on that.

head: Orders of the Day

head: Government Bills and Orders

head: Second Reading

Bill 6
Child Welfare Amendment Act, 1999

[Adjourned debate March 2: Mrs. Sloan]

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

MRS. SLOAN: Thank you, Mr. Speaker. I have concluded debate on Bill 6 at second reading and had made a number of remarks with respect to the bill and the sections proposed for amendment. In essence my comments at this stage were in support of measures the government is taking to make adoption records in this province more accessible.

I did speak, though, with reservations on a couple of sections and am in the process of consulting the variety of stakeholders who have an interest in this area to garner their opinions and recommendations with respect to the adoption amendments as proposed. We have seen a variety of provinces adopt reforms of adoption legislation in the recent past. I am not sure if the hon. minister has considered the approaches taken and, in addition to that, not only in terms of making amendments, the additional measures and provisos for access that have been made through different mechanisms created. Of course, that would require the allocation of both human and fiscal resources, and that is something which we have not always seen this government take the opportunity to do.

At this stage, Mr. Speaker, I am prepared to conclude my remarks on second reading, will await adoption at this stage, and will look forward to future debate on the bill. Thank you.

3:10

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

MS OLSEN: Thank you, Mr. Speaker. I just have a few comments to make on this bill. I understand that the object of the amendment is to open access to adoption records. I have to bring forward a concern I have in relation to the costs of the search and access.

It's about \$350 to initiate the process. One of the things that concerns me is that many people in the First Nations community

have been adopted out or had siblings who in fact were adopted out, much as a result of having been wards of the government. I often get calls from those people who would like to find their siblings but are not in a financial position to pay the \$350 to initiate the process. What happens is that many people on low incomes or who are actually on support may want to contact a relative, a brother or a sister, a mother or a father, and may not be in a position financially to do so, and therefore they're put at a disadvantage. So the marginalized become more marginalized as a result of not having this process accessible to them. I'm wondering if the sponsor of this particular amendment -- and we can get into those greater discussions in Committee of the Whole -- has given any thought to how that is going to be addressed.

It seems to me that if we're going to have legislation -- and we've talked about this in the past -- it has to pass an equity lens: is this fair and equitable to everybody? I would suggest that it is not. It is not in the sense that it is not accessible to everybody. So that's one of the concerns I have. I understand that this particular piece of legislation has been put forward and is an attempt to balance the rights and interests of all parties. It gives family members the opportunity to take responsibility for that search themselves, and they can do that without the interference of the government under this act.

[Mrs. Gordon in the chair]

Privacy is still a huge concern, and it is respected by the veto clause in the act. However, we also have to note that in some areas the whole issue of how to apply for access or how to get your name on a registry is a concern. It seems to me that instead of just including everybody and that those people who want to be excluded must register to be excluded, might that not be better worked the other way around? However, the issue of privacy is deemed to be important, and in an effort to protect privacy, I understand that a no-contact declaration or a disclosure veto can be filed. I'm just wondering if that isn't sort of a backwards approach to this whole issue.

Now, I'm happy, however, to see that if a no-contact declaration is placed on the file, any person gaining access to the file is prohibited from contacting the protected persons, with accompanying penalties, that are up to six months and/or a \$10,000 fine. I think that's appropriate, given that there are some people out there who, through time, absolutely do not want any contact with the child they may have given up, or the child may in fact not want any contact with the biological parent. So I think that that fine is appropriate.

As I say, I am concerned a bit about the issue of how the disclosure veto works. It would seem to me that there is going to have to be a tremendous public education process involved in order to get the message out. If we want to assume that everybody is on the list and there are no disclosure vetoes at this point, somehow there is going to have to be a huge undertaking. I would ask the mover of this particular piece of legislation if that is going to happen and what form it will take and if all adopted children and all biological parents are in fact going to be notified. Where are they, and are we going to be able to do that? So that's why I'm a little concerned about the direction that veto takes.

Again the issue of people living in poverty. We heard today about the gap between the rich and the poor in this province. There may be a number of people -- and I highlight the aboriginal community, where many of those children were adopted out. I have a tremendous number of requests and in fact have written the Social Services minister requesting a waiver of those fees in order for somebody to contact their siblings. That request was turned down by this

government, and I'm not sure what the next step for this person will be, but this individual cannot afford to pay that particular search fee. So that causes me some concern.

Other than that, Madam Speaker, I will certainly want to listen to the rest of the debate, and hopefully members from all sides of the House here have more to say about this. In principle I will support it. I am concerned, however, and do have those reservations and hope they can be addressed in the Committee of the Whole.

Thank you.

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

MR. DICKSON: Thank you, Madam Speaker. Just to add a couple of additional points to this. I suspect Calgary-Buffalo isn't the only constituency office that in the last four or five years has received a number of telephone calls and letters from people wanting changes in the adoption process in Alberta. I'd say to the mover of Bill 6 that I think this is a welcome progression. I think it's a welcome further step in terms of making adoption records more accessible. Does this go as far as many people in the province would like? No. But it clearly takes us some distance beyond where we were prior to Bill 6, and I think for that reason I'm inclined to support it.

I just might make the observation that it's interesting to me that while the freedom of information and protection of privacy select special committee has been going through its review over the last year, I've received a number of calls and letters relative to that, from people who thought that maybe the proposed changes to the freedom of information legislation would also relate to better access to adoption records. I think that just served to remind this member how important this issue is to many. While I think in many respects this is a reasonable compromise, I'm hopeful that we're going to see some improvements to the postadoption registry so that the information in the registry and about the registry has more currency than is currently the case.

There's always this business of third-party access to an individual's file, and it's important that that be addressed. I'd remind members that these particular adoption records aren't something that currently are subject to the Freedom of Information and Protection of Privacy Act. So it's some incremental progress towards a more open adoption system, and for that reason my intention is to vote in favour of this bill at second reading.

Thanks very much.

[Motion carried; Bill 6 read a second time]

3:20 **Bill 8**
Provincial Court Judges Amendment Act, 1999

[Adjourned debate March 4: Ms Graham]

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

MS OLSEN: Thank you, Madam Speaker. I'm pleased to have the opportunity to debate this bill today. I'd like to address the issue of the amendments to the Provincial Court Judges Act in a broader context. However, right now at first up I want to talk about the appointment of judges for term limits to the administrative positions. It's important to note that the judiciary made recommendations to the Judicial Selection Process Review Committee and that this bill enacts those recommendations.

The nonrenewable term for Chief Judge is seven years and five years for assistant chief judge. The deputy chief judge is also appointed to a seven-year term limit. Although this position was not

mentioned in the report, it appears this may have been addressed to allow the government some flexibility in the overlap of the positions. This section only limits reappointment and does not preclude the serving judges from being appointed to another of the nonrenewable positions. So we know that if there's an assistant chief judge, he then can receive a promotion to Chief Judge, or the Chief Judge can be demoted, if you will, to assistant chief judge. That in fact can happen.

The existing positions right now will be grandfathered, and I find it curious, Madam Speaker, that the recommendations for selection to the Chief Judge and assistant judge positions were included in the report by the hon. Member for Calgary-Lougheed, yet we don't see those amendments in this act in a broader context. The review has been out for some time, and the government has stated what recommendations it was going to accept, so I'm wondering where it is. The report was released on June 19, 1998, so some eight months ago now. We're looking at the whole judicial selection report having been released, yet we're only dealing with one specific, very finite amendment in this act.

I hope the Minister of Justice isn't toying with Albertans when he states that he wants to create a less politically motivated appointment process, a more open and accountable system. I'm not convinced the route the government wants to go will achieve that, Madam Speaker.

I want to address the issue of confidentiality in the selection process. I'm hoping that the Minister of Justice will deal with the judicial selection in order to reduce the size of his infamous list. Apparently, Madam Speaker, there are about 200 lawyers on this master list, and they all want to be judges. Okay? So this all has to be dealt with in a very timely fashion.

However, the issue of confidentiality is significant, and it is addressed in this particular piece of legislation. Information on candidates arising from consideration for appointment to the bench should not be available to anyone beyond the committee making the recommendations. Failing to do so may jeopardize a potential partnership that a candidate is eligible for. That means that if lawyer A is on the list, then it isn't necessary for anybody in his firm to know about that because potentially he may then in fact lose any partnership that may have been offered down the road. So we want to ensure that that confidentiality is there. The other aspect is that the candidate may also want to keep their application secret in an effort not to prejudice their own position within the political structure of the firm.

Madam Speaker, I'd like to briefly talk about the pension opportunities that have been amended. The object of this section is to ensure greater flexibility in the types of pensions available to judges. I'm also wondering if that is going to align with some of the other amendments we have to pension legislation. I'd like to feel comforted that the pension options available are clearly explained. In other jurisdictions where employees were able to enter into private pension plans, the comparative disadvantages of the private plan were not explained properly, resulting in many lawsuits and large settlements. Given that judges are in fact lawyers, I'm sure this will not be an issue. However, I need to be responsible and raise the concern.

I'm not sure how the government has dealt with the issue of appropriate compensation for the Chief Judge or assistant chief judge. The government rejected the question of referring a former Chief Judge or assistant judge salary to the next compensation committee established under Bill 25. That was the bill dealing with the judicial compensation that needed about 10 pages of amendments that we dealt with last session.

I believe that once a judge is deemed to be an appropriate choice for the administrative function, then even after that judge ceases to

hold that office, the salary should in fact remain the same. However, I believe this issue should further be referred to the compensation committee, given the effect it would have on a pension and given that the expiration of the term could prove to be a demotion in salary and responsibility. I think those issues have to be dealt with beyond government policy decisions. Those issues should be dealt with, because they are compensation issues, through the compensation committee. I don't believe they lie with the responsibility of the government. I think they lie with the compensation committee, and we know that the Justice minister has appointed very eminent people to that particular committee.

Now, then, I would like to broaden this debate. I'm puzzled as to why the judicial selection process is not available for debate and inclusion as an amendment in this Provincial Court Judges Act. As I previously stated, the report was completed early last summer, and Albertans have yet to see the final product or any changes adopted into legislation. I know this province has a somewhat stained history with the judiciary, and I want to know what the government is going to do to boost the confidence in the judiciary. This is especially important given the recent events of the Alberta Court of Appeal. Albertans don't distinguish among levels of court and their respective jurisdictions. It would help if the minister would act on the completed report in a timely manner. You never know, Madam Speaker -- you just never know -- when we will have the opportunity to speak to the issue, because we're never very sure how long we're going to be in this beautiful building.

I'd like to make an observation noted in the government response to the recommendations of the Judicial Selection Process Review Committee, and I find this rather disturbing. The committee recommended

that the Lieutenant Governor in Council, on the recommendation of the Minister of Justice, be required to appoint one of the candidates on the short list to fill the vacancy.

Now, Madam Speaker, that makes a lot of sense to me. I don't know about you, but it makes a lot of sense to me. This is a process put in place to ensure the selection becomes less political, you'd think.

However, the government is showing again that it says one thing and means quite another. The government rejected the above recommendation, and I cite the following reason and quote from the government document:

The ultimate responsibility for judicial appointments is vested in the Executive. The Minister will therefore have the option of rejecting the list provided by the nominating body once, if it is unacceptable, and requesting a new list.

The Minister will be allowed to reject no more than one . . .

But he can do it once.

. . . list for each vacancy from the nominating committee, and then be required to accept an individual from the lists provided. If a list is rejected and the nominating committee is asked for a new list, the nominating committee must provide a minimum of three new names and not duplicate names previously provided.

Well, it seems, Madam Speaker, that we would want a transparent process. We would want to see the minister, because he believes in the people he appoints to the selection process and the compensation committee, merely just have to endorse the selection and that in fact the recommendation would just be his to endorse and he would not have his hand in the pot. Therefore, we would feel much more comfortable that his pals are not being appointed to the bench, because that's the whole idea: take the politics out of the selection.

3:30

If the selection process is to be less political, this government is far from achieving that goal, Madam Speaker. This reeks of potential political interference, but then I guess we don't need to

move too fast. The minister will get whom he wants on the bench. Maybe he will get his law and order men on the bench after all.

Nevertheless, I shared some observations and anticipate supporting this bill through the House. I urge my colleagues to do the same. However, I think it's very important to reflect on the fact that the rest of the report is not included in the body of this legislation. It's very slow to act on how many appointments are going to be pursued, how many more individuals will be appointed to the bench even though the recommendations are there, even though the report is there, and even though the government has a position. There'll be more appointments to the bench before this particular piece of legislation is ever debated. Madam Speaker, I believe this will be the quickest, the absolute quickest, that we have been able to pass a bill of the Minister of Justice in the time I've been in this House. So, you know, we'll have to give him a pat on the back for that.

Thank you.

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

MR. DICKSON: Thanks very much, Madam Speaker. I wanted to be part of this accelerated legislative process that was just lauded by the Member for Edmonton-Norwood, albeit briefly. When I look at this bill, a couple of things occur to me. The first one. I note section 4 is perfectly appropriate, but instead of having this section 8 in the Provincial Court Judges Act, why wouldn't it be included in section 4 of the Freedom of Information and Protection of Privacy Act, where there's a list of specific exclusions? That's where the proposed new 8.1 belongs, not in the stand-alone statute. I'd encourage the minister to make the adjustment here. This exclusion should be in section 4, where we list a number of exclusions related to judges' draft memoranda and draft judgments and other documents within the control of a judge. This clause would most appropriately belong in section 4 of the FOIP Act.

The other comment is just sort of picking up on what my colleague for Edmonton-Norwood did in, I thought, a very comprehensive analysis. Why is it that we seem to have so much difficulty moving to a judicial selection system that screens for absolute excellence among candidates? You know, I remember a long time ago, when I was still a starry-eyed young lawyer, reading a Canadian Bar Association report that talked about the need for trying to have a selection standard that meant that the Justice minister was given not a pool of 200 people who had been screened as much for mediocrity as for excellence. The Canadian Bar Association report -- and it's more than a decade old; it may be two decades old -- talked about producing a short list so that the Minister of Justice would choose from a list of six or seven or eight of the most qualified candidates in the province. That is certainly one way of ensuring that we have the most excellent candidates on the bench that is possible.

I have to say this. From discussions with Law Society officials, with just members of the bench in this province and other provinces, and members of the bar it's clear that the federal government in terms of their judicial appointments have come much closer, not close enough for my liking -- but they've done a much better job in terms of trying to screen for excellence to higher courts. If you look at the appointments made to the Supreme Court of Canada over the last number of years, what you find are people who are generally recognized as excellent candidates. [interjections]

Well, Madam Speaker, I don't care what political party card the nominee has in his or her wallet or purse. What's important to me is that they're recognized as being the most outstanding legal talent we've got in the country. That ought to be the primary test. Every one of them may have a Progressive Conservative membership card or, more appropriately in this Chamber, a Reform membership card.

It doesn't matter to me. What I do want to see is absolute excellence. We certainly aren't there federally, but there's been, I'm going to respectfully suggest, a much more vigorous effort to achieve excellence in judicial appointments than what we've seen provincially.

Just the fact that you have a pool of over 200 prospective candidates and the minister being able to pick anybody in that pool suggests you're not necessarily going to be appointing people to the bench who are absolutely outstanding candidates. They may be journeyman lawyers who may make journeyman judges, but we're looking for excellence. I would have thought the Minister of Justice, who has done so much complaining about decisions of the courts and seems to have such concern about the men and women on the bench, would have tried far harder to improve the judicial appointment process.

The other comment is that there was a lot of concern that Bill 25 was being passed with what might be described as indecent haste a year ago in the Second Session of this Legislature, so perhaps it's not surprising that we're patching up errors that resulted from moving that bill through with all of that speed and lack of adequate consultation.

I certainly associate myself with the comments made by my colleague for Edmonton-Norwood in terms of the need to implement the rest of the recommendations in the judicial selection review committee, co-chaired by the Member for Calgary-Lougheed and Judge Wachowich.

None of those are reasons to vote against this bill, but it certainly affords this member and other members an opportunity to note some of the other necessary reforms that await us in this province. The Minister of Justice should know that while he's looking for friends amongst the bar and the bench in the province, he would do well to dust off some of those old Canadian Bar Association reports of several decades ago that talked about how we screen for excellence and how we ought to be achieving excellence in our judicial appointments. [interjection] If he were to do that, he'd recognize how far short of that standard we are, how much further we've got to go. [interjection]

Madam Speaker, I was just ready to wind up my comments, and there's been a flurry of provocative comments that would have me doing what I didn't intend to do, which was to exhaust my 20-minute speaking time. I'd make a pact with the Minister of Justice that if he'd provoke me no further, I'd be happy to take my seat and listen to further debate.

Thank you very much, Madam Speaker.

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

MRS. SLOAN: Thank you, Madam Speaker. It's a pleasure this afternoon to rise and debate Bill 8 at second reading. I reflected back on the type of process the minister is proposing be incorporated in the act this afternoon. It relates to a process that existed in the nursing profession, and it certainly had some pros and cons in its application in that area. We called it a sunset clause. In essence, the substantive amendments proposed to this bill, which would establish fixed terms for judges in the province, are in fact that, a sunset clause.

3:40

When I looked at the terms that were being proposed -- "7 years," "5 years," "may not be re-appointed" -- even before I read anything else, I thought: why would the minister, through the hon. member, want to do this? I know from my own professional

experience that over time you establish yourself in a position. Through the experiences or the issues that are presented to you, you garner a degree of wisdom from, in this case the application of the law, these events. With due respect to the judiciary in this province, certainly a term of seven years in my opinion is not respectful of the breadth and the depth of the issues that we require our judiciary to rise to and be alive to and make good judgments on on a daily basis. So I was a bit troubled by the fixed term, number one, and by the five- and seven-year terms imposed, number two.

But then when I actually started to do a little bit of research about the bill and I looked at the report of the Judicial Selection Process Review Committee, it became clear to me that really what has happened here is we've cherry-picked one specific section to incorporate in this bill. As I read the recommendations of that committee in their entirety, it seemed to me that here we had another good example -- and I hesitate to raise this, Madam Speaker, because it usually gets the hackles rising on the other side -- of a well-intended group of committees and individuals with a great deal of expertise which make a substantive report and recommendations to this government, and the government takes it and cherry-picks one little piece.

Even at that, if I may cite from the report directly, the Judicial Selection Process Review Committee said they believed that "a system of non-renewable fixed-term appointments would not achieve judicial accountability." The minister in his amendments is proposing exactly the thing that the committee recommended against, Madam Speaker. Why do we have these committees, if not to consider and to incorporate -- and I think because we don't have the recommendations encompassed in this bill this afternoon, it would be respectful of me to the individuals that participated in this process to raise several areas that I believe have a great deal of merit.

The judicial selection review committee also made a point of saying that they did not believe fixed-term appointments were advisable and that we should continue to appoint judges to retirement age. They further said that such a system of renewable fixed-term appointments

would exert pressure on Provincial Court judges who want to be reappointed to make decisions that will satisfy the reappointment authority, whether that is the Government or an independent committee, rather than decisions based solely on the cases before the Court. In the Committee's opinion that would be destructive of the right of every person who appears before the Court to have a fair trial before an impartial judge.

So why is the minister trying to achieve a partial process? My suspicions, my sense of paranoia would be that in fact they want to have a degree of control. I said to many of my colleagues in the legal community: you are the last frontier to this government. You've effectively choke chained and savaged every other aspect of the public sector, but the judiciary is the last frontier. In some way, in some piecemeal process, this piece being one, the government wants to gain a greater degree of control over a judiciary process that they believe is not well enough aligned with their ideology.

I want to speak specifically to another aspect of this report that I thought was also very interesting and which is not encompassed in this bill. The committee actually made a recommendation about the formulation of a committee for the appointment of judges. They suggested that "a Provincial Court Nominating Committee should be substituted for the Judicial Council in the selection process." They proposed that four judges and lawyers and four nonlawyers be appointed by the Minister of Justice "to achieve the maximum practicable gender, ethnic and geographic diversity." Further this committee would advertise "each judicial vacancy, obtain and check personal and professional information . . . and recommend a short list for appointment" to the Lieutenant Governor. They said,

“With . . . minor adjustments, this procedure [could then also apply] to the appointments of the Chief Judge and Assistant Chief Judges.” That substitution, it would seem to me, Madam Speaker, could’ve been incorporated in these amendments and was not, and I wonder why not.

So really at this stage I don’t have anything that compels me to support this bill. I think it is, in my opinion, just another mechanism this government wants to implement in an incremental process to control the judiciary in this province. In my opinion, Madam Speaker, that is an affront not only to the judiciary but to the democracy in which we live.

Thank you for the opportunity to provide those thoughts this afternoon.

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

MS GRAHAM: Yes, Madam Speaker. I’d like to move that debate be closed and that Bill 8 be read a second time.

[Motion carried; Bill 8 read a second time]

Bill 11
Public Sector Pension Plans
Amendment Act, 1999

[Adjourned debate March 2: Mrs. Soetaert]

THE ACTING SPEAKER: The hon. Member for Lethbridge-East.

DR. NICOL: I’m sorry. She was up first, Madam Speaker.

THE ACTING SPEAKER: Okay. The hon. Member for Edmonton-Riverview.

MRS. SLOAN: Thank you, Madam Speaker. I was just a little slow on the bit this afternoon.

I’m pleased to rise on Bill 11, the Public Sector Pension Plans Amendment Act, 1999, and provide some thoughts with respect to the amendments proposed to this legislation this afternoon. One of the primary premises of the bill is to facilitate employees moving between public-sector pension plans or a reciprocal type of transfer process and allowing certain employees as well to opt out of the management employees pension plan. This is something which I have had experience with firsthand, and I think it is commendable. It’s taken this government a while, but it’s commendable that they have seen fit to at least bring forward the amendments at this point in time.

There are, though, I guess questions with respect to the amendments that have been brought forward. We have I think raised these in a variety of ways previously. The question is in relation to what changes to EPPA will be allowed with respect to the joint trustee and governance of the local authorities pension plan.

3:50

Maybe I did miss it, but I wasn’t really aware that there had been any public consultation. Granted, there may have been consultation with the various boards on this bill, but I had not seen or witnessed or participated in any public consultation on the matter. It’s regrettable, as I’ve stated on previous bills, that the government doesn’t choose to bring forward an accompaniment to the bill itself: some explanation, rationale, background, or briefing about why the amendments are being proposed.

In the public-sector pension plan previously, the former guarantee

was under the Local Authorities Pension Plan Act. The Public Sector Pension Plans Act and the Universities Academic Pension Plan Act were replaced by an arrangement whereby employers, employees, and the government paid additional contributions and surcharges to retire unfunded liabilities that had accrued. We I guess want to ensure that in the process of doing this, there are not gaps created that would further impede not only the governance but the fluidity of employee assets being transferred from one plan to the other.

We have had some direction taken by the government to deal with the unfunded liability that exists in pension plans in this area. I don’t believe, though, that their announcements have completely exhausted the unfunded liability, and one of the primary questions I have is: does this amendment as proposed have any direct relationship to that unfunded liability? Does it in fact impact that? We will attempt to establish through our own research whether or not it does, but at this stage there isn’t really anything that specifically provides any information or clarity about that.

Given the fact that we have now representative boards for both of the pension plans, another key question is: what will be the new governance model for the combined plan? Will there be some type of additional umbrella that goes over the two existing boards? I think, if I am correctly informed, the LAPP board and stakeholders have agreed that the new LAPP should be a jointly trustee plan. Employers and employees would have equal representation on the board and share in eliminating unfunded liabilities and in any contribution reductions or contribution holidays. The current EPPA does not provide for a jointly trustee local authorities pension plan.

I guess the most important is the joint funding of the LAPP, and really it’s the Treasurer or the Minister of Labour who would be most informed and appropriate to speak on this. They need to respond to the question of whether this joint governance will be provided under the EPPA or through regulation. We don’t know that at this time.

I expect there will be some type of regulatory regulations adopted subsequent to these amendments being passed that will address the conditions surrounding the transfer of assets and liabilities between the plans. We’re talking, Madam Speaker, with respect to approximately 6,000 employees that the process outlining regulations surrounding the transfer will impact. It’s regrettable that again there doesn’t seem to have been a lot of discussion or public debate about the issue. Regulations, as we all know, are approved by an order in council, so once again there’s a bit of a cloak of obscurity as to what direction the government might take in this regard.

We would also ask whether the PSPP is to become a more mature plan. Has it in fact improved its investment strategies? I recall early on in my career that in transferring from one employer to another there were no portability provisions at that time, and I recall at that stage opting out because of the appalling rate of interest I was getting on the contributions. I guess that question, Madam Speaker, is still relevant today. Are the plans becoming more prudent in their investment strategies?

I guess we don’t have all of the information that would be advisable to say at this stage whether or not we can support this bill. I can speak for myself in that respect, that I would like to see more information forthcoming, more debate from the government side with respect to this bill. I am somewhat doubtful that will happen, so I just want to further provide some other thoughts with respect to this at this point in time.

We know that the amendments that are proposed under schedule 1 are going to eliminate the requirement for pre-92 funded liabilities of the local authorities pension plan to be eliminated by December 31, 2036, through annual additional contributions or surcharges.

Further, we know that the section under the public service pension plan which deals with the various requirements respecting the local authorities' liability in respect of service and benefits that were in place as of December 31 will be repealed.

The further amendment seeking to ensure the government has no further liability for the pre-92 unfunded liability of the local authorities pension plan. While that's a commendable measure, Madam Speaker, I have to raise the point that in the underfunded state of many of our regional health authorities in this province, I would hazard to suspect that there have been contribution holidays taken in the last couple of years, because the regional authorities find themselves continually in a state where they cannot fund the most basic of services. So if that's the scenario, you could see where holding back on their required contributions to pension plans might be the most reasonable option to take. That reality I think has to be addressed, and it is not addressed at all in the current amendments. We are seeing that the amendments will only speak to the pre-92 period, and of course that's a period prior to all of the cuts being made to the public service in this province.

Just speaking back to the transfer regulations for a moment, I think it's very important, depending on how that regulation process is adopted, that there be broad and comprehensive communication about that incorporated. We don't see anything in the amendments about communication, about the comprehensiveness of information-sharing with respect to the transfer of assets, and I think it's somewhat dangerous to leave that piece of the process to regulations.

Certainly the governance boards are representative of the stakeholders that are encompassed in the pension plans. They must not only be thoroughly informed, but they have to thoroughly inform their stakeholders, and it causes me a bit of concern that the sharing of information, complete information, is not included.

4:00

There's another aspect of the amendments that I believe will speak to the termination of employees and owners of the fund and indemnifying the government regarding any claims being made by that person arising directly or indirectly. I don't completely understand that section, but it seems reminiscent of a step this government has taken just in the recent past to reduce the litigation regarding other sensitive issues. I mean, it would seem to me that if the circumstances surrounding the termination have been unjust, I question why the government would want to restrict the ability of that person, whether it be an individual or an organization, to seek judicial intervention.

We know as well that amendments are going to touch on the management sector. Both Alberta Treasury Branches and WCB management employees have expressed interest in exiting or withdrawing from the MEPP. We also are aware, Madam Speaker, that there are certain individuals encompassed in those two institutions that do have higher salary levels and do have a degree of a performance bonus structure which they may access if they achieve the targets set. I guess the impact to the plans themselves by the provision allowing them to exit is that the assets they're going to take with them will be adjusted by government in regulation. That is, I assume, to attempt to ensure there's no detrimental impact on the plan itself from the withdrawal of these salary contributions.

The process as to how the government will adjust that and ensure there are no detrimental consequences is not clear. We can only speculate about how much money we might in fact be speaking about and whether or not -- I've mentioned only Alberta Treasury Branches and the WCB, but I would suspect that there are a number of other agencies or organizations that this section might also apply to. That is a concern. The government has taken the step to allow

this to happen, but the reality, Madam Speaker, is that how it's going to be addressed is not clear. I wonder if the members of the respective pension plan boards have been briefed in detail about what measures the government is going to take and whether or not they're satisfied with that process at present.

The closed management plan which is spoken about in section 5 provides the government with the authority to establish regulations for the plan as it relates to the exit of a prescribed employer from the active management plan. This section, as well, will have regulations that will address that in terms of when the date of exit of the employer from the active management plan has occurred.

I've raised a general concern before that we seem to be governing increasingly by regulation. When it comes to a person's pension, what will be their retirement income -- and certainly many of us are calculating that into the investments we make on an annual basis to maintain the quality of life we've become accustomed to living -- it seems to me that when a lot of these things are encompassed in regulation, we're really leaving a lot of the decisions, with no real requirement that they be communicated, up to the cabinet of the day to decide. I would register that concern this afternoon, Madam Speaker, with respect to this particular bill and the substantive degree of regulatory processes that will be required to implement it after it is passed.

There is a section that gives the government the authority, also proposed in the amendments, to request the boards of the public service pension plan, the university pension plan, and the special forces pension plan to prepare an actuarial valuation of the plan to determine the unfunded liabilities pre-92. I've raised this previously, but I guess I question again: why is it only the pre-92 service, given that we are seven going on eight years past that period? Why is that eight-year period being excluded? What impact does that have on the valuation of the respective plans?

Again I could be suspicious that one of the reasons why the government has reduced or restricted the valuation to the pre-92 period is that it has made an overture that it will make payments from the general revenue fund to meet its obligations to fully fund the pre-92 service. Again, I would suspect that the contribution holidays and the unfunded liability from '92 to '99 is also an area that warrants an action and addressment from this government, and that is not encompassed in the amendments that are before us this afternoon.

I am at this stage, Madam Speaker: I have, I believe, provided the degree of critique and analysis that I would like to this afternoon. I would hope we may see some additional debate on this bill. We haven't had a very high degree of debate at this stage. In contrast to the debate and focus that this government tends to give to fiscal initiatives, it doesn't appear that when the resources are being held in the hands of the public service employees in this province, it garners a great deal of scrutiny or debate from the side opposite.

With that, with my concerns registered, Madam Speaker, I look forward to subsequent debate on this bill. Thank you very much.

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

MR. BONNER: Thank you very much, Madam Speaker. It's a pleasure this afternoon to rise and speak to Bill 11, the Public Sector Pension Plans Amendment Act. When I first became aware of the difficulties that people who work in the public sector had as far as the portability of their pension plans went and how the rules that govern these pension plans were extremely restrictive -- it is possible under the present legislation for somebody to be working in a regional health authority here in the city or in other regional health

authorities across the province and not even be able to transfer from one facility in that regional health authority to another without having to take on a new pension and not be able to take their old with them.

What it was doing, in fact, was offering very little incentive for people, particularly our younger people who want to get into those facilities, who want to learn, who want to move around. The old legislation was very restrictive. So, as I said, it's a real pleasure to see that this is a progressive piece of legislation that's going to strike down many of the boundaries that our people have, our young people, in moving from facility to facility. As well, what this bill will do, Madam Speaker, is it will certainly help to keep our young people and our people in the public sector, because at this particular time they do not want to be restricted. So that is one thing.

4:10

Now, this proposed legislation also allows specific employee groups, such as senior management of the Alberta Treasury Branches and the Workers' Compensation Board and the Alberta Vocational College, to opt out of the management employees' pension plan with the concurrence of their employees. I think that is another part of the bill that is certainly important and is progressive.

This bill, Bill 11, will also facilitate plans of the local authorities pension plan and the university's academic pension plan to move out of the control of the current statute and establish new and independent organizational structures in the years 2000 and 2001 respectively. All of these things, Madam Speaker, certainly are improvements. I think this is a very good piece of legislation.

Madam Speaker, under the Public Sector Pension Plans Act the province's former guarantee under the Alberta Local Authorities Pension Plan Act, the Public Sector Pension Plans Act, and the Universities Academic Pension Plan Act was replaced by an arrangement whereby employees, employers, and the government pay additional contributions or surcharges to retire the unfunded liabilities that have occurred prior to January 1, 1992. This was one of the stumbling blocks that was holding up proceedings, in that some other pension plans were quite worried about them being liable for the shortcomings of some of the others. By doing this, I think what has happened is that the shortcomings of some of these pension plans have been reinforced, so the other pension plans are quite willing now to look at some of the recommendations of this particular bill.

Contributions or surcharges are also being paid under the management employees' pension plan and the special forces pension plan, with the province guaranteeing any unfunded liabilities that have occurred prior to January 1, 1994. This guarantee does not apply to post-1991 cost-of-living adjustments under the special forces pension plan.

The government remains responsible only for a portion of the total liabilities. Again, that is certainly something that we would hope, that pension plans would be able to take care of themselves. Certainly as we see the government move out of more and more responsibility, it is good news for Albertans. Employers and employees must now ensure that the cost of all current and future service accrued is fully covered by contribution rates.

Boards for each of the pension plans were established under the Public Sector Pension Plans Act comprised of employer, employee, and government members. The boards have been given more responsibility for settling contribution rates and establishing general asset investment guidelines. With the exception of the management employees' pension plan the boards are responsible for the future funding of benefits under the plans. The Provincial Treasurer holds the plan's assets in trust and invests these assets through the

investment and management division of the Alberta Treasury.

A separate plan in this legislation is maintained for each of the various plans. Again, these assets now are somewhere in the neighbourhood of \$16.29 billion.

Now, just a few remarks here in closing, Madam Speaker. I think we should support this legislation as it is very good legislation. It will give people in the public sector certainly more portability. It will lessen the amount of liability that the province is currently on the hook for. It will also give more autonomy and independence of the public sector pension plans to the employers and to the employees. Under the pension reforms implemented in 1992-93, it was clearly understood and agreed that the government should get out of the business of administering the public-sector pension plans as the unfunded liabilities were eliminated and that the role of administering the plans should be placed in the hands of the representatives of employers and employees.

With these comments I would like to take my seat.

THE ACTING SPEAKER: Thank you.

The hon. Member for Edmonton-Gold Bar.

MR. MacDONALD: Thank you, Madam Speaker. I rise this afternoon to say a few words about Bill 11. I have listened with interest to my colleagues. This legislation is the end result of a lot of hard work that has gone on for the better part of 11 years. The issue of unfunded liabilities in the public pension plans in this province was first brought forward by Mr. Laurence Decore. We see how an issue comes forward and then is actually presented in a bill, and it can take some time. The government in the past is to be commended for getting control of the unfunded liability.

I realize this is a very, very busy time for Treasury officials and also Labour department officials. There are some questions that I have concerning this bill, but on Thursday we're going to have the budget, and Treasury Department officials are tied up with that, no doubt. Also, we're having the first of three installments on, I understand, budget TV. That's also going to occupy them, but I do have some outstanding questions, Madam Speaker, that I would like to bring to the attention of the House. I believe the same concerns were expressed by my colleague from Edmonton-Riverview and also last week by the Member for Spruce Grove-Sturgeon-St. Albert.

We have some specific questions regarding the reciprocal transfer arrangements. There are a number of questions, actually, Madam Speaker. The government will prescribe the terms and conditions of the transfer of assets and liabilities between plans through regulation. I would like to know what impact the potential transfer of the assets and liabilities of 6,000 employees from the public-sector pension plan to the LAPP have on the cash flow position of each plan. Also, what changes to the actuarial assumptions would be required? Another question that I have and am going to be anxious to hear the response on from the Treasury officials is: would the public service pension plan become a more mature plan and have to become more prudent in its investment strategies? Another question: what impact would the transfer have on the surplus of the local authorities pension plan? Another question, naturally, that comes to mind: what is the impact on contribution rates? And how does the government mandate the transfer of an equitable amount of assets and liabilities between pension plans when the plans use different actuarial evaluations?

Now, in due time I'm very anxious to hear from the Treasury Department on these issues because they're very, very important. I understand that later on in this session there's also going to be a bill from the Department of Labour dealing with pensions. Perhaps some of the answers lie in that legislation, but these are important

questions that I'm anxious to hear the answers to, Madam Speaker.

In closing, I would like to say that the idea of portability of pensions is very sound. I would like to tip my hat to the government for permitting people to feel comfortable going from one public sector to another. However, we also have to consider other employees and the portability of their pensions. Sometime down the road -- I hope it's not 11 years -- a government of the future has to address the issue of teachers and the portability of their pensions. I've been led to believe by many school board officials that there is a problem attracting specific teachers to this province because their pension is not portable. We look at Saskatchewan, where I understand there is a large number of teachers, skilled teachers, that understand the Cree language. They are needed in Alberta, but they are reluctant to come to Alberta and seek employment because their pension is not portable. If at some point the government could address this issue, I think it would be in the best interests of the province.

[The Deputy Speaker in the chair]

I believe that Bill 11, the Public Sector Pension Plans Amendment Act, is a sound piece of legislation. It's been well thought out, and many people have worked very hard on it. I would like to commend them on their work, but I will reserve any judgment on this bill until the questions that I have are answered by the very, very busy Treasury Department officials.

Thank you, Mr. Speaker.

4:20

DR. NICOL: It's a real privilege this afternoon to get up and speak to Bill 11, the Public Sector Pension Plans Amendment Act. While the consultation was going on with the different groups involved in the public-sector pension plans, I had a number of the individuals come to my office and talk to me about what was going on, why the government was undertaking this kind of review. They saw some really good things in it. They were led to believe that the amendments would be much more comprehensive than the ones that we now see in this bill. There was a lot of discussion about some of the operational characteristics of the pensions that were being discussed as well.

In that context I would like to ask a question, as much as anything else, of the Provincial Treasurer in the context of those other parts of the negotiations that were going on with individuals across the province with respect to changes in this pension plans and the way the pension plans are operated. What's going to happen to them? Are they now going to be kind of at the discretion of the respective management groups of the four different pensions that are discussed and included in this amendment act? Will they then be the ones that have to deal with issues of pension equality, pension payouts, pension premiums, or pension withdrawals? That kind of issue that was included in the discussion: where's that going? I guess I would ask the Provincial Treasurer if in the next phase of the debate they could deal with that.

It was interesting in the sense that we've heard the Provincial Treasurer talk about the need for pension reform, new ideas that go well beyond the mere disentanglement of government from those pension operations. And that's basically all this does: it separates from government the operation, management, and administration of those pensions. Yet when they talk about the idea of transferability, it might have been much easier for them to say: let's stop putting a band-aid on wounds in the pension system; let's stop undertaking a little bit of surgery. Maybe it's time we started to look at a new concept of pension plan for the individuals that work under the umbrella of the public sector in the province of Alberta, whether it's direct or through the agencies of the government, like universities, schools, health authorities, so that we can deal with it from the

perspective of true transferability. This would be a pension that would say, "you as an employee" -- and let's give the employee some say in this -- "you get to negotiate with your employer as part of your employment contract the kind of pension, the type of pension, and the manager of that pension for you."

Mr. Speaker, I noticed that in one of the sections in there -- now, I didn't jot it down beside my notes here, and I'm not going to bother wasting the Legislature's time looking it up again -- it basically says that when all of this is said and done and the government has fully compensated the pension administrators or the pension funds for any unpaid liability, then effectively no fallback will occur or no obligation will exist for the government. This is an interesting situation, because individuals in our province, individuals in most places undertake a savings plan to kind of carry themselves into their retirement. That's what pensions are all about. All of a sudden we're saying that the government is going to have no obligation in the context of that kind of financial obligation even for the employees of this government.

Yet when we look at how the government in essence stands behind guarantees, looks after and assures Albertans of the financial security of other aspects of their planning, like their bank accounts -- I guess if it was my choice, to have a government stand up and say, yes, in a crisis situation when it's beyond your control, if you want us to help you somewhere, I would ask for that help in my pension, not in a guarantee on my bank account. You know, the fact is that if a bank goes broke and I lose \$50,000, I'm still young enough that I can earn that. But if I'm retired and my pension plan goes broke, what do I do? Social services? You know, this is the kind of aspect we have to look at. So it seems funny that with probably the most critical financial dependency that we have for Albertans, we have a government that says, "Sorry; we're taking no obligation for it." I guess from a compassion point of view I would suggest that it might be more appropriate for them to stand behind the pension plans as opposed to standing behind the bank accounts.

A lot of the issues that came up in the debate on the operational and benefit discussions that were going on with some of these members during this consultation process dealt with what level of premium was appropriate, what level of payout was appropriate based on the characteristics of the individual employee. Were they married? Were they single? Were they male? Were they female? These kinds of debates were carried out in this consultation, and there was a lot of expectation, I guess, by members of the community that some kind of guideline would be put into this act. Mr. Speaker, I don't see it anywhere there.

I hope there now will be directives from the Provincial Treasurer back to the managers of these pension plans giving them some kind of a guideline that will allow for a more equitable situation of premiums and payouts within the pension system, because this is what a lot of the people that came to my office is Lethbridge were asking for in the context of these discussions.

So within the context of this bill, Mr. Speaker, those are the three areas of concern that were raised and that I wanted to put on the record. With that, I'll just let it go on to someone else who has concerns.

Thank you.

[Motion carried; Bill 11 read a second time]

4:30

Bill 14 Municipal Government Amendment Act, 1999

[Adjourned debate March 2: Mr. Gibbons]

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

MS OLSEN: Thank you, Mr. Speaker. First of all, I'd like to take this opportunity to thank the hon. Minister of Municipal Affairs. I have to congratulate her on bringing forward some concerns that came out of my constituency directly related and tied to some of the concerns that my constituents had. In fact, it was only after sitting down with the minister and discussing some of the concerns in relation to derelict housing and enforcement of those sections and trying to tighten up the penalty sections and giving the municipalities a little bit more power and protection to enforce any violations under the Municipal Government Act in relation to derelict buildings. It to me certainly reflects the ability to come to some sort of consensus and to have everybody's needs addressed, not just one side of the House, and I'd truly like to see more of that type of co-operation and interaction with other ministers in relation to bills that come forward. So kudos to that minister.

To move on to the intent of the bill, we know that much of this has been asked for. This clarifies and adds provisions in areas relating to governance, administration, assessment, including complaints and appeals, taxation and taxation recovery, and planning and development. Some of the major highlights, as I see it, are to enhance enforcement provisions regarding derelict buildings, add another method for determining business value assessment, establish maximum fees for assessment complaints, and add mediation as a prerequisite for dispute hearings.

Now, that mediation aspect is one of the things I want to discuss. In the new act the amendments talk about providing a statutory declaration stating the reasons why mediation was not possible, the reasons why mediation was undertaken, and the reasons why it was not successful. That's a critical point for me, Mr. Speaker. Mediation is supposed to be a nonjudgmental tact, if you will, and the reasons as to why the mediation failed should not be part of any disclosure, because what it does is put the mediator in a position of having to pick sides. So what happens is that you don't get open debate. You don't have both parties putting their wares on the table in a very open and direct manner. In fact, it may create some concern, because mediation is not supposed to produce fault, and what this particular amendment will do is create an environment where somebody is going to be blamed for the failure of the mediation to occur. I think that's not a very healthy way to proceed down the road of alternative dispute mechanisms.

We've heard a lot of that in other areas, certainly in family court. We don't want to see something occur in family court where there's blame applied. We don't want to create those power struggles and those indifferences. So I would certainly like to see the Minister of Municipal Affairs talk to some other department folks, maybe in the Department of Justice, who have had some success with mediation and the mediation process and just try to find out the best process to go.

I would be prepared to put forward an amendment to this particular section when it comes to Committee of the Whole. I think this is very important. The rest of the bill seems fairly straightforward, but this part of the bill would have me not support the rest of it in its entirety, because I think it's a very significant point. I'm sure that the Minister of Justice could be of some assistance to the Minister of Municipal Affairs in that regard and impart his department's experience. I know he can do that; I know he can. I'd like to see that happen, and failing that, I would love to put forward some suggestions that I think would be helpful as well.

Another aspect of the bill that I'd like to speak to is certainly the issue of derelict housing. As I'd earlier stated, the enhanced enforcement provisions regarding derelict buildings is something that's very important to me and important to my constituents, and I just want to talk about some of the things that have happened in the

constituency. In fact in 1992, I believe, I was involved in a project with some of the community residents in Edmonton-Norwood. At that time I was a police officer working in that community. I was asked by actually the Treasurer's previous communications director, Trish Filevich, to come and participate on a committee that would look at the revitalization of the 118th Avenue area, so I decided I would get involved.

One of the big issues was what to do with the derelict housing. How do you address the crime and safety issues? If a neighbourhood is subject to urban decay, how do we as a group improve the business district, improve the quality of life for community residents? One of the first things we had to address was prostitution. The second item on our agenda was the issue of derelict housing. So 1992 was when we started the avenue revitalization project looking to enhance the community, and here we are in 1999 still working at it. Now, there have been some great changes; however, we need to continue to pursue some of the other mechanisms available.

I want to draw to the Assembly's attention, as well, that communities, especially the older inner-city ones, are constantly undergoing some renewal and some degradation, and the focus for us in our neighbourhood is to look at renewal. We would like the city to start to develop inwards again and, instead of the urban sprawl that exists, to look at using some of those empty lots in the communities to put in some new infill housing, to look at not necessarily a total gentrification of the neighbourhood but certainly to look at improving the quality of life and attracting young families to an environment where there's affordable housing.

There is no question that Edmonton-Norwood has its share of crime. In fact, the last homicide, which occurred over the weekend, was in my constituency. We have absolutely one of the highest numbers of responses to violence calls. Domestic violence, child abuse: you name it; it's there. But we also have in our community a bit of a secure base of seniors and immigrants who came to the city years and years ago who are established, who have raised families in the area, and who have no desire to move out. What they have a desire for, however, is to see change in the safety aspect of their neighbourhood.

So what does that have to do with the MGA? Well, what we asked is for the minister to look at the Municipal Government Act in relation to derelict buildings, and I'm very happy that she's done that. One of the things we asked for is the increase in the penalties for this, the penalties for not complying with a destruction order for a home if in fact there was a home identified in the neighbourhood for demolition and the owner refused to demolish it. In fact, for many of those homes it may cost more to demolish them than to just leave them. You know, the average cost of demolition could be between \$5,000 and \$8,000. If the home is boarded, derelict, and certainly not livable, then the owner may just say: well, I'm not going to spend the money taking the house down; I'm going to let it fall down. What does that add to the neighbourhood? Nothing. It helps with the urban decay.

4:40

So what we've seen is that amendments to the Municipal Government Act will provide for more effective enforcement of municipal bylaws, ordering property owners to clean up, repair, or demolish dangerous or unsightly property or structures; i.e., derelict buildings. What we see out of Bill 14 is the setting of a minimum penalty of \$300 for a contravention by an owner of an order by the municipality to clean up, repair, or demolish a derelict building.

We're insulating the municipality from liability to the property owner if the municipality demolishes a building. We've had buildings in the community where in fact there's been a fire. For a

long time we had an arsonist running around Edmonton-Norwood. What would happen is that they would set somebody's garage on fire, which would set somebody's house on fire, and a lot of those buildings would stay standing. Well, fair enough that the owner may just say: well, I'm not going to demolish it. But it creates, one, a public health hazard; two, a safety hazard; and three, does not add to the community. So we want the municipality to have the opportunity to take the building down but to be able to recover their costs and not suffer the liability in taking that building down. We feel that that's a fair provision.

We ask for the municipalities to be able to add the cost of that enforcement to the tax rolls of other properties or businesses which the owner of the offending property owns. Many times an owner of property in our neighbourhood -- one person may own several properties. In fact, I can think of an hon. member of the House of Commons who owns several properties in our neighbourhood, and that doesn't make me happy. However, this would allow us to deal with enforcing the penalties and for the municipalities to recover those costs, because as I've said, they can be fairly high.

Reducing notice for council to review an order from 14 to seven days and the appeal to the Court of Queen's Bench from 30 to 15 days. This is designed to ensure that action to deal with derelict buildings is prompt and timely. This is something that came out of the community action project in my neighbourhood. They very much want some control on what's going on with these buildings. This is an issue they've been dealing with, and they brought that initiative forward. They felt that there had to be a reduction in the time allotted to ensure that these buildings get dealt with in a more appropriate, timely manner.

Also, we brought forward defining the term emergency -- detrimental to the surrounding area and unsightly condition -- to expand the circumstances in which a municipality can act to respond to a problem. Again, this deals more with the issue of degradation of neighbourhoods. It's something that we wanted to see expanded so we could cover more properties than we could under the existing act and to ensure that the municipality can actually respond to a problem, so that their hands aren't tied. You know, one door is open and then another door is closed because a municipality says: well, we can't act. So I think the issue could be worked out under this particular section.

There should be some mechanism for the community to have some input in the matter of derelict housing. We have established, as I say, a business revitalization zone in the 118th Avenue area. We also have the community action project. We have the community leagues, who have representatives that work with the community action project. One suggestion that I'd have would be a show-cause hearing when the remedy sought is demolition. The matter could be brought to city council and evidence presented. The owner and the neighbouring owners would then have an opportunity to make submissions. Council could then make the decision. I think that community input is essential when it comes to neighbourhood issues. I believe this is a potential avenue that would deal with community input.

The reason the whole issue of derelict housing was brought forward is that we have a problem with prostitution, with vagrants, and we have a lot of kids that will run away from home and end up squatting in some of these abandoned homes. I've been into some of these places and, quite frankly, chose not to breathe in them simply because they were so filthy and the air stunk so badly that you couldn't breathe. These are places where our kids are hanging out and places where young runaway kids access and enter an unsafe environment, in fact are drinking or doing their drugs in there and God knows what else. The derelict issue is a big problem in my community.

The failure of the owner to secure a building is also a problem. The result of not doing that is the activity, then, that would be sought out in those particular homes, even when they are boarded up. Mr. Speaker, I've been in many of these houses that have been boarded up. In fact, people have passed on in these buildings, and two, three, four days later the police would get a call of a body in an abandoned house. Nobody even knew that the individual was there. They do cause those kinds of concerns in communities as well.

One of the other things that I think is important to note in some of the readings I've been doing in terms of municipal affairs and municipalities is that there's a lot of concern about the whole issue of urban sprawl and whether or not the whole notion of going farther out is a good idea. I read one article, Mr. Speaker, that stated that when people who were suburbanites moved outside of the downtown area into their nice suburban area, what would happen is that a new subdivision would open farther out, so their next move would be even farther out. What happens is that the suburbs become denigrated areas as well.

It's not just the inner cities that are feeling the impact of derelict homes. Now what you're going to find -- and research points to this -- is that some of those well-heeled communities of the past will in fact become subject to urban decay. As those people keep moving out, you'll have a transition of people moving from the inner city to these other suburban areas, which will then become subject to the same problems that we have in the inner city. So this is a problem that moves around and is not just an Edmonton-Norwood specific problem. In fact, in the rural areas you'll find the same issues. You'll find homes that should have been closed down by the board of health.

I guess that's my time, Mr. Speaker. I'll continue at Committee of the Whole because I just have a lot to say on this.

Thank you.

4:50

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

MR. MacDONALD: Thank you, Mr. Speaker. I have a few comments this afternoon on Bill 14, the Municipal Government Amendment act. This bill, I understand from my hon. colleague, is going to clarify provisions in areas relating to governance and administration; assessment, including complaints and appeals; taxation and taxation recovery; and planning and development.

Now, another major highlight of this bill is going to be to enhance enforcement provisions regarding derelict buildings. We've all read and have followed with interest the pursuit of this issue by my hon. colleague from Edmonton-Norwood. This is an excellent initiative, and I hope this comes to a resolution that everyone can live with, whether it be landlords, tenants, city building officials, local representatives of the Legislative Assembly, or even the Minister of Municipal Affairs.

Another major highlight of this bill is to add another method for determining business value assessment. It also will have provisions to establish maximum fees for assessment complaints and add mediation as a prerequisite to dispute hearings. Now, I don't know when and where this mediation, Mr. Speaker, would be necessary, but there are many, many people across the province who have called to question the market value assessment, particularly as it relates to their homes. These people are living in homes where they have an inferior roofing product. Perhaps this mediation service will come into play with those folks.

We generally, I believe, support the amendments outlined in Bill 14. They're consistent with the principle that municipalities should

have more decision-making power and, with that decision-making power, more responsibility.

I have a few questions about provisions involving street lighting, and as I was reading *Hansard*, the hon. Member for Leduc went a long way towards answering those.

The big question that's coming up here across the province is the regulated electricity supply to third-party sellers and how we're going to deal with this. People are already on the doorsteps in my neighbourhood willing to become participants in the free-market selling of electricity. I don't know how it's going to work out. I have a few reservations about that, but we'll discuss those at a later date.

Overall, there are two issues that I fail to see in the Municipal Government Amendment Act, and both of them of course relate to the troublesome issue of the government's promotion of and authorization of the untreated pine shakes in the Alberta Building Code. In the Municipal Government Act we talk about restricted covenants and how they're to be used by municipalities and also about the market value assessment. I'm surprised that I don't see any amendments coming forward to that effect, because this is a problem that we all have to deal with. I see nothing in here that will provide any answers to homeowners who have been victims of this promotion and authorization.

This amendment as contained in Bill 14, Mr. Speaker, clarifies and adds provisions in areas relating to, as I said, governance and administration; assessments, including complaints and appeals; taxation and taxation recovery; and planning and development. Nothing in there addresses one of the most important issues that homeowners across this province are facing. That is: we've got this big problem; what are we going to do now?

I will listen with interest to all hon. colleagues in this House in the discussion of Bill 14, and I look to actively participating in the discussion in the debate that's going to occur in Committee of the Whole.

Thank you, Mr. Speaker.

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

MR. WHITE: Thank you, Mr. Speaker. I appreciate the opportunity once again to rise to speak on yet another amendment to the Municipal Government Act. This particular act probably has the record in this House for being amended the most, and so it should. The level of municipal government is forever changing, and there are forever new needs for the application of the act and for the municipal government proper to have the permission in law to apply various charges and to be able to affect various acts and make the application of those lawful and therefore enforceable.

What this bill does is amend a number of areas that are required for renovation. What it doesn't do, which it would be nice to do, is to have a little quid pro quo here in this bill at some point or other and the municipal government being allowed by the parent government to do something. There could be a little responsibility in reciprocity there; i.e., some cash tied to this bill so that the municipality could in fact carry out that which it intends to do for the protection of its citizens and the management of its citizens.

The MGA outlines the power of the municipality to do various and sundry things. Unless specifically included in the act, the municipality has no right to act, which sometimes causes some difficulty and has caused some consternation for municipalities for quite some time. Over a period of many years the act has been renovated and added to, such that it's a substantive document. Quite frankly, there are very, very few real, true experts in the field in the province. They, of course, with the department do add to the discussion along with the AUMA and the AAMDC. So this is a

continuum of modifications and generally in agreement with the municipalities.

There are a number of questions that I do have though. Sometimes the municipalities end up being overregulated and definitions being so, so very fine. All the time that I was on municipal council -- and those others that are here in this House today -- I thought street lighting did include lane lighting. For some reason it did not include it. Some bright light somewhere went and challenged that, I suspect, and now there's a need for further clarification of lighting. All the time I was there, it was just the assumption, and nobody would reasonably argue that. I guess it has occurred.

With the advent of the third-party marketers of electrical energy, the last House listened to a bill, debated Bill 27, which was the deregulation of the electrical energy production business. The members will recall that that did not deregulate the distribution of electrical energy. It only did the generation. Unfortunately, it does affect the other two areas of transmission and distribution. In this case it affects the distribution because the distribution now has to be applied through the municipality. The municipality, of course, always did have, particularly in the major centres that owned their own distribution system, a method of applying a tax or a levy, as it were, for the use of a utility in the city or in the town or village. There always has been and still remains a negotiated fee, a franchise fee oftentimes they call it, in the way of a utility. In this example it would be natural gas. Natural gas in fact is a utility under the act.

5:00

There's a provision to have a municipality apply a tax of sorts, but it's a fee, overall. Certainly in the city of Edmonton it was North-western Utilities. The city of Edmonton would enter into a contract, and they were able to work out a fee. The act also does that in preparation for third-party sellers, those that would buy their power from a generator and market it to an individual user. This member doesn't believe that will ever occur, judging from the occurrences in England and the eastern United States. But the provision would be there for the user, and it may occur and probably will occur first in the commercial and industrial end of electrical generation and marketing. The renovations of the act will provide for that.

At one time I understand -- and I believe it to be the case -- there was a remedy for a municipality that had leased a right-of-way to a user and then had taken the lease back for whatever reason and the right-of-way had to be restored. This often occurs, not even in taking back the lease but when a municipality is required to bring up the right-of-way to a standard that befits the local community. The costs that are incurred there would have to be charged to whom? It's always a difficulty when an entity walks away from a lease and how the remedy occurs.

It still is not really clear how the property can be attached to an individual. It can't be attached to the property, because the property's already owned by the municipality. It is difficult to attach it to an individual, except to do what is often done in the way of a fine or a levy against an automobile driver for a moving violation. By reading this act, it's hard to decide whether in fact an application under the traffic safety act could be applied so that a registered owner of a vehicle could have their use of the Queen's highway, as it were, restricted by the application of this act.

I think the Member for Edmonton-Norwood dealt in depth with the changes to the Municipal Government Act as it related to the declaration of derelict buildings, defining what a derelict building is, and the application of a fine. It is fair to say that in inner-city neighbourhoods these kinds of things occur on a regular basis. It does not occur a great deal in other parts of the city, although in the part of the city in which this member lives, there has been, now and again, this kind of complaint.

The difficulty occurs when the repairs get to the state where the

demolition is almost contemplated. At some point or other the community and community standards are offended to say: look; there is need to force the owner to do something. The difficulty always is deciding when that point comes. As a next-door neighbour of a property that a person assumes to be a derelict, if it affects the sale of their property one little bit, then that person will want that property to be declared derelict and will want the property to be upgraded to a standard so that did not affect the sale of their property. And rightly so. It's a separate property, and you wouldn't want any property in the neighbourhood to detrimentally affect the market value of your property. Except when the tax assessor comes by, perhaps you'd like to have the property devalued. Certainly that's not the case in the general rule.

The judgment has always been difficult for a municipality, and defining what is an emergent situation in the way of a derelict building is darned difficult, because you're dealing with public safety oftentimes, whether it be a fire hazard, which is probably one of the areas that may in fact be defined fairly well. You're dealing, most of the time, with public safety, whether they can have access to the house and being hurt while in the house. The judgment there is darned difficult.

There is provision in the act which I believe will be of assistance to the municipality to move the matter along. Now, after the judgment has been made that this is a derelict property and needs some additional work and that, yes, whatever necessary repairs should be added to the cost on the tax rolls, all of that can be decided, but there's a hearing that'll have to be taken. An application can be made in court. Well, the order is currently, as I understand it, a maximum review time of 14 days; move that back to a seven-day review. For the turnaround times to affect the necessary appeals in law from an owner that does not wish to make the repairs, you do need that avenue in common law. You must have that kind of review process in law.

This act also moves the appeal period at Queen's Bench from a maximum of 30 days to a maximum of 15 days. This provision, although desirable for the residents, may have some difficulty in practical application because the courts simply do not deal with these matters in any sequence other than what a judge says goes on his docket, or assigned to his docket. So this provision may run him some difficulty with the application, and quite frankly I'd like to see it applied, but I would not like to see it applied in such a manner that it would allow either one of the parties to set the matter aside and take no action on the matter if, in fact, a court does not hear the matter in the 15 days allotted.

Mr. Speaker, there are many areas of this act that should be gone through. I'll try and use the next five minutes judiciously. Another area that is of particular interest to the municipalities with the advent of more and more pipelines running hither, thither, and yon through municipalities and with the removal of the M and E tax is that there's a requirement for certain replacements. In large measure that has been done in previous renovations of this act.

But this particular version of the changes to the Municipal Government Act allows for a reporting process and preparing of assessment of pipelines such that one pipeline in a municipality can look down a record and say, "Well, in municipality A the assessment is of this value, and it is not of the same value over here," so we need to have some assessment that is of relatively the same value so that the spread of the tax bill from municipality to municipality on the pipelines in fact is very similar, which is a reasonable provision. It certainly should be filed and held at the point where all municipalities have contact and certainly all pipelines have contact too, and that's at the Alberta Energy and Utilities Board.

5:10

The application of the tax. The municipality must apply but not

calling it and labeling it a machinery and equipment tax so that you attach real property. There are amendments to that too, which are also supported by most of the municipalities.

There's a clarification of rates, too, between the classification of assessment in municipal government. It's very difficult to set aside the nonresidential tax and the machinery and equipment tax. There's ongoing work in this area. This act certainly won't clarify that entirely, but it certainly does work at the clarification.

One of the key components of a municipal tax application is always the business tax assessment, and it is exceedingly difficult to standardize that across the province and nigh impossible to do it from an urban to a rural municipality because the assessment is so very difficult to standardize.

This act does allow another method of assessment which had not been allowed before and which, in fact, is a very, very positive move. This adds the net annual rent value assessment and the standards to be set there, and this allows the municipality to attach a business tax to a property, and then when the downturn comes and properties become vacant, it allows the municipality to lower the tax on that property so as to not put the owner of the property into a position that would attract so much tax and so very little return that the property would just be let go, be derelict for a good long time and then at some point become a property lost to taxes and the value of the property on the tax roll would ascend greatly. If there's one provision in the entire act that deserves overwhelming support, it is this provision.

Thank you for your time, Mr. Speaker.

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Calder, but under Standing Order 19(1)(c) I must now put the question on the motion relative to consideration of His Honour the Lieutenant Governor's speech.

[Motion carried]

head: Government Motions

Address in Reply to Throne Speech

14. Mr. Havelock moved on behalf of Mr. Klein:
Be it resolved that the address in reply to the Speech from the Throne be engrossed and presented to His Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

[Motion carried]

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

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I move that we call it 5:30 p.m. and that when we reconvene at 8 this evening, we do so in Committee of the Whole.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader has moved that the Assembly do now adjourn and that when we reassemble at 8 p.m., we do so in Committee of the Whole. All those in support of that motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

[The Assembly adjourned at 5:16 p.m.]