

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Thursday, March 12, 1987 2:30 p.m.**

Date: 87/03/12

[The House met at 2:30 p.m.]

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

O Lord, we give thanks for the bounty of our province: our land, our resources, and our people.

We pledge ourselves to act as good stewards on behalf of all Albertans.

Amen.

head: **INTRODUCTION OF BILLS****Bill 9****Highway Traffic Amendment Act, 1987**

DR. CASSIN: Mr. Speaker, I beg leave to introduce the Highway Traffic Amendment Act, 1987.

This Bill has four main objectives. Amendments are being made to section 65 to require people to wear seat belts that are already installed in motor vehicles. The previous section 65 required that seat belts in vehicles should not be removed or made inoperable, and this requirement will be retained. Number two, the existing Child Transportation Safety Act will be repealed, and the provision of that Act will be incorporated into section 65. Third, the amendment to section 65 makes provision for the Lieutenant Governor in Council to make regulations exempting penalties or motor vehicles from the requirements of this section.

Section 169 has been amended to remove the graduated penalties for speeding violations from the Act and provide the authority for the passing of regulations to establish penalties for speeding violations. This will permit the penalties to be revised in the future without having to amend the Act.

[Leave granted; Bill 9 read a first time]

head: **TABLING RETURNS AND REPORTS**

MR. RUSSELL: Mr. Speaker, I beg leave to table the annual report of the University of Alberta, as required by statute.

DR. WEBBER: Mr. Speaker, I'd like to table copies of regulations pertaining to Nova, an Alberta Corporation, that are required to be tabled by legislation.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. GIBEAULT: Mr. Speaker, I'm pleased to introduce to you and to members of the Assembly, Miss Marta Perla, who is a representative of the Federation of Associations and Independent Unions of El Salvador, who is traveling through our country now trying to help Canadians better understand the cir-

cumstances in that troubled country. She is in the members' gallery behind me. I'd ask her to rise and receive the warm welcome of this House.

MR. BRASSARD: Mr. Speaker, it gives me a great deal of pleasure to introduce to you and through you to the members of this Assembly, two grade 6 classes from the Ross Ford elementary school. These 40 students have traveled from Didsbury and are accompanied by their two teachers Mr. McCargar and Mrs. Large, as well as four parents: Mrs. Rosenke, Mr. Fyffe, Mrs. Nolan, and Mrs. McRae. They are seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of this Assembly.

MRS. HEWES: Mr. Speaker, I'm honoured to introduce to you and through you to the Members of the Legislative Assembly, 17 students from the continuing education program at Bonnie Doon high school. They are accompanied by their teacher Mrs. Unterschute. They're here in advance of a meeting next week when we will be discussing provincial government, and they're here to watch our performance. They're in the public gallery, Mr. Speaker. I'll ask them to stand so that the House can give them the traditional welcome.

MR. SPEAKER: Member for Edmonton Glengarry.

MR. YOUNIE: Thank you, Mr. Speaker. I take pleasure in introducing to you and to members of the Assembly, a number of guides and outfitters from the province: Mr. Robert Dixon from the Foremost area; Norm Stienwand, president of the association of independent Alberta guides and outfitters; Lorraine Sinclair of the Metis Association; Randy Lawrence from the coalition against forest spray; Darlene and Mike Zellmen and family from the Athabasca area; Walter Kostiw, a small businessman from Westlock; Fern Nutt, vice-president of the Westlock Fish & Game Association; George Mitchell, a hunter and outdoorsman formerly from B.C., Northwest Territories, and the recipient of the Bighorn award; and a number of their friends who are interested in the outfitting issue. I would like them to rise and receive the warm welcome of the House.

MR. STEWART: Mr. Speaker, it is my pleasure to introduce to you and through you to the members of the Assembly, the former member of this Legislature for Calgary North Hill, a man who served his province and the constituency with a lot of distinction and is very much in favour with all of the constituents of Calgary North Hill as he continues his work in the community, Mr. Ed Oman.

head: **ORAL QUESTION PERIOD****Private Health Care Insurance**

MR. MARTIN: Mr. Speaker, I'd like to direct the first question to the Minister of Hospitals and Medical Care. Yesterday the minister conveyed incorrect information to this Assembly. With regard to Bill 14, the minister made reference to, and I quote:

The experience in other provinces, other jurisdictions who have exactly the same kind of legislation we're proposing here . . .

He also said, Mr. Speaker, and I quote:

What we're doing here with the particular Bill that was tabled yesterday is simply saying that if private

insurers want to provide medical insurance coverage for items that aren't covered by the Alberta health care insurance plan, that's their right to do so.

My question to the minister: will the minister now advise the Assembly that there are no other provinces with exactly the same type of legislation proposed here, and will the minister advise the Assembly that the whole point of Bill 14 is to allow private insurance companies to cover items that are already covered by Alberta health care insurance plan, that they already, before, could cover items not covered by the insurance plan?

MR. M. MOORE: The hon. member, Mr. Speaker, asked a number of questions. First of all, if I provided information to the House that is wrong, perhaps the hon. member could detail that for me and I would check into it. If it is an error, I'd be pleased to either correct it or find out what the correct information is.

I did check again after some questions were asked of me yesterday by the media, and the information I provided I think is accurate. Certainly I'm told the province of Saskatchewan -- I even had my staff analyze their legislation -- has no prohibitions in their health care insurance plan against private-sector insurers selling insurance. I'd be pleased, though, if I'm in error, to receive the hon. member's detailed information or whatever he has that would help correct the record.

MR. MARTIN: Well, supplementary question. I wish the minister would do his own research. But specifically, would the minister confirm, if he's checked these Acts then, that in both British Columbia and Saskatchewan private insurance companies can only cover services insured by the public insurance scheme if they operate on a nonprofit basis? Therefore, why would they bother? This is different from what he is proposing here in Alberta.

MR. M. MOORE: Well, Mr. Speaker, I did indicate yesterday that there may well be all kinds of provisions in other provinces, or in this province for that matter, under our Insurance Act or under the jurisdiction of the hon. Minister of Consumer and Corporate Affairs, that deal with the practices of insurance companies. I was referring specifically to the health care insurance plan of the province of Saskatchewan, for example, which I still suggest has no restrictions whatever in it with respect to private insurance. If the health care insurance plan in Saskatchewan does have, then perhaps the hon. member could give me his information. Mine is different.

MR. MARTIN: Mr. Speaker, I am absolutely amazed by that answer, it's right here in the Act. All the minister has to do is take a look at it and it would confirm what I just said. But we could go on with this forever. Obviously, the minister is wrong.

The question I want to ask the minister -- he said yesterday that he met for three and a half hours with the AMA. I want to know what happened at that meeting. Will the minister table in this Assembly the suggested list of items which might be deinsured provided to him by the AMA, the meeting that he talked about? Will he table those items in this Assembly?

MR. M. MOORE: The short answer, Mr. Speaker, is no. The longer answer, if you'd care to have it, is that I have received from literally hundreds of people in this province -- citizens,

medical doctors, associations like the AMA -- suggestions with respect to those medical services now covered by the health care insurance plan that might be deinsured. From all of those people I'm assembling a list that I will be recommending to our cabinet and caucus be considered for deinsurance, and at some point in time, not unlike the situation we went through last summer on the extra billing issue, the Leader of the Opposition will be informed, hopefully in this Legislature if it's still sitting, as to what our decision is.

MR. MARTIN: Supplementary question, Mr. Speaker. My phone has been ringing off the hook, and they're certainly not agreeing with the minister on this issue. There are more people than Tory backbenchers and the medical association that want to know what's going on, what's on the table. In view of all the problems that we're having, in view of the misleading information, would the minister be prepared at this moment to withdraw this particular Bill until he has done further study and knows what he is talking about?

MR. M. MOORE: Mr. Speaker, what's going on is this. I introduced a Bill that removes the section of the health care insurance plan that prohibits private-sector insurance from operating in this province for medical services except under certain conditions that largely are defined by regulation. The reason for doing that was to remove a bunch of unnecessary regulations and let the insurance industry do what it wants to do with respect to private insurance. There isn't anything that I couldn't do with respect to deinsuring services with the existing Bill. We could, for example, pass a cabinet order in council and a regulation that would exempt all insurance provided by private insurers for medical services. That would be easy to do. The more responsible thing to do is to clean up the Act and take out the extensive regulations that exist in it and let the industry provide insurance if they so wish.

I have said many times that there isn't any possibility whatever that private-sector insurance could compete with the Alberta health care insurance plan. I have also said in this House and outside it, yesterday and the day before, that there is no suggestion whatever from my office or from the government that we are going to deinsure medically required services. I have also said that we provide more coverage than any other province in Canada. The only problem -- my phone is ringing too, Mr. Speaker; it's ringing largely because we've had a misrepresentation, not by my office but by others, of what we actually intend here.

MR. TAYLOR: My supplementary is also to the minister of hospitals. Could the minister tell us whether he has initiated any discussions with his federal counterparts to look at whether or not opening up health care to private insurance carriers is legal under the Canada Health Act?

MR. SPEAKER: It's inappropriate to ask for a legal opinion in a question.

MR. TAYLOR: No, I asked whether he studied it. Mr. Speaker, point of order. I wasn't asking for a legal opinion. I asked whether he had asked for a legal opinion.

MR. SPEAKER: You can try it on that basis, hon. minister.

MR. M. MOORE: The advice that I've been given is that in

recognizing the legislation that exists in other provinces, there would be no problem whatever with the federal government in removing the restriction that we presently have. The Canada Health Act basically requires that for any medically required insured service in this province, there be no extra charges. It does not deal, as I understand it, with any prohibition against private insurers selling insurance for medical purposes.

MR. R. SPEAKER: To the minister. Could the minister indicate whether any further discussions have been held with the Alberta Medical Association relative to a 10 percent fee cut of medical doctors in the province as a possible trade-off to reducing certain services that are presently insured?

MR. M. MOORE: No. I indicated when the arbitration award came down that suggested that doctors' fees for 1987-88 would be frozen -- in other words, a zero percent increase -- that the government of Alberta would accept that decision, as I think we would be expected to do because we were party to the July 22 agreement that established the arbitration procedure. My meetings with the Alberta Medical Association since that time have focused on other ways in which we might control the escalating costs in the Alberta health care insurance plan. They are moving up over the last few years at about 15 percent a year, and we're trying to get them down to zero in this coming budget year. So the talks were centred around that, and they've involved a number of areas, including patient understanding and awareness of the costs and those sorts of things, but nothing to do with the 10 percent reduction.

MR. SPEAKER: Second main question. Leader of the Opposition.

Emergency Hospital Services

MR. MARTIN: Yes, Mr. Speaker, back to the Minister of Hospitals and Medical Care. We're glad to see that the government has adopted the plan to rationalize the Mill Woods and General hospitals along the lines proposed by my colleague the Member for Edmonton Centre. [interjections] If you look at what happened last December. But the government has failed miserably in dealing with the need for improved emergency services in the city core. My question is -- maybe the backbenchers are getting a little nervous; they're losing a lot of votes in this -- will the minister tell Edmontonians what the government intends to do about the present overcrowding at the Royal Alex, which will probably get worse when the emergency department at the General closes? Is there any money coming up in the next budget year for this needed service?

MR. M. MOORE: First of all, the hon. member is probably not aware because his colleague didn't have it in his plan, but when we open the Mill Woods hospital in April of 1988 and close the emergency department at the Edmonton General, the Mill Woods hospital will have an emergency department. There will be no reduction; in fact, there will be some increase in the level of emergency department services in the city of Edmonton.

The second thing I should say is that on a per capita basis and a location basis and a number of hospitals basis, this city compares with any city in North America in terms of its emergency services.

The third thing that I should say relates to a redevelopment

plan for the Royal Alex hospital that has been under consideration for the last six to eight months. Originally my predecessor, the hon. Minister of Advanced Education and Deputy Premier, had reached an agreement with the Royal Alex hospital that they would have something just under \$50 million -- I believe it was \$48 million -- for a redevelopment of the hospital. The board then did some studies and indicated early last winter that they felt those dollars were insufficient. Our Premier had a tour of that hospital -- I believe it was in April of 1986 -- and asked them if they would resubmit a plan, based upon their larger figure, that would see the redevelopment of the entire hospital, which incidentally includes major and significant changes to the emergency department.

The hospital has since that time been working on a new proposal. When we receive that new proposal -- and I'm not suggesting it's late; it takes some time to do that -- we will then be in a position to analyze it and to pass a judgment decision as to whether or not the dollar expenditures could be provided for a complete refurbishing of the Royal Alex hospital in accordance with the way the board has wanted it to proceed. I don't know what the time frame is on that, but certainly within the next few months I'd hope we'd receive their submission.

MR. MARTIN: I guess the answer to the question is that they're not going to do anything in that year I'm talking about. But my question has to do with April 8, before the provincial election. Going back to the Premier, he said, and I quote, in *Hansard*:

It is the position of the government that when additional funding is proven to be needed, that funding is provided.

Mr. Speaker, we have 80,000 emergency cases crowded in a year into the Royal Alex. They're supposed to only handle 25,000. My question is to the minister: what more proof does this government need that the funding at the Royal Alex is inadequate, and when will they do something about it?

MR. M. MOORE: Mr. Speaker, I apologize for having anticipated the hon. member's supplementary and having answered it in my first answer.

MR. MARTIN: Well, Mr. Speaker, all the people crowded into the Royal Alex really find that answer amusing; I can assure you. If he's been down there, there are people in the Royal Alex that are waiting for three, four, five, and six hours for emergency treatment, and now we're talking about closing 80 more beds at the Royal Alex. My question is: is this minister saying that he finds that an acceptable situation and he's going to do nothing about it?

MR. M. MOORE: Mr. Speaker, first of all, I just finished saying that in terms of emergency facilities, in terms of the location and number in this city, it presently compares favourably with any city in North America. We are opening an emergency service at the Mill Woods hospital when the Edmonton General one shuts down. I've just finished saying to the hon. member that the commitment to look at whether or not additional dollars are required for the Royal Alex is there, and it's following a regular procedure of their putting forward some detailed plans that we'll then look at and discuss with them. That hasn't happened because we haven't got the detailed plan yet, and we will in due course.

I don't know whether the hon. member wants us to simply jump in and commit all kinds of dollars without a plan. Now, we're not accustomed to doing that, certainly not in these difficult times, and the Royal Alex hospital board understands that and is working very well with us on a plan that will alleviate whatever problems they might have with their emergency department. I know it's crowded. I've been there; I've seen it. I also know -- and I mentioned this yesterday -- that we have to find some way to avoid the overloading of emergency departments with people who truly are not emergencies. That's one of the problems we face in the entire hospital system, not just in Edmonton but right across Canada.

MR. MARTIN: Supplementary question, Mr. Speaker. It's nice to know that we're studying the problem as people are lining up for emergency care. But without a commitment at this time to the expansion of the Royal Alex, what advice does the minister give to the ambulance drivers that a possibility of 14,000 new emergency cases from the General -- where do they take these people in view of the situation at the Royal Alex right now?

MR. M. MOORE: Mr. Speaker, the situation will be considerably improved with the opening of the Mills Woods hospital and the emergency department there, in that the downtown area that is now served by the Edmonton General hospital is within three kilometres of three other hospitals, the Royal Alex and the University being in the closest proximity. We've now got people coming from the Mill Woods area to the General and to the University hospital and to the Misericordia that will in future go to that hospital. So when you look at the total situation in the city of Edmonton relative to emergency services, we'll be better served with the opening of the Mill Woods hospital in terms of distribution of emergency centres and quick access by ambulance or whatever by our citizens. So I think we've made a very good decision.

With regard to the Royal Alex again, there was a commitment for \$48 million of capital upgrading funds about two years ago. What we're looking at now is a request to expand that to something greater, and we said we will consider that upon the receipt of detailed plans which are still coming. So I don't know how to change that commitment without getting, as we responsibly should I think, some details as to what the hospital proposes to do.

MR. SPEAKER: Supplementary, Member for Edmonton Meadowlark.

Hospital Funding

MR. MITCHELL: Thank you, Mr. Speaker. The opposition leader's case addresses a broader issue in cost cutting. That's the issue of irrational results which occur with across-the-board cuts in services like medical care and education. Some institutions have different needs than other institutions.

SOME HON. MEMBERS: Question.

MR. MITCHELL: Can the minister please tell us how hospitals like the Misericordia hospital in the riding of Edmonton Meadowlark, which are servicing rapidly expanding population bases, can be expected to absorb arbitrary across-the-board 3 percent cuts which may or may not have any relationship at all to the level of demand for their services? Who is

co-ordinating ...

MR. SPEAKER: Hon. member, more than a succinct supplementary. Minister, please.

MR. M. MOORE: Well, I think again yesterday we dealt to some extent with this question of hospital cuts. We've asked for a 3 percent cut in actual dollars that are going to hospitals in the coming budget year, and that, coupled with inflation, runs at about 7 percent that the hospitals have to reduce their budgets. A better way of looking at it is that they will have 93 percent as much next year to work with as they have this year. There are an awful lot of people in our society who are out of jobs and out of work that would like to have 93 percent of what they had last year.

The facts of the matter are that every hospital is going to be different. Some will look at their entire program, and they'll cut administrative costs and they'll cut on supplies. Some will decide that their rooms and beds can't be occupied by surgery patients for one and two and three and four days before surgery but that they must come in the morning of surgery. They'll find a variety of ways to improve their operations and cut those costs. It's not a matter of the government being big and bad. We have no choice but to reduce medical care costs in this province to something that's acceptable. I don't know how we pay for it otherwise.

MR. SPEAKER: Supplementary question, Member for Red Deer North.

MR. DAY: To the minister of hospitals, Mr. Speaker. Can the minister tell us in light of his recent statement that this province spends more money per capita on health care than any other province, how that translates into acute care beds per capita as compared with other provinces?

MR. M. MOORE: Well, I made a statement at the annual meeting of the Alberta Hospital Association in November with respect to acute care beds. Alberta presently has 5.5 acute care beds per 1,000 population. British Columbia and Ontario, two comparable provinces, are both down to just over four beds per 1,000, and their target is four beds per 1,000 population. The new target in this province is four beds per 1,000. I have to recognize that regional referral centres like Edmonton and Calgary and some of the other regions will have more beds than the four, but that's our target. Surely if we can have the kind of health care they've got in Ontario or British Columbia at four beds per 1,000, we can do the same. I think we just have to make much better use of the facilities we have. The mail that I'm getting from doctors, from chiefs of medical staff right across this province now indicates that everybody is trying very hard to make that work. And I appreciate the ...

MR. SPEAKER: Thank you, hon. minister. Leader of the Opposition -- leader of the Liberal Party, main question.

Health Care Services

MR. TAYLOR: Thank you for the Freudian slip. Mr. Speaker, at the risk of being accused of picking on the defenceless, I too would like to ask questions of the Minister of Hospitals and Medical Care. While I welcome the initiative announced in the throne speech for a thorough review of health care, I was very

concerned that the minister of hospitals was acting on his own agenda without widely consulting the people or the consumers of medical care, the people of Alberta. I'm very concerned that some of the initiatives discussed by the minister will do irreparable damage to health care in this province, particularly the deinsurance of medical services.

Now, does the minister intend to further deinsure medical services in an effort to cut health care costs, and if so, how much will the province save? How much does he think we will save by deinsuring various medical procedures?

MR. M. MOORE: Certainly I indicated earlier that we are looking at some areas presently covered by the health care insurance plan that are not medically required that might be deinsured. The reason for doing that is to try to save dollars that can be used for medically required services. There is a long list of suggestions that have been made by people right across this province, both citizens and doctors. I'm looking at that list, and when I have an opportunity to complete my review, we'll bring it forward. I could advise the hon. member, if it's helpful, that the Progressive Conservative caucus had a meeting this morning and discussed some of those items, one of which is the issue of the annual physical examination that I've talked about, and we made a decision that that should stay in the health care insurance plan. We will be making those decisions hopefully with regard to all the matters and announcing them in due course. But I did want to indicate that's just one of the things that happened today.

MR. SPEAKER: Supplementary.

MR. TAYLOR: Thank you, Mr. Speaker. I'm glad the Conservative caucus discusses things besides capital punishment, cutting the hands off pickpockets. But can the minister confirm whether the Alberta Medical Association has provided him with their preferred list of medical services that they would like to see deinsured?

MR. M. MOORE: The Alberta Medical Association, dozens and dozens of doctors, and hundreds of citizens have provided me with lists of things they think should be deinsured.

MR. TAYLOR: Supplementary to the minister. When can we get this list of what he thinks should be deinsured so that the public may be able to put their input onto the deinsured list on the table?

MR. M. MOORE: The hon. member doesn't understand the system that is operating here. We had an event last May 9 in which 82, 83 people -- I'm not sure how many; 82, I guess, with the hon. member from Westlock -- were elected to the Legislature. Government caucus colleagues of mine have been making representations on behalf of their citizens from time to time, and I invite opposition members to do that as well. I have no way of surveying the general public other than by its elected representatives, and that's what this forum is all about. So I'd appreciate receiving from the hon. member or anybody else their suggestions -- I've received none from the Official Opposition -- as to what might be deinsured that's not medically required.

MR. TAYLOR: Mr. Speaker, our list is simple: don't take anything out.

Yesterday the minister noted that an informal review

process, which he claimed to be fairly "thorough," is in place to consider the question of medically and non medically required services. But can he tell the House whether he is seeking input from consumer groups or representatives of the public? We've talked about everyone, but not the consumer groups. When are you going to seek that?

MR. M. MOORE: Well, this morning. There are the representatives of the consumer groups in this province. Hopefully there are some across the way as well. And I'm getting all kinds of representations. We even made some decisions this morning.

MR. R. SPEAKER: A question to the minister. Can the minister assure this Assembly that groups that are now insured that come under the Alberta health care insurance program, such as the podiatrist, the chiropractor -- and there are some others -- will be consulted thoroughly before any of their services are deinsured?

MR. M. MOORE: Mr. Speaker, yes, I have already met with representatives, at least the presidents of some of those associations, and before we make any final decisions with respect to altering the insurance coverage for podiatrists, optometrists, physiotherapists, chiropractors -- those professions that don't fall under the Canada Health Act -- I can assure the hon. member that there will be full consultation by myself with their organizations.

MR. SPEAKER: Member for Edmonton Highlands.

MS BARRETT: Thank you, Mr. Speaker. Will the minister explain on what basis he's resisting holding public hearings prior to making any decisions about deinsuring any currently covered health care services?

MR. M. MOORE: Mr. Speaker, I'm not resisting anything. This is a public forum, and my office is accepting phone calls and letters by the hundreds about the entire issue of health care and what might be insured and not insured. I'd invite the members of the opposition to let me know what their thoughts are. Certainly the government members have been. Consumer groups right across this province are free to make their representations known. I don't know how much greater a public forum you could get than what we've got right here or what's been going on over the course of the last several weeks.

Farm Credit Stability Program

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of Agriculture. It's with regard to the Alberta farm credit stability program. Could the minister indicate to this Assembly what portion of the \$2 billion allocated to that program is still available for loans?

MR. ELZINGA: Mr. Speaker, I'm happy to report to the House that there is approximately \$400 million left of the \$2 billion program that we announced at the opening of the previous session. We've had close to 14,000 participants involve themselves in this very worthwhile program to date.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Could the minister indicate how much of the \$1.6 billion went to new loans and how much went to refinancing

existing loans?

MR. ELZINGA: Mr. Speaker, I'm delighted to report to the House those figures, in view of the fact that when we introduced the program we indicated our projections were that we were hopeful about 75 percent of that would be used for refinancing purposes. As the House will recall, the Member for Westlock-Sturgeon indicated that our hopes were too high. I'm more than happy to report that to date there has been close to 90 percent of that fund gone for refinancing purposes and close to 80 percent of the applicants are using it for a 20-year period.

MR. R. SPEAKER: Mr. Speaker, a supplementary. Could the minister indicate what portion of the refinance allotment went to AADC, the Farm Credit Corporation, or banking institutions or other types of lending institutions?

MR. ELZINGA: For an exact percentage breakdown -- and the hon. member, I recognize, would like a percentage breakdown of what went where -- the Farm Credit Corporation, Mr. Speaker, has taken up less than \$100 million to date. Under the ADC, I believe somewhere in the vicinity of \$143 million has been used by individuals who have participated in financing their loans through the Alberta Agricultural Development Corporation, but of that, only \$6 million and some odd were actual rollovers. The Treasury Branch has been the firm involved with the largest take-up of the program, whereby they've been involved with somewhere in the vicinity of 27 percent. If the member would like a specific breakdown of what banks have been involved in the process, I'm more than happy to give him the exact figures.

MR. R. SPEAKER: Mr. Speaker, a final supplementary. A number of members of the community indicate their concern that many of the loans were provided for those people that didn't need the loans, those that have adequate equity and a relatively good cash flow. Could the minister indicate whether that representation has been made to his office, and have there been any corrections or adjustments or a review made in the program in light of that concern?

MR. ELZINGA: Mr. Speaker, if there are any specific complaints, we have an individual who is administering the program. We're more than happy to take the individual farmer's representations or individual member's representations and go to the bank on their behalf to make inquiries to make sure that the criteria we have established are being followed. I'm happy to report to the member too -- and I'm not sure of the amount that is involved with the other lending institutions, but with ADC that \$6 million and some odd that I referred to earlier was individuals that were in arrears that we rolled over into this program, because we made the program well beyond the traditional lending practices so that individuals could participate. I acknowledge that it's not going to wrap everybody into the program -- and regretfully so -- but it's a very worthwhile program, as has been established by the individuals that have participated to date.

MR. TAYLOR: Supplementary, Mr. Speaker, to the Minister of Agriculture. Maybe he could inform or share with the House whether or not there were any terms in the contract signed for the long-term loans for farmers to take advantage of the interest rates that are literally falling out of bed, you might say, in the

international monetary markets now. Nine percent looked good a year or so ago, but right now a lot less.

MR. ELZINGA: Mr. Speaker, that is something we will analyze on an ongoing basis, but I would like the hon. member to point out to me where he or any farmer at the present time could borrow money for less than 9 percent. If he would do that, I would appreciate it very much, because I'm unaware of any institution that will [lend] money to our farming population at 9 percent in this present day.

If I could indicate too, Mr. Speaker, there has been some concern expressed that we haven't been fair in our allocation to individual constituencies, the constituents themselves or the individuals that do apply for funding. It would be of interest to the Member for Little Bow that his constituency has been one that has been involved in the greatest take-up -- its just fallen to second place -- whereby there has been in excess of 470 farmers participating in this worthwhile program.

MR. PIQUETTE: To the Minister of Agriculture. Is the minister aware that quite a few farmers have been refused, to refinance their farm machines, a financing plan like through John Deere, through the 9 percent stabilization plan, which are very often written at 15, 16 percent?

MR. ELZINGA: Mr. Speaker, the program is in place to take into account those aspects of farmer financing. It is our hope that if the member does have some complaints, he would relay them to our office; we would look into their legitimacy. We also have to acknowledge, even though we've gone well beyond traditional lending criteria, there is still some lending criteria there so that all the bad loans are not dumped on the backs of government so to speak, so that the banks don't simply get rid of all their bad loans, or whatever lending institutions are involved, to make sure that we are proper stewards of the Alberta taxpayers' money.

DR. WEST: To the minister. Could he indicate what percentage of the \$1.5 billion take-up is used in refinancing of old loans, and could he indicate if there's any bank at the present time giving 20-year money at 9 percent?

MR. ELZINGA: Mr. Speaker, I responded in an indirect way to the hon. Member for Little Bow with regard to that, whereby 90 percent of the \$1.6 billion that has been taken up is being used for refinancing purposes. If the hon. member would like to have a breakdown as to transactions involved from rollover within one institution or from rollovers from one institution to another as it relates to refinancing, I'm more than happy to share those figures with him also. And I also indicated that close to 80 percent of the funds to date have gone for a 20-year period.

MR. SPEAKER: Member for Banff-Cochrane, followed by the Member for Edmonton Glengarry. All the questions on that particular issue have expired.

Pension Benefits

MR. STEVENS: Mr. Speaker, my question is to the Minister of Social Services. The constituents I represent assure me that they are aware of the generous benefits that are received by senior citizens in this province. However, there has been a glitch as of January 1. Can the minister advise why the Canada Pension

Plan is considered as income under Alberta's assured income for the severely handicapped, the Alberta widow and widower's pension, and the Alberta assured income plans?

MRS. OSTERMAN: Mr. Speaker, the hon. member led off his question by relating to the seniors' pension, and I believe that may be because in the past we have to some degree followed the income that has been allowed under the guaranteed income supplement for seniors, whatever income was allowable under that program. We have historically followed the same pattern with respect to the Alberta income for the severely handicapped and the widow's pension plan. The federal government, as you know, regulates the various incomes that are allowable, either exempted or taken into consideration under the guaranteed income supplement, and we have used precisely that same information.

MR. STEVENS: Supplementary, Mr. Speaker, to the minister. For some people the increases in the Canada Pension Plan disability benefits now mean a direct decrease in provincial benefits. Can the minister assure the House that she is satisfied that, as a result of this, this is a fair or equitable system for Albertans in receipt of these incomes?

MRS. OSTERMAN: Mr. Speaker, it has been brought to my attention that under certain circumstances income received from a federal pension -- and it then becomes, for the same purposes, income under our pension programs -- is counted in the income tax formula, and when they pay tax on that amount, they in fact could end up with a net decrease. Unfortunately, the way we have framed our regulations in following the guaranteed income supplement, we are required as a result of the federal rules to accept this as income. However, I would say, having had this brought to my attention earlier on in the year, that I have had my deputy minister in touch, just at a recent meeting, with the federal deputy. I have also written to Mr. Epp about this situation.

I think it would be also important for hon. members to understand that in the case of Alberta's two pension programs that are just under discussion here, the AISH and the widows' pension, we handle those two particular areas unlike any other government in Canada. They deliver their programs strictly on a social allowance basis, which requires those people who would be handled differently in Alberta to divest themselves of all their assets. So, indeed, our pension plan, notwithstanding the problems we're now encountering, is still far more generous than any other province in the country.

MR. STEVENS: Mr. Speaker, to the minister. I'm sure every member appreciates that discussions have been initiated by her with her federal counterpart. Can she assure the Assembly then that as she receives advice, or if she is able to successfully negotiate changes, this information will be made available not only to the Assembly but to recipients of the various programs?

MRS. OSTERMAN: Yes, Mr. Speaker.

MR. SPEAKER: The Chair just flipped a coin. It's Edmonton Gold Bar.

MRS. HEWES: Mr. Speaker, I won that contest anyway.

Mr. Speaker, on the same subject to the minister. Is the minister working on any plans to reduce the discrepancy that exists in Alberta in income assistance between elderly widowed, elderly

divorced, or elderly single women.

MRS. OSTERMAN: Mr. Speaker, the pension plan that we presently have in place is specifically for widows and widowers, and it isn't my intention at this time to introduce any other legislation.

MR. SPEAKER: Member for Edmonton Glengarry, followed by the Member for Edmonton Gold Bar.

Outfitting Industry

MR. YOUNIE: Thank you, Mr. Speaker. I've received information just recently indicating that an Alberta guide at some point prior to September 1986, sold an allotment of bighorn sheep tags to a Mr. Ken Trudell, a businessman from Green Bay, Wisconsin, and that sale would contravene Alberta's laws, and that Mr. Trudell has booked hunts with foreigners for the fall of 1986 and 1987.

My question for the . . .

MR. SPEAKER: Hon. member, with great care, the specifics of the question is directing the question almost to the Order Paper, so the question is looked forward to with great anticipation.

MR. YOUNIE: Okay. I would assume the minister is aware of the sale and ask what action he has taken to reverse the sale and prevent such sales in the future.

MR. SPARROW: Mr. Speaker, that specific sale has not been brought to my attention, and if you can give me the information you have, I'll gladly look into it.

MR. YOUNIE: Thank you, Mr. Speaker. I'll table that information right now with the Assembly. I have 85 copies of it right here. It involves a letter and a signed contract from the businessman to a prospective customer, both of whom are out of the province.

In view of the probability that existing laws were insufficient to prevent out-of-country sales, how does the minister support his department's claim that allowing transferability, as outlined in proposed policies, will prevent the widespread sale of the outfitting industry to foreign outfitters?

MR. SPARROW: Mr. Speaker, currently our guiding and outfitting in the province of Alberta is an open system, and it's out of control in a lot of areas. We have no performance standards, and that's why we have a new policy. We have no performance standards; we have no bonding requirements; we have no updated testing requirements. The future of outfitting and guiding in this province is in jeopardy if a policy is not put into place. We're the only jurisdiction, Mr. Speaker, in Canada that does not regulate the guiding industry as a tourism opportunity and laying out where the guides can go and what they can do. Every one of the guiding associations in this province and Alberta Fish & Game have identified that the policy is definitely needed, and a lot of input has gone into this policy. Unfortunately, we did not receive any input from our learned friend until after the policy was finalized.

MR. YOUNIE: Thank you. But one of his officials did phone and ask for that the other day, and I appreciate it. Will the min-

ister commit himself to a full investigation of this transfer of permits and take whatever actions are necessary through the Attorney General's department to reverse the transfer of permits?

MR. SPARROW: Mr. Speaker, he's very specifically talking about the first question, and I can't answer that until I see the information. But I would like to take this opportunity because of the principal of this issue. We've had a lot of public input on the whole process of designing the new policy. In the past three years we've had an advisory committee chaired by Jack Campbell -- it was comprised of outfitters and guides throughout the province, along with Alberta Fish & Game -- who went over the basic principles, one being transferability. In 1982 the fish and wildlife policy of Alberta stated that transferability was acceptable as part and parcel of this policy. We proceeded through that policy on this specific issue, and many times since 1982 it's been voted on, right up until it went out at its final stage prior to public input last fall. The seven organizations in this province that represent outfitters and guides, along with Alberta Fish & Game and our staff and the committee chaired by Jack, went over each and every item within that policy, and only one organization did not like the idea, out of the total, of transferability. So I think we've had demonstrated . . .

MR. SPEAKER: Thank you, hon. member. Order. In debate I assume many people in the gallery don't know who our friend Jack is, and we would refer to the hon. Member for Rocky Mountain House. Thank you. Final supplementary.

MR. YOUNIE: Thank you, Mr. Speaker. The association that did not agree with it is the largest in the province though. In view of the possibility that the new outfitter guide proposals that the minister speaks of may lead to considerable foreign control of Alberta's outfitting industry, will the minister commit himself to putting an indefinite hold on this policy until the present situation I've outlined has been thoroughly investigated and the economic impact of his proposed policy has been fully studied, which it has not yet?

MR. SPARROW: Mr. Speaker, the answer to that question is no. The policy that's in place has been adopted and an advisory committee will be working on implementing and fine-tuning the policy with our staff throughout 1987. No new permits will be issued until 1988, and we're waiting now for organizations that have been requested to send their representatives' names in. There are several on that committee that is going to be working with the policy -- some 17 members. All seven organizations that represent outfitters will be represented on that, including the alliance, and we have several MLAs represented on it, Alberta Fish & Game, the Metis Association, the Indian Association. They will be working on the fine-tuning of that policy.

MR. SPEAKER: The time for question period has expired, hon. members. [interjections] With due respect, this is not a game of jack-in-the-box.

The Chair would like to put to the House: does the House give unanimous consent to finishing this complete set of questions. All those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed? Thank you.

The Chair now recognizes the Member for Calgary Buffalo

if it's on this issue. Thank you.

MR. CHUMIR: Thank you, Mr. Speaker. The minister's new regulations have the effect of freezing the entry of new guides into the business and eliminate future competition in guiding. Why is the minister of this free-enterprise government choosing an option which has within it the seeds of future monopoly by large enterprises instead of open competition which allows the little guy to have a chance in the future?

MR. SPARROW: I've clearly stated and the policy is designed to make sure that every guide or outfitter that is in the business today will have the same opportunity to have that legal business cany on under the new policy. With reference to creating less jobs, as was referenced to yesterday, there are new opportunities all the way through Alberta for expansion for the outfitter and guide trades. A good example is antelope areas in southern Alberta -- a whole new opportunity for guiding in that area. Very definitely we will not create less jobs. Everyone will be grandfathered into the new system. Whatever he was legally doing last year he will be legally doing next year.

MR. DOWNEY: I understand that one of the reasons for bringing forward the new guiding and outfitting policy was situations where a large number of hunting parties would concentrate in certain wildlife management units. Could the minister maybe describe the situation that was occurring in some of those wildlife management units, particularly in the Eastern Slopes region?

MR. SPARROW: Yes, Mr. Speaker. Currently the outfitting and guiding industry is negatively affecting many areas because there is a concentration of guides in one area. It's negative to Albertans in the opportunities for Albertans.

I think it's important that we point out the objectives of the policy. It refers to what our main job is. First off, the policy is looking at protecting the wildlife resource; secondly, ensuring that residential Alberta hunting opportunities come first; and thirdly, if there's an opportunity, to allow for a manageable outfitting and guiding industry that has standards and also works as a business operation that's aboveboard and legal.

MR. SPEAKER: The time for question period has expired. Might we revert briefly to Introduction of Bills.

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

head: **INTRODUCTION OF BILLS** (*reversion*)

MR. RUSSELL: Mr. Speaker, thank you to the members for allowing me to correct an omission on my part. Just to make sure that there's no doubt, I move that Bill 9 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

MR. SPEAKER: The Chair understands that the Member for Edmonton Glengarry wishes to rise to correct some statements made in yesterday's debate.

MR. YOUNIE: Thank you, Mr. Speaker. On the point, I would like to clarify two points from yesterday's debate in the Chamber. In my statements about forestry cutting, I erroneously stated that logging had occurred above the 6,500 foot level. I had intended to refer to reserve blocks above the 6,500 foot level, which I believe outline future plans for cutting, not present or past cutting.

In the same debate, though, the Minister of the Environment said that the Member for Edmonton Glengarry lied, and after reviewing *Hansard*, I am convinced that I did not lie. I respectfully request that the minister withdraw that term.

MR. KOWALSKI: The member is asking that I withdraw a statement that I made in the House on March 11, 1987. First of all, Mr. Speaker, let me make it clear that I did make the following statement, and I quote: "No. The Member for Edmonton Glengarry has just lied to the House, Mr. Speaker."

I rose on a point of order as per section 323(2) in *Beauchesne*, which states that a member can raise a point of order and that the proper time to raise a point of order is when certain "words are used and not afterwards." The point of order was raised by me, and my statement was made immediately after the Member for Edmonton Glengarry said, and I quote from the Blues:

And then I hear publicly that in fact the Minister of the Environment told the forestry officials that their job wasn't to stop the project but merely to minimize the damage. And that was quoted in the paper.

In fact, to my knowledge I have never been quoted in any paper on the subject raised by the member on March 11, 1987. I know that to be true because I have never had an interview with any reporter on the subject that the member was talking about. Furthermore, the Member for Glengarry said, and I quote:

In fact, the Minister of the Environment told the forestry officials that their job wasn't to stop the project but merely to minimize the damage.

Mr. Speaker, I have never made such a statement. In fact, I have never had any conversations with any forestry officials other than the Minister of Forestry, Lands and Wildlife and his executive assistant, and I most certainly never made the statement that the member said that I in fact made.

Mr. Speaker, the only defence that a member has in protecting his integrity is provided by the need to rise on a point of order and at that time to defend himself or herself and to correct misinformation in statements made by another member which are contrary to the facts. Section 322 of *Beauchesne* provides that, and I quote: "It is not unparliamentary temperately to criticize statements made by a member as being contrary to the facts." I did criticize statements made by the Member for Edmonton Glengarry as being contrary to the facts.

Section 320 of *Beauchesne* lists certain words or phrases that are unparliamentary. Included in the list is "lie: deliberately misstated the truth, not telling the truth; lie; [and] lies." *Beauchesne* does not include the word "lied" in its list of unparliamentary words. Nevertheless, Mr. Speaker, if it is deemed unparliamentary to use "lie: deliberately misstated the truth, not telling the truth; lie; and lies," I can accept a ruling from from you, sir, that usage of the word "lied" is not appropriate.

It is important to note, Mr. Speaker, that while section 322 of *Beauchesne* says "it is not unparliamentary temperately to criticize statements made by a member as being contrary to the facts," this section also states, and I quote: "No imputation of intentional falsehood is permissible"; end quote.

Let me make it clear, Mr. Speaker, to you and to all members that at no time have I imputed any intentional falsehood by the member. My point is simply this: the Member for Edmonton Glengarry did raise falsehoods, but he did not raise these falsehoods intentionally. The member simply did not know the truth. If the member had asked me if I had said such, I would have responded. The member chose not to, and in so doing, in my opinion, made emphatic statements that I had said or done certain things. I had no choice but to say what I did.

Members of this Assembly often hear rumours, reports, and statements made about other members. We all have a responsibility to ascertain the truth and truthfulness of such words before accepting them as truthful, and the most opportune method available to us is the asking of such member if the rumours, reports, and statements are true before accepting them as true. Section 322 clearly states, and I quote: "A statement by a Member respecting himself and particularly within his own knowledge must be accepted"; end quote.

Mr. Speaker, I did not say what the Member for Edmonton Glengarry says I said. I recognize, however, that the word "lied" is unparliamentary, and I would ask that the word be withdrawn. The integrity and the decorum of the Chair, the members in this Assembly, must be maintained.

Mr. Speaker, thank you.

MR. SPEAKER: The Chair appreciates the action by both members, that as the incident occurred in late yesterday afternoon's debate and did take some time, in the course of the usage of time the Chair appreciates the fact that both hon. members were in conversation with each other and came to this amicable conclusion.

Nevertheless, the Chair also wishes to point out that in the course of yesterday afternoon's debate there was a similar incident which has not been raised, and the Chair therefore cautions the House, cautions all hon. members, to indeed remember the fact that in debate the hon. member is responsible for his or her own comments. It is best to use your own comments and to use your own intellect, rather than to be quoting other sources which may or may not be putting forth third- or fourth- or fifth-hand or whatever information to this House. All hon. members are here to carry the weight of their own words, comments, and opinions, and are directly responsible for that. From time to time we may have differences of opinion as to the facts of the matter, but in terms of good parliamentary practice in this Chamber, being fully aware of the fact that we are indeed partisan politicians, nevertheless, within the confines of this Chamber we are called upon to be parliamentarians. And the Chair, therefore, is well assured that all members of the Assembly will indeed be a bit more judicious in the way they phrase their fascinating statements to the House at all times.

Thank you.

MR. M. MOORE: Mr. Speaker, I rise on a point of order. At the beginning of today's question period the hon. Leader of the Opposition made certain accusations with respect to the information which I had provided to the Legislature yesterday with respect to other provinces' health care insurance plans, more specifically with regard to the province of Saskatchewan. I invite, Mr. Speaker, the hon. Leader of the Opposition to consider his remarks and consider whether or not he wishes to make some correction.

The information I have developed since question period began would indicate as follows: that the Saskatchewan health

care insurance plan when it was designed in 1962 allowed two existing plans, namely the group medical services plan and Medical Services Incorporated, which had been providing insurance in Saskatchewan at that time, to continue to operate on a nonprofit basis and to bill citizens for medically required services and then to bill the same amount to the Saskatchewan health care insurance plan. The references that the hon. member sees in the Act are to that grandfathering of those two plans. There is in the Saskatchewan legislation no reference whatsoever to the prohibition of private insurance, and I think the record should be clear in this House that the information I provided was accurate and not as the hon. leader suggested.

MR. MARTIN: Supplementary -- not a supplementary question; I'm so used to standing across the way from the minister. The specific information I asked had to do with the fact that it had to be nonprofit, and I asked that very specifically to the minister in the second question. If he reviews *Hansard*, he'll find -- and that is very different from the Alberta situation. That's what I was talking about, and I made that very clear, if he goes back in *Hansard*.

MR. SPEAKER: There will be no further discussion on this point. I'm sure that exchange of information can take place outside the House rather than take up the time of private members' day.

MS BARRETT: On a point of order, Mr. Speaker. It is a different point of order. It refers to the one the Environment minister just raised. Mr. Speaker . . .

MR. SPEAKER: Which point of order?

MS BARRETT: The point of order he was addressing just a moment ago.

MR. SPEAKER: The Chair distinctly heard that this was a separate point of order.

MS BARRETT: Yes.

MR. SPEAKER: Well, with due . . .

MS BARRETT: I thought that in other words . . .

MR. SPEAKER: Order please, hon. member. With due respect, the Chair ruled. Once ruled, it's now a decision of the House, and we'll have to bring that back tomorrow.

The point is, with respect to all these manifold points of order that are suddenly developing this afternoon, especially with respect to information or misinformation or different interpretations of what the information really does mean, it's really eating further into private members' time, in terms of this afternoon. And all of us are enjoying -- not enjoying -- sufficient frustration about question period and the fact that other private members cannot get into that forum. So the Chair is a bit concerned that now again the House is even further encroaching upon the time of private members. So with due respect, perhaps consultation could take place outside of the House.

ORDERS OF THE DAY

MR. ANDERSON: Mr. Speaker, with respect to the questions

and motions on the Order Paper, I would move that questions 140, 141, 142, 145, 147, and 149-154, 157, 160, and 174 as well as motions for returns 161, 162, 164, and motions 166-173 stand and retain their places on the Order Paper.

[Motion carried]

head: WRITTEN QUESTIONS

ACTING CLERK: Question 143, Mrs. Hewes. [Several seconds of silence elapsed]

MRS. OSTERMAN: Mr. Speaker, I didn't know whether the hon. member was in fact going to move her question.

MRS. HEWES: Yes. Mr. Speaker. I'm sorry; I lost my place.

143. Mrs. Hewes asked the government the following question:

What is the government's estimate of the annual cost that could be incurred by extending pension benefits equivalent to the widow's pension to single Albertans of both sexes who are in the same age range and the same economic circumstances as a person qualifying for a pension under the Widows' Pension Act?

MRS. OSTERMAN: Mr. Speaker. I would decline to accept this question. It is a matter of research, and the hon. member has the capacity to do that research as well as the Department of Social Services.

144. Mr. Taylor asked the government the following question: What is the location of every environmental waste dump that has been identified by the government as a result of the request for public information made by the Minister of the Environment in July 1986?

MR. KOWALSKI: Mr. Speaker, the way the question is worded, I have to respond that the answer to the question is zero. The question basically talks about waste dumps that have been identified by the government. All hon. members will recall that we initiated in the fall of 1986 the help eliminate landfill pollution program, and those such dumps were identified by the public rather than the government. I would like to make the suggestion that I would be very pleased to provide the specific information requested by the member. I would like to make the suggestion that perhaps he put on the Order Paper a motion for return asking me to supply him with numbers with respect to the responses that we had on the help eliminate landfill pollution program, and we'll file them in response very, very quickly.

MR. TAYLOR: Well, I'm not so sure I agree to it. Not that I want to get so I sound like the Minister of the Environment and go on and on about nothing but ask just for every waste dump that has been identified by the government as a result of the request for public . . . We're not asking for government -- the thing is the result of public information. I don't see the difference; I don't see why you can't answer the question.

MR. KOWALSKI: Mr. Speaker, the way the question is worded, I did answer it.

MR. ANDERSON: Mr. Speaker, on a point of order. It's by consent of the rules of the House that questions in fact are accepted or rejected; the debate does not take place on the same.

MR. SPEAKER: Thank you, hon. minister. That is indeed the proper reading of 34(1). It's a yes or a no. Thank you.

MR. TAYLOR: I take it that was a no; he's refused to answer the question.

MR. KOWALSKI: No, that's incorrect, Mr. Speaker. I have answered the question. The answer is zero. And I have also provided a suggestion how he might . . .

MR. SPEAKER: Hon. minister. The Chair also directs the hon. Member for Westlock-Sturgeon to check the Blues and be able to understand what indeed took place. Next please, Clerk.

146. Mr. Pashak asked the government the following question: With regard to OC 556/85, authorizing a special warrant in the amount of \$1,119,250 to the Public Affairs Bureau for "Funding for Expo '86 (Alberta participation)," of which \$1,019,628 was expended:
- (1) in what categories of expenditure (e.g., wages and salaries, hosting, travel, accommodation, purchase of fixed assets, et cetera) was the money expended, and how much money was expended in each category;
 - (2) what were the names of persons paid with money provided by OC 556/85, and out of which category of expenditure were they paid; and
 - (3) what special circumstances surrounding Alberta's participation at Expo '86 emerged such that the need for the funds had been unanticipated, and the minister of Public Affairs at the time had to attest at July 12, 1985, that the additional \$1,119,250 was "urgently and immediately required"?

MR. PASHAK: I move that Question 146 standing on the Order Paper in my name retain its place.

MR. SPEAKER: The hon. Member for Calgary Forest Lawn.

MR. ANDERSON: Mr. Speaker, I think there's some clarification needed on the hon. member's last question, which suggested that it retain its place. Does he mean he doesn't wish it answered?

MR. PASHAK: [inaudible] move the question.

MR. SPEAKER: The Chair understands the difficulty that with an overloaded Order Paper we need to go slowly through the listing of what motions and questions do indeed stand on the Order Paper, and then we wouldn't have this confusion. The Chair takes it that indeed 146 does indeed retain its place on the Order Paper. Is that right, Deputy Government House Leader? So there is no need for any of this procedure.

MR. ANDERSON: Yes, Mr. Speaker; my apologies. I would move that it be added to the list that we previously suggested.

148. Mr. Sigurdson asked the government the following question:
For the 1985-86 fiscal year, in each instance of a person

receiving a grant of money from the Wild Rose Foundation, organized alphabetically by recipient's name:

- (1) what was the person's name,
- (2) how much money was granted to the person by the foundation, and
- (3) for what purpose was the money granted?

MR. ORMAN: Mr. Speaker, with respect to Question 148, yesterday I tabled with this Assembly the second annual report of the Wild Rose Foundation. The information requested by the Member for Edmonton Belmont is contained therein.

155. Ms Barrett on behalf of Mr. Piquette asked the government the following question:

Of those museums and other cultural institutions contacted by or on behalf of the Glenbow Museum and invited to participate in the museum's planned exhibition entitled "The Spirit Sings: Artistic Traditions of Canada's First Peoples" (time to coincide in part with the 1988 Winter Olympics):

- (1) how many were contacted;
- (2) how many have notified the Glenbow Museum that it is their intention to participate in the exhibition;
- (3) how many have notified the Glenbow Museum that it is their intention not to participate in the exhibition; and
- (4) in the instance of those institutions which have decided not to participate, and in each instance, what is the name of the institution and what reasons for the decision were given by the institution?

MR. ANDERSON: Mr. Speaker, with respect to Question 155, the government would be unable to provide that information. The Glenbow Museum is an arm's-length body. That information would have to be obtained from them.

156. Mr. Hawkesworth asked the government the following question:

In respect of the memoranda of September 22, 1986, and September 30, 1986, from the Minister of Recreation and Parks inviting members of the Legislative Assembly to apply for tickets to Olympic events through the minister's office:

- (1) what are the names of the MLAs who so applied for tickets; and
- (2) what are the names of the MLAs who were at least in part successful in receiving Olympics tickets through their applications to the minister's office, how many tickets did each receive and to which events, and how many tickets had each asked for and to which events?

MR. HAWKESWORTH: Mr. Speaker, I move Question 156 standing in my name.

MR. WEISS: Mr. Speaker, I'd like to advise the Assembly that I will be rejecting the question but I think that out of courtesy would outline a little bit of explanation to the hon. member. Keep in mind that as a courtesy through our office we provided the opportunity for MLAs to present their requests for tickets. There was no preferential ticket consideration given to any hon. member. The program is actually not a sponsored government program, and only the OCO, the organizing committee of the

Olympics, has the information that may or may not be available to the member if he should request it.

MR. SPEAKER: Hon. member, the Chair apologizes to the member and apologizes to the House, having received advice from the Parliamentary Counsel. Questions do not have to be moved; the government merely accepts or declines when the number is called. The Chair apologizes to the House. The Chair was confused with motions for a return. The last number called again, Clerk?

158. Mr. Hawkesworth asked the government the following question:

With regard to tickets for various events scheduled for the 1988 Winter Olympics:

- (1) how many tickets have been provided to the government for each event; and
- (2) what are the names of the persons to whom the tickets provided to the government are being given and how many tickets to which events is each person receiving?

MR. WEISS: Mr. Speaker. I would like to deal with the particular question and accept it. While it's not in a hypothetical form, the question is really premature at this time, because as the question reads, "How many tickets have been provided to the government for each event?" the specific answer is none. And of course, the second part of that question then becomes redundant. I would be prepared to provide at a later date, when accreditation has been finalized, the specific number when it is known.

159. Ms Barrett to ask the government the following question:

In respect of claims filed for flood damage compensation under the program announced July 24, 1986, by the minister responsible for Public Safety Services, what claims were received and what compensation was paid to

- (1) residents of the provincial electoral division of Barrhead,
 - (2) residents of the provincial electoral division of Edmonton Highlands,
 - (3) residents of the provincial electoral division of Edmonton Strathcona,
 - (4) other residents of the city of Edmonton, and
 - (5) other residents of the province of Alberta
- noting for each claimant the amount of the claim and the amount of the compensation paid but not identifying the claimant by name?

MR. KOWALSKI: Mr. Speaker, at this point in time I'm not prepared to accept the question. I would, however, like to make a suggestion as to the type of question that we would be able to accommodate. If the hon. member would have the similar type question returned and put as a motion for a return, perhaps requesting that they be identified according to municipal district rather than electoral district, we would be able to provide that information rather quickly.

The latter part of the question also notes for each claimant the amount of the claim and the amount of the compensation paid. That would require, I guess, a list of approximately 3,000 entries. I would be prepared to do that or have that done. However, if the member would perhaps suggest that in a municipal district there are 150, 175 or 200 claims and the total

amount for the claims accruing to that, we would be able to return with the information that much more quickly.

head: **MOTIONS FOR RETURNS**

163. Mr. Chumir moved that an order of the Assembly do issue for a return showing a copy of every study completed by or for the government of Alberta on the anticipated employment impact and/or economic impact of the changes to oil and gas royalties announced by the government of Alberta on October 29, 1986, including the extension of the royalty tax credit program, royalty reductions, and royalty holidays.

DR. WEBBER: Mr. Speaker, I reject that particular motion, in that that information is in-house information, advice to the minister which is confidential.

MR. CHUMIR: Well, Mr. Speaker, I would submit that this is merely further evidence of the attitude of the government with respect to making decisions behind closed doors and refusing to allow the people of Alberta to be informed as to the basis of government decisions, all of which was more specifically dealt with by the hon. Member for Edmonton Gold Bar in introducing my motion on that subject last Tuesday. I think it's scandalous. However, it's not surprising; there are many other examples. I would submit that the citizens of Alberta will not be pleased with this turn of events, and we'll certainly do our best to inform them of the government's attitudes.

MR. SPEAKER: Member for Calgary Forest Lawn.

MR. PASHAK: Yes, Mr. Speaker. I would like to add my voice in support of the member for Calgary . . .

MR. BRADLEY: On a point of order, Mr. Speaker. I believe the Member for Calgary Buffalo has already closed debate on this motion.

MR. SPEAKER: As being the mover. Thank you.

ACTING CLERK: Motion 165; Mr. Taylor.

DR. WEBBER: On a point of order, Mr. Speaker. Don't we have a vote on the motion?

MR. SPEAKER: The Chair is in the midst of attempting a consultation.

Okay. With respect to Motion 163, as proposed by the Member for Calgary Buffalo, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Hon. member, it's inappropriate to jump up before the second part of the question has been asked, St. Albert. With due apology.

The Chair was somewhat distracted, members. Those in favour of 163, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion fails. Call for the question. Division.

[Several members rose calling for a division. The division bell was rung]

[Eight minutes having elapsed, the House divided]

For the motion:

Barrett	Laing	Sigurdson
Chumir	Martin	Speaker, R.
Ewasiuk	McEachern	Strong
Gibeault	Mitchell	Taylor
Hawkesworth	Pashak	Wright
Hewes	Piquette	Younie

MR. SPEAKER: The Chair hesitates to interrupt, but perhaps there could be order in the House for the sake of the Table of-
ficers. Thank you.

Against the motion:

Adair	Elzinga	Oldring
Ady	Fischer	Osterman
Alger	Fjordbotten	Payne
Anderson	Gogo	Pengelly
Betkowski	Heron	Reid
Bogle	Hyland	Schumacher
Bradley	Isley	Shaben
Brassard	Jonson	Shrake
Campbell	Kowalski	Sparrow
Cassin	McCoy	Stevens
Cherry	Mirosh	Stewart
Clegg	Moore, M.	Trynchy
Cripps	Moore, R.	Webber
Day	Musgreave	Weiss
Downey	Musgrove	West
Elliot	Nelson	Zarusky

Totals: Ayes - 18 Noes - 48

[Motion lost]

165. Mr. Taylor moved that an order of the Assembly do issue for a return showing a copy of every agreement between Bow Valley Resource Services Ltd. and the Alberta Special Waste Management Corporation concluded since the creation of the corporation.

MR. KOWALSKI: Mr. Speaker, the government would be pleased to accept this motion. I should point out, however, that all of the documents have already been made public. The most recent document, the joint venture agreement, was forwarded to the leader of the Liberal Party on February 5, 1987, but I would be pleased to have all of these agreements xeroxed once again and provide it.

[Motion carried]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

203. Moved by Mr. Taylor:

Be it resolved that

- (1) there be established a special committee of the Legislative Assembly, consisting of nine members to be named by a separate resolution;
- (2) the committee investigate alternative systems of support for Alberta farmers, different from the current system of quotas and subsidies, to re-establish free market principles in the agricultural sector, reward efficient producers, assure farmers of a minimum income, and ensure that consumers pay reasonable and fair prices for food;
- (3) the committee report to the Legislative Assembly no later than the 15th sitting day of the 1988 session.

MR. TAYLOR: Thank you, Mr. Speaker. I don't know if it's in order. Could you refresh me on the rules of the House as to -- I believe you have to quit at 4:30. Does that mean that if I am still speaking at 4:30, it goes over to the next Tuesday or that it's dead at 4:30, regardless of whether I'm speaking or if there's a second person speaking? [interjections]

MR. SPEAKER: The hon. member is getting all sorts of advice from around the House, but I'm quite certain that the member can indeed apply his linguistic skills and his expertise and get right to it. 4:30, 4:30, 4:30.

MR. TAYLOR: The question wasn't my debating ability. I'm quite confident of that, having survived as a Liberal for 10 years in this outfit. But I was questioning what would happen if I am still speaking, Mr. Speaker, at 4:30. Can the Bill come up next Tuesday?

SOME HON. MEMBERS: No.

MR. R. SPEAKER: Mr. Speaker, speaking on the point of order that's before us, I believe that most likely the concern that the hon. member has is the definition between motions for returns and, as well, regular motions on the Order Paper by private members. I believe there are different rules that apply to each.

MR. ANDERSON: Mr. Speaker, on the point of order raised by the hon. member. I believe that with respect to the time allotment for the particular motion which the member is presenting this afternoon, it's my understanding that at 4:30 we move to Bills and Orders on the Order Paper and that that motion goes to the bottom of the Order Paper. He would, if time remains from his allotted speaking time, be able to finish that time when the motion comes up again, but it would go to the bottom of the Order Paper is my understanding.

MR. SPEAKER: Which one?

MR. ANDERSON: [Inaudible] under section 8.4 of the standing rules.

MR. SPEAKER: That is indeed correct.

MR. TAYLOR: Now that I'm clear, we can devote my attention to ...

MR. SPEAKER: Hon. member for Westlock-Sturgeon. the Chair apologizes. A moment. The Chair must dialogue with the Member for Little Bow as to the point of order that -- yours has now been covered? Thank you. Member for Westlock-Sturgeon.

MR. TAYLOR: Thank you very much. Mr. Chairman. It's not an impossible task, but it's been very close to impossible to shove this much education into the opposite side of the House so fast, but I will try. I have been saddled with a task almost as impossible in the past and sometimes succeeded.

In this particular motion where we're talking about studying the whole farm area, I think I'd first touch on the fact of how important the food production industry is in Alberta. Small statistics probably can be absorbed much easier. Farm cash receipts, although only a billion dollars annually in the 1970s, are now \$4 billion in 1986. It's gone up four times in 16 years, this in spite of the fact that there are anything but good times for agricultural products out there. Manufacturing of food products -- it's very interesting here -- has moved up from \$800 million to \$4 billion in '86. The manufacture of food products today equals that of the actual farm cash receipts, so there's really an \$8 billion industry.

When you look at an industry of that amount, of the \$4 billion in food products we now turn out, \$2.5 billion are exported internationally. And this is one of the points I would like the members to retain when they're thinking about my motion later on, in that our agricultural industry depends very heavily on exports. The agricultural industries of the U.S. and west Europe depend on their own market as a general rule to look after the majority of their product, so consequently they can put a closed economy together, almost treat their food production industries like utilities, guaranteeing them a rate of return, and that in turn can be handled by the rest of the economy because the rest of the economy is much larger in ratio to agriculture than ours is. Our agriculture is such a big industry here that it is almost impossible to subsidize it to the same rate in Canada as it is in the U.S. and in west Europe.

In addition, because we depend -- as I pointed out, \$2.5 billion of our product was exported -- we have to be competitive on the world market. So we have a double whammy, you might say, against farmers in Alberta. One is that we have to be competitive in the world markets because our population just isn't large enough to absorb all farm produce. And second, we're competing against agricultural industries in other countries that can be subsidized much more heavily because their nonagricultural industry outstrips or outbalances agriculture by such a large extent. And in fact you might say that those agricultural industries are literally dumping their goods on the world markets because it really doesn't matter that much to the country involved, because it is such a small part of the load that that country shares in keeping food production underway.

I guess the last reason we might touch on -- this doesn't apply to our American cousins, but it does apply to west Europe. Many of you have been in west Europe, and if you talk to a relative or anybody you've met over there, they all recall times of famine or near famine when food was very important indeed, so they have come to the realization or idea that food has to be subsidized. It's a utility they're looking after, and they want it to make sure they always have food in plentiful supply in case there's a famine in the future. We, fortunately, in North America have not gone through that, and consequently we

maybe have not put the value on an assured food supply that they do.

Add to that modern genetic engineering and biotechnical revolution, whatever you want to call it. But the old theories of Malthus held sway from the 1400s right through till just maybe 30-40 years ago, that eventually the world population would grow at such a clip, we would have a famine. It was almost axiomatic. It was almost like believing in the apocalypse or the end of the world. Everyone felt that there was no doubt that at the rate the population was growing, at the rate food production was going, there would be starvation. Consequently, one of the theories that has been built in the past in keeping agriculture underway is that if somehow or another we could do as the Premier does when he thinks about the oil industry -- put our hope in God and wait for shortages to come back -- the price will come around and indeed the agricultural industry will be bailed out. Those possibilities are rapidly fading, as I mentioned, due to technical advances and scientific advances. Food surpluses are a very real fact, not only today but maybe for some years, maybe even for centuries to come. In other words, it's not a question anymore of depending on food shortages to bring the price up; it's the question of producing food that the rest of the world will buy at a price that allows you to make a profit.

We look at what's happening also -- if I need any more things to drive home the difficulties the farm industry is in in Alberta, we look at farm bankruptcies, for instance. They've risen 500 percent in the last five years, gone up five times in five years. Total farm debt in Alberta was \$5.4 billion in 1986. In 1985, which was just a little more than a year ago, federal and provincial governments held only half this farm debt. Half the farm debt was held by federal and provincial governments. But in the mass turnover now of trying to save farms, governments in Canada have moved from half the farm debt to owning 70 percent of that farm debt.

In other words, today when a farmer is faced with a receiver or somebody marching onto his land, it's not some dirty old company from Bay Street, not some foreign capitalist that's closed in on him but likely his own government, his own government agencies. And this is one of the things that makes it even more difficult and more important that we consider farm debt review boards and other various means, because what we have is a part of our bureaucracy in effect being turned loose without controls that maybe should be put on them before they go ahead with their foreclosure and other proceedings. The federal government, of course, has acted quite responsibly in this matter and has informed their loan companies, their loan branches not to foreclose on farmers, put a moratorium on it, whereas the provincial government still operates under the theory that to the victor belongs the spoil, to the strong belongs the right to move in on the weak.

However, we have devised rather an intricate system over the last generation throughout the western world of providing assistance to the farm family. But maybe it's because of our puritan ethic, maybe it's because we always felt that we wanted to aid farmers or agriculturists in such a way that they wouldn't get a reward unless they were growing something. It had to be grown. We've come up with a system that has built -- and it's pretty much all through the western world -- based on production, much as the old system of jobs was for people in the cities or industrial workers. We didn't go out years ago and say, "Here's some unemployment insurance." We went out and said, "Well, we'll buy your shoes," or, "We'll buy your cars." We still see a little bit of the antediluvian philosophy when the govern-

ment today or the benches across there talk about the tar sand plants, upgraders, and that; that somehow or another if you give the people that are doing the building enough markets, the jobs will trickle down to the unemployed.

What we have found out -- in the industrial sector it was cheaper for society in the long run to get out of trying to keep an industry alive and instead put their financial aid directly where it is needed, to the employee. We invented unemployment insurance. Maybe it doesn't work absolutely perfect, but it works a lot better than the old idea of buying produce from factories, buying produce from industry, in order to retain jobs. In other words, we put the money of society or the state's money, if you want to call it that, right where it was needed, and that was at the employees. I submit today -- and one of the reasons we put this Bill forward and that the Alberta Liberal Party has a green paper out there on negative income tax is to point out that we have the same problem today that we had with the industrial worker in the 1920s and '30s. We have to move out of the idea that in order to aid a farm family, the best way to do it is by buying the produce they are producing regardless of whether we need it or not, at a price that, somehow or another, netted back to that family is going to keep them alive.

Why not make the direct leap into putting aid directly to the farm family, just as we do directly to the industrial worker -- in other words, a form of negative income tax, which is a form of cash flow that that farm family can continue to exist, can continue to move, on. That has tremendous advantages in many ways. First of all, we will be keeping farmers out in the rural areas by doing that. We're approaching the South American cure here in Alberta and in Canada, where you see as many as 500 farmers, it was reported the other day, may have to move off the farms this year. We're approaching the South American system, where we say to let the land change and let the people move in around the big cities -- the shantytown complex.

We have to remember that here in this part of North America we've developed a tremendous life-style out in our towns and villages in our rural areas. We've built schools, curling rinks, roads, all the accoutrements that make a reasonable quality of life in the rural areas. To desert them and move people now holus-bolus into the cities on some sort of a new income plan may be not only leaving the services out there but it makes us -- at a time when we're having trouble making ends meet anyhow, it makes government face the responsibility of trying to supply those services in the cities as they get overloaded from the mass transfer from the rural to the urban.

Secondly, by remembering that the rural areas are out there and working, we might also realize that the revolution that is under way, that is going on in agriculture today -- there is a distinct possibility that we may need every farmer that we are now encouraging to move off back there 10 years from now or five years from now because the advances in biotechnology and genetic engineering and the type of revolutions that are going on around the world, the type of growth we can do, the type of things we can do, will call for much higher and more intensive use of the land and therefore many more farmers. And we would be faced with having denuded our rural areas, cut down their services, and in the practice of trying to move them back out again. So it is well worth while remembering that.

Next, as far as the rural area is concerned and the quality of life we'd like to preserve out there by coming up with a negative income tax system, is that it allows the farmer to start making his own decisions. Right now -- if you'll pardon me reading just for a second ... Sorry, Mr. Speaker, I'm at that unhappy age

where if I wear my glasses, I can't see my book and if I don't wear my glasses, I have got to be so far away from it that I can't reach it. But the point is, looking through the statistics here of provincial agricultural assistance programs, in '85-'86 we spent \$880 million. That's before the election, when we found it necessary to go out there with a \$2 billion program.

But there are today 50 individual agriculture assistance programs here in Alberta. Thirty-eight are ongoing agricultural assistance programs. There's everything from feed grain, breeding program, nutritive processing assistance, summer farm employment program, livestock predator compensation program, provincial shelterbelt program, coyote control program -- I could go on and on. There's 50 of them. But we've put all these programs into place. And just recently this Alberta government, once again with its fascination for governing -- that crowd of free enterprisers over there that loves regulation, loves regulation more and more -- has come up in the last year with 14 new programs, from dugout construction, livestock drought assistance, farm fertilizer, Alberta feedgrain, review of the hog selling system, agricultural process, to marketing. It goes on and on and on. In other words, what we're doing now, today, is that we have a huge bureaucracy with the sole purpose of putting out aid programs to try to keep our family farm alive.

Why not, just as we did with the industrial workers a year ago, come up with a sort of unemployment insurance, if you want to call it that, a basic income or a negative income tax for farmers? So I know there will be many farmers, just as when unemployment insurance came in and old age pensions, that will say, well, if you do that, of course the Lord never intended men to get that kind of money, so therefore they're going to stand still. All of a sudden we'll have a whole countryside of farmers doing nothing. Well, it's been proven time and again throughout the western world that no matter what kind of assistance program you put forward, men and women by their own nature will not take advantage of it in numbers any more than 5 or 6 percent of the total. They'd rather work. They'd rather make money. They'd rather go out there and try to expand their income to a standard of living that's higher than the subsistence that's going to be granted to them.

In making the argument, I mentioned to the Minister of Agriculture -- just the other day I asked the hon. member whether he had looked at the Alberta green paper, and he came back with the surprising answer that it's a federal matter. Well, you know, I don't know how long he can get away with that. But income tax is a provincial matter. The fact that the federal government today collects income tax is that the provinces made a deal to do so. You don't have to travel very far to find that even in this province we collect our own corporation income tax. In Quebec they collect both the corporation and personal income tax. Ontario collects their own corporation tax. So income tax is a basic right of the province. Don't let anybody tell you. The Minister of Agriculture. I would expect, Mr. Speaker, is expected to know something about agriculture; therefore, I will excuse him not knowing anything about collecting taxes. But the fact is that the province not only has the right, it has the constitutional right, the constitutional duty to collect income taxes, corporate or personal. From time to time they may make a decision to pass it to the federal, as we did back many years ago in Alberta. We've reclaimed corporate lately. But it is something we can do ourselves.

So I just would like to get to the Legislature that I'm not suggesting that we drop the Liberal green paper on negative income tax. But what I am suggesting is that a nonpartisan committee

from this Assembly made up of nine members -- and I'll go so far as to let the Premier pick them. Because the sense of the arguments are there that we have to do something drastic in agriculture, not drastic from the point of view that'll upset everything but drastic from the point of view that we've got to move away from the system of aiding the farm family through buying produce whether it is needed or not, in effect exaggerating the surpluses that we have in many areas by paying for goods we already have in surplus. Not only that: by paying for them in surplus quantities, undercutting those that are able to produce them efficiently, letting the market get back to deciding what the market price of the product is, letting the farmer get back to deciding what he or she wants to raise, but have a protective floor or a protective base.

Even the oil companies. Big old mighty Esso won't build a plant unless they get so much money. Old Husky won't do an upgrader unless they get so much money. All these areas. For some reason or another we can work out a floor and a base for corporations in the resource industry, in the petrochemical industry. We'll have more questions in the House later as to how this big complex has taken off east of Red Deer and what promises were made on gas prices. But we can go on in many other areas. We have the corporate welfare bums, if you want to call them that, on one side; we have the industrial worker who is unionized on the other side. But the farmer in the middle is told that no, it's something sinful; there's something nonpurtan if you get money directly. You're going to have to grow so many pigs or grow so many bushels of this. We don't give a dam whether we want it or not; we don't give a dam whether we flush it away.

So we have a system that is absolutely inefficient, incompetent, that results in a huge bureaucracy, huge surpluses of products that we can't use, ties the farmer down so he cannot experiment and, at the same time, raises the price of goods to the consumer.

The consumer will buy this sort of system because the consumer can see the prices would be set by the laws of supply and demand, that the farmer himself would be in the competitive market of trying to get costs down because it would pay for, and maybe most important, keep our food production industry slim, competitive, and ready to go on the world's markets.

I suggest that this is a nonpartisan type of issue, because the whole issue of agriculture is too important. There's not a Liberal solution, an NDP solution, or a Conservative solution. When I talk about something like the negative income tax system, and investigating that, the most right-wing of right-wingers can see something and they love it. They like the idea of market, the market controlling the consumer product. The most left of left-wingers can see something in it, because what they're seeing is a basic support system that allows a family to live in dignity and in the area where they're at. So there's no political identification to this; it's something that cuts across all boundaries. Maybe Alberta, Alberta of all provinces, has a wonderful opportunity now to show, as they've often done in the past -- they initiated the CCF, the forerunner to the NDP, I know you may never forgive them for that. But they also, you right-wingers, initiated the Social Credit, the forerunners of what there is over there on the other side. So whether or not you want to admit to parentage on either side -- they admit CCF parentage; you should admit Social Credit parentage.

Now, the point is that this province has always been innovative, has always been imaginative, and I would challenge you -- I would challenge you on either side of this House -- to vote for

this resolution, vote for it and create this nine-member committee, because what have you got to lose? What have you got to lose? Who knows? Your names may go down in the history books as the ones that brought forth the first new idea in agriculture in 50 years.

Thank you, Mr. Speaker.

MR. SPEAKER: The Member for Stony Plain.

MR. HERON: Thank you, Mr. Speaker. I welcome the opportunity to debate the agricultural industry through Motion 203, debate in an effort to fully understand the problems and search out all the alternatives for a solution to the pressing farm problems we have today. I note the regional and central, that the world over is engaged in similar activities; that is, they're studying this problem the world over. It's certainly not unique to Alberta. I do look at Motion 203, for the most part, as being comparable to 201 discussed last Monday, dealing with Senate reform or Triple E. They both reinvent the wheel, the wheels put in motion by this government a year ago.

Mr. Speaker, in the case of Motion 203, the Hon. Shirley Cripps last session appointed the Alberta Agricultural Development Corporation Review Committee with a ministerial mandate to look at the problems facing Alberta farmers. I point out that our Premier and this government is on record as having placed a number one priority on agriculture. The many sensitive and caring programs which have been implemented with a pragmatic view have been well documented in this House. The appointment of the review committee was solid evidence of a very serious attempt to gain insight into the farm problem -- not by sitting in this Legislature, spouting off inaccurate doom and gloom statistics, but by going out as a committee from one end of this province to the other and listening to the problems of the farmers firsthand, collecting grassroots input for effective policy development which will not only help the farmer through this crisis but set out a blueprint for a strong and competitive farm economy for the next perhaps 10 to 20 years.

The committee was appointed from a strong background of agricultural producers. I note that seven of the eight members appointed are in fact producers. Three out of the eight are members of this Assembly, four out of the eight have farm lending backgrounds, and additionally they have a unique blend of academic and business experience.

MR. SPEAKER: Hon. member, the Chair hesitates to interrupt, but the time for debate has expired for this day.

head: **PUBLIC BILLS AND ORDERS**
OTHER THAN
GOVERNMENT BILLS AND ORDERS
(Second Reading)

Bill 201

An Act to Amend the Landlord and Tenant Act

MR. JONSON: Mr. Speaker, I rise to speak in favour of Bill 201. It's certainly a topic that is not unfamiliar to the members of the Assembly, and I'm sure that all members present will be able to agree with the spirit and intent of the Bill at this time.

This amendment to the Landlord and Tenant Act will provide protection to small businesspeople and retailers who may be forced to remain open seven days a week because of their particular landlord/tenant relationship. The Bill simply states

that store owners who are tenants should not have to operate seven days a week now that Sunday shopping exists so generally in this province. It also states that landlords cannot evict store owners who choose to open six days a week, a necessary backup. I think, to the first provision.

Mr. Speaker, if passed, the Bill would resolve one inequity that has come about in our society since the setting aside of the federal Lord's Day Act in April 1985. In that case the Supreme Court of Canada decided in a 6-0 decision that the Lord's Day Act violated the freedom of conscience and religion as guaranteed in the Charter of Rights and Freedoms.

[Mr. Musgreave in the Chair]

However, Mr. Speaker, I think it's very important to note that that particular judgment did not refer to whether or not it was possible, it was legal, for a provincial or local government jurisdiction to regulate hours of business operation. It was, and I would just repeat it, based on the matter of freedom of conscience and religion as guaranteed in the Charter of Rights and Freedoms.

Mr. Speaker, seven-day shopping has become part of the retail climate in Alberta since the federal Lord's Day Act was struck down. This has created a situation in the marketplace that can be detrimental to the small business retail sector. Store owners and managers and their employees who were working long hours already now must work an extra day every week in certain situations. In many cases, this is stretching them beyond their limits, and it is neither profitable nor reasonable in terms of pressures placed upon their life-style.

Mr. Speaker, following the Supreme Court decision, this government decided that decisions in respect to store openings and closings should remain in the jurisdiction of municipalities. Amendments were made to the Municipal Government Act reinforcing their authority in this area and increasing the fines and penalties that could be imposed for violation of the laws that they chose to pass. Having this position of noninterference in the regulation of shopping, we as a government sat back in the hopes that business would adjust to the new realities of the marketplace, and where this did not happen, municipalities would be able to deal with the situation.

Well, Mr. Speaker, unfortunately this has not happened. The Municipal Government Act has been criticized as being vague and discriminatory in this respect. Some municipal bylaws have been overturned by the courts, and many retailers and mall owners simply ignore city bylaws on this issue. To date, attempts to deal with this problem and others related to the regulation of hours of business operation under the provisions of the Municipal Government Act have not been very successful.

Mr. Speaker, weakness in the local option provision in the Municipal Government Act became apparent when the following examples of municipalities with Sunday shopping bylaws are analyzed. Mr. Speaker, a Provincial Court judge last summer struck down Red Deer's shopping bylaw, which aimed at shutting down most businesses on Sundays. In Wetaskiwin and Grande Prairie, Sunday closing bylaws have also been quashed by the courts. Neither Edmonton nor Calgary has enacted bylaws. However, quality of life associations in both cities are very close to having enough signatures to force plebiscites on the issue.

Mr. Speaker, members of this government, being aware of the general problem but also the particular specific issue that's dealt with in this Bill, have made various attempts in the past to

deal with it at the provincial level. This particular Bill has been introduced in the House three times: on May 1, 1985; April 7, 1986; and June 17, 1986. Other attempts to regulate a day of rest have been made by proposing a Retail Business Holidays Act, and every year since 1983 that Bill has been introduced.

However, the importance of introducing the Bill again, Mr. Speaker, I think has to be considered in light of some recent legal developments with respect to regulating business openings, with the goal of providing for one day of rest per week without relationship to Sunday or having any other religious connotation. The problem of all work and no play for many small businesspeople in this province still exists, and unfortunately this issue is not going to just disappear. I feel it should be dealt with at least to the degree provided for in this Bill.

The recent Supreme Court decision on Ontario's Retail Business Holidays Act has come out in favour of the Act, and all citizens of Ontario now enjoy one day a week away from work, be they employee or employer, tenant or, I suppose, landlord. This decision has reinforced similar Acts in British Columbia, Saskatchewan, Manitoba, Quebec, New Brunswick, Nova Scotia, Prince Edward Island, and Newfoundland; all have some form of retail business closing day Acts.

Mr. Speaker, the very fact that the entire country feels that this issue is important enough to be dealt with on a provincial level should indicate to us that we should consider supporting this Bill, even though, as I've said before, it deals with only one part of a general issue. We are lucky no one forces us to work seven days a week. I realize many of us do on occasion, but it is our choice or decision to do so, and we take a day off if we see fit. We certainly have at least that much latitude. But store owners operating out of certain locations, notably shopping malls, no longer have a choice about taking a day off if the location in which they are located requires seven-day-a-week shopping. This situation creates particular hardship for the family-run business, where husband and wife are run off their feet if they are required to operate every day of the week, week in and week out.

Mr. Speaker, what is being lost is the invaluable rest and respite following a stressful week of working. The treadmill has to stop periodically for us to get any satisfaction out of the tasks of life. Is it fair or reasonable that office workers, school teachers, and the thousands of other professionals, trade, and labour people are assured a day of rest and retailers in small malls are not? Maybe we should vote on whether all private and government offices and facilities are to offer their full services to the public on a seven-day-per-week basis.

Mr. Speaker, many stores acknowledge the unprofitability of seven-day opening and would be pleased to close one day if they could. The net result of being open seven days a week is a marginal increase in sales level and a significant increase in operating costs. Often that cost is paid by the retailer and will result in the closing of many marginal yet probably under other circumstances viable operators. Where the cost is not absorbed by the business, it will be paid by the consumer by way of increased prices.

Mr. Speaker, there are some important issues that I think should be included in any debate on this subject, and I would like to deal with some of them. The basic freedoms of religion and of choice should always be recognized by this government. All Albertans should be guaranteed a day off work to practise their religions if they so choose. Right now retailers operating out of malls with enforced seven-day-a-week shopping are being deprived of this freedom. One of the advantages of this Bill is

that it lacks any reference to religion but still protects this right. Basic freedom of choice also enters into the debate. If people want to operate stores seven days a week, they should be able to do so; others who do not want to operate seven days a week should not be forced to. The rights of stores to open should be balanced by the right to close. Forcing stores to open is as unfair as forcing them to close.

Mr. Speaker, another important and related issue is the matter of quality of life. Quality of life associations in major cities feel that the quality of family life is at stake if there is no day of rest and that a right to such a day should be entrenched in legislation. Reacting to the recent Supreme Court decision on the Ontario legislation, Ruth Wood, the Alberta president of the Consumers' Association of Canada, said that legislation is needed to assure families they can be together at least one day a week if they so wish.

Mr. Speaker, critics of this Bill in the past have suggested that the free-enterprise system is being tampered with and that the government will be interfering in contracts between private parties. Off the cuff, this seems to be a valid criticism. However, if we look closer, it is easy to see they are not. These critics feel that in a society committed to free enterprise -- and so be it -- business should be regulated by market, not political forces. This piece of legislation would not interfere with free-enterprise and laissez-faire economic forces. The Bill does not force retailers to do anything. Retailers will be able to decide whether they can or cannot afford to operate seven days a week, and surely their decision will be guided by the market.

Mr. Speaker, another side of the argument is that mall owners are being discriminated against. However, if we look at this in a reasonable fashion, we will realize that there is a limited number of Albertans and there is a threshold amount of money to be spent. Mall owners can rest assured that whether all the stores in their malls are open seven days a week or not, we will all spend. They are still going to get the money. If we are going to spend our money regardless, why should all the stores be open seven days a week?

Mr. Speaker, the small retailer does not benefit from this system as much as the larger owners and operators. What I'm referring to there is the possibility now that they can be required to operate seven days a week. That's kind of ironic, because in some cases the arguments against the Lord's Day Act and the Bills which have required closing for one day a week have been based on the fact that it gave an undue advantage to the small store owner. Now we have a situation where it's the reverse.

Mr. Speaker, the second major criticism of this Bill, that we will be interfering in private contracts, can also be refuted. This government, with its commitment to small business, should not hesitate to interfere in these particular contracts. The quashing of the Lord's Day Act has already substantially altered these contracts in a way which can result in great unfairness to small business. The Lord's Day Act was very much a part of the original contracts in many of these cases, and therefore the spirit and intent of them was never to make shop owners work seven days a week. The striking down of the Lord's Day Act was not for reasons related to hours of work or business operation, as I have already emphasized.

Now, we may think that mall owners, being reasonable people, would consider their contracts with merchants in light of legal Sunday shopping and renegotiate. However, in the majority of cases this is not happening. Certain mall owners have simply informed their stores they have to stay open Sundays, exercising powers merchants might not have agreed to had they

known they would lose the protection of the Lord's Day Act. Mr. Speaker, these people who went into agreements not knowing that they may someday be forced to be worked seven days a week should now have some recourse. This Bill is only an attempt to balance what has become a very unfair situation. Therefore, the government should not feel they are intruding on private contracts in this particular type of case. We are already, I might point out, involved in setting limits on many contracts of various types in our legislation.

Mr. Speaker, in summary, this Bill has several advantages. Number one, it presents a compromise to those dissatisfied with blanket no-shopping laws; secondly, from both a religious and a secular point of view, quality of life would be enhanced for those that it applies to; number three, the problem of municipalities' having sufficient powers and vague laws to deal with this issue would be dispelled; fourth, unfair or unsatisfactory negotiations between retailers and mall owners for closing days would no longer be a problem; and fifth, the Bill ensures freedom of choice for retailers and other business tenants with respect to having that one day of rest. Small retailers would be protected without unreasonable infringement on anyone else's rights, and as I've already pointed out, Mr. Speaker, it does not really interfere with free-enterprise or laissez-faire market forces, something I think we've always got to keep in mind in the general context.

Mr. Speaker, this is a reasonable request. If some people want to spend seven days a week working, they should be able to do so. If others do not want to work or operate their business -- and this deals particularly with the operation of business -- they should not be compelled to do so.

Mr. Speaker, I urge all members to support small business, the quality of life, and freedom of choice by showing support for this Bill.

MR. ACTING DEPUTY SPEAKER: The hon. Member for Calgary Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. This legislation addresses an important social issue. As the hon. member has just noted, the Supreme Court of Canada decided in the Big M Drug Mart case that the provincial Legislature cannot legislate for a religious day of rest and that such form of legislation is unconstitutional. On the other hand, in the Edwards Books case in the Supreme Court of Canada, in a decision rendered in late December of this year, it was stated that in fact our governments can designate a particular day of rest, including Sunday, if the intention of such legislation is to provide for a secular rather than a religious day of rest.

In the province of Alberta at the present time we provide restrictions on neither a religious nor a secular basis, and indeed public opinion is very split on the issue. However, it's very clear that a sizable number of Albertans do wish and do participate in Sunday shopping. This, however, does raise issues that are beyond any religious connotations and raise very important life-style and primarily family issues.

This legislation in Bill 201 tackles the issue from the direction of the impact upon the small business affected. It implicitly accepts the philosophy that if individuals wish to shop on Sunday and if businesses wish to remain open Sunday, that that should be their right. But it does say that a corollary of that proposition should be that if a business wishes to stay closed one day a week, then it should also have that right. Now, this legislation and the impetus behind the legislation is obviously

motivated by what are manifest problems arising from shopping centre leases and the position of owners of shopping centres who insist that all businesses in the centres remain open each and every day including Sunday upon pain of cancellation of the leases. I'm sure many if not all of us have had some complaints and been provided with some particular difficult example, as I have, of a small business forced to remain open, interfering with family life and often -- and I've had an example of this -- for a mere pittance of business.

This particular legislation addresses that specific problem, and it deals with that specific problem, because that's in fact where the difficulties are for at least one area where difficulty is arising with respect to the new regime of Sunday shopping. What it does is it addresses an imbalance of power similar to the manner in which labour legislation over the years has addressed that imbalance of power, and it interferes with contracts no more than does labour legislation which stipulates rules with respect to the days of rest and number of hours of work. It is, in effect, a reasonable compromise on this aspect of the Sunday shopping issue, and it's very, very important to small businesses who have operations in shopping centres.

The thing that is missing, and the hon. proposer of the Bill alluded to this, is an attempt to tackle the problem of the individual employee who is forced or requested to work on a Sunday. What happens if the small business in the shopping centre wishes to open on Sunday and the employee, for numerous reasons -- and the ones that are primarily relevant are reasons of religious conviction -- does not wish to work? The problem is less of a problem, still a problem but less of a problem, if a new job is involved and the terms of the particular job can be established in advance. But if the job is a pre-existing one and the business then decides to open on Sunday, the job which previously did not include Sunday work has now had its terms altered in a manner which may be of fundamental importance and significance to the employee involved. And it's important we attempt as a community to address that problem in the very best way that we are able to do so.

There is no easy solution to that problem. I certainly don't have one. But the best solution, at least to date, is one which has been considered to be implicit in human rights legislation. It's considered to be implicit in the Individual's Rights Protection Act, and it's certainly implicit in human rights legislation in many other jurisdictions in North America, both Canada and the United States, and that is that under circumstances when an employee wishes to have a day of rest as a result of religious conviction, there is an obligation and an onus upon the employer to make such reasonable accommodation as is possible to meet that desire. The emphasis is on "reasonable accommodation," because there may be circumstances in which it is not reasonable. Accordingly, if the employer can easily hire a replacement to do the job without seriously disrupting the business operations, the onus and the mandate are on the employer to do so.

On the other hand, if a problem does exist and that employee is indispensable or quasi-indispensable for reasons of special knowledge or ability, then the conundrum arises. And I don't have an answer to that conundrum, but I think we should be as clear as we possibly can in our community that there should be an onus upon the employer to do what the employer can to make reasonable accommodation. And to that end I would think that we would be well served in this community if our Individual's Rights Protection Act were amended so that the obligation and duty of reasonable accommodation were not merely implied but were overtly and clearly specified and that there were statements

made and that employers were made very clearly aware across the province of their obligation to make such accommodation.

There will probably be many, many hard cases as we adjust to changing practices with respect to business on Sunday in this province. These are regrettable. As the new rules settle in, ultimately the expectations of employers and employees will be adjusted so those who can't work on Sunday or other specific religious days will take jobs that don't require it. However, I believe we should not stop in our efforts to seek solutions and manners in which we can accommodate family and religious life and indeed other life-style considerations with respect to a day of rest.

In any event, I believe it will be manifest to this House that I support this legislation as a step in the right direction. It is certainly not the last word, perhaps not even the last word with respect to the core issue, with respect to shopping centres that it addresses, but it is a well-directed start, and I'm pleased to support it and congratulate the member for introducing the Bill.

MR. ACTING DEPUTY SPEAKER: The hon. Member for Olds-Didsbury.

MR. BRASSARD: Thank you, Mr. Speaker. I rise in support of the amendments as moved by the Member for Ponoka. We have noted the public debate over the increasing prevalence of seven-day-a-week shopping. We see many small businesses forced to remain open an extra day merely to remain competitive. I think it is obvious that the situation is a real catch-22. Once all stores are open for Sunday shopping, the net result will be a very small increase in the sales level and a very large increase in the operating costs. It is also obvious that the cost will be borne by the retailer and will undoubtedly result in the closing of many viable operations.

Where that cost cannot be absorbed by the business, then it is the consumers who will pay through increased prices. In keeping with this train of thought, Mr. Speaker, is the reality that consumers only have so much money to spend. Whether stores are open four, six, or seven days a week, consumers will spend the same amount. And if we are going to spend that money regardless, why should stores be open seven days a week? There are only so many televisions and chesterfields sold and only so many groceries purchased. In all honesty I feel people can manage more than adequately with the retailing hours provided in a six-day shopping week.

My second point, Mr. Speaker, is that seven-days-a-week shopping has taken away the one common day a week where we can all be assured of a break from the hustle and bustle of the working world. I accentuate the word "common," Mr. Speaker. For most families Sunday has always been the traditional day of rest. The benefits of a common day of rest are almost self-explanatory. When one family member works both days of the weekend and the rest of the family works or attends school during the week, it may be difficult or even impossible for them to find quality time for each other. Too many of our parents and family members are being required to work on Sundays, disrupting any chance to spend a needed day of rest and recreation together. The family unit suffers when work schedules do not mesh.

Communities suffer as well, since common involvement in community activities is no longer assured or even possible. I know this from personal experience. I used to work on a rotating shift, and I know it's no fun to be working when everyone else is off. Conversely, leisure time is hardly worth it when you

have no one to share it with because everyone else is working.

Quality of life for Albertans would be greatly enhanced by having a common day of rest. The day can be used as a day of worship, which I personally feel is vitally important. But whether this day is spent in worship or whether it is spent chasing a golf ball around the golf course or even just a picnic in the park, the fact remains that we are losing a very sensitive and critical portion of our family and community involvement to the dictates of the almighty marketplace. The point is that the day should be free for individuals to pursue whatever activities they wish in their all-important leisure time.

It is interesting to note, Mr. Speaker, that all the other provinces have shopping laws. The Ontario retail holidays Act was challenged last year in a flurry of publicity. The Supreme Court upheld the legislation. I think the Act which best exemplifies my feelings on the matter is the province of New Brunswick's Days of Rest Act. It was passed following the repeal of the federal Lord's Day Act. The Days of Rest Act requires most retail businesses to treat Sunday as a prescribed day of rest. It goes so far as to state that:

It is hereby recognized and declared that it is necessary to provide, as much as possible and practical, that such days of rest be uniform.

In closing, Mr. Speaker, I would like to borrow the analogy used by a Presbyterian minister in Calgary. He likened unrestricted, seven-day-a-week shopping to endless Christmas preparation: it is so emotionally and physically draining that many have little energy left to celebrate. What is being lost is the invaluable rest and respite following a week of stressful modern living. Keeping one day a week free of labours and purchasing can revive us for the challenges of the coming week.

Therefore, Mr. Speaker, I support the concerns and priorities that underline this issue, and thus I support this Bill.

MR. ACTING DEPUTY SPEAKER: Before I recognize the hon. Member for Calgary Buffalo, I wonder if we could revert briefly to Introduction of Special Guests.

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**
(*reversion*)

MR. BOGLE: Mr. Speaker, it's an extreme honour and privilege today to introduce to you and through you to members of the Assembly, two very distinguished Albertans who are in our gallery, Ron and Marg Southern. We all know the accomplishments of Ron in the business world and helping to promote Alberta-made products, and Albertans are learning with increasing pride of the accomplishments that Marg has made, with the strong support of Ron, in the development of Spruce Meadows as a world-class equestrian centre. Would members join with me in welcoming these two very fine Albertans.

head: **PUBLIC BILLS AND ORDERS
OTHER THAN
GOVERNMENT BILLS AND ORDERS
(Second Reading)**

Bill 201
An Act to Amend the Landlord and Tenant Act
(*continued*)

MR. ACTING DEPUTY SPEAKER: The Member for Calgary Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. Well, here is my hon. colleague introducing Bill 201, An Act to Amend the Landlord and Tenant Act. Here's one more attempt to respond to what other members have already noted is a matter of serious public concern in this province, and that is the matter of seven-day-a-week shopping. Well, I have to be honest with you, Mr. Speaker and the members of this Assembly. I feel sorry for him. And I feel sorry for all his colleagues in this government who support this Bill. I think this government should be embarrassed that one of their own members should be forced into a position where the only way that he can try and get his own government to respond to this particular social need in our province is to bring in a weak, limp, emasculated, impotent piece of legislation. Is this the best that the government can do in order to respond to this particular problem in our province?

Why not do nothing? At least if you did nothing, you would reflect the true intentions of the government on this particular issue. I'm amazed that this is being brought forward for a third time. It hasn't gone anywhere on two previous occasions; I don't see how it's likely to go forward on a third time either. And the reason is because it's obvious to this point that this government has no intention of acting on a common day of rest legislation in this province. And they should be ashamed of that fact, Mr. Speaker. I feel sorry that any government backbencher should once again have to parade out this old chestnut in an ineffective, impotent attempt to move their own government to act in support of people in their own constituencies who, like me in my constituency, are pushing me and asking me to do something meaningful on this issue.

Do members in this Legislature want to see some action on seven-day shopping? Then look to Manitoba. Just recently, in the last couple of weeks, a section of their shopping statute was thrown out in the courts. And the very next Sunday one of the megastores opened in Winnipeg. Before the end of that following week, that loophole was closed in that legislation, and it received the unanimous consent of that Legislature. Even the Conservatives in the opposition voted for it. Why? Because in Manitoba they have a government that is serious about this issue and they have a government that is in tune with the public sentiment, and every member of that Legislature understood that, which was why they supported that change.

Now, what about Alberta? Anytime this issue is brought up, what response do we get from the government? Well, we have the Municipal Government Act. Legislation was passed to amend the Municipal Government Act in order to allow local governments to look after this problem. Now, if the Municipal Government Act legislation were working, this private member's Bill 201 would never have to be on the Order Paper. But here it is, proof if ever it was needed that government legislation is not working in this province on this particular issue.

In Medicine Hat they passed a bylaw under the Municipal Government Act, under that piece of legislation, a week or two weeks ago. Last Sunday Safeway was open in the city of Medicine Hat -- Safeway, that multinational that wants to monopolize all the grocery and retail business in this province. They're going to challenge that, and they have said in the press, Mr. Speaker, that they're going to take it all the way to the Supreme Court.

Now, who can afford to go all the way to the Supreme Court to defend a piece of legislation? Big business, multinationals

can do that. Can our municipal levels of governments? How far is the city of Red Deer going to be able to go, and how much is it going to cost them and the taxpayers of that city? And where is our great provincial government? Are they going to be out there helping the city of Medicine Hat defend its bylaw? Who over there is prepared to say that they're going to commit the Attorney General's department to intervene to support the city of Medicine Hat? How come the city of Red Deer didn't get help from this great provincial government in terms of its legal bill and defending its bylaw in the courts? Where's the money to help those communities, Fort McMurray or any other Alberta community that passes bylaws under the legislation of this province? Where are they?

Mr. Speaker, they are sitting silently on the sidelines. They're watching monopolies gobbling up markets in this province. They're watching small businesses go under, and they're coming to me and telling me that that's what's happening to them. They're watching the businesses in our small communities all over Alberta. They're watching people drive down the road past their doors into the big cities on Sundays. They're watching the family's traditional day of rest being eroded. They're watching time together for families being lost, and they're doing nothing. They're sitting on the sidelines, silently watching.

This government boasts and brags in its Speech from the Throne about being a party of families, a party of small business. Don't you believe it. It's a party of big business. They're no more a party of the family than the man in the moon, because they're watching over the demise of a common day of rest for families in this province just like the man in the moon is watching over the demise of a common day of rest for families in this province. And they watch one more government backbencher step forward with a feeble, ineffective, impotent piece of legislation in a vain and hopeless attempt to make his government take note that something seriously wrong is happening in Alberta,

Now, Bill 201 tries to address the inequities and the disadvantage that small businesses have in dealing with the big malls in which they're located. It tries to prevent those . . .

MR. STEVENS: Mr. Speaker, on a point of order, if I might, I think all of us wish to hear the arguments, either against the Bill or proposing an alternative. But the member has taken some time to cast aspersions or to impute motives or to make comments about either the member or the Bill itself. And I just draw that to your attention, Mr. Speaker, in referring to content of speeches, actions of a member in this Assembly, and suggest to him, if I may, through you, Mr. Speaker, that it would be good to hear his options rather than his aspersions and his discredit to himself and to the other members.

MR. PASHAK: Mr. Speaker, that's not what I heard at all, I heard the hon. member speaking to the Bill and talking about the content of the Bill. His arguments were in no way directed to the person who presented the Bill.

MR. CHUMIR: I would second the previous comments. We've been hearing a very excellent, thoughtful, well-directed speech. We've been dealing with -- I may not agree with the hon. gentleman, but as we've been saying in our motion with respect to open government and free debate, that's what this House is all about. Whenever I get up in the heritage trust fund committee and we ask a penetrating question, we find we get . . .

SOME HON. MEMBERS: Irrelevant.

MR. CHUMIR: It's very similar.

MR. ACTING DEPUTY SPEAKER: Order please. The longer we discuss the point of order, the less time the hon. Member for Calgary Mountain View has to express his concerns.

MR. HAWKESWORTH: Mr. Speaker, I want to assure the hon. Member for Banff-Cochrane as well as the hon. member who has introduced the Bill that in no way am I casting any aspersions on him as an individual or indeed his intentions. My comments have been completely directed to the Bill itself, which I consider to be a weak, ineffective, and impotent piece of legislation, and in no way reflect on the member himself, whom I believe is one of the finest and best members in this entire Legislature of any party.

However, having said that, I want to come back to the content of Bill 201. This Bill has so many loopholes, I'm not sure where to start. Who's going to prove, Mr. Speaker, that a big mall has canceled a lease because a small business within that mall was closed on a Sunday? Is the small business going to prove that? Our cities are finding it difficult to take on big business in the courts. How is a small business going to defend its interests in the court under this particular piece of legislation?

Then there's the problem of franchises as many businesses in our malls are part of these big franchise chains. Now, the franchise agreement can stipulate that the owner has to follow the rules of the mall in which it is located. Bill 201 doesn't address that problem either.

And who's going to enforce Bill 201 were it to pass? The Landlord and Tenant Advisory Board? Or would there be some other toothless body that really has no power or effect or authority in law of any meaningful degree? Well, I can tell you for sure that it's not going to be the provincial government, because if they're not prepared to support existing legislation in the Municipal Government Act -- and they certainly haven't supported small business in the existing legislation -- they certainly won't enforce these provisions if they were ever adopted.

Now, I want to know a few answers to a few questions, and I hope that the hon. members opposite will respond. Why are they simply prepared to and content to watch over the monopolization of the retail business in this province? Why is that? It's happening. You're not doing anything. Why is that? Somebody has to answer that question.

Since this Legislature last sat, Mr. Speaker, the Supreme Court of Canada has upheld legislation from the province of Ontario which clearly states that provinces have the jurisdiction and the right to pass day of rest legislation in their particular provinces. Why doesn't this government move on that? Why doesn't it bring forward that kind of legislation? It's now clear that they have the mandate. They could easily do it; they could bring it in in this session. In fact, they could, and I would be happy if they would, blatantly plagiarize the Bill that I introduced into this House last summer, because in its own way it was a blatant plagiarism of the Ontario legislation. You could do it. It could happen tomorrow, and I can assure you that this party would give it its full support and would speed it through this House. It could be enacted before the end of this month. Why doesn't someone over there proceed with a Bill similar to the Ontario legislation?

Well, I want to tell you. Mr. Speaker, there is one political party in this province and in this Legislature that's prepared to

act on behalf of the family. There's one party in this Legislature that's prepared to act on common day of rest legislation. There is one party in this province that's prepared to support small businesses and businesses in our rural communities. And there's one party that's not prepared to skate around the issue bringing in innocuous pieces of legislation. Mr. Speaker, the hon. Member for Athabasca-Lac La Biche has given notice of Bill 212, the Retail Business Holidays Act. That will be on the Order Paper very, very shortly. We're prepared to act, and we're not prepared to put forward ineffective, weak, impotent proposals that camouflage some other political agenda, and that political party is the New Democratic Party of Alberta.

Thank you.

MR. ACTING DEPUTY SPEAKER: The hon. Member for Red Deer North.

MR. DAY: Thank you, Mr. Speaker. I am appreciative of the opportunity to address this particular Bill and to support it wholeheartedly. Last session I commented at some length on the detrimental effects of the striking down of the Lord's Day Act, and it's interesting to note that I did that in response to a Bill which was being proposed by the member opposite who just finished speaking, and I find his response somewhat astounding.

The response of our socialist friend shows the hypocrisy of the party which he claims to represent. They say they are concerned for the small businessperson, the worker. Here is an ideal opportunity to quickly and immediately address a problem that affects the small businessmen and the small worker in this province, and what is his response? Forget the workers, forget the small businessperson, forget the problem; there's a principle at stake. And what's the principle that is keeping him from embracing the principle of this Bill? The principle is: don't get caught dead supporting a government policy no matter how good it looks.

[Mr. Speaker in the Chair]

To continue with that line of hypocrisy and inconsistency which is so evident and been so exposed, I heard comments in light of the effect of this on the small business community, some comments of disdain about multinationals. Now, that is very interesting, Mr. Speaker, when we consider that this party opposite, the NDP, would be dead without the support of the labour movement who are backed by multinational unions. They speak with disdain about multinational . . .

MR. SPEAKER: Hon. member, even from the distant confines of my office, I understand the Assembly is having some difficulty with dealing with Bill 201, but I look forward to your comments on Bill 201, please.

MR. DAY: Thank you, Mr. Speaker. I was responding to the invitation given by a number of members opposite just a few moments ago on the freewheel debate they enjoy in the House. I was joining with them on that.

On this particular area we do have difficulties presently being experienced by small business owners in that mall owners can demand that these individual operators who lease space in their malls must stay open seven days a week. That's the problem that we're addressing. It affects the small business owner, and it affects workers that are under their employ. In many cases these people have already been working long hours during

the week and are now being forced to work an extra day every week whether they like it or not. That creates problems, as we can well understand, in people being pushed beyond their limits.

Aggravating the problem somewhat is the fact that attempts to deal with the issue of store closing under provisions of the Municipal Government Act have not been very successful. We've already had some comments on that, as we've seen Medicine Hat having problem with its bylaws and Wetaskiwin and Grande Prairie. So it's in the light of these present difficulties that we see the need for Bill 201, which could give an immediate relief to those people affected by it. It would give people the ability, through the Landlord and Tenant Act, to address the problem that they now have.

We recognize in principle that this government is not in favour of interfering in contracts between private parties. Notwithstanding, it is important to note that in the case of many of these lessees -- and I believe this is one area in which the hon. member opposite was struggling for an answer, as they often do. For the lessees in question, when the contracts were signed, in many of these cases seven-day shopping was not a factor. These leases were signed in the main on the historic understanding and acceptance of six-day-a-week shopping. Now being forced to stay open seven days a week against their will, they're faced with a difficulty in that the original contracts were signed not in the light of seven-day shopping. Therefore, these people entered into these agreements had not taken these things into account. There were areas which were understood but not put down in black and white, therefore leaving them open and exposed to being forced to work the seven days. These leases should be open for reconsideration in light of altered circumstances.

Some legitimate questions arise from the present difficulty. Do the people of Alberta wish to support the concept of a day of rest? Generally, we recognize and acknowledge that they do. Secondly, should a person have the right and freedom to overrule an order which requires him to open his or her business seven days a week? And I think that in all good conscience members from both sides of the House can agree that, yes, that freedom should be there.

Therefore, it's in the light of these questions that I believe it's incumbent upon us to ask: what would be the benefits of such a Bill as 201? Just to enumerate a few of them, a Bill like this would allow for freedom of choice of the small business retailer and, therefore, put less pressure on the workers and on the owners themselves. It would go a long way to removing the pressure of unfair negotiations and misunderstandings that now exist between mall owners and those who are leasing space in those malls. We also recognize and members have enunciated that the quality of life would be enhanced by allowing these people, these store owners, the choice of being able to spend time with their family for recreation or churchgoing or whatever purpose they might have in mind.

Also, as this Bill does not force people to do anything against their will, it is indeed consistent with current government policy of deregulation, and it does not interfere with the free-enterprise or laissez-faire market, since it affords merchants the choice of remaining open or not. Right now, in many cases, they do not have that choice. In general, it would allow for complete flexibility on all parts for all retailers.

There are a couple of alternatives. We could look at amending the labour standards Act, and we could look at legislation of a Retail Business Holidays Act like Ontario or Manitoba or a Holiday Shopping Regulation Act as in B.C. Those are situ-

ations that could be looked at that could involve difficulties that could take a longer time to bring into being.

This particular Bill, if enacted, would immediately address the particular problem that retail owners are facing now today, and it could be done simply and quickly. That is why at this time I support this Bill and recommend to my colleagues and to all members here that we would consider passing it.

However, considering the hour of the day, Mr. Speaker, I would move to adjourn debate.

MR. SPEAKER: Having heard the motion by the hon. Member for Red Deer North, all those in favour please say aye.

HON. MEMBERS: Aye.

HON. MEMBERS: Opposed, please say no. Motion carries.

MR. ANDERSON: Mr. Speaker, as previously announced, it's not intended that we sit this evening. Tomorrow morning's business will be to further debate the Speech from the Throne.

[At 5:26 p.m. the House adjourned to Friday at 10 a.m.]

