

LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Monday, June 1, 1987 8:00 p.m.**

Date: 87/06/01

[The House resumed at 8 p.m.]

[Mr. Speaker in the Chair]

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

head: **GOVERNMENT BILLS AND ORDERS**
(Committee of the Whole)

[Mr. Gogo in the Chair]

MR. CHAIRMAN: Please come to order to consider various Bills on the Order Paper. Before we do, may the committee revert briefly to Introduction of Special Guests?

HON. MEMBERS: Agreed.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. HYLAND: Thank you, Mr. Chairman. I'd like to introduce in the gallery, Mrs. Margaret Blanchard, president of Women of Uniform, and seven of her directors. If they could please stand and receive the warm welcome of the Assembly.

head: **GOVERNMENT BILLS AND ORDERS**
(Committee of the Whole)
(continued)

Bill 4

Supplementary Allowances Repeal Act

MR. CHAIRMAN: Any comments, questions, or amendments proposed to this Bill? The hon. Member for Edmonton Calder.

MS MJOLSNESS: Thank you, Mr. Chairman. I have one observation and one question to ask the sponsoring member of this Bill. This Supplementary Allowances Act appeared in the *Revised Statutes of Alberta* in 1955. It was omitted from the revisions in 1970 and again in 1980. In other words, it did not appear for about 25 years, and I was just wondering what specific factors were involved in making a decision to repeal this Act in this session.

MR. DROBOT: Mr. Chairman, the Supplementary Allowances Act was superceded and rendered obsolete by the passage of the 1973 Senior Citizens Benefits Act. Therefore, there is no point in having it on the books. At this time no one is receiving benefits pursuant to the Act, nor are there in place any trustees for the purposes of receiving allowances on behalf of any recipient.

It would therefore be appropriate to repeal this statute. Regulations pursuant to this statute have been repealed. No one is receiving benefits under this allowances Act. Any overpayments which occurred under the Supplementary Allowances Act have been either recovered or written off by Treasury. Therefore, for all the above reasons, it is appropriate to repeal the Act, as there are no longer any administrators or regulations which

are needed or where it could function, and the Senior Citizens Benefits Act takes care of the allowances once distributed by it.

MR. CHAIRMAN: Are you ready for the question on Bill 4?

[The sections of Bill 4 agreed to]

[Tide and preamble agreed to]

MR. DROBOT: Mr. Chairman, I move that the Bill be reported.

[Motion carried]

Bill 7

Alberta Agriculture Research Institute Act

MR. CHAIRMAN: There is an amendment to the Bill. Are there any comments, questions, or further amendments to this Bill?

MR. FOX: With the Chair's indulgence, Mr. Chairman, it was my understanding that we were starting with Bill 1 tonight. If I could run down to my office and pick up 83 copies of a proposed amendment, I'd appreciate that.

SOME HON. MEMBERS: Agreed.

MR. CHAIRMAN: Hon. Government House Leader?

MR. FOX: [inaudible] the amendment that the hon. minister would like to describe to the House while I'm doing that.

MR. ELZINGA: Mr. Chairman, I'm happy to elaborate on the fine qualities of this legislation until the hon. Member for Vegreville has an opportunity to bring back his amendments.

As you are aware, we have two government amendments too that we are proposing. One deals with the selection of the chairman of the board, and it allows the minister and the government greater flexibility in selecting the chairman of the actual council. As hon. members are aware, the intent of this legislation was to allow greater co-ordination to the research activities of our provincial government.

It was just a short time ago I had the opportunity to announce the extension of Farming for the Future, an additional \$25 million commitment over a five-year period. This body will oversee some of the activities of Farming for the Future. In addition to that, it will co-ordinate activities with the federal government, the universities, and the private sector. It is noteworthy, Mr. Chairman, because I'm sure we're going to receive some criticism by some of those individuals who are under the impression that our research funding has been cut back. That is not the case. In total we spend somewhere in the vicinity of \$20 million on research activities within the provincial government.

I see now, Mr. Chairman, that my hon. colleague from Vegreville is back, so I'll sit down and let him say his piece.

MR. FOX: I just might say, Mr. Chairman, thank goodness my office is not in the annex.

As I said in second reading of Bill 7, Mr. Chairman, it's certainly the intention of the New Democrats to support it every step of the way. Any commitments that this government is prepared to make to agricultural research . . .

ANHON. MEMBER: Pause for a breath.

MR. FOX: I beg your pardon?

ANHON. MEMBER: Pause for a breath.

MR. FOX: I think on the surface what this Bill purports to do is create an agricultural research institute to replace the existing Agricultural Research Trust. If that was the only thing I saw in this Bill, then I would support it almost without question and without any need to come up with any amendments to it. But I think it's one thing that we have to be vitally careful of, Mr. Chairman, in terms of . . .

MR. CHAIRMAN: Hon. member, the Chair hesitates to interrupt. It may be in the interest of the hon. member if he is proposing an amendment that the Chair could have a copy before the hon. member speaks to it. I realize he's not speaking to it yet, but . . .

MR. FOX: Thank you, Mr. Chairman. My concern is . . . [interjection] Wait until I make the amendment, then you'll see it, hon. members.

My concern about this Act is that we be very careful in the structure of the agricultural research institute to ensure that the commitment of this government to public-sector research is not only very strong but very visible. I think one thing that we heard as we traveled around the province with our agricultural task force, Mr. Chairman, is that there needs to be an even greater commitment from the public sector to fund agricultural research, and all members acknowledge this. There's never been a more visible need or a greater need for agricultural research to try and come up with new products, new processes, new marketing techniques, new methods of production to try and meet the ever changing needs of agriculture and producers in this province.

I think one of the things the Bill is doing here in some of the sections -- it's obvious it's trying to leave open the possibility for some private-sector involvement in research. If all we're doing by that is opening the door for public-minded corporations who want to do things of benefit, to donate money so that it can be used for research purposes, then I think it's a good idea. But, Mr. Chairman, if its intention is to set the agricultural research institute up in such a way that we depend increasingly on the private sector for research, then I have some concerns, because I think it's vitally important, as I said before, to recognize that agricultural research, though on the surface benefiting producers and people who make their living from agriculture, benefits the whole of society. There are a lot of benefits that accrue to Canada as a whole, to Alberta as a whole from agricultural research. So I think we need to see a visible commitment from this government to strengthening the public-sector commitment to research.

I might quote from one of the sections that describes the Agricultural Research Trust. Since 1983-84 all AART projects have been required to obtain a portion of their funding from industry. To quote from the annual report, it says:

This approach is intended to develop other sources of financing and promote greater involvement by private industry. In addition, it will encourage research managers to develop projects that are acceptable both to the Trust and to the private sector.

Now, again on the surface, that's all well and good if it's

intended that we try, where possible, to seek projects that have some direct and apparent relevance to the industry. But I really have some concerns about this statement that the projects are required to obtain a portion of their funding from the industry, and I'd certainly like to hear the minister's comments on that. Is that going to be a requirement of projects that are approved under the agricultural research institute? If it is, then I'm concerned, because then we end up creating a research institute that is almost a servant to the business interests that may decide to involve themselves financially with the trust, and I think that would be a mistake.

I think we have to recognize that private-sector research doesn't always have the same sort of long-term interest that public-sector research does. They're generally not in the mood to pay for adequate long-term types of research projects. Their interest is more in the short term, to try and fund research projects that have an immediate and tangible economic benefit to them. While that's not a problem per se, if that's the only kind of research that we're involved in, then it is a problem because some of the members here have been involved in research at various times and will recognize that the benefits of research are often not apparent for some time. You have to involve yourself in some pretty difficult and painstaking research projects before you eventually see some tangible benefit and gain. I think that's the role that public-sector research has to play.

In terms of the Bill itself, I know the hon. minister has an amendment that he circulated to the House. The amendment that I have in mind, Mr. Chairman, deals with the same section of the Act, section 5, and that's the part of the Act that is dealing with who is actually on the board of the agricultural research institute. There's a section in here, section 5(2)(g).

ANHON. MEMBER: We've got to get the amendment.

MR. FOX: Beg your pardon? Yeah, I've got the Bill here. It says that

Persons appointed under subsection (1) shall include . . . and it lists a number of people that would fill positions on the board based on involvement in other areas. Then section (g) says

not fewer than 9 persons who are farmers or representatives of industries related to agriculture.

I think we need to take a close look at that, members of the Assembly, that "not fewer than 9." Well, let's assume that nine people or more were appointed. Then out of the 17 members in the board, nine of them -- a majority of the board -- would be people who are farmers or representatives of industries related to agriculture.

Now, I have a lot of problems with that clause, because it seems to me that the way it's written, it would be possible to have all nine of those people in agribusiness-type situations. It doesn't say that any of those nine people have to be farmers. They could be farmers or representatives of industries related to agriculture. To take it to the extreme, Mr. Chairman, we could have nine people who were on the board of directors for Imperial Oil sitting on the agricultural research institute, because that, by extension, is an industry that's somehow related to agriculture. So I think we have to be very careful in trying to allay any fears that the public might have about this government's commitment to public-sector research and how this Act is going to be intertwined with the private sector, that we set it up in a way that is beyond reproach.

I can't quarrel with the other sections in here that the other

people appointed to the board would be:

- (a) 1 person employed by the University of Calgary,
- (b) 1 person employed by the Western College of Veterinary Medicine, University of Saskatchewan,
- (c) 1 representative from the Department of Advanced Education,
- (d) 1 representative from the Department of Technology, Research and Telecommunications or from the Alberta Research Council,
- (e) 1 representative from the Department of Agriculture (Canada),
- (f) 1 member of the Legislative Assembly, and

...

I think those are sensible categories from which to appoint people. It shows that the minister wants to have a broad base of expertise and involvement on this board. But it's section (g), where it says again:

- (g) not fewer ...

It could be far more than nine,

... than 9 persons who are farmers or representatives of industries related to agriculture.

I think what we need to have here, Mr. Chairman, is a clause that guarantees that at least some of those people are going to be farmers, because it's not clear here. We're setting up a research institute where supposedly the intention is to benefit agriculture, yet we're not guaranteeing in the establishment of the board that any of the people on the board are indeed farmers.

I think that's a problem. So what I've done is come up with an amendment here, Mr. Chairman, that I would like to have the pages circulate to the members of the Assembly. I'll read the amendment. The Bill is hereby amended as follows:

A. Section 5 is amended:

- (a) in subsection (2)(g)
 - (i) by striking out "no fewer than",
 - (ii) by adding "at least 5 of whom are nominated by the boards of Unifarm, the National Farmers Union and the Christian Farmers Federation in Alberta" after "agriculture"

...

Now, perhaps I'll just deal with that one subsection of my proposed amendment here. What I'm dealing with is a proposal to have the "not fewer than 9" struck out so that we are dealing in fact with nine. In other words, nine people under this subsection would always constitute a majority on the board. Nine of the 17 would be appointed under this subsection, and I'm saying that at least five of those nine should in fact be bona fide farmers, people involved in agriculture who have a direct interest and make their livelihood off farming.

I'm backing that up with the contention that they ought to be nominated by the general farm organizations in Alberta. This is so that the farm organizations can have some involvement in this research institute and feel that their interests are being represented. If the minister knows of some other broadly based general farm organizations in the province, I think it would be appropriate to add their names to this list. But I thought that Unifarm, the National Farmers Union, and the Christian Farmers Federation are three farm organizations in the province that don't purport to represent any specific interest group, but they do their very best to represent agriculture in a general way, to represent all producers all across the province regardless of their specific interest in given commodities.

So my suggestion to the minister is that he take a close look at section 5(2)(g) and give due consideration to my amendment here that we limit the number of people appointed under that clause to nine, at least five of whom are nominated by these three general farm organizations.

I go further in proposing an amendment to this section, Mr. Chairman, and I know it deals in some way with an amendment that the hon. minister is presenting to us. I further suggest, after section (2), that we strike out subsection (3) as it's listed in the Bill and substitute therefor:

- (3) The Deputy Minister of Agriculture shall be the chairman of the Board, and the Dean of Agriculture of the University of Alberta shall be the secretary of the Board.

Now, that clause that I just read is taken directly from the Act that governed the agricultural research institute, so it's something that's been in place and an ongoing practice in terms of the Agricultural Research Trust, and it was deemed necessary to change it for the purposes of this Act.

The proposed Act reads:

- (3) The Minister shall designate the chairman of the Board from among the persons appointed pursuant to subsection (2)(g).

So taking my earlier analogy, if these nine people that are appointed are indeed representative of industries related to agriculture and not farmers, we could end up where someone who doesn't actually involve themselves directly in agriculture could be the chairman of the board, and I'm just concerned about that. I think it would keep the agricultural research institute closely tied to the provincial Department of Agriculture and the faculty of agriculture if we left it as it was, that indeed the Deputy Minister of Agriculture shall be the chairman of the board and that the dean of agriculture of the University of Alberta shall be the secretary of the board. I think that would provide a good framework for the board to work from, and it wouldn't constitute a change from the previous Act.

My amendment goes further:

- (c) by striking out subsection (4) and substituting:
 - (4) The minister shall designate the vice-chairman of the Board from among the persons appointed pursuant to subsection 2(g).

In other words, the minister would appoint a vice-chairman of the board from among the nine people, five of whom would be nominated by these general farm organizations.

Perhaps, Mr. Chairman, I'd rest my case and hear what the minister's response to those suggestions is.

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Speaking to the amendment of the hon. Member for Vegreville, hon. Member for Edmonton Kingsway.

MR. McEACHERN: Mr. Chairman, just a couple of comments to back up my colleague from Vegreville.

I think his amendments are sound ones and reasonable, and I think the minister should at least have the courtesy to respond to them rather than just sort of sit and call "Question." The comment he makes about the "no fewer than nine persons who are farmers or representatives of the industry related to agriculture" is a very valid one, and this would make it much more specific who would control at least some of the members on that committee. The choice of individuals is excellent in sections 5(1) and 5(2), and one has no quarrel with that. But the point about

the nine people, or more than nine as the case might be, needs clarification and specificity, and that's what this amendment does.

Also his point (b) on the amendment is a very important one. I don't see how the collection of some 17 or 25, depending on how many people are appointed, can just be thrown together and then from the bunch just say, "Oh, we'll choose -- and so this time, and next time we'll choose somebody else." It seems to me that the department has certain responsibilities, and they should not abrogate those. To put the deputy minister in charge puts the emphasis and the onus right where it belongs -- in the department -- as to what's going on with this organization.

As to the secretary from the University of Alberta, that makes a lot of sense as well, because that department over there needs to know what is going on in great detail, and if they have to keep the minutes and keep straight exactly what's happening with this institute, then nothing is going to slip by them because of somebody doing some shoddy work somewhere along the line.

So I just couldn't resist getting in and backing up my colleague from Vegreville and saying to the minister these amendments require some kind of an answer from him rather than just "Question."

MR. ELZINGA: Mr. Chairman, we're happy to respond to the hon. member. I wasn't sure whether I should do it verbally or by way of a vote, but I guess we'll have the chance to do both.

I thank him very much for his suggestion, and I don't say this by way of criticism: if he had been serious with his amendments, he would have had the courtesy to distribute them to us prior to our discussing this legislation so that we could have given them serious thought. It's impossible to -- again I come back to what I said to them earlier in question period -- make a decision in a vacuum. I know they don't mind doing it, but we're not about to do it. For that reason we will not be accepting the amendments. But I want to share with him and I leave him with the commitment that these worthwhile organizations are going to have input into the selection of those nine individuals that will serve on our agricultural research institute.

Now that I'm on my feet, let me just take this opportunity to correct the record too for him. The province has not reneged on its research funding. In fact, we've continuously increased our research funding, for his information. I notice on a number of occasions he's not quite put the record straight. We as a province contribute close to \$20 million a year by way of research funds to the agricultural community. We're proud of that commitment because we recognize, as does the hon. member, the significant contribution that research does pay and the benefits it does pay, and we can point to projects that pay benefits as high as 400 to 1 to the agricultural community.

We are looking for private-sector involvement in research. We want to avoid duplication as best we can, but at no time, Mr. Chairman, will we withdraw our commitment to what we consider to be a very valuable area. I want to leave the hon. member the commitment, in dealing with his suggestions on Unifarm and the National Farmers Union and the Christian Farmers Federation, that we are going to consult with these individuals and guarantee that they do have input. One of my hesitations in approving this amendment that he is suggesting is: what would happen now in the event that one of these farm organizations decided to change their name? It would mean that we would have to come back and go through the entire legislative process again to make sure that they do have representatives on the

board.

As it relates to his second suggestion about the Deputy Minister of Agriculture being the chairman of the board, Mr. Chairman, again that disqualifies very capable people. In the event that we selected somebody from Unifarm to serve as the chairman, if we were to include his recommendation, it would disqualify somebody from the superb farm organizations to serve as chairman. For those reasons, Mr. Chairman, we will be voting against the amendments.

I thank the hon. member for his suggestions, and I hope he will understand why we're not supporting them. In addition to that, I would hope -- and I say it with all sincerity to the hon. Member for Vegreville -- if he wishes us to give serious consideration to his amendments, if we could have some advance warning rather than getting them at the last minute.

MR. CHAIRMAN: Hon. Member for Vegreville. on the amendment.

MR. FOX: Mr. Chairman, that's not the established tradition in this House, but I'll undertake in the future to on occasion let the minister know what amendments I propose, although we did speak about it outside the House, and the minister is well aware of that.

I think what I'm trying to do with this amendment, Mr. Chairman, is avoid some potentially very serious problems in one sentence in this Bill. What we're doing here is creating an agricultural research institute that will seek funding from the private sector and mesh that with the public sector. Well and good, but let's be careful how we establish it. We have in this subsection a clause that says

not fewer than 9 persons who are farmers or representatives of industries related to agriculture.

That doesn't guarantee that even one of them will be a farmer. Once this legislation is cast in stone, we might not always be blessed with a Minister of Agriculture who has due regard for general farm organizations in the province. I might point out earlier in the Act that section 1(d) defines "Minister" as being the member of the Executive Council charged by the Lieutenant Governor in Council with the administration of this Act.

There is no guarantee in this Act that indeed it will be under the minister's responsibility. It might be assigned to anyone of a number of ministers.

So with respect, the Act doesn't guarantee that the institute is under the jurisdiction of the Minister of Agriculture, and we've got a clause in here that says a majority of the people are going to be appointed from a group who are either farmers or representatives of industries related to agriculture, and there is no requirement there that any of them be farmers. It may well be that the minister will see that farmers are appointed in the interim. I hope that's the case, but this is a piece of legislation cast in stone.

Can you imagine if we end up in a situation where there are nine agribusiness members on the board? We could have a situation where Esso Resources or Chembiomed, for example, different companies who are in industries related to agriculture, may decide they want to donate some money to have some research done. It may be a proviso of that ... [interjection] Don't be so naive, hon. member. It may be a proviso of that that they're not willing to give money unless they have some representation on the board. It's happened in other situations; we shouldn't be so naive as to think it couldn't happen here.

What we're doing by refusing any amendment to this particular clause and meshing part of the Bill that seeks funding from the private sector is we're creating an opportunity for companies with money to lever their way onto the board. I'm not saying that that's going to be the situation. I'm saying that in drafting legislation, we should make sure that can't happen. Can you imagine an agricultural research institute getting money from Sherritt Gordon Mines, for example, to do some research into growing crops without chemical fertilizers, to try and produce some sort of root nitrogen-fixing bacteria that will grow on cereal crops so that farmers don't need fertilizer? If we're depending on private-sector research money and we've got a board that has a bunch of private-sector research people on it, I think we're setting up something that has the potential to do so much good for farmers, but we're building in a little part of it that leaves the door open for some abuse. I'm really concerned that all members of the government will vote against this amendment offhand. If the minister can see some merit to my argument with section 5(2)(g), then I think it would be incumbent on him to put the Bill on hold for a day and come up with an amendment of his own that deals with that very clause, because I think that's the problem in here. We've got to avoid a situation where the people of Alberta, the farmers of Alberta, perceive that the research supposedly done in their own best interest is being controlled and manipulated by the companies they have to buy stuff from. It just doesn't make sense. I leave that open to the hon. minister for his consideration.

You know, I could stand up here and talk for 20 minutes and get someone else to talk for 20 minutes, and we could waste the evening, but I don't think that would be effective. I've laid my argument out. I hope the minister gives it some consideration and that we can establish here a research institute that will truly do what the minister wants it to do, and that's build a body that'll co-ordinate and initiate and help to fund research for agriculture across the province.

MR. CHAIRMAN: Hon. Member for Edmonton Kingsway.

MR. McEACHERN: Yes, Mr. Chairman. I wanted to just elaborate a little bit on the sort of method of amendments here. The hon. minister did say that had he had forewarning, he might have been prepared to entertain some aspects of these amendments. I've been under the impression ever since I came into this House that Committee of the Whole was the time to make those amendments, and while it might have been nice to give you a couple of days warning ahead of time, we don't know when the Bill is coming back to the House. You do have every opportunity to leave this Bill at this stage of Committee of the Whole rather than moving it on to third reading next time it comes up. So this is meant to be the time to make amendments.

If the government were really serious about this Chamber operating the way it's supposed to operate, in the sense of give and take and comparing ideas, when somebody puts forward a serious idea and explains it as well as my colleague from Vegreville has done, then I don't see why the minister shouldn't say: "Well, maybe he's got a point there. Let's put this thing on hold for a few days. We can bring it back later in the week or next week." If at that stage, having had a chance to look at it and consider his arguments, you can make some adjustments to this and bring it in in third reading, then the Bill can be passed as amended. There's certainly no problem with that.

It would then mean that we were doing our job in this Chamber seriously rather than just sort of trying to ram through as

many Bills as we can as fast as we can with the least possible debate. That's not the way an Assembly is meant to work, so I don't see any reason in the world why the minister shouldn't stand up and suggest that we adjourn debate on this particular Bill and we move on to other Bills.

MR. CHAIRMAN: Are there any further comments on the amendment proposed by the Member for Vegreville dated May 26? Are you ready for the question?

HON. MEMBERS: Question.

[Motion on amendment lost]

MR. CHAIRMAN: There's a government amendment to Bill 7. Are there any questions or comments on the amendment as proposed? Are you ready for the question on the amendment?

HON. MEMBERS: Question.

[Motion on amendment carried]

MR. CHAIRMAN: Hon. Member for Vegreville.

MR. FOX: I wonder if the hon. minister could explain for the members of the House a couple of things about the Bill. Section 14, donations:

Any donation acquired by the Institute is subject to any terms and conditions stipulated by the person making the donation.

In other words, he who pays the piper calls the tune. The minister is well aware of the concerns I have about that.

But in terms of the money available to the research institute to fund the projects, there's section 14, donations; then there's another portion here that the minister has just amended, section 18: that the agricultural research institute assumes all of the liabilities and assets of the Agricultural Research Trust. Is it the minister's intention that some funding go from his department directly into the agricultural research institute or from the Farming for the Future program? What assets does the minister see available to the ARI in the coming year, outside of the ones that are solicited through section 14 in terms of private-sector donations?

MR. ELZINGA: Mr. Chairman, as was evident when we discussed our estimates, there is \$50,000 allocated as a start-up for the agricultural research institute, as the hon. member was aware when we did debate the estimates. In addition to his comments as they relate to section 14, again it's just a wee bit misleading -- and the hon. member is aware of it also -- when he's indicating that an individual can buy their way onto the board and that his amendment was going to change it. Well, in the event that he wanted to outlaw anybody from agribusiness from serving on the board, then I might have agreed with him, but that's not what his amendment indicated. He was going to designate five positions of the nine for nominees from Unifarm, NFU, or the Christian Farmers Federation, still allowing individuals from agribusiness to serve on it. It's only natural that these individuals who wish to make a contribution have some say in where that money is going to be spent, but it doesn't mean to say that the institute has to take the money, because that flexibility will still be left for the board of directors of the institute.

I appreciate the input of the hon. member, and I say that sin-

cerely, because I know his heart is in the right spot. But I must share with him that I'm a bit disturbed when he tries to distort it a wee bit, because the probability of that happening is probably a hundred million to one. It's impossible to write in every foreseeable situation that might happen in the future, as hard as we try. We've got to leave some flexibility in the administration of these duhgs with members of this Assembly, with the department, as the hon. member indicated earlier, so that we aren't going out of here with our own hands tied.

I hope I've answered the hon. member's two questions. We're hopeful that this will serve a very useful purpose for the agricultural community, as I know it's a sentiment that the hon. member sincerely shares.

MR. FOX: Well, Mr. Chairman, the minister will note that I'm not quarreling with the aspects of the agricultural research institute that make it possible for us to accept money from business interests or individuals who may indeed wish to donate money for a specific cause. Maybe someone who has money on hand wants to fund some research into a particular area that they think would be beneficial to agriculture. I think that's great. I've not quarreled with that. All I'm suggesting is that we need to be aware of the pitfalls that exist at a time when governments are faced with rising deficits, when it's ever more difficult for the minister, no matter how capable, to convince the Treasury Board of the need to spend money on agriculture. I mean, all ministers have to compete for available funds. So at a time when the economy is in rough shape and the government is faced with deficits, it's all too tempting to get into a situation where we rely more and more on private-sector research and less on our commitment to public-sector research.

I've tried to point out a couple of things in this Bill that I think are potential stumbling blocks, and I reiterate again, because I traveled around the province and heard input from all kinds of farmers. There wasn't a meeting that we held anywhere where someone didn't say they were concerned about research into agriculture, and they wanted to see that the public-sector commitment is being maintained and enhanced. I'm not suggesting that all of these nasty things are going to go on as soon as the Bill is passed. I think a lot of good things can come out of this Bill. What I'm suggesting is that we're perhaps not being careful enough in the drafting of the legislation to avoid some of these situations.

Referring to the amendment just defeated, it was my aim to ensure that at least a majority of the nine people appointed are farmers. There's no guarantee now. I repeat again that it's not going to -- if the hon. minister takes a look at what's been happening with public-sector research in other countries and in other parts of this country, you can see that when we invite a greater involvement from the private sector into research, it often goes hand in hand with the declining commitment from the public sector, and I think that would be a mistake. I know it's the minister's intention to maintain his government's financial commitment to research, and I think that's a laudable objective, but we've got to make sure -- and my fondest hope would be that any money that comes in through private donations to the agricultural research institute is money over and above what we're spending publicly, that we're going to maintain that strong public commitment.

You know, we talked earlier in estimates on the heritage fund, capital projects division, in terms of some of the projects that this government has cut in terms of agricultural research. We've talked about PAMI, the Prairie Agricultural Machinery

Institute. We've talked about the hail suppression program. There are different programs. I'm just trying to encourage the minister to build into this Act a couple of safeguards against what I think could potentially be a very serious situation.

MR. McEACHERN: Just one more point. It was touched on by the Member for Vegreville, but I would like to elaborate on it and make it a fairly specific suggestion. I'm thinking about the donations, section 14(1) It says:

Any donation acquired by the Institute is subject to any terms and conditions stipulated by the person making the donation.

One understands that if somebody is going to make a donation, the terms on which it's accepted have to be acceptable to him or her or the company or they won't make the donation. At the same time, it's incumbent upon public bodies such as this -- universities do it, and all kinds of foundations that accept money do it -- to set out some basic regulations outlining what their basic expectations are too and to make those fairly plain to the public and to any individual who is kind enough to offer a donation or in this case maybe a grant with some expectation of some return. So I guess I would just ask for a commitment from the minister that one of the first things he would expect that board to do is to set out some basic minimum expectations and terms on which they would accept grants or research funds.

MR. FOX: I have a couple of other questions or concerns to raise with the minister here. My colleague just read section 14 in terms of donations. I'll read it again, because I want to relate it to the section just above it.

MR. DOWNEY: The record is going to be repetitious.

MR. FOX: Then it should be easier for you to follow, Member for Stettler.

Any donation acquired by the Institute is subject to any terms and conditions stipulated by the person making the donation.

Now, I refer hon. members to section 13(1)(b) immediately above that, and it deals with what the institute finds. The results of this research, "discoveries, inventions and improvements," et cetera,

shall be made available to the public under conditions and payments of fees or royalties or otherwise as the Institute may determine.

Now, that's probably a pretty good idea on the surface, that if there are some startling new discoveries by the institute and there's something that can be patented as a result, perhaps the institute should benefit and fund this research. I have no quarrel with that, but let's take 14 and mesh that with section 13(1)(b). Is it possible then that a corporation willing to make a donation can stipulate not only what the money is used for but what happens with the results of the research afterwards? Is that the minister's intention in this section, or is he aware of that possibility because of the wording in this?

MR. ELZINGA: No, that's not my intention, Mr. Chairman.

MR. FOX: Do we have the minister's assurance then that that will not in fact happen, that a company who decides they want to make a donation to the Agricultural Research Institute, though they may be able to stipulate what research is done with that money, will not be able to stipulate what happens to the re-

sults of the research? In other words, could they say, "You don't release it; you give it to us; it's not made publicly available"?"

MR. ELZINGA: That would be followed through the recommendations that the hon. member just indicated by the board of directors as per the conversation we just recently had with the hon. Member for Edmonton Kingsway.

[The sections of Bill 7 agreed to]

[Title and preamble agreed to]

MR. ELZINGA: Mr. Chairman, I'd like to report Bill 7 as amended.

[Motion carried]

Bill 1
Department of Culture Amendment Act, 1987

MR. CHAIRMAN: Are there any comments, questions, or amendments proposed to any section of this Bill? Hon. Member for Edmonton Highlands.

MS BARRETT: Well, maybe just a few comments, Mr. Chairman. The principle of this Bill, which we dealt with recently, certainly seems acceptable, as do many of the details. It's to some extent a housekeeping Bill.

MR. CHAIRMAN: Hon. member, if I could just interrupt you. The hon. Minister of Culture is filling in, I believe, for the Premier on this Bill -- is that accurate? -- so the hon. Member for Edmonton Highlands knows. I'm sorry, hon. member, I wanted you to know.

MS BARRETT: I just assumed he was. I was talking to him earlier as a matter of fact.

My comments have to do with what's not in the Bill, Mr. Chairman. See, this Bill calls for the Department of Culture to be changed to the Department of Culture and Multiculturalism. It will have the effect of reinstating the current Minister of Culture as the Minister of Culture and Multiculturalism, and virtually everywhere in the currently existing Act where you read the word "culture" will be inserted "and multiculturalism." It's very laudable that this government thinks so highly of multiculturalism that it is prepared to change the name of the department and the name of the Act governing the department and the name of the minister governing the department. However, it seems to me that the Bill might constitute nothing more than lip service without some sort of higher action being granted to the department or to the minister.

Now, I was just having a look at the Alberta Cultural Heritage Act, and one of the -- I'm not switching Bills, Mr. Chairman. I just want to point out that one of the objectives of the cultural heritage division of the Department of Culture and the Cultural Heritage Foundation is

to promote tolerance and understanding of others through appreciation of the ethno-cultures that make up the cultural heritage of Alberta . . .

It occurred to me that Bill 1 might be strengthened by stating such objectives in a very strong way. The current Act governing the department has no real policy statement on the arts in

Alberta. I'm not sure if people are aware of that, but it doesn't. And when it comes to multiculturalism, if we don't start to further refine what it is that we think is important about multiculturalism, aren't we actually lending credence to the public perception that it really is only a lip service Bill?

Now, the reason I think that this is very important this year as compared to last year, possibly since 1984, is because of certain events that have taken place in Alberta. I speak specifically of the existence of a white supremacist group known as the Aryan Nations, who promote what I believe is a real strong sense of intolerance through their Red Deer exchange telephone message line. They, I believe, have gone from being sarcastic to being explicitly intolerant and racist and advocating white supremacy as a principled position that they believe other people ought to adhere to. I think that in the absence of, for example, the Attorney General acting on such an instance -- and he after all is the Attorney General; I'm not -- maybe this Bill should specify that it is prepared to direct the department or to keep as the department's greatest objective finding and enacting means by which tolerance and mutual respect for other races be advocated and disseminated throughout Alberta.

Just a few weeks ago, I even asked the Labour minister if he was prepared to direct the Human Rights Commission to undertake this in a proactive sense. His response was to the effect that the commission acts only upon individual complaints forwarded to them, and it must be, I happen to know, by an identified individual; they can't act otherwise. But it seems to me that this Bill could have also changed or come into existence along with changes, say, to the Act which governs the Human Rights Commission and stated more categorically what the government intends to do with the new Bill and with its direction.

I start to worry that the so-called commitment to multiculturalism by this government is just that: so-called. I haven't heard about any government directive to their federal counterparts which would either object to or intervene in an attempt to amend the new refugee Bill. I think it's Bill C-55, if I'm not mistaken. Now, I think that's an important thing for Alberta to do. Alberta has become home to people from around the world, many of whom have been escaping conditions of brutality and repression in their own homes; they are known as refugees. They have contributed substantially, I think, to the quality and ethnocultural fabric of life in Alberta and ought to be stood up for. The current legislation as being proposed and in fact supported by Gerry Weiner implies that all refugee applicants are liars or queue-jumpers and that they've got to prove themselves innocent before they can enter this country and be free of the brutality from which they are attempting to escape.

I'd also have more faith in this Bill if I didn't know that English as a Second Language programs are becoming increasingly inaccessible. The Department of Education, having cut the funding to certain community schools, has in effect also launched what I believe to be an attack on the quality and access to services which are designed to help recent immigrants, and those particularly as offered by certain inner-city schools, not least of which is Alex Taylor school in the riding of Edmonton Highlands. That school has managed to pull what would otherwise be not only a disparate but shall I say atomized community together through its community schools programs, which do include English as a Second Language and other integrating programs.

Now, the greatest effect of the cutting of that budget to this particular school is in fact being felt by immigrants. It is not being felt by people who have lived here for generations. It's

the immigrants who will feel the greatest effect. So I would have greater faith in this Bill and what it purports to do if I could see that through other departments' policies which would support immigrants, which would support tolerance and mutual respect, which would support things other than the annual song-and-dance approach to multiculturalism -- were being pursued and implemented by the various cabinet ministers.

It seems to me that right now we have a problem with the whole way that multiculturalism is handled in this province, and I believe I'm going to be able to talk to that a little bit more when we get to Bill 33. As members will have noticed, I have circulated amendments that I would like to make to that particular Bill. I'm not proposing an amendment to Bill 1. I leave it up to the good offices of the Premier to do that in future years or in fact in third reading; it won't be too late by third reading.

I would like to see some teeth put into the policy orientation of this government, however, when it comes to the funding of things that don't result directly in political votes, such as the multicultural camp for children. I would have more faith in the Bill if I didn't see what I believe is an excuse to get away from proactive measures -- which is the new Alberta-based multicultural institute which is cosponsored by the federal and provincial governments. That institute basically allows for employers to come and have a little snoop around to see what the government thinks of multiculturalism and to get an idea about how they can adopt the broad principles of multiculturalism. But without a Bill or a program which calls for affirmative action for various ethnocultural communities so that they can overcome the barriers of tacit or other discrimination, I'm not so sure that a couple of hundred thousand dollars spent in this endeavour is compensation for other programs which actually have teeth and direction.

It's my view, Mr. Chairman, that this Bill should be accompanied by a policy statement which asserts the primacy of human development and which emphasizes that aboriginal peoples have an inherent right to shape their own future and should achieve this by every means possible. Now, I know that this government isn't exactly in favour of self-government for aboriginals, so I'm sure that's the reason they wouldn't include a policy statement or orientation towards this direction. But it would go a long way in convincing the aboriginal people of Alberta -- the Metis, the treaty and nontreaty Indians, not to mention the Eskimo, Inuit, and so forth -- that they're not basically running up against a brick wall every time they try to have land claims settled, mineral rights issues settled, the right to school boards, the right to self-government in most respects.

I believe that multiculturalism asserts an appreciation of cultural diversity and calls for government to support community development and full participation of individuals and groups, but this Bill doesn't come with any insurance that that in fact is going to happen. But I think the worst problem with this Bill is that it makes no reference at all to policies which would redress what I can only call racism or the development or promotion of racism. I'm not saying -- and I want to be very clear because I know that government members, including the Premier, have deliberately tried to twist my words on this issue -- that Alberta is a racist province. But I am saying that if we don't take into account the budding forms of racism that we have seen in this province, it will continue, and it is not going to go away just by renaming a department, Mr. Chairman. It will only go away by comprehensive programs being developed and enacted in such a way as to apply peer pressure across the province throughout generations, to make sure that people understand that the

primacy of human development is a value shared by all of us and that no consideration of colour or race should intervene in that value, holding, as it should, the primacy that I've talked about.

Finally, Mr. Chairman, I think that the government should be looking more towards, in conjunction with this Bill, human rights abuses of various descriptions in this province, and I do mean allowing the Human Rights Commission a little latitude to decide for itself what it wants to investigate and make recommendations on, because there are I think many grievances in the province that go unheard because the commission itself operates under what I would call a semi gag order.

All that said, I'm going to support Bill 1 because I think that it may be a good idea for this government to be backed into the corner of having to take proactive measures. I can't think of a more easy and quick way of backing the government into a corner on these very important issues than by letting itself call the department . . .

MR. CHAIRMAN: Order in the committee, please.

MS BARRETT: . . . the Department of Culture and Multiculturalism and then not act on the multiculturalism component and not live up to the expectations it's going to generate by allowing the new department and the new ministerial title going along with it. I believe that greater pressure is going to come to bear on this government for just that reason, and that's the primary reason I'm going to support this Bill in committee without amendments.

MR. ANDERSON: Mr. Chairman, very briefly, I'd like to respond to some of the comments made by the hon. Member for Edmonton Highlands. We could go on for some time with an outline of what the government has achieved in terms of multiculturalism and its commitment. In fact, there is no province in the country that's contribution as much to the concept or that has had the commitment as exhibited in dollars to multicultural organizations or its commitment to the cultural heritage and the sharing of that in the province of Alberta. I would only say that departmental Acts are in my opinion not the places where you put programs or mission statements and so on. That is seen in the Acts that are administered and the programs which bear fruit and prove, undeniably in my opinion in this province, what the government's level of priority is in this respect.

I appreciate the hon. member's support for the Bill. I'll be interested in seeing which corner that is that I'm backed into. However, I do believe that this an important and dramatic step, the first time in the country that this has taken place, and the Premier in presenting this Bill has shown both foresight and total commitment to the concept of sharing our cultural heritage among all Albertans.

MR. CHAIRMAN: Hon. Member for Calgary Buffalo.

MR. CHUMIR: Thank you, Mr. Chairman. I have a few brief comments on this, but speak in a generally supportive sense of the direction in which this legislation reflects the government moving.

For purposes of the record I would like to refer into the record the comments I made with respect to the second reading of Bill 11. In short, the comments I had at that time, and which I would refer to in a very few words, are that I would like to urge the minister and the government not to restrict our concern with

multiculturalism in this province only to the cultural aspects. While that is important and I am supportive of that direction, as I noted the other day it is important that we start to focus and develop institutions which enable us to focus effectively on such needs of our multicultural communities as language training, more English as a Second Language programs, mechanisms to ensure greater equity in employment and particularly in our schools programs for each and every student, and indeed in other areas to the extent possible for all citizens of this province programs to enhance tolerance and understanding: knowledge of the humanity of each and every one of our ethnic organizations.

Most particularly I would urge once again upon the government the implementation of what was a very sensible recommendation of the Ghitter committee and one which would provide the focus in this province and in this Legislature for an understanding of all groups; that is, the establishment of a standing committee on tolerance and understanding, a recommendation which was made some three, perhaps four years ago -- my memory fails me with respect to the exact date of that report -- which was a solid recommendation, the need for which in this Assembly, and particularly amongst the government, was regrettably demonstrated by the attempted appointment of Mr. Stiles to the particular appointment on the Land Compensation Board, not through malevolence -- no suggestion of that on my part -- ignorance, insensitivity, lack of understanding, the type of difficulties and deficiencies that can well be remedied, or at least we can move in the direction of remedy, by establishment of a standing committee on tolerance and understanding.

Thank you very much.

MR. CHAIRMAN: Are you ready for the question on Bill 1?

[The sections of Bill 1 agreed to]

[Tide and preamble agreed to]

MR. ANDERSON: Mr. Chairman, on behalf of the hon. Premier, I move that the Bill be reported.

[Motion carried]

Bill 33
Alberta Cultural Heritage
Amendment Act, 1987

MR. CHAIRMAN: Bill 33, Alberta Cultural Heritage Amendment Act, 1987, is a money Bill. Mr. Minister, any comments?

MR. ANDERSON: Mr. Chairman, I believe you and all members of the House have the circulated amendments which we propose in committee stage to Bill 33.

We had an extensive discussion about the concepts of the Bill and indeed some of the details during second reading. Since that time, we've had further consultation with ethnocultural groups in the province, and we believe two suggestions they've made would be helpful in terms of strengthening the Bill. The first, as indicated on the sheet which hon. members have, would be merely to ensure in the Bill, which has been the case in the past, that the Cultural Heritage Council which performs such excellent services for the people of the province in representing the ethnocultural community -- that the expenses be paid, and to read that:

The Council shall be paid an amount approved by the Minister with respect to the expenses incurred by the Council and its members in carrying out its purpose.

The other change which we suggest, again circulated on the same sheet of paper, is that we tie directly the activities of the commission to the objectives of the Act in total so that's clear and no one has a question about that commitment in that respect. That would read:

The Commission has the duties and powers given it by the Minister and shall fulfil those duties and exercise those powers in accordance with the objectives of this Act.

Mr. Chairman, I would move those amendments to the Bill.

MR. CHAIRMAN: There is a government amendment to Bill 33. Hon. Member for Edmonton Highlands.

MS BARRETT: Mr. Chairman, I too have circulated amendments to Bill 33, which I presume I can't discuss at this point now that we're on just the amendments proposed?

MR. CHAIRMAN: I'm sorry, hon. member. You may indeed discuss anything you wish.

MS BARRETT: Mr. Chairman, I think the amendments as proposed by the minister do something to alleviate one of the concerns as expressed by various ethnocultural communities in at least stating that the council itself is not going to be stripped of its financial ability to exercise its duties. I don't think the second amendment proposed by the minister clarifies things much one way or the other. It occurred to me, however, that the minister did not undertake sufficient consultation with ethnocultural and multicultural groups prior to the introduction of his Bill.

The Bill itself I think has one inherently bad part, although the notion of a commission is not necessarily bad itself. However, I think much, much of the public fear and concern could have been allayed if the minister had taken the time or in fact had his officials take the time to consult with and float these ideas by the various affected constituencies prior to the introduction of the Bill.

The greatest concern apparent to me at this point is a sense that the Bill amounts to the government seizing greater control over what has hitherto been perceived to be a more open process. Now, I've never acknowledged that it was a very open process, Mr. Chairman, because the foundation board members were always appointed by cabinet, as were the council board members. It occurs to me that that's very little more than appointing people you think will express and represent your own point of view. That, of course, has been a problem in the past. As I've mentioned before, the various council divisions which do exercise some autonomy find that their autonomy is rapidly curtailed on an annual basis when the resolutions they would like to see supported are vetted for political content, many of them relegated to the dustbin of history; in other words, not being allowed to see the light of day.

Now, I compare this to Manitoba's intercultural council which by and large writes 85 percent of government policy on ethnocultural and multicultural policies. It literally authors Bills and internal policies. Very few are rejected, and the average is at about 85 percent. Now, there is a political price that one could pay for this, and that is that if a government gives you the authority -- that is, an intercultural council -- to direct policy for multicultural and ethnocultural development and the govern-

ment doesn't do it, the government might get booted out of office really fast. That danger doesn't exist when you're appointing people you believe represent your own political points of view, because then you're not making any promises to the public or to a democratically organized constituency at large. However, I think the New Democrats in Manitoba have shown that they're not scared of that potential ramification. They're serious about permitting democracy within the broad policy formation process, and I think they're to be complimented on it. I believe the minister was referring earlier, under consideration of Bill 1, that we were doing something really different here by having a Department of Culture and Multiculturalism, but I believe the title of the Manitoba department is something like culture and heritage, so they too recognize the importance of the ethnocultural component of our social fabric.

Now, Mr. Chairman, I could have proposed an awful lot of amendments to Bill 33 and decided not to because I'm not sure there's much of a difference in eliminating a foundation and creating a series of commissioners so they can be effective. However, I have not had the opportunity to discuss this with any current members of the foundation. One thing that does occur to me, though, is that with the minister's Bill we're going from a foundation that consisted of 14 members down to a commission which consists of five members and one nonvoting member. It could well be that we're reducing the number of voices that have direct input into government policy and into the funding process for providing financial assistance to the various ethnocultural and multicultural communities. I think that is a big concern, and that's one of the reasons I have proposed the amendment that I have circulated.

I believe I discussed the possibility of just this sort of amendment with the minister at about 10 to 9 this morning and didn't write it until later, of course, so I couldn't present it to the minister. In fact, I didn't have it ready until quarter to 8 this evening. The amendment I'm proposing won't ask for any unduly hard or interfering changes to the contents of the Bill, but it sure asks for one thing: that we take the politics out of this whole thing. I think I can explain how you can do this.

Now, you can't have a series of boards or foundations that are appointed suddenly at a new level become democratic and elect their members. And I know I'm not going to convince the government to go for the proper nonhierarchical, democratic process of allowing all councils, all foundations, and all commissioners be elected. That would be my ideal, and if I were the Minister of Culture right now, that's exactly what I would do. I would propose the full democratization of this series of bodies, but I'm not going to waste the paper or my effort on trying to convince the minister of something I know is not going to happen. So it is with great reluctance that I must admit I didn't propose that the six people to comprise the commission be elected, because I was stuck with having to ask: elected by whom? Elected by people who are already appointed to the council? Elected by people who are appointed to the foundation? That doesn't make any sense. You have to have democracy starting at the grass-roots level and then work its way up. To suddenly superimpose elections at the very top level makes no sense at all. So I give in reluctantly and acknowledge that these people, without prior democratization of the process, must be appointed, and they're going to be appointed by cabinet and the Lieutenant Governor in Council agrees to that and approves that.

But what I can propose is that we take the politics out of this thing by (a) insisting that no other M L A be a commissioner. For heaven's sake, we've got the top commissioner sitting right

across the way: the Minister of Culture and Multiculturalism. We don't need any other one. We only have one M L A responsible for the Senior Citizens Bureau. We've only got one M L A responsible for AADAC. You know, I could go through the Water Resources Commission and all the rest of it. There's only one. That's all we need here, and the minister should be that person. I say that we don't need another M L A on this commission. Let's make it public and accessible. Mr. Chairman. I also say, with all strength of conviction, that we sure as heck don't need to appoint a higher echelon from within the department to sit as a commissioner. Come on. I mean, that's stacking the deck so badly, why the heck have the thing in the first place? You could just have edicts that come frequently from the minister's department and it would have the same effect. It is unnecessary. It not only runs political interference but it will be perceived to run political interference. Even if you don't care about the contents of what you do, you should care about the perception of what you do.

So this amendment strikes out any reference to the appointment of an M L A as the commissioner, the appointment of a higher echelon within the department as a commissioner, and it allows

6 persons appointed by the Lieutenant Governor in Council who, when making the appointments, shall consider

I am quoting, by the way,

the knowledge, background and expertise of each person appointed and shall bear in mind the desirability of equal numbers of men and women on the Commission and of representation of each major geographic area of the province.

Now, you might recognize this sort of talk from me. I've been this way all my life practically, Mr. Chairman. I've been a social democrat since almost before I can remember. The reason you might recognize this talk from me is because this is borrowed in large measure from a Bill I wrote several years ago which was introduced by the Leader of the Opposition, was introduced by myself later on, and then, I believe, subsequently taken over by the government's Bill, and that was a Bill to establish the council on the status of women. In that Bill I called for a fair balance of representation in the appointments, because I think that's very important.

I think the communities who are directly affected by the policies, particularly the funding policies but also the policy orientation of the commission, would like to know that the people who are being appointed represent a fair balance from throughout the province. And that does mean regional balance. That does mean making sure we've got people from northern Alberta and southern Alberta and not just from Edmonton or Calgary. It does mean that gender balance should be a goal, because women hold up half the sky, as everybody knows, and women should have an equal chance to be designated a commissioner under the terms of this Bill.

Perhaps most important though is that it provides a layer of protection against pure political appointments, and that is in asking that the knowledge, background, and expertise of the nominees be taken into consideration. We would not just be courting our political buddies. Now, it might be the minister's political buddies; in a few years it might be my political buddies, and that's not good enough. Mr. Chairman. That's just not good enough. You want to make sure you've got a commission that is fairly representative and that not only doesn't look to be but actually isn't a pure political manipulation. We don't

need any more marionettes.

I think the Bill should reinclude something that I think has been taken out. The existing Bill says under section 15:

The Minister may give directions to the Foundation for the purpose of

(a) providing priorities and guidelines for it to follow in the exercise of its powers under section 11.

Now, that may sound like political interference. But I'll tell you why I think it's important at this juncture in any event, and that is that I believe the bodies which have hitherto existed have been made into a kind of political football when it comes to policy orientation, and the policy orientation that I think is very important right now, and I've said it many times, is an orientation toward promoting tolerance and respect for all ethnocultural communities in the province. If the new commission doesn't determine that that's its direction, that that's its highest objective -- and I know it's going to be one of the objectives; I see that on page 1 -- if it doesn't consider that to be its highest objective, then what is to stop this commission from seeing its greatest role as simply being a granting agency? Granting is very important, but I think this body has a chance to do something that no other department and no other program is doing right now, and that is taking on the issue of the need for promotion of tolerance and respect in our society. So if the minister isn't going to include it in his Bill, I would like to hear him say tonight, *s'il vous plaît*, that he is going to emphasize with the commission that this priority must remain a priority -- it is not one of many objectives; it is a priority objective -- so that it can help determine policy orientation in conjunction with what will become a subsumed council. If he will do that, then I won't harp about that particular issue anymore, not on this Bill in any event.

There is one other concern I've got here, and that is that the new Bill under section 12 says, "The Minister may charge fees for any program or service provided pursuant to this Act." My antennae went up right away. I got worried about this, because what if the commission decided that every time it was going to, say, send out speakers to schools or provide its services to be organizers for people who hold that objective of tolerance and respect and understanding so high, for every service they supply, is this going to become a disincentive for organizations to call upon the good offices of the commission? If it is, what good is it going to do? Now, I think the minister should take that part out of the Act. I don't think there's any need for a department of culture and multiculturalism, to which this commission is answerable, to charge fees under this commission's mandate. That just seems wrong. You know, if we thought that the Ministry of Consumer and Corporate Affairs fee changes and hikes were counterproductive, surely we've got to have a look at the concept of fees within this very human resource based commission and ask if it is going to be more counterproductive than it's worth. How much money are we going to spend chasing the money that's supposedly owed under the fee schedule? I don't think the minister should pursue that. I didn't see an amendment taking it out, but I hope the minister will respond to my concern and state on the record just why that provision is in there and at what point he will agree not to exercise it. If he isn't going to take it out, then state categorically, here and now, where it would be used or implemented and where it wouldn't be implemented. I think that's very important to all the organizations that would call upon the services and considerations of the commission.

Mr. Chairman, I think the most important consideration in front of us is the consideration of potential political manipula-

tion, and I caution the minister and the government in that ethnocultural communities can't be bought off by a few bucks, and in fact they've proven they won't be. The one thing they want to see is their ranks fairly represented throughout all levels of society. What they want to see is their families, their children, enjoying the equal respect and access that particularly Caucasians in our society do, especially the WASP version of Caucasians. I'll tell you one thing they really don't want to see, Mr. Chairman. They don't want to see this government change its funding formulas. They don't want to see funding made available only to umbrella organizations, whether by ethnocultural constituency or by multicultural component. They absolutely don't want to see that, and neither do I, Mr. Chairman. I think that would be a really dangerous course for the government to embark upon, and I hope the minister, in responding to my concerns, will allay that very fear and give his commitment that during the life of this Legislature he will not allow and he will not direct the commission to impose a funding formula which allows only umbrella organizations to apply. I really want that commitment tonight.

I would like it especially if the minister would support my amendments. I almost feel like doing horse trading here. You know, like "I'll support yours if you'll support mine." I don't think it's going to work that way. The guy is an affable minister; no doubt about it. It's amazing how you can sit on opposite sides of the House and debate a Bill and your temperature doesn't rise or anything. Mind you, it might under Bill 11; who knows? But I think the minister's intentions are probably good, except for that running of political interference and those other potential pitfalls I've outlined.

I therefore urge members to consider supporting the amendment that I've presented, and I await the comments of the minister.

MR. CHAIRMAN: There has been an amendment proposed by the hon. Member for Edmonton Highlands. Speaking only to the amendment, please.

Hon. minister.

MR. ANDERSON: Mr. Chairman, perhaps I could address the amendment briefly. The hon. member raised a number of points in her comments. However, specifically with regard to the amendment, the member indicated that there was no way that election would take place in this undemocratic process. I think that's paraphrasing, but it was there to some degree. In fact, by her amendment she takes out the one required member of the commission, which is the chairman of the Cultural Heritage Council, who obtains this position by first being elected by ethnocultural groups in most cases and then by being elected by them to chair the council. So in fact the legislation we have before the committee this evening requires that that person, the chief person elected by ethnocultural groups in the province, be represented on this commission, and that's taken out by the suggested amendment.

In addition, Mr. Chairman, while the desire to have us look at people from all parts of the province and backgrounds, equal numbers of men and women, and those sorts of considerations are laudable in themselves, in fact the main criterion on the commission at this point in my opinion is to make sure that the components of the ethnocultural organizations are represented -- in other words, what has been the Cultural Heritage Foundation, the Cultural Heritage Council. And indeed I believe quite firmly, opposite to what the hon. member suggested, that the

importance of this commission is elevated radically by having a member of this Assembly as chairman of that commission who can directly bring the views of those organizations here. I appreciate the hon. member's suggestion that as minister I would be the chairman of the commission or something of that sort. The same argument could be made about any other member who chairs any other commission or board. There is a minister responsible for each of those bodies. But as with other components ministers are responsible for, I think it's important that an M.L.A. have as their major responsibility that particular part and that emphasis, who can quite honestly spend much more time and give much more in total involvement with that than any minister could do with the other responsibilities that are attributed to a minister.

Mr. Chairman, for those reasons and others, such as questions as to how you would determine major geographic area without any definition in the Bill and that sort of thing, I would not support the amendment and would suggest to members that they not do so as well.

MR. CHAIRMAN: Speaking to the amendment by Edmonton Highlands, Edmonton Kingsway.

MR. McEACHERN: Thank you, Mr. Chairman. I was a little surprised when you said we were only speaking to the amendment brought in by the Member for Edmonton Highlands, in view of the fact that she talked about a number of parts of the Bill. At the initial stages you did suggest she could talk about any part of it she wished.

MR. CHAIRMAN: No. Order please. The hon. Member for Edmonton Highlands had the liberty, and then when the hon. member concluded her remarks she moved the amendment. Speaking now only to the amendment by the hon. Member for Edmonton Highlands.

MR. McEACHERN: Okay, that is what I intended to address my remarks to anyway.

I just think that the Member for Edmonton Highlands has brought in a very excellent amendment, and a couple of the main points strike me as very important. If you only have a five- or six-member commission -- and I see it's five, according to the Bill; I don't think the minister's amendment suggested six -- and if the members of that commission are the minister, another member of the Legislature, a government employee, and not more than three other persons, then you've got a majority on the committee or at least half of them. As my colleague from Edmonton Highlands said, you may as well run the thing out of your department and not worry with the commission.

So the minister should look at either expanding that committee . . . If there's a problem with allowing geographical representation and gender representation and also various cultural group representation -- and it doesn't seem to me that those things are in any way mutually exclusive, that you can balance those factors -- then perhaps the commission should be expanded. Certainly the amendment proposed by the Member for Edmonton Highlands is an improvement over the original description in the Bill for that commission.

[Motion on amendment lost]

MR. CHAIRMAN: Bill 33, as proposed amendment by the government. Hon. Member for Calgary Buffalo.

MR. CHUMIR: I understand that I have the authority to speak with respect to the Bill in large at this point once again, do I, Mr. Chairman? I have some rather more global comments to make of a general basis, and a few comments with respect to some of the particular sections.

MR. CHAIRMAN: Hon. member, we should only deal with the amendment as proposed by the government.

MR. CHUMIR: Only the amendment proposed?

MR. CHAIRMAN: We'll come to the Bill as amended.

MR. CHUMIR: Okay. Well, fine then. In that event I will defer my comments until later, Mr. Chairman. Thank you.

[Motion on amendment carried]

MR. CHAIRMAN: The hon. Member for Calgary Buffalo on the Bill as amended.

MR. CHUMIR: Thank you. I would like to make some general observations with respect to the Bill as a whole, and some narrower comments with respect to a few of the sections.

Upon second reading of this Bill on Tuesday, May 26, I indicated that I had some concerns that there had been inadequate or even no consultation with the concerned ethnic groups and expressed a lack of satisfaction that the format of the legislation precisely suited the needs of the ethnic groups of the community, and I invited the comments of the minister with respect to those issues. The comments were rather sparse. I wasn't particularly happy with the answers -- certainly not enlightened.

Since that time I've had occasion to find out more about this legislation. I was at a meeting earlier this evening at which the minister appeared before representatives of some of the multicultural groups and answered a few questions. Since that time my reservations have grown in leaps and bounds to outright concern and opposition. It became apparent to me, Mr. Chairman, as the questions were asked this evening as to why there had been no consultation with groups such as the Edmonton Multicultural Society. And the reason seemed to me to be very clear. As more questions were phrased in a very precise manner requiring precise answers rather than general, overall, and evasive styles of comments, it became very clear that the basic purpose of this legislation is to significantly increase the political control which the government has over the grants and other activities of this particular enterprise relating to multiculturalism.

When one looks at the legislation and asks the rather basic, major question, "Why change a system that has been working somewhat reasonably well for the purpose for which it was established?" you find that there really is no substantive change in respect of operations or mechanism other than in a number of very significant ways to enhance and increase the input and role of the government, and particularly the minister.

Now in that regard, where we look at the change from a foundation format to a commission format, we find the number of members of the ethnocultural communities and others significantly reduced. At present we have, I understand, in the foundation from 14 to 16 members. We're going to be reduced to five members plus an employee of the government under the administration of the minister -- certainly a much more manageable number, particularly manageable when one of those five is a Member of the Legislative Assembly. Yes, we've heard that

this increases the voice of multiculturalism in the Assembly, Is it being overly harsh to suggest that for every decibel in which the voice of the multicultural community is enhanced in this Legislature, the voice of the minister and the government is enhanced a hundredfold within the meeting rooms of the particular commission?

The analogy has been given to AADAC, AADAC functions very well with a Member of the Legislative Assembly as its chairman. Well, this isn't like AADAC, AADAC is a rather administrative type of body. It has particularly narrow policies which are not highly politicized, This is an entity which performs duties and makes grants to groups and is in essence very highly politicized, and as such the format of the legislation calls out for efforts -- if it is to do its job properly -- to reduce that degree of political input. And far from reducing the degree of political input, what we see are initiatives to enhance what should be a defect to be avoided.

In terms of duties and powers, we find that under the previous legislation the foundation had broad powers granted legislatively. Previous section 11(e) provided for the power, for example, to

make grants to any person or organization carrying on activities that are within the purpose or objectives of the Foundation.

Yes, it's true that under section 15 the minister had the power to give directions, but that is a far cry from the scenario that we now find facing this body -- this supposedly quasi-independent body -- which under the new section 9(1) is to have "the duties and powers given it by the Minister": in effect, a total creature of the minister.

And then we leap over to a whole new range of provisions under section 15 of the Act which, unless my spectacles are failing me, has no counterpart in the previous legislation, and that is a section giving to the minister broad power pursuant to the authorization of the Lieutenant Governor in Council, to make grants, to get himself involved right up to the top and over the top of the hip waders in the granting of the financial largesse. I can see a little vision of the government perhaps seeing grateful groups marching to the polls. Well, as has been stated by the hon. Member for Edmonton Highlands, groups cannot be bought that easily. I don't think I'm being overly suspicious if I see in this change in the legislation the potential for that.

In a technical sense, Mr. Chairman, a question that was raised earlier this evening at the meeting the minister attended and that relates to section 9(3). Under that revision it is stated:

The commission may, with the approval of the Minister, make by-laws

(b) providing for committees of the members of the Commission and providing for the duties and powers of those committees.

The question was asked earlier this evening, how a three-person commission -- for it is to consist of three people until the minister makes two additional appointments -- or indeed a five-person commission is going to be handling all of the granting powers of the existing foundation. The minister suggested that notwithstanding this provision which seemed to state that committees to be established by the commission may consist only of members of the commission, elsewhere in the legislation there resided adequate powers to enable the commission to establish subcommittees which in themselves would be intended to be the financial granting bodies. Well, the lawyer in me has scoured the legislation far and wide, and I found an old Latin maxim of statutory interpretation jumping into my fluffy head -- no; it is-

n't worth going to law school unless you have the occasional Latin phrase to spring out -- and the maxim is: *inclusio unius est exclusio alterius*. I'll expect to hear from *Hansard*. What that means is that if you include one species or genus in a piece of legislation, you're implicitly excluding others. And if I'm not mistaken, by including this aspect in section 9(3) whereby you make a specific legislative provision that for committees consisting of members of the commission to be established, that you are precluding the right of the commission to establish other committees for that purpose, certainly autonomous committees.

If this is left in its present form, I predict that what we'll see in one of the future Auditor General's reports is a statement that this commission, in following the process -- and I hope the minister is serious in his suggestion that these independent committees would be maintained -- I predict we'll find a report at some future time pointing out deficiencies very similar to those which led to the recent amendments of the Wild Rose Foundation: that the legislation is too narrow and restrictive. So I would urge the minister to have a look at that rather technical suggestion.

In any event, as I look at this legislation on a global basis, Mr. Chairman, it seems to me that the current situation is much better and that we should be looking for ways to improve it. A direction of improvement would be to enhance the independence of the multicultural bodies involved, not to reduce them. The reality is that we do reduce them. The enhancement, for example, might be done through including on the foundation some elected members of the multicultural communities, such as the chairman of the council. What, for example, would have precluded the government from amending the current legislation to add the chairman of the council? Well, this was not done. We have, as I indicated, less independence, and I smell a political motivation rather than the interests of enhancing multiculturalism. Unless the minister exercises sheer wizardry and legerdemain in terms of his response, we intend to oppose this legislation as a result.

MR. CHAIRMAN: Hon. Member for Edmonton Gold Bar.

MRS. HEWES: Thanks, Mr. Chairman. Just a few remarks. I supported Bill 1 when it was first introduced and subsequently, because I really believe and want to believe that this government feels strongly about our multicultural community and about supporting it. I still want that to come true through Bill 1. But as I've read 33 and as I've listened to the community on 33 and to the comments made in the House, I've become increasingly perplexed about what is happening here, and I find myself to-lught in a position of not being able to support it, with regret, because of a number of things that still to me have not been properly explained.

Mr. Chairman, there's no doubt that all of us in this House support the initiatives of our ethnic communities, and I think that was expressed in moving Bill 1. This community in Alberta has been strong and active and resourceful, and none of us wants anything that will in any way erode or weaken the initiatives that the ethnic communities have taken towards tolerance and understanding, language preservation, their desire to participate and *serve* in this part of the world, their skills and entrepreneurship, their trade initiatives and connections in other parts of the world.

But for the life of me, Mr. Chairman, in Bill 33 I really don't understand, with all of the explanations we've had, the rationale for change. If I had to say whether I have been satisfied or not, I'd come down heavily that I have not been satisfied. I don't

see this Bill as strengthening in any way that multicultural community. I see it, if anything, weakening. I don't understand why it's being done at this time, and I don't believe the multicultural community or the community at large does either. I think they are totally mystified by this, apart from the kinds of suggestions and explanations that have been put forward in the last few minutes.

Mr. Chairman, why is it happening? Has the minister or the government been dissatisfied with the way the foundation has functioned to the present or the way the council has functioned to the present? Is that what we're after? If that's the case, let's say so. But that doesn't appear to be the case. There's been no consultation that I understand, until tonight's meeting, with those ethnic communities that are so mightily involved in this whole process and that we want to keep involved and strong and active in the process. Why not? Why didn't we talk with them? What on earth were the reasons not to consult with them before such moves were made?

But what about the foundation? Well, if you read the annual report, it talks at length about how "the Foundation has traditionally developed as an arms-length agency." That was perceived by the foundation in their report to be a strength, something positive: an arm's length agency. And further you read that

Foundations, by their very nature, can move quickly in innovative directions and respond to perceived problems.

This was seen to be a great strength of the foundation. Again, In summary, the Foundation's objective of promoting tolerance and understanding is being met in a pro-active and creative manner.

Now, was it not performing satisfactorily? How are we to understand that by taking fewer people and taking more control back into the government it's going to perform in a better way, if in fact they were performing well to date? I don't understand, Mr. Chairman, nor does the community, why we are now making political appointments. To be sure, the government has appointed the foundation before, but now we're going to put an M L A in as chairman and reduce the number of people, changing the proportion of control. What is to be gained? I see nothing but control, political control, and that's the perception in the community at large.

The money heretofore was allocated hopefully free of political influence. Now, it's going to be done through the Treasurer, and giving this Act gives the minister very wide powers to allocate money. Well, one has to say to oneself, why not do away with the whole thing? We've now added the name "multicultural" to the department. Why do we bother with this commission at all? Why not just absorb the entire control into the department and into the hands of the minister? What are we doing? Is this a gesture? If the foundation was working satisfactorily, why did we do it in the first place except to take back political control?

What on earth is the commission going to have to do anyway? We don't really see from this Act a significant role, unless it's intended that the commission now usurps the role of the heritage council, and perhaps that's what's intended. We haven't been told that, Mr. Chairman, but maybe that's what's intended. In the annual report it says: "the funding of the Alberta Cultural Heritage Council" -- coming through the foundation -- "which advises the Minister on multicultural affairs." Well, is the commission now going to take over that function? Is that why we're having a commission?

Mr. Chairman, I think any of us who've been familiar with the work of the council knows that they've done an incredible service to the province. They've made great strides in Alberta to educate, enlighten, and reduce fears, resistance, and hostility regarding differences. And it seems to me they're now being reduced to an also-ran category. After years of service to the government and the community, without any real consultation, their power is now being moved into a commission, and the commission is being moved into control of the government, removing all of the high potential that was there before for objectivity in their decision-making.

Mr. Chairman, I find myself, as I said before, reluctantly unable to support this. If amendments were going to be made, if amendments were necessary, then I believe they should have been amendments to free up how appointments were made, to free up the foundation to make objective decisions about our cultural and ethnic communities and the kind of support that they should have from the government, and not to further encumber and control that community. I think this Act moves in the wrong direction, Mr. Chairman, and it will create an atmosphere of just that, of pulling back the control into the government and not of increasing and enhancing the sense of respect that we have developed in our province for our ethnic communities. I regret that I can't support it.

[Mr. Musgreave in the Chair]

MR. DEPUTY CHAIRMAN: The Member for Calgary Forest Lawn.

MR. PASHAK: Thank you very much, Mr. Chairman. In one of the changes that's proposed here for the Bill -- and I brought this out when we were dealing with the Bill on second reading -- it says:

WHEREAS the cultural heritage of Alberta is enhanced by the freedom ethno-cultural groups have to express their ethno-cultures and to interact with people of different ethno-cultures . . .

I think "interaction" is a key word, and that indicates a significant change to the current legislation.

I would like to ask the minister how these proposed changes would help me in my own area. Today the minister probably observed that a group of students from one of the junior high schools in my area was present here in the Assembly. This was a group very representative and very typical of the schools in my area, and I'd say that at least two-thirds of the children in that group represented visible minorities. On this particular Canada Day that's coming up next, a number of the community associations and the Forest Lawn business association are getting together to put on a Canada Day celebration at one of the community centres, and they have asked me if I would help them get members of the ethnic communities involved in this celebration as well. So my question really to the minister is: how would it be possible under this Act to access funds that might help in making this festival that'll take place on Canada Day an even bigger success than it's likely to be?

Now, I know that a lot of these programs come under the Secretary of State, that they're federal programs, and I also know -- at least I've been given to understand -- that there is somebody that works within the minister's department who provides some co-ordination for these activities. But again, what I'd like to know is if there's any specific help that would be available to a member such as myself who would like to pro-

mote the intent that's represented in that "whereas" clause about helping people from different ethnocultures interact with one another, how I might be able to do that, and if so, when would there be forms or whatever available that would allow me to access any funding that might be available?

So thank you very much, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The Member for Calgary Buffalo. You should be in your chair.

MR. CHUMIR: Thank you. I have only a very brief addition to make to my earlier comments. During those comments I expressed -- I take it this won't exaggerate the case -- some form of skepticism about the presence of a Member of the Legislative Assembly on the new commission to be formed, and expressed some doubts about the intent of his role. During those comments I dealt with the issue of whether or not the voice of multiculturalism would be enhanced in this House by having a Member of the Legislative Assembly sit on that commission, and my conclusion is that the downsides in terms of political interference would be far greater than the enhancement of the voice.

What I wanted to point out to this House is that if the government were serious about enhancing the voice of multiculturalism in this House, they could and should, and long ago, have adopted the recommendation of the Ghitter committee on tolerance and understanding to appoint a standing committee on tolerance and understanding of this House. That has not been done. We have pressed for it. It cries out for action on the part of this government, and by omitting to do so, it says to the multicultural groups in this province and to the people of this province at large that tolerance and understanding and multiculturalism do not in fact have a central role to play in the hearts of this government. I think that's wrong. I think it's a serious omission. It's easily remedied, but it's important that it in fact be remedied.

Thank you.

MR. ANDERSON: Mr. Chairman, I'd like to briefly respond to some of the comments made this evening, particularly by the Member for Calgary Buffalo and the Member for Edmonton Gold Bar. In both cases they suggested rather strongly, amidst self-defined skepticism, that in fact we have emasculated -- I don't know if that's too strong a term -- the ethnocultural community by this Bill. Nothing could be further from the truth, Mr. Chairman. In fact, we give for the first time a direct input from the ethnocultural community -- if in no other way, if there's skepticism about the appointments -- clearly, through the chairman of the Cultural Heritage Council to the programs, money, and the directions that the department has taken in the past. The grants, for example, the department has given out before have been given out totally at our discretion, without that kind of governing board of any sort, kind, or nature. That whole side is left out by the arguments made by the two hon. members when they deal with the arguments about the foundation. We are now involving members of the committee in the overall direction of the commission, which includes both the foundation resources and the commission resources. I believe we will be able to put more dollars into the community because of the efficiency of this amalgamation. I believe that we will have better programs, better input, greater directions, because we have the direct consultation of the ethnocultural groups of the Cultural Heritage Council.

And there could be nothing more erroneous than was men-

tioned by the one hon. member when she suggested that the council is somehow losing authority, losing influence, losing support of the government in this move. In fact, the position of the council is much enhanced by the fact that they'll be involved directly in the programs that have traditionally been those of the department and those of the foundation, which again they had no input into as well. The council, elected by members and ethnocultural organizations, has a direct involvement in this particular direction.

I won't debate any further the concept of an M L A being in charge, I find it ironic that members of this House would malign the ability of a member of the Legislature to represent the people, who elect the members of this Assembly, and to bring to the top of the priorities in this Assembly the whole concept of multiculturalism.

I don't want to debate the issue of tolerance and understanding with the member. I clearly believe that's one of the goals inherent in this Bill, inherent in the activities of the government, inherent in all of our various bodies from the Human Rights Commission on down. Whether or not there is a specific need for a committee, it seemed to me the member was suggesting members of this Assembly -- which again I find irony in, when he suggested a member should not be on the commission -- I am not sure about. But, Mr. Chairman, I do believe that this is in fact a dramatic enhancement of the position of multiculturalism. It brings together resources, and therefore has a strength to it which hasn't been there before, easily able to develop.

I would thank the hon. Member for Calgary Buffalo for his -- I presume free, because I haven't gotten a bill yet, as is usually the case with lawyers -- legal advice on the Bill. Other lawyers have suggested the opposite, but I will discuss it with him again, because I do certainly intend that the grant adjudication that the commission will do would be done through committees that would be widely representative of ethnocultural organizations in a variety of cases as we move to enact this Bill.

I should further indicate that there was considerable discussion with various ethnocultural leaders, including the foundation and the chairman of that foundation who, to the best of my knowledge and has stated to me, is quite supportive of this direction, I have committed to -- and the member was at a meeting earlier this evening, but for the record again -- establishing an implementation committee between the Cultural Heritage Council and the Cultural Heritage Foundation, with a couple of members from the division, which will be the steering committee for bringing this whole commission about, and after that point, to discussing widely with the community throughout Alberta what additional directions to those we have taken or what improvements might be made in those taken would be desired in the community at large.

Mr. Chairman, those briefly deal with some of the comments. Just in answer to one concern raised by the Member for Edmonton Highlands with respect to the fee portion in there, I can't outline for her all the cases in which fees are used. But certainly at the moment within the department there are, for example, within the institute, which is a program of the division and would therefore become of the commission, fees to companies who would utilize the resources in their programming. And there is of course potential for a number of incidental fees regarding conferences that might be brought together and costs involved with that sort of thing. It's a usual clause to have in an Act to enable that sort of thing. I have no intention of charging for those things that we haven't charged for, and I'm giving no consideration to that possibility at the moment.

MR. DEPUTY CHAIRMAN: Are you ready for the question?
Hon. Member for Edmonton Highlands.

MS BARRETT: I wonder if the minister will commit himself then to providing to the Assembly the fee schedule that currently exists within the department for enacting or providing services related to multiculturalism, and also agree to providing the Assembly, as a matter of courtesy, with any updates; that is, any changes to either the nature of the fees that will apply or the amount of the fees that will apply at any time that those changes do occur.

Mr. Chairman, the minister talked quite a long time about how it's not running political interference to have a member of the Legislative Assembly appointed as a commissioner and as the chairman. And I don't want to prolong this debate into well into the small hours of the morning when I know that I'm not going to win. The minister votes on the majority side of the House, I've noticed, and he's going to win this issue. However, will he -- and I'm not going to vote for it unless he changes that part of it. I can't support that provision, and that's all there is to it. But would he commit himself to holding in abeyance the section 8(1)(a)(ii), which calls for:

an employee of the Government under the administration of the Minister, who shall be the secretary . . .

Now, the reason I would like to see that happen is because while it's true that that secretary will not be a voting commissioner, that secretary shall still exercise a fair amount of influence from the perspective of the minister's department. And I think that if he's going to have his way and have an MLA on there -- which I don't like, because I think that basically double-barrels it to begin with -- maybe he should stop and have a sober second look at the merits and the reasons for having an employee of the department on that commission.

Further, I would like the minister to outline what sort of program he envisions. It's not spelled out here, but at least he can give me an idea of what it is that he envisions that these commissioners will embark upon. Will it be their mandate to, for example, travel throughout the province, make themselves available to organizations, corporate or other, to advise them on the state of ethnic representation throughout the ranks of professions, for example? Will they be talking about that and the importance that people not be overlooked in their jobs because of the colour of their skin or the religious faith that they practice?

Now, I know that he's got this new outfit in Calgary that will be making itself available to entities which would like to come and gather some of the information so that they can decide whether or not they want to enact the principles of multiculturalism within the workplace. But I'd like to know what the larger role of this body is going to be. It's obvious that it's going to be involved with granting, but what are the outreach components that the minister envisions? Now, I know he's already said that he's establishing a steering committee, or an advisory committee, comprised of three members of the council, three members of the foundation, and two members of his departmental staff to help determine that very issue and that they will embark upon provincewide consultation of whichever sort the minister prefers to help determine that, but what does this minister want? What does this minister expect these people to do, aside from rubber-stamping authority to grant money? Is there going to be an active outreach component here, and what are the minister's ideals?

I would like the commitment that the employee of the gov-

ernment will come under reconsideration prior to third reading of this Bill. I suspect I won't get it, but I'd sure like it, and I would like an outline of the role of the commissioners as commissioners, as opposed to the role of the commission, whose mandate is set out here.

Finally, the minister thought he'd make fun of recommending a Legislature committee on tolerance and understanding when in fact we're harping about the fact that we don't like an MLA assigned as one of the commissioners. I'd like to point out that the position of this caucus in any event is that the committee on tolerance and understanding -- or mutual respect, as I prefer to think of it -- should ideally be one that is comprised of members from all parties, just as most of our standing committees are. I wonder if he'd give his commitment to at least referring this issue to his new commission when it is established. And I know it won't be established right away, upon passage or Royal Assent of the Bill. Will he give that to the commission to study the merits of? Will he agree to that?

MR. PASHAK: Perhaps the minister's reluctance to answer my question is because I started out in error. I guess the clause was amended in the preamble by adding

Whereas the richness of life in Alberta is enhanced by sharing the knowledge and traditions of ethno-cultural groups . . .

And quite frankly, I think the preamble to the Act, including that amendment, is a fairly powerful and significant statement of what I think we'd all like to see take place in this province.

So given that preamble, and then turning to clause 15(2), it says that:

The Lieutenant Governor in Council may make regulations

(a) authorizing the Minister to make grants;

et cetera. I don't know what the specific changes are to the existing legislation in there, but surely that does provide the minister with an opportunity to assist all MLAs in helping to bring about the intent and spirit of this particular legislation. And my question to the minister simply is: how, as a Member of this Legislative Assembly, do I go about accessing whatever opportunities are provided in the rest of this Act?

MR. ANDERSON: Mr. Chairman, first my apologies to the Member for Calgary Forest Lawn, who has asked a couple of times a question, and it wasn't because he did make an error in the section that I didn't answer. The short answer is: there's not money for Members of the Legislative Assembly, of course, either in the commission suggestion or in the current makeup. However, there are grants from the foundation at the moment and from the division which can be accessed by ethnocultural organizations, depending upon the criteria that they want to apply under. For example, within the division at the moment there are grants which we give out under two headings, either for the purpose of the retention of one's cultural heritage or for understanding and sharing cultural heritage. So an ethnocultural organization could apply under one of those two.

Under the commission makeup we will be bringing together the dollars, looking at the grant structure, and making sure the categories apply. In the consultation process, both leading up to the establishment of the commission and then following the establishment and going into a public consultation process, we'll be looking at where we can spend the dollars that we have in the best interests of multiculturalism, and so there may be a redefinition. Certainly any specific ethnocultural groups that the

member has in his area could look to. at the moment, either the division or the foundation, depending on what the specifics were of the proposal, and following the establishment of the commission, to the commission in that regard.

Now, in that light again, I've outlined that grants, I hope, will be adjudicated. At the moment we have just established an adjudication process for those two in the division that wasn't before done, where grants are weighed as to their importance in terms of the community and where the members of the ethnocultural organizations have some input in that respect.

In terms of the comments from the Member for Edmonton Highlands, she's psychic; I'm afraid I can't agree to withdraw the section. I think it is quite important that the secretary or the main person responsible for the staffing of the commission would in fact have input and be able to give advice. They're not voting because they shouldn't have the ability to control that direction, but I think it is very important that they have that input into that.

In terms of her request for a list for the fees, I'll take that under consideration. I'll be happy to do that, to consider that possibility.

The other point the member raised was with respect to the role of the commissioners. The main purpose of the commission will be to co-ordinate the activities over all of the commission, which will have the resources from both the foundation and the division. The individual role I think we will have to evolve with the input of the communities and what they'll do. To some extent that will be individual. For example, the commissioner who is chairman of the Cultural Heritage Council will be spending considerable time with his council bringing those ideas, concepts, thoughts to the commission, and the commission will be using those and implementing the programs and making recommendations with respect to the directions of government in that regard. But the role of specific commissioners and how they communicate throughout the province will be one that will evolve as we go through the process of evolving the commission itself and getting the input from the ethnocultural organizations.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Bill 33 as amended; all . . .

MS BARRETT: No. Sorry. The minister forgot to answer one question, Mr. Chairman. I asked him if he would refer the issue of an all-party legislative committee on tolerance and understanding and what I call mutual respect, as recommended by the Ghitter report in 1984, to the commission.

MR. ANDERSON: Mr. Chairman, briefly, no, I wouldn't specifically refer it to the commission. Of course, the cultural heritage advisory council can advise on that at any time they see fit, but I think that's a decision -- now we have a report that has to be made in this Assembly.

MR. DEPUTY CHAIRMAN: Are you ready for the vote?

[Motion on amendment carried]

[The sections of Bill 33 agreed to]

[Tide and preamble agreed to]

MR. ANDERSON: Mr. Chairman, I move that the Bill be reported.

[Motion carried]

[Mr. Gogo in the Chair]

Bill 11

Historical Resources Amendment Act, 1987

MR. CHAIRMAN: Bill 11, Historical Resources Amendment Act, 1987, the hon. Minister of Culture. Any comments, questions, or amendments pertaining to any section of this Bill?

There has been an amendment circulated by the hon. Member for Edmonton Highlands. Hon. Member for Edmonton Highlands?

MS BARRETT: Well, thank you, Mr. Chairman. This, I suppose, is where the temperature of the debate will no doubt increase. I made the comments of my concerns about this Bill in second reading. Those concerns hold, and in fact if they've changed at all, they've intensified. I don't know about the minister, but I've certainly been contacted by a number of individuals representing organizations that don't want this Bill to proceed.

Ordinarily, Mr. Chairman, I can look at the Order Paper and kind of calculate what a Bill is going to be about, and when I saw this Bill on notice in Votes and Proceedings, I scratched my head and I thought: boy, something's up here; this is going to be a fast one. As soon as it was introduced, I requested a copy of it, and I knew right away what was wrong with this Bill.

As I've mentioned before, Mr. Chairman, the primary concern I have is that the Bill allows full and broad access for excavation of virtually any territory the minister says he will allow for excavating. It allows the minister to "sell, lease, exchange or otherwise dispose of archaeological and palaeontological resources" without consultation with anybody, whenever he wants. Now, I know the minister is really concerned that this gem called ammonite be extracted. I would point out to members of the Assembly that it is currently being mined and extracted and that this gem is a product of thousands and thousands of years' worth of history and evolution, of changes to the land in Alberta. It results from the very thin layer of fossils that exist below the surface of the land in various parts of Alberta, but particularly in one part of Alberta.

I am not convinced that it's ever going to be a real money-maker for the province. I am convinced, however, that it is important to take the utmost care in excavating for this and for any other items of archaeological or palaeontological importance, such as, for example -- I believe the minister referred to this one time outside the House -- arrowheads. Well, arrowheads might not seem really important right now, Mr. Chairman, but as I mentioned, you know, as we go about opening our next museum of major importance, that is, the Head-Smashed-In Buffalo Jump Interpretive Centre, we're going to fund that, yeah, we can attract a lot of people here because we've got bones and fossils and arrowheads. But if we allow companies to come along and -- I don't care if the minister doesn't like the word "bulldozers" or not, because bulldozers can be used for this purpose, and that's just the sort of tiling that I'm trying to prevent from happening: allowing bulldozers to come in and take out by the

shovelsful those famous little arrowheads that may not seem too important right now, but what if they become real important 50 years from now? And what if none of them are in Alberta any more, but they've been sold, leased, exchanged, or otherwise disposed of to countries around the world?

I remember a few years ago I was sitting up in the public gallery in my usual corner chair, where our research members are sitting right now, and I watched as a Bill was introduced which would permit the entry of artifacts into Canada for the purposes of display during the 1988 Olympics, and nobody would be able to lay claim to those, even if they originally belonged to Canadians, even if they originally belonged to the aboriginal peoples of this country and were confiscated, leased, sold, exchanged, or otherwise disposed of to countries around the world. Now, I don't think that was a very fair Bill, Mr. Chairman. I mean, it's true that when I lived in Britain, I went to the British Museum and other places and I saw some very interesting stuff that belonged in Egypt and that Egypt wanted back and that Egypt couldn't get back because Britain has the same kind of Bill that we had introduced here in this Assembly and passed by this Conservative government.

Now, the reason I bring this Bill up, Mr. Chairman, is because this is the sort of example of cutting off your nose to spite your face. We'll allow products, fossils, bones, arrowheads, you-name-its -- those things that really do attract tourists to Alberta -- to be sold, leased, exchanged, or otherwise disposed of. You see, Mr. Minister, I memorized your Bill; I don't even have to open it up and look at it. And guess what? Our own kind of policy, the kind of legislation that they passed in this House a few years ago, would prevent us from ever going to the countries to which those products, bones, fossils, arrowheads, et cetera, were sold, leased, exchanged, or otherwise disposed of to -- sorry about the dangling participle, but there it is. That's what happens with compound sentences sometimes.

In any event, you can live to regret this, Mr. Chairman; you can live to regret this sort of Bill. But if the minister is so doggone determined that we are going to allow the public at large, or people that he trusts or people that his department trusts, to go digging around historical Alberta, which contains some very precious remains of the history of this planet, for their commercial and self-interested purposes, if he is really convinced that this is going to serve the best interests of Albertans, I'll tell you what: I'll support him as long as he agrees that he doesn't make the decision by himself. As long as the minister agrees that in accordance with the regulations which currently permit him to allow some certain companies to go digging around in certain little areas in southern Alberta, much to the chagrin of some pretty, I think, authoritative experts in the field . . .

If he really believes that, I'm going to go along with him, provided that he won't make those decisions himself, provided that he will make those decisions only when based upon the recommendations of the board where such recommendation is accompanied by notification in writing of the support of at least half of the elected members of the board. Then he can go and "sell, lease, exchange or otherwise dispose of" those things. But I think that if we have at least a partially elected board comprised of people who know what they're talking about, people who aren't bureaucrats and basically looking out for the political interests of a department in a government, that that's not going to happen very often.

And that's why, Mr. Chairman, I have also proposed -- and this is equally as important as the first component of my amendment -- that the minister not be allowed to get away with what I

think is the worst sort of political gerrymandering of a board. His intention is to change the board from nine to 11 members and remove the possibility of having elected members on that board. What the heck is the purpose of belonging to the foundation if you can't elect members to the board? Are you going to pay your five bucks a year and get a couple of glossy magazines that tell you all about the ministerial decisions over which you had no say? Huh-uh; no. I think it's high time that this Assembly reconsidered the importance of democracy, reconsidered the importance of having those who are active in the field, those people who really represent the constituencies who are really affected by legislation and ministerial actions, to have a say on the board.

Therefore, I believe the way to do this is to make sure that the board has elected members. It doesn't take away from the minister's right to appoint members. I wouldn't want to do that, because I know this government likes to appoint members. They don't want any shake-ups internally; they want to appoint everybody. I don't think that's appropriate, but I'm willing to give in. I'm willing to allow the minister to have five appointed members on his 11-member board and to make sure that six are elected. And it's pretty clear what I'm getting at, isn't it, Mr. Chairman? If six are elected and five are appointed, the majority are then elected.

Now, there's no assurance that the majority who are elected are automatically all going to be of exactly the same mind on a particular contentious issue and vote exactly the same way and defeat the five who are appointed. But I'll tell you what it does assure, Mr. Chairman. It assures that the foundation, comprised of a few thousand members, has the ability to determine internally who they want looking out for the best interests of Albertans and the best interests of protecting Alberta's historical resources, particularly the stuff that lives under the ground, and speak up without fear of losing an appointment. That is so important. If you're appointed to a board and you get your -- you know, whatever it is -- \$125 a day and you get your traveling allowances paid for and you get little extra perks and all the rest of it and you kind of like it, chances are you're going to be inclined not to pipe up when you think something is wrong. Chances are you're going to feel like you're operating under a gag order, even though theoretically you're not. Theoretically, you can just say, "To heck with the minister and his particular views; I'm going to raise the roof over a particular issue." But it doesn't happen that way in real life. People who get appointments feel as though they have to dance to the tune of the piper who appointed them. That's just the way it is in real life.

I think this is one of the most important Bills facing this Assembly, Mr. Chairman. Almost everybody in the room is busy reading, and I don't blame them. I'm busy reading when a Bill comes up that I don't think is important, but this one really is important. This is the new version of political carte blanche for the minister. I have said on record many times that the minister is a nice guy. He's an affable character; everybody gets along with Dennis: everybody. Except Dennis isn't an archaeologist; Dennis -- pardon me, the minister -- isn't an authority on some scientific matters over which he has a great deal of power, over which this board has a great deal of power.

I think that in the best interests of those of us who don't have the scientific expertise, we should defer to those people who do. We should bow to those people who know what they're talking about. We should bow to those people when they say: "Be cautious. Be careful. Don't go in with bulldozers. Don't dig up things by the shovelsful. Be careful about how you reassemble

those things after you've excavated." That's what they're saying. And if the minister isn't getting phone calls like this, then something is really the matter, because I sure am. And I'm glad; I'm glad I spotted this Bill. The minute he introduced it, I knew something fishy was up.

I really believe it's time that this nice minister started to show by example that he's not scared of autonomous bodies that help him decide on his policies. He'd be doing such a wonderful thing for the whole province by saying that he believes in arm's-length distances. This after all is not a body that is spending most of its time granting money, although it does spend time granting money in allowing for studies to be done in this and that. But it also has had, prior to this dreadful Bill, the opportunity to exercise its intellectual discretion, and I fear that that opportunity is going to be gone the minute this Bill becomes law.

Mr. Chairman, the intention of this Bill, if I take the minister's words at face value, and I do, is to let him out of a whole bunch of red tape when it comes to permitting enterprises to go to particular sites to pursue commercial activities which are in keeping with the good intentions of this government. And I don't want to take that right away. I don't want this minister to be embroiled in any more red tape than he humanly has to be. I don't want that to happen. I don't believe in bureaucracy, and I don't believe in red tape. I want the minister to be able to do that, but I want him to do it, when it comes to this important provision, only on the recommendation of a board that consists of six duly elected members and five appointed members.

I call this the compromise of the century. I think I've gone to the nth degree -- yeah, the minister giggles -- to figure out what it's going to take to satisfy the minister's desire to get out of the red tape when it comes to having to change the regulations all the time, his desire to have appointed members on the foundation board, and my desire on behalf of Albertans to protect the important historical resources which may come to be sold, exchanged, leased, or otherwise disposed of, and my profound belief in democracy.

I urge the members of the Assembly to support my amendment, and I urge the minister to lead the way in that support.

MR. CHAIRMAN: There's been an amendment moved by the hon. Member for Edmonton Highlands. Discussion only with regard to the amendment. Do all members have a copy of the amendment to the Act in front of them? Hon. Minister of Culture, speaking to the amendment.

MR. ANDERSON: The hon. Member for Edmonton Highlands just went on quite eloquently about how the minister should not make the decision alone, how the minister should depend on others for the decisions on what palaeontological or archaeological resources should be safeguarded and what should be allowed to be dealt with and indicated that she would support the Bill if I agreed to that. Mr. Chairman, she's got it. I agree not to the amendment, but indeed I had stated in second reading in fact that I have no intention of deciding myself who, as the member pointed out, am not an archaeologist or a paleontologist, what should be or shouldn't be dealt with in Alberta alone.

I plan to not at any time make such a judgment except by an item allowed on the control list. The only item on the control list which we're going to put on at this point is the ammonite or ammonite, and that exploitation will only be allowed by the Alberta Paleontological Advisory Committee, which consists of Dr. Michael Wilson of the U of C, a paleontologist; Dr. Ross McLean, a paleontologist; Dr. C. Fox, a paleontologist; Harvey

Negrich of the Gem & Mineral Foundation of Canada; Dr. Poulton, who is of the Geological Survey of Canada, a paleontologist; and Dr. Philip Currie, the assistant director of the Tyrrell museum. I have this list I was going to circulate, and I didn't realize that the pages would be gone so early, but the hon. members are welcome to this. We would plan to have that advisory committee recommend and make suggestions with respect to exactly how we deal with this.

MR. DAY: Do you want me to hand those out for you?

MR. ANDERSON: Thank you. There is no question that I personally would be unable to make those kinds of judgments alone, as I believe would all hon. members of the House, because I don't know of any who are archaeologists or paleontologists.

Mr. Chairman, with the recommendations that are made by the member -- I'm not sure which board she's alluding to, and I was trying to refer back to the legislation. If one reads the original legislation, it would seem to refer to the Historic Sites Board, which is totally responsible for determining what should be an historic site or not. I assume she's relating to the foundation board. The foundation board has never had a function anything like this. I personally believe that they would be far less able, even with six elected people -- which I wouldn't support -- to determine the archaeological or paleontological dimensions of a particular item. I think the committee I have outlined is far more capable to do that than would be those elected people.

Mr. Chairman, I made the comments before, with respect to election, on second reading. I won't reiterate them to a great degree except to say that again the member talks about democracy in election. In fact, here we're talking about money owned by all of the people of Alberta, not a select 1,200 individuals but all of the people of Alberta, and it's we who are responsible for how those funds are expended. While I think we should appoint people who are concerned and knowledgeable, we should also have people there who are representative of Albertans. So I wouldn't support that section, but as I said to the hon. member, I completely agree that I won't make these decisions alone, and I in fact won't agree to go ahead with adding any particular item to the list that's there without the agreement of this committee.

MR. CHAIRMAN: Order please. The Chair appreciates the new pages we have in the House. Hon. Member for Edmonton Kingsway.

MR. McEACHERN: Thank you, Mr. Chairman. I wanted to make some comments with regard to the amendment proposed by the Member for Edmonton Highlands. It seems to me a reasonable compromise as a resolution, because actually we should be saying in this Bill that no one should lease, sell, exchange, or otherwise dispose of archaeological and paleontological resources except with special permission. Even the minister should have to have special permission, perhaps even of this Assembly eventually. Certainly it seems to me that we've got it the wrong way around. What you're doing is giving yourself a blank cheque. You may tell us that you're going to go and talk to a group of paleontologists which you've appointed, and that's fine; I don't doubt in the least that you will.

MR. CHAIRMAN: Please, hon. member, use the normal parliamentary usage of "the hon. minister."

MR. McEACHERN: Did I not say "the minister"? Oh, I see; I said "you." I'm sorry.

In any case, it seems to me that what we're talking about here is a record of the past ages of this earth and the archaeological and paleontological resources that we can use to understand the evolution of this earth and of the life upon that earth, and you cannot just give those things away freely and at will. I don't see why we pass a Bill that is a blank cheque for the minister to decide, on whatever terms he wants to, to give it away.

What we should be saying is that it should not be disposed of in any of those manners -- by leasing, by selling, by exchanging, or otherwise -- except with special permission. That special permission should be fairly stringently required to be argued for a particular case. Like the ammonite or ammolite case may make a very good one. But you should have to ask for the specific right to dispose of a specific resource, with specific reasons as to why that should be an exception from the rule, which should say that we should not sell, lease, or exchange, or otherwise dispose of those resources.

And as to the democracy side of things, the second part, section (b), I want to just spend a minute on that. Again, I don't understand why the minister has to have such total control. You know, he's got to run the whole show; he's got to name everybody that's going to advise him. Why shouldn't the Alberta Historical Resources Foundation consist of at least a few people elected by a number of people that are interested in what goes on in your department? Why do you have to say: "No, those people don't have a say. I'm going to name everybody that's going to advise me"? Of course, you're just going to appoint people that think the same way you think, and you're going to have -- you know, I remember Grant Notley used to say that when everybody thinks the same, nobody thinks very much. So I don't understand why you have to have that. When you have the majority of the members, surely that's enough, and I can see no reason why you have to carry it to the extent where you say, "I have to have total control of everything."

So you got elected for a short term to be one of the keepers of our archaeological, historical, and paleontological resources of this community, but that doesn't mean that you should have such absolute power in that brief period of time while you're going to be the minister. The rules should be set up in such a way that a number of other people have some input. [interjection]

MR. CHAIRMAN: Order please.

MR. McEACHERN: And it shouldn't be all totally controlled by the minister. So I urge the members of the Assembly to wake up and take a look at the amendment and support it.

MR. CHAIRMAN: Speaking to the amendment, Calgary Mountain View. Before we proceed, if any members are requiring assistance, please call on the Sergeant-at-Arms. Calgary Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Chairman. I'd like to speak in favour of the amendment put forward by the Member for Edmonton Highlands. It has to do with, as I mentioned in second reading debate, the question of whether there will be in place adequate provisions so that the provincial government, through the minister's office, will properly exercise its stewardship of some extremely valuable world-class resources

that are found in Alberta.

I'm speaking particularly of our paleontological resources, and I think the fact that they are so valuable is witness to the fact that they're found now in museums and exhibits all over the world. Because of the importance of that resource, people have been in Alberta and have dug up these resources, and they've been exported outside of Alberta to serve as an educational function and a scientific function throughout North America and throughout the world. So it's clear that what we have in Alberta is something very, very special and unique.

My question is to what extent, if any, this minister and this government is prepared to exercise that stewardship that recognizes the importance of these resources. When you have something that's perhaps not very valuable at all, then it doesn't really matter all that much how it's managed, but the more valuable a resource is, the more safeguards and the more effort needs to be placed in ensuring that those are properly developed and properly disposed of.

Now, that's paleontological resources. As the Member for Edmonton Highlands mentioned, archaeological resources are also significant in this province, perhaps not quite to the same order, but nevertheless that may well be the case, that some significant archaeological resources are just waiting to be found and in some few years may well be found in a similar find to those of our paleontological resources.

Now, what the Member for Edmonton Highlands is not saying is not to sell these resources, not to dispose of them, not to get rid of them, but that if they are done so, there should be at least some independent body or group that would review those requests or those licences for disposal, sale, lease, or exchange and provide conditions under which those could be exported or taken out of the province. For example, as I understand it, one of the exhibits that was brought back to Alberta for the opening of the Tyrrell museum was brought back from Ottawa: a very important exhibit. My memory fails me as to all the details, but these were lent back to Alberta for that particular opening. And that's fortunate because it's still within our country, but once they're exported from Alberta, once they're exported from Canada -- perhaps they're a unique kind of a resource that once they're gone they're gone forever, whether they be paleontological or archaeological.

Some of the medicine bundles that were exported from the prairies, the western plains, and from Alberta over the past 100, 200 years mean a very great deal to the native people who lost those bundles. But there was no mechanism; they did not have the kind of power or the ability to prevent the taking of these and exporting them as some artifact. For the people concerned, they were very precious and sacred bundles. And once they're gone, they're gone. They would like very, very much to get them back, but they can't.

So there are lots of potential difficulties in having a minister with the power to simply dispose of these resources as he might see fit at any given point in time. Because what we might consider acceptable in this point in time perhaps 10, 20, or 30 years from now may well be a completely different standard of valuing and assessing these resources. People in the future may look back on our decisions tonight and wonder why it was that we were not more forward looking and were not more concerned about protecting in the long term these very valuable resources to our province and to our country.

So I've looked at the Bill as presented by the minister to find whether that sort of mechanism is being set up, and it's clearly not. The Member for Edmonton Highlands has quite clearly

identified that shortcoming and has put forward a proposal by which the minister would have a board review the terms under which these resources might be exploited or developed or sold, leased or disposed of and in reviewing that would have with their mandate a look to the long-term future and the long-term value of the resource and to manage it and not to allow it to simply quickly and easily be disposed of, to leave the province. And she has proposed that this board be given a clearly legislated mandate with clearly legislated powers to provide that kind of mechanism to the minister.

Now, as I said in my debate during second reading of this Bill, I can see the potential difficulties in doing these sorts of tilings. It adds another, I guess, review. It adds in terms of time. It adds in terms of numbers of people reviewing these applications and requests. But nevertheless, the purposes, being to ensure that the interest of Albertans and the interests of protecting the resource, are met.

Now, the minister in commenting on this amendment has suggested that an advisory committee would be set up called the Alberta Paleontological Advisory Committee, set up under section 8 of the Historical Resources Act. He has identified some members who will serve in this advisory capacity and who presently serve in that advisory capacity, some of whose names I recognize personally and I know to be very knowledgeable and very experienced individuals; so that's not my concern. My concern is: what clearly identified mandate is there given over to this committee to ensure that their activities are both meaningful and exercise the kind of stewardship that we're requesting? Now, no doubt, as I said also earlier in debate on this Bill -- and these are not comments directed personally to this individual minister, because I know that he takes his responsibilities very, very seriously and is likely to consider seriously any recommendations that this committee might provide to him.

But that's not always going to be the case. There may be instances where this committee is disbanded by some future minister, because a minister can at a whim, if he wishes, under section 8, "Appoint committees from time to time." So if he can appoint them, he can also unappoint them or remove people or change mandates or ignore recommendations. But when a committee or a body is given a clearly identified mandate in legislation, the minister has less flexibility in being able to do that. That provides both continuity and establishes independence for that particular board, to ensure that they follow their mandate and provide that input to the minister, not for the purposes of the minister but for the purposes of the legislation directing and setting up that body. So it's a very, very important distinction that's being made here between the amendment put forward by the Member for Edmonton Highlands and the proposal in response made by this particular minister.

Now, he referred to the Alberta Paleontological Advisory Committee. I am not aware that there exists an Alberta archaeological advisory committee that would serve the same purpose, but as far as the amendment from the Member for Edmonton Highlands is concerned, the amendment refers specifically to archaeological or paleontological resources, so it deals with both aspects. Knowing the qualifications of these individuals on the Paleontological Advisory Committee, I have no doubts about their ability to provide a technical review for paleontological resources. They could not provide the same kind of advice to the minister in terms of an archaeological review for archaeological resources. And I don't know what other committees the minister might have that he refers matters to from time to time; perhaps he already has such a committee set

up. But my concern is twofold then: that an advisory committee is not sufficient, first of all, and secondly, the committee the minister identified is not mandated to give him advice in the capacity of disposing or removing of archaeological resources.

I would conclude, Mr. Chairman, by saying: is it our intention that archaeological resources or paleontological resources of this province never be sold? And I say: no, that's not the position we're taking or proposing; simply that these are valuable resources that must be free from commercial exploitation where that is appropriate. And to ensure that they're not improperly disposed of or improperly exploited, some body or group other than the minister needs to be able to review those in an independent and impartial manner to provide that kind of review to the minister and his department for the protection of the resource, not only for Albertans but, in view of the nature and the quality of the paleontological resources in this province, to in a way provide stewardship of those resources for the worldwide scientific community.

Thank you, Mr. Chairman.

MR. CHAIRMAN: Speaking to the amendment, Edmonton Glengarry.

MR. YOUNIE: Thank you. Just a quick note. I thought it was very good of the minister to give his assurance that he would, in a very commonsense manner, take decisions before such a board as this that would give expert advice in the area. He presented it in such a way that I assumed it must be written in the Act that that indeed was required. So I did look through it, and lo and behold it wasn't there. The whole intent of the amendment as put forward by the Member for Edmonton Highlands was to make sure it was in the Act, that in fact experts would be sought out for their opinion before those decisions were made, and they wouldn't be made for political reasons.

So I would say in the same spirit that the minister should not only give assurance that he is going to do the commonsense thing now but give assurance that he will continue to do the commonsense thing no matter what kind of lobby group approaches him, no matter what kind of pressure is put on him in cabinet, no matter what party may form a government, and no matter what lobby groups they may face -- that every minister in charge of this will have to behave in that commonsense manner. And the best way to do that, in fact, would be for the minister to support the amendment of the Member for Edmonton Highlands and make sure it's written in there so that every future minister, and this minister in the future, will have to do the commonsense thing. Because if it isn't in the legislation, it doesn't exist. People don't interpret legislation by checking back issues of *Hansard* to see what assurance anyone may have given verbally; they go by the legislation as it's written. We would love to see it in writing tonight by acceptance of this amendment.

MR. CHAIRMAN: Are you ready for the question on the amendment?

SOME HON. MEMBERS: Question.

[Motion on amendment lost]

MR. CHAIRMAN: Are you ready for the question on Bill 11?

MR. MUSGREAVE: Mr. Chairman, I would like to say a few words on the Bill. And I saw the Government House Leader

make sure that I only say a few words. I'm speaking as a provincial government representative on the city of Calgary Heritage Advisory Board. I wasn't able to attend a recent meeting of the board because I had to be here listening to all this exhilarating debate. While I perused the minutes of this board, I noticed they had objected to Bill 11, and I'd like to quote from parts of a letter signed by the board chairman, Mrs. Trudy Cowan, who had the approval of her board to write this letter to me. In part, she says:

It was brought to our attention at the joint meeting of the Alberta Historical Resources Foundation and the Historical Society of Alberta, held recently in Drumheller. At that time we were made aware that it had been given first reading without public discussion and particularly without consulting the very board which is impacted by the major provisions of the Bill, that of the [Alberta Historical Resources Foundation].

The board then passed it on to the subcommittee of the board, and here's what they came up with. They were opposed to the revisions of section 28, 29, 30, and 31 because, in their opinion it

could allow an insensitive Minister at some time in the future to allow political benefits to outweigh preservation of archaeological and palaeontological resources and, for instance, allow mining or other development to occur in an area rich in such finds.

Secondly:

that the proposed revisions to section 34 with its move to appoint all members of the Board of the Alberta Historical Resources Foundation removes the involvement of the public in the preservation of our heritage. That involvement is a vital and important part of the Alberta Historical Resources Act and a part which is admired by people in the field across Canada.

They go on to point out that:

All paid-up members presently can nominate and then vote to elect 1/3 of the Board. Without the active participation in the election of directors, the membership has no direct role, no structured way that the public can join the government and be a part of preserving the province's past.

I'm having trouble, Mr. Chairman. There's a little noise behind me. I wanted to go on to say:

The fact that there were 21 nominees for the three available seats at the last election shows that the members are interested and committed, to the Foundation and to heritage preservation. This interest and commitment must not be lost.

Also, they pointed out that:

as with all appointments to government boards, the reasons for the appointments vary. Election by a broad spectrum of interested citizens of at least a portion of the Foundation . . . ensures that a wide variety of interests are represented.

They also pointed out that:

because there would be no direct role for the membership, the Foundation might then be directed to drop the public membership program. The Foundation's mailing list of 2,047 names includes approx. 1,300 paid members plus complementary memberships to heritage organizations and local historical societies, municipalities and the media. The Foundation is the only provincial membership organization which focuses

on our built heritage. Because of that, it plays a key role in a network of province-wide and Canada-wide heritage interest groups and it must not only continue, but be strengthened.

Mr. Chairman, at the suggestion of the minister I went back and read the debate on Bill 11 in second reading, and I note that the minister has proposed that the board should be increased to 11. I frankly think that three people elected democratically are not going to be outvoted by government appointees, and any unwise action that the three board members may anticipate or undertake could easily be monitored and stopped by the larger group.

I note that the minister said in the debate that the original idea was to garner funds privately as well as from government. My reaction to that is that perhaps the private sector feels that they're contributing enough right now through taxes. Maybe the board hasn't worked hard enough to get these funds from the private sector. Using lottery funds is perhaps too easy, but surely that would leave the board members more time and more energy for other board concerns. Everyone in Alberta who has had to raise money finds that lottery funds are a much easier source of money than rummage sales or tea parties.

During debate I noticed the minister mentioned that it would bring it in line with our foundations who have no elected board members. I note he says he speaks for plus 2 million people, and he mentioned that again, tonight. I don't think I should point out, but the minister is quite aware, that not everybody voted in the last election.

Mr. Chairman, it's always a puzzle to me why those of us in public life suddenly become paranoid when we have to consider that perhaps there's a public out there that would like to vote on some issues. I'd suggest that not all wisdom accrues to the party who happens to get past the post first with the most votes. In my own constituency far more people stayed home than voted in 1986. Surely I cannot assume because I had the most votes that everyone in Calgary McKnight is going to agree with all my actions as an M.L.A. I find it regrettable that the minister cannot see the advantage of some members being voted in to the board. As I said, the minister had suggested that he wanted to bring it into line with other foundations, but I'm sure the minister believes in democracy, so why not leave three members to be voted in by the members of the foundation?

Secondly, why not examine those boards and foundations he mentions but does not name to see where he could bring in changes that would involve people who don't belong to the socialist party or the Liberal Party or the Progressive Conservative Party, but who are interested citizens concerned about the future of their province. I would suggest that we should try and involve these people, involve more of the public. Hopefully we can make them into Progressive Conservatives.

The minister has had a long, successful career in politics, but a word of warning is sounded in his hometown newspaper that all Calgary members should consider, and that is quoting from the *Calgary Herald* of May 30:

Culture Minister Dennis Anderson should show some faith in people who genuinely cared about protecting historic sites and buildings before the heritage trend became fashionable. The new bill should be written so their elected members are guaranteed at least three seats on the board.

MR. CHAIRMAN: Hon. member for Edmonton Highlands. Hon. member, please speak to the Bill.

MS BARRETT: Mr. Chairman, you recognized that expression of surprise on my face, didn't you? Mr. Chairman, I'll speak to the Bill, but can't I invite the member to cross the floor?

Mr. Chairman, the comments from the Member for Calgary McKnight really expressed the views that I've been making in this Assembly over Bill 11. Now, you have a look at the paid membership of the Alberta Historical Resources Foundation and ask yourselves why they're going to continue with their membership when all they get is a little magazine every once in a while and no say in anything. That's the whole point; that was the point in having them elect people to the foundation in the first place. And as I mentioned in second reading, just because the other foundations are undemocratically organized doesn't mean you have to copy a bad example, Mr. Chairman. What you do is you lead by creating a good example.

The other thing that I have a look at here is the list of the Alberta Paleontological Advisory Committee, which the minister kindly sent over. It's true; they are by and large paleontologists. One of them, however, belongs to the Canadian Society of Petroleum Geologists, and I wonder where his greatest sympathies lie. I remember 15 years ago a major issue in Canada developed -- well, just wait; maybe a dozen years ago -- in which the federal government, wanting to develop a major pipeline across northern Alberta, and particularly in the Mackenzie Delta, ran into severe opposition from the people who inhabit that area, agreed to undertake a study, and subsequently had to agree to a moratorium on that very development. What they discovered was that the ecosystem of the territory was not so stable that it could withstand the massive changes that would be implied by such a pipeline, and neither could the societies, the very traditional societies, the societies that probably don't have a word for television, for heaven's sakes. They had a look at that, and they followed Justice -- well, he wasn't Justice Berger then, but they followed his recommendations. Now, they gave way, I think, to a higher cause, even though they were sure being lobbied by American and Canadian oil developers.

I wonder, you know, what kind of lobbying might go on within this advisory committee when we've got a representative from the Canadian Society of Petroleum Geologists who might be more concerned with drilling for oil and gas than anything else, or somebody from the Gem and Mineral Foundation of Canada. Maybe that person, Harvey Negrich, is more concerned with excavating for ammonite than he is with protecting the very thin and sensitive layer that comprises ammonite. I wonder where these people's allegiance rests. Without provision in the Act that says that the minister shall act only upon the recommendations of this committee, how do we know that this kind minister is going to do just that? We don't. All we have is the minister saying "Don't worry; I recognize that I'm not an archaeologist or a paleontologist, and therefore I'm not going to make a decision without their advice." Well, I don't know. Who else goes to visit the minister? Who else goes in to talk to him about the importance of certain excavation projects, and from what perspective?

Finally, Mr. Chairman, I'm very concerned that the minister is disenfranchising the very people, the very volunteers, who are really interested in the historical resources of Alberta. They sure don't belong so that they can get their little magazine once every couple of months or maybe once a year. That's not why they "pay their money," Mr. Chairman, I can assure you. I know members of that foundation, and they're interested because they have a particular field of interest within historical resources that leads them to want to know what's going on and

have a say in what's going on.

I think the Member for Calgary McKnight should cross the floor on this issue. Come and vote with us. On the other hand, I probably can't convince him to do that.

AN HON. MEMBER: He's not that dumb.

MS BARRETT: He's not that which? Well, listen. He was bright enough to make the comments that he did in committee reading. I'm sure not going to underestimate the brightness of the member.

Anyway, I think the hon. Minister of Culture ought to take into account the views represented by a member of his own caucus, take those cautions seriously, agree to drop this Bill right now -- beg leave to drop it -- and bring it back in a revised form or at least beg leave to adjourn debate on this Bill in committee stage, let us bring it back in committee on the next occasion we sit for Bills, and the minister can introduce the sort of amendments that we've been proposing. I don't care who writes the amendments, Mr. Chairman; I just care that they become part of the Bill.

MR. CHAIRMAN: Are you ready for the question? Hon. Member for Calgary Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Chairman. I did not want the occasion to pass by without just saying a couple of words of appreciation to a member of this House. I commend the Member for Calgary McKnight. I know this is a partisan arena, and I'm not sure that we're used to a difference of opinion in the Legislature when it comes from within different parties. I know they're used to it in other parts of the British Commonwealth, but here in Alberta I don't think we're quite used to it. So I think I'd like to express some appreciation to the member for saying, I think, some honest things that are on his mind that are a concern to him as well as to other members in a nonpartisan sense. That there is a concern about what this Bill might mean for the future of historical resources in Alberta. They're genuinely shared, not in a partisan sense but shared by people throughout the Legislature, and I hope the minister takes that into serious consideration.

They're also shared by a lot of people in the community throughout the province who have been charged with these responsibilities and have shown an interest in the past in the preservation of historical resources. So they're not isolated to the concerns of one or two members or one or two political parties. They're spread more generally than that, and I would hope that in view of the nonpartisan way in which these proposals are made and the spirit in which they're made, the minister will give them serious consideration.

MR. CHAIRMAN: Are you ready for the question?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of Bill 11, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: Carried.

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

[Eight minutes having elapsed, the House divided]

For the motion:

Adair	Elliott	Musgreave
Anderson	Elzinga	Musgrove
Bogle	Fischer	Nelson
Brassard	Heron	Pengelly
Cassin	Hyland	Reid
Cherry	Isley	Shrake
Clegg	Johnston	Stevens
Day	Koper	Stewart
Downey	McCoy	Young
Drobot	Mirosh	

Against the motion:

Barrett	Hawkesworth	Pashak
Ewasiuk	Laing	Sigurdson
Fox	McEachern	Strong
Gibeault	Mjolsness	Younie

Totals: Ayes - 29 Noes - 12

[The sections of Bill 11 agreed to]

[Title and preamble agreed to]

MR. ANDERSON: Mr. Chairman, I move that Bill 11 be reported.

[Motion carried]

Bill 5
University of Alberta Foundation Repeal Act

MR. CHAIRMAN: Any comments, questions or amendments proposed to any section of this Bill?

Are you ready for the question?

[The sections of Bill 5 agreed to]

[Title and preamble agreed to]

MR. YOUNG: Mr. Chairman, on behalf of my colleague the

Minister of Advanced Education I move that Bill 5, the University of Alberta Foundation Repeal Act, be reported.

[Motion carried]

Bill 22
Rural Electrification Revolving Fund
Amendment Act, 1987

MR. CHAIRMAN: Bill 22, the Rural Electrification Revolving Fund Amendment Act, 1987, is a money Bill. There is an amendment to this Bill. Are there any comments, questions, or further amendments?

Are you ready for the question on the amendment?

[Motion on amendment carried]

[The sections of Bill 22 agreed to]

[Title and preamble agreed to]

MR. ADAIR: Mr. Chairman, I move Bill 22, the Rural Electrification Revolving Fund Amendment Act, 1987, be reported.

[Motion carried]

MR. YOUNG: Mr. Chairman, I move that the committee rise, report progress, and beg leave to sit again.

[Motion carried]

[Mr. Speaker in the Chair]

MR. GOGO: Mr. Speaker, the Committee of the Whole has had under consideration the following Bills and reports Bills 1, 4, 11, and 5, and, with some amendments, Bills 7, 33, and 22.

MR. SPEAKER: Having heard the report, do you all agree?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? So ordered.

MR. YOUNG: Mr. Speaker, I move that the Assembly do now adjourn until tomorrow afternoon at 2:30.

[At 11:27 p.m. the House adjourned to Tuesday at 2:30 p.m.]