

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Thursday, March 24, 1988 2:30 p.m.**

Date: 88/03/24

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

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

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

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

Amen.

head: **TABLING RETURNS AND REPORTS**

MR. KOWALSKI: Mr. Speaker, it's my pleasure today to table the annual report of the Surface Reclamation Fund for the fiscal year ended March 31, 1987. The assets of the fund now total \$63.5 million.

head: **INTRODUCTION OF SPECIAL GUESTS**

MR. KOWALSKI: Mr. Speaker, the Alberta Environmental Research Trust awards grants to facilitate innovative research in areas related to environmental management and improvement. Each year the Minister of the Environment presents an award to one recipient as recommended to him by the trust. The award is presented for excellence in innovation in environmental research. In 1988 the award is being presented to Hanson Materials Engineering of Edmonton for developing a unique quality-control procedure used to prevent leakage from various types of structures used to contain hazardous wastes.

In the members' gallery today is Mr. Gary Stewart, the chief executive officer of Hanson Materials Engineering, and several members of the Alberta Environmental Research Trust: Mr. W. Cary of Canmore, Mrs. Betty Duckett of Grand Centre, Mr. W. Neis of Mirror. Another member of the trust is our colleague the MLA for Olds-Didsbury, Mr. Roy Brassard. Mr. Speaker, I would ask these individuals to rise and receive the warm welcome of the House.

MS LAING: Mr. Speaker, it is with pleasure that I introduce to you and through you to the members of this Assembly, 105 students from Holy Trinity Catholic high school, a community school situated in beautiful Edmonton-Avonmore, who are here today seated in the public and members' galleries. They are accompanied by their teachers Mrs. Phyllis Schumacher, Mr. Joe Petrone, Mr. George Robert, and Mrs. Judy White. I would ask that they rise and receive the warm welcome of this Assembly.

MR. TAYLOR: Mr. Speaker, I rise with pleasure to introduce to you and through you to the Legislature, 14 young women, 12 to 15, from the beautiful countryside of Gibbons in the Westlock-Sturgeon constituency who belong to the Gibbons Pathfinders and are accompanied by their Pathfinder leader Mrs. Evelyn Gibbons and two parents Russell Lovell and Donald

Hood. They are seated in your public gallery, Mr. Speaker, and I would ask them to rise for the customary welcome of the Legislature.

MR. SPEAKER: Member for Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to members of the Assembly, eight members of the Edmonton Principal protection association. I ask them to now rise and receive the welcome of the Assembly.

head: **ORAL QUESTION PERIOD****Palm Dairies Purchase**

MR. MARTIN: Mr. Speaker, to the Premier. Yesterday the Provincial Treasurer was asked questions about a \$100 million Treasury Branch loan to one Peter Pocklington. I quote the answers to those questions. He said, "The government was not involved in this loan, did not have knowledge of this loan." Later on, to another question: "No, I did not know about the transaction." Mr. Bray, the superintendent of the Treasury Branches, has since refused to take the rap for this outrageous transaction. In fact, he has clearly stated that the Treasurer was informed of this loan before it was given.

My question to the Premier what action has he decided to take to replace this Treasurer, do something with this Treasurer, who deliberately gave false statements to this House about this very important matter?

MR. GETTY: Well, Mr. Speaker, first of all, in the prelude to the question -- that garbage about Mr. Bray refusing to take the rap I think is an absolutely disgraceful lead-in to a question. Mr. Bray said nothing of the kind.

Mr. Speaker, I reviewed *Hansard*. I reviewed the comments by Mr. Bray. I discussed it with the Provincial Treasurer. He advised me that he did not recall Mr. Bray ever raising it with him. That's fine with me.

MR. MARTIN: Supplementary question. This is unbelievable. One hundred million dollars: "Oh, I just forgot, Mr. Speaker." A hundred million dollars and the Treasurer has that lapse of memory and the Premier believes that?

My question to the Premier: would he consider replacing this Treasurer at least until he recovers from his attacks of amnesia, Mr. Speaker? Will he at least do that?

MR. GETTY: Mr. Speaker, the loan was made by the financial institution, the Treasury Branch, not by the government. Mr. Bray was responsible for it. Whether the loan is \$55 million or \$100 million is something the Treasury Branch decides, not the government.

MR. MARTIN: Mr. Speaker, is the Premier standing up in his place to back up this Treasurer and saying that he really believes the Treasurer didn't remember \$100 million to Mr. Pocklington? Is he really that naive, Mr. Speaker?

MR. GETTY: Mr. Speaker, the Treasury Branch makes loans in the millions of dollars to thousands and thousands of businesses in this province. As a matter of fact, I'm very glad they do. We all know that the financial institutions based in Ontario and

Quebec withdrew dramatically from this province over the past several years, and we're very pleased that we have the Treasury Branches, who are able to fill the responsibility of lending to Albertans, creating jobs, turning this economy around.

MR. MARTIN: Mr. Speaker, the Premier has almost as big a lapse of memory as the Treasurer about certain important things happening. I hope he remembers the budget tonight.

But my question has to do -- Mr. Bray made the obvious point that on major loans like this he would consult with the Treasurer. He made that point. My question is to the Premier: how does the Premier expect average Albertans to believe otherwise, that they somehow make these sorts of \$100 million loans without letting the government know?

MR. GETTY: Mr. Speaker, in terms of the financial institution lending depositors' funds to companies, the government neither expects to know nor wants to know. These are matters to be handled by that financial institution. Frankly, I can't think of a more foolish situation than if we had the government trying to establish who got loans and who didn't get loans. [interjections] Obviously, they don't know what they're talking about. They've never understood it. They don't like the idea that the Treasury Branch is helping turn around this province, diversifying this province. Everybody knows they don't...

MR. SPEAKER: Order. The other day the Chair referred to the Standing Orders about the amount of catcalls that go on, and indeed there's a fair amount that does happen within the free flow of question period. Nevertheless, it's getting to the stage of trying to shout down the answer, and that really is in violation of 13(4)(b).

Treasury Branches Loans

MR. TAYLOR: Mr. Speaker, a supplemental. It's also to the Premier. In view of the fact that I'm sure he knows that the MLAs are not allowed to borrow from the Treasury Branch -- in other words, there is a very close connection between the Treasury Branches and the government -- can he tell this House where the limit is that the managers of the Treasury Branches can go out and commit the taxpayers of Alberta? If it isn't \$100 million, is it \$500 million? Is it a billion? What limit would he consider time for the government to say, "Hold on a minute; we want to be talked to?"

MR. GETTY: Mr. Speaker, the member's got it completely wrong. This is a financial institution that takes depositors' funds and lends them and pays depositors interest for keeping those funds. We do not guarantee the loans. There are... [interjections]

MR. SPEAKER: Order please. The point is made for the second time, and if some members persist, they won't be recognized in question period.

Hon. Premier.

MR. GETTY: I wonder, Mr. Speaker, why the member asked the question if they won't sit there and listen to an answer.

Mr. Speaker, there's no question that the government guarantees the deposits of the Treasury Branches but not the loans. We have management to handle that financial institution. That's their job. It's been that way for as long as I've been in-

volved in government. The Treasury Branch is a financial institution; its lending practices are handled by the management of the Treasury Branch. We would no more know who was getting a loan from the Treasury Branch than we would know if you're getting it from the Royal Bank of Canada. No more. And for the members to try and somehow allude otherwise is absolutely false.

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

MR. MARTIN: Yes, Mr. Speaker. I'd like to designate my second question to the Member for Edmonton-Avonmore.

Contraceptive Counseling

MS LAING: Mr. Speaker, to the Minister of Hospitals and Medical Care. In regard to deinsurance of contraceptive counseling and care, the minister stated in this House on December 2 that he

will continue to monitor the situation over the course of at least the next couple of months and then make a decision based on [that] information.

Would the minister please inform the members of this House the results of his monitoring and the decision he has made on the basis of that information?

MR. M. MOORE: Mr. Speaker, contraceptive counseling was never deinsured.

MS LAING: What could you, then, tell us about the result of your deinsuring of contraceptive procedures and family planning counseling?

MR. M. MOORE: Mr. Speaker, the facts of the matter are that Alberta was the only province in Canada that had a specific individual fee code for doctors to bill against for contraceptive counseling. As I indicated in this Legislature on several occasions last year, we felt there was some abuse of that fee schedule in that contraceptive counseling should be provided by medical doctors on many other occasions when they are providing advice and information and examining their patients: during the course of annual visits, during the course of pregnancies, and a number of other times that they have opportunities to do so. So we feel that the medical community has lots of opportunities to provide that kind of information.

Mr. Speaker, what I did say we were going to be reviewing, and have been, is the deinsurance of sterilization procedures -- vasectomies and tubal ligations -- and the IUD insertions.

MS LAING: Mr. Speaker, data has been collected by the Calgary board of health, and in its report last month it clearly demonstrated that deinsuring of contraceptive counseling and procedures has worked a hardship on Alberta women. What does the minister say to that?

MR. M. MOORE: Mr. Speaker, first of all, I don't believe that deinsurance of that particular item as a fee code that medical doctors could charge to has worked a hardship on anyone. Quite the contrary; because that fee schedule is no longer there, we have a saving of an estimated \$2 million a year in the health care insurance plan.

If the hon. member will recall, in the throne speech last week

there was significant reference to the initiatives we will be taking with respect to providing similar kinds of information through other means, that being largely through the health units and through the budget of the Minister of Community and Occupational Health. It's our view that dollars are much better spent in that area than providing an individual special fee code for medical doctors to bill to when they have every opportunity to provide that information on other occasions.

MS LAING: Mr. Speaker, not only the Calgary board of health but also the Alberta council on the status of women has recommended that, in fact, this minister reinsure contraceptive counseling and procedures. To slough it off to the Minister of Community and Occupational Health is not good enough. Is he suggesting that Alberta health clinics do tubal ligations?

MR. M. MOORE: Mr. Speaker, the difficulty is that we don't agree with the hon. member's contention that the only thing we should be doing with respect to contraceptive counseling is putting a fee code back in that medical doctors might be able to bill to. In fact, if the member will look on page 3 of the throne speech, in the middle of the page there is a full paragraph describing the strategy that is being employed by our government with regard to family planning and sexuality education programs. In due course the hon. member, throughout the course of the estimates, I presume, will have full opportunity to examine what is being proposed there.

MR. SPEAKER: Member for Edmonton-Gold Bar, supplementary question.

MRS. HEWES: Thanks, Mr. Speaker. The minister doesn't believe there's hardship; the boards of health say there is. Public health units don't have the resources. May I ask the minister: did the minister set up or has the minister monitored the results of this action in any way other than through the hundreds of letters of complaint?

MR. M. MOORE: Yes. As a matter of fact, I have been told by more than one doctor who specializes in women's reproductive health that they didn't even know there existed a fee code for contraceptive counseling prior to the removal of it last August 1. If the member will be patient enough to hear from the hon. Provincial Treasurer tonight and then to examine the estimates both for the department I'm responsible for and the Department of Community and Occupational Health, you'll find that we are going to meet the commitment that's outlined in the throne speech on page 3 with regard to this matter at an early date.

Adoption of Native Children

MR. TAYLOR: Mr. Speaker, my main question today is to the Minister of Social Services with regard to the case of Norman and Marilyn Peters, who applied in July to adopt a five-year-old girl who has lived in their home since December 15, '84. The girl's birth mother, of course, approved of the adoption. However, the Social Services department has ruled, apparently, that she should return to the Indian reserve in Saskatchewan. So my first question to the minister if the minister is sincere in saying that each case will be examined on its own merits, what are the particular merits of sending this child back to Saskatchewan?

MRS. OSTERMAN: Mr. Speaker, the hon. leader of the Liberal Party has acknowledged that he is raising the question about a native child, and if he would care to consult the Child Welfare Act, he would read a section that indicates that the director of child welfare must, in the instance of a native child -- I think we would all agree that the native community and other members of the family as well should be consulted. Members of this particular child's family have indicated they would like also to have the child on a permanent basis, and visits have occurred, but no final decision has been made.

MR. TAYLOR: Mr. Speaker, it seems to me that something's wrong with the laws if it was interpreted that way. But since the girl's birth mother now lives in Calgary and approves of the Peters' adoption, what sense does it make to send the child back to a reserve in Saskatchewan only because the mother originally came from there? She now lives in Calgary.

MRS. OSTERMAN: Mr. Speaker, there are on occasions very awkward moments for the Minister of Social Services and those people charged with some very delicate responsibilities. Most often this speaks to our responsibility for children. In this particular case I will comment no further than to say that in respect of this child I can assure the hon. member that every professional intention, every caring intention by the Department of Social Services and the multitude of staff who have been involved is to speak to the best interests of that child.

MR. TAYLOR: Mr. Speaker, assurances aren't good enough. The fact of the matter is that the minister stated in May '87 that her department would exercise the best judgment in these cases, and I don't believe we have heard any explanation of why that judgment is that that child should be sent back to Saskatchewan.

MRS. OSTERMAN: Mr. Speaker, the hon. member is again speaking to a decision that he purports has been made, and this is not the case. If the hon. member will further examine the Child Welfare Act, he will come to understand that it is in the best interests of most families for civil servants and the minister not to reveal all details of a case.

MR. TAYLOR: Mr. Speaker, a final supplementary. The minister's answer reminds me of King Solomon's solution on how to split the baby. Therefore, then, since the adopting family has approached the Ombudsman about this case, would the minister go this far: that she will order a suspension of any movements until the Ombudsman has heard the case? Will she at least go that far?

MRS. OSTERMAN: Mr. Speaker, I'm sure the advice and information the Ombudsman might glean will be of good use, as always, to the Department of Social Services. But I'm totally amazed, based on the hon. member's -- what I would believe to be -- superficial understanding of a case. It is not possible that the hon. member can understand all the information associated with the case. I am not at liberty to discuss it, and I can only once again assure the hon. member that everyone involved is seeking to do the best thing on behalf of the child.

MR. PASHAK: Mr. Speaker, to the Minister of Social Services. I wonder if the minister would consider the possibility of establishing a panel consisting of, perhaps, three highly regarded Calgary citizens who would look at this situation from the point

of view of the best interests of the child and make a recommendation to the minister as soon as is practicable.

MRS. OSTERMAN: Obviously, Mr. Speaker, we must operate under the authorization of the Child Welfare Act. I believe there are many processes in place that speak to the best interests of the child, and they are being followed.

Water Management, Little Bow River

MR. R. SPEAKER: Mr. Speaker, my question is to the Minister of the Environment. The minister has remained rather silent on the question of a commitment the Premier and the minister made in my constituency about six or eight months ago with regards to a dam on the Little Bow River. I was wondering if the minister could make that commitment at this time and bring that matter to today's status.

MR. KOWALSKI: Well, I'm sorry, Mr. Speaker, if the hon. leader of the Representative Party has overlooked me and hasn't found me in the last number of months. Last fall the Premier and other members of Executive Council went on a very, very successful cabinet tour in southern Alberta. At that time the Premier had an opportunity to go out and look at a little river, and there was a great little spot in that river where it may very well be very important that a structure will have to be erected one of these days. It's my understanding that the Provincial Treasurer will be bringing down the budget tonight, and I'm sure there will be opportunity in the next several months to deal with the estimates of all the ministers of Executive Council, including the Minister of the Environment.

MR. R. SPEAKER: Mr. Speaker, a supplementary question to the minister. Could the minister indicate whether a decision with regards to the Clear Lake matter near Stavely will also be considered at this time, this year?

MR. KOWALSKI: Mr. Speaker, there are three aspects to water management in the Little Bow. One deals with Clear Lake, which is a lake on a map in the southern part of the province of Alberta, and it has the word "lake" to it, but there's not an ounce of water in it today. There hasn't been an ounce of water in it through 1987, and it's extremely important, I think, that we do get some water into it in 1988. So whatever decision that would be made with a structure on the Little Bow would entail a decision with respect to a diversion of water from Mosquito Creek to Clear Lake.

MR. TAYLOR: Mr. Speaker, could the Minister of the Environment give assurance to the House that before he moves in the bulldozers and starts throwing dirt around, he will indeed call for public hearings on the project?

MR. KOWALSKI: Gee, I don't know where the leader of the Liberal Party has been, Mr. Speaker, but we've had public hearings in that part of Alberta now for nearly two or three years with respect to this matter. As a matter of fact, I believe I've already sent to the leader of the Liberal Party all the documentation with respect to the meetings that were held in the High River, the Nanton, the Carmangay area, and throughout. We've got documents, including pictures, which will probably be helpful to the leader of the Liberal Party.

MR. SPEAKER: The Member for Calgary-North West, followed by Athabasca-Lac La Biche, followed by Lacombe and Edmonton-Glengarry.

Lottery Funds

DR. CASSIN: Yes, Mr. Speaker. A question to the Minister of Career Development and Employment. Yesterday some very lucky Canadians shared in a substantial lottery, but earlier this week you also indicated that Albertans would share in the lottery industry in Alberta and that some \$8.8 million would be used to purchase very special medical equipment. Would you elaborate both on the equipment and the location of this equipment in the province?

MR. ORMAN: Well, thank you, Mr. Speaker. I'm glad there is interest on this side of House in that most important initiative. As the hon. member has indicated, we disbursed some \$113.7 million throughout the province, basically in areas dealing with organizations that are manned by volunteers from one end of the province to the other and that make decisions on the disbursement of those lotteries proceeds. In fact, there are almost 200 board members from across the province who will be making decisions on the use of these dollars. We did make a special provision for specialized equipment in the area of hospitals, and I ask that the hon. Minister of Hospitals and Medical Care could maybe make some comments on those facilities.

MR. SPEAKER: Supplementary question, hon. Member for Calgary-North West.

DR. CASSIN: Yes, Mr. Speaker. A supplementary question to the Minister of Career Development and Employment. What is the rationale for using lottery funds for special projects, as opposed to placing those funds in general revenue?

MR. SPEAKER: Hon. minister, that question is out of order.

DR. CASSIN: Mr. Speaker, supplementary question, then, to the Minister of Hospitals and Medical Care. What will the impact be on the provision of health care from both the standpoints of cost and services to Albertans, recognizing that prior to this many Albertans had to travel to Spokane and to Vancouver to take advantage of this very special equipment?

MR. M. MOORE: Well, the impact will be very substantial in all parts of Alberta, Mr. Speaker. Firstly, with regard to the linear accelerator, which is a radiation therapy machine being purchased with the lottery dollars for the Cross cancer hospital in Edmonton: several thousand people a year have radiation treatments here, and existing machines, one of them at least, have been subject to failure. Quite often people have to return week after week to complete their treatments, and some people are on a waiting list as well. So that will be very beneficial to everyone from Red Deer north.

In addition to that, the lithotripter machine, which is going into the Misericordia hospital, has the capabilities, without entering the body, of breaking both kidney and gallstones. It will be of benefit to everyone north of Red Deer. The same would apply to the lithotripter machine which is going into the Holy Cross hospital in Calgary, and it will provide services to everybody in southern Alberta.

Finally, the magnetic resonance imaging machine going into

the Foothills hospital in Calgary: the first fully dedicated clinical machine in Alberta will mean we will have enough capability to service all of our needs in Alberta now, and the need for people to travel to other parts of the country or to the United States for these kinds of treatments will not occur. Had it not been for the lottery dollars, it simply wouldn't have been possible within our budgetary parameters to purchase these kinds of machines at this time.

REV. ROBERTS: Mr. Speaker, every hospital in this province has a wish list of equipment and capital needs which cannot currently be funded. There is certainly in vitro fertilization, new hospital beds in Lethbridge, and so on. Upon what rational basis did the minister of career development choose these particular hospitals and this particular equipment and disregard the priorities and the needs of other hospitals that have other needs for capital equipment?

MR. ORMAN: Well, Mr. Speaker, I'd probably more appropriately refer that to the Minister of Hospitals and Medical Care.

MR. M. MOORE: Mr. Speaker, it was very good criteria. First of all, we're dealing in the main part, at least with three of the machines, with new technology. We're dealing as well with the kind of hospital equipment that benefits every single person in the province or can benefit every single person at some time or another. These are going into major urban referral hospitals, and people in Grande Prairie, Fort McMurray, Lethbridge, or wherever will have the benefits of this technology in Alberta. The basis of providing lottery funds: it was simply on the basis that we wanted to try to do something in hospital equipment that we couldn't otherwise do and do something that would benefit Albertans from north to south and east to west, and I think we've accomplished that exceedingly well.

MR. SPEAKER: Member for Calgary-Buffalo.

MR. CHUMIR: It's a supplementary to the minister of career development, a surprise question. Can the minister explain why decisions with respect to the \$113 million of lottery funds are made in the back rooms of the Tory caucus and are not brought before this Legislature?

MR. SPEAKER: The hon. member is clearly out of order because the court case is still pending.

MR. CHUMIR: A point of order.

MR. SPEAKER: Fine; it will be acknowledged at the end of question period. In the meantime the matter is clearly out of order.

The Chair recognizes Athabasca-Lac La Biche, followed by the Member for Lacombe and the Member for Edmonton-Glengarry.

Small Power Producers

MR. PIQUETTE: Thank you, Mr. Speaker. To the minister of utilities: it is no secret that the three major power companies have a stranglehold on this province and pretend to be the protectors of the consumers. After four years Alberta's Small Power Producers are still waiting for access to the electrical grid

at a fair price. Their proposal offers a new source of electrical power, a new source of rural income, and a chance to diversify our economy into the manufacture of small power generation. The recent ERCB/PUB report on their proposal is tilted against the small producer and achieves none of these benefits. It is totally unacceptable to the Small Power Producers.

Will the minister give his commitment today that he will go beyond the recommendation of the report and grant the Small Power Producers the price and terms of grid access that they are seeking?

MR. ADAIR: Mr. Speaker, I believe the question that came after the speech dealt with the Small Power Producers, whom I met with on Monday. As a matter of fact, quite a number of them were in. I believe we had something like 15 of them who were in at a meeting we had to discuss their concerns or their interpretation of the joint report by the ERCB and the PUB. It was our decision jointly to pursue their suggestions and to come back -- by their two people whom they have assigned to the project working with our officials in the department -- to make a recommendation to me within the very near future. I'll just leave it at that at this moment.

MR. PIQUETTE: Can the minister at least answer this question: does the minister support the producers' claim that the bottom line for a viable and sustainable small power sector is the granting of 125 megawatts of access to the power grid at 6.5 cents per kilowatt?

MR. ADAIR: Mr. Speaker, I can't answer that in the positive or the negative, because I do not have all the facts before me to justify either their request for the 6.5 cents or the total package of 125 megawatts. But we're working on that with them -- that's Mr. Orrin Hart and the Small Power Producers -- and I'm sure that within the next little while we'll come up with a solution.

MR. PIQUETTE: The next little while is not good enough. The Premier promised in Lac La Biche on May 6, 1986, that he would move on this issue within two months of the general election. Now, why are the Small Power Producers and potential small power manufacturers like Southview Fibre Tech still waiting after two years for an action the Premier promised he would be acting upon within two months of the election?

MR. GETTY: Mr. Speaker, the hon. member knows, because he is in touch with that group, that they were required to apply to the Energy Resources Conservation Board. I met with them many times urging them to do it, took the initiative to speak to the board to shorten down the period and to reduce the amount of time and money it would take to make their application. They were still unable to make an application. I felt very sorry about that, but I urged them in many meetings to continue to try and develop their process and their application. Finally, it has happened.

The Minister of Transportation and Utilities is working with them as well, urging them to please bring their project to a state where it can go ahead. He may well wish to supplement my comments.

MR. ADAIR: I do, Mr. Speaker, in the sense that the Southview Fibre Tech project, which eventually did make an application to the joint hearing of the ERCB and the PUB sometime, I

believe, in the period September 1987 -- and approximately the date that it was to have been heard was requested by them for a deferment until a hearing that took place on January 21 and 22, 1988. It's from that particular hearing that the joint committee of the ERCB and the PUB are judging their report of that relative to the interconnect application by Southview for that particular project. So it has only been since January 21-22 that they finally did get an application in to the joint ERCB and the PUB.

MR. PIQUETTE: Two years is still not two months. The Premier promised basically to expedite this matter, and I don't call that an expedition.

Will the Premier direct the minister of utilities today to exceed the recommendation of the report, which clearly favours the utilities over the Small Power Producers, and finally fulfill within the next month -- within the next month -- his promise of fair access at a fair price?

MR. GETTY: Mr. Speaker, I have expedited the process. I think we should reject the hon. member's comments that the Energy Resources Conservation Board is somehow distorting a decision. I think the member should consider whether he really wants to make that charge against the Energy Resources Conservation Board, because obviously that board is an independent body that has the responsibility under legislation to rule on these matters. He is clearly saying that they have come up with some kind of distorted answer. Frankly, I would have thought the better thing to get this project moving would have been some help from their MLA rather than playing politics with it.

MR. SPEAKER: Edmonton-Meadowlark, on a supplementary.

MR. MITCHELL: Thank you, Mr. Speaker. My supplementary is to the minister responsible for utilities. Has the minister assessed the potentially strong impact that small power production can have on job creation and regional economic development in the rural areas of this province, or is this simply another case of putting the interests of large business over small business?

MR. ADAIR: Mr. Speaker. . . [interjection] Oh, I didn't mean to wake you up.

Mr. Speaker, with regard to the Small Power Producers and the possibilities of jobs, of distribution I guess you could say, diversification: all of those factors are very much a part of our working with that organization to this particular point to get, for example, the hearing they requested a year ago -- they being the Small Power Producers -- which was held jointly with the ERCB and the PUB, to arrive at some of the questions that were asked by the organization. What is the definition of small power? How much small power could be effectively included or added to the grid, keeping in mind that we have an excess of power in the province of Alberta today, keeping in mind that we have the lowest cost ability to produce power by the use of coal? Keeping all of those things in mind, we've been working with the Small Power Producers to provide them the opportunity to look at the possibility of a wind farm, individual windmills on some of the farms, small hydro projects, biomass projects similar to the Southview project that is in the Athabasca area at this present time. All of those are being considered by us with vigour.

MR. SPEAKER: Member for Lacombe, followed by Edmonton-Glengarry.

Day Care Standards

MR. R. MOORE: Thanks, Mr. Speaker. My question today is to the Minister of Social Services, and it relates to some statements made in the House yesterday by the Member for Edmonton-Mill Woods. Now, he made some very clear, concise statements in here. In one he related to the honesty of the people on this side of the House, and the other was that in the province here we have day care centres that "are not fit for animals" to live in.

My question to the Minister of Social Services: has she any knowledge of even one day care centre in this province not fit for animals to live in?

MRS. OSTERMAN: Mr. Speaker, it's a very serious matter that was raised yesterday. As a matter of fact, I had a copy of *Hansard* provided for me because I wished to approach the hon. Member for Edmonton-Mill Woods. I am absolutely appalled that no relating of the day cares that he would have been alluding to in his comments here in his own constituency would have been drawn to my attention. I'm sure all hon. members will understand that it would be expected of them to make comment if they believe they have an operation that is unfit for children.

Mr. Speaker, insofar as we are aware, there are times, certainly, when we are concerned about the operation of some day cares, to the extent that the minister herself has made a stop order on that day care, but none from Mill Woods has been drawn to my attention at this moment.

MR. R. MOORE: Supplementary, Mr. Speaker. I would think that any responsible citizen who had firsthand knowledge of such a situation wouldn't wait to make political hay of it but would take immediate action on behalf of those children.

But my supplementary question to the minister is: what are the basic standards that we recommend for such operations? [interjections]

MRS. OSTERMAN: Mr. Speaker, it is unfortunate that some of the members in the Official Opposition have not read, including the hon. Leader of the Opposition, who continues to speak and, as a matter of fact, smiles through a very serious discussion . . .

Mr. Speaker, there are some 28,000 children, I believe, in various day care centres and child care facilities in this province. Obviously, even with a number of people who spend a great deal of time monitoring the facilities -- that is, from the licensing officers in the Department of Social Services through to the day care facilities review committee, who last year visited some 467 day cares, and many of them more than once, some as many as five times when they were a concern . . .

I can provide the hon. members of the opposition a checklist for them in terms of the items that are spoken to when licensing officers go in. It is interesting that they mentioned that there are no standards, because we speak to accommodation: is the facility well maintained, fire extinguishers, the emergency plan posted, fire drills, first-aid kits, indoor play equipment clean . . .

MR. SPEAKER: Order please. The Chair is well aware that there are standards. Thank you.

MS MJOLSNES: A supplementary question to the minister, Mr. Speaker. We all know that there are some pretty horrible things happening in some day cares and that inadequate monitoring is taking place in this province. When will this min-

ister respond to the concerns of many parents and increase the number of inspectors in this province?

MRS. OSTERMAN: Mr. Speaker, we have what I believe will prove to be a very excellent initiative in a pilot project to bring more consistency. This is certainly something I had been concerned about across the province with respect to how the day care regulations are being interpreted, particularly by the operators. We have had in-service training go on over the last number of months. We have asked every day care operator in the province of Alberta to attend a series of sessions. We believe we are making great gains, particularly when the pilot project is concluded and we will be able to bring more clarity to the regulations that are in place.

MR. MITCHELL: To the Minister of Social Services. Could the minister please inform the House, since funding is an issue with respect to day care at this time in Alberta, how negotiations with the federal government over the new federal day care program are proceeding and when it is that we could expect to see those funds arriving in Alberta?

MRS. OSTERMAN: Mr. Speaker, I can't comment on the federal government's timetable. I have in the past and have been severely burned. At this point I would say that officials from our department are discussing with officials of health and welfare federally and relating to them all the information with respect to Alberta day cares, the amount of our funding, and what it is we would expect by way of cost sharing.

MR. SPEAKER: The Member for Edmonton-Glengarry.

Dioxin Levels

MR. YOUNIE: Thank you, Mr. Speaker. For the Minister of the Environment on an issue about which he has been neither silent nor informative. This week the Minister of the Environment has spent a lot of time confusing two issues: his refusal to test pulp mill samples taken for their level of dioxin and his fantasies about a safe level of dioxin. I would assure you, Mr. Speaker, that there is no safe level of dioxin. I wonder: is the minister aware that EPA tests have proven that one part per trillion of dioxin causes serious and fatal health problems and that this has led everyone but himself, apparently, and dioxin-producing industries to accept that there is no safe level of dioxin?

MR. KOWALSKI: Mr. Speaker, information is extremely important. All members will recall that last year, in 1987, all of the ministers of the environment in Canada, which includes the federal minister plus every minister of every province in the country, which includes Progressive Conservative ministers of the environment, an NDP minister of the environment, Liberal ministers of the environment, and a Social Credit minister of the environment, put out a document called Dioxins and Furans The Canadian Perspective, published by the Canadian Council of Resource and Environment Ministers. I'd like to quote one line from the document

So far, we only have conclusive evidence of one human health effect related to dioxin exposure -- a temporary, non life-threatening skin condition called chloracne.

MR. YOUNIE: It must have come within a country mile of the

question I asked.

I wonder if the minister is aware that no one, not even industry, has disputed the dioxin test protocols used by the Environmental Protection Agency in the United States, the federal Environment department in Canada, who could get results in six days, and in Sweden. If so, why will he not accept the protocols they've been using?

MR. KOWALSKI: Mr. Speaker, the information provided with respect to the protocols is incorrect. There is an international debate going on that includes countries of western Europe and countries of North America, both Canada and the United States, attempting to find a defensible, conclusive protocol that all scientists in the scientific community will agree on.

I've indicated before; I indicated in the House earlier this week that there's no difficulty getting a test made for dioxins. The difficulty is quantifying being certain of what it really means. Is it going to be one part per quadrillion or 20 parts per quadrillion?

There's a challenge that I'd like to leave with the NDP. The NDP gets nearly \$1 million a year in research dollars provided by this Legislative Assembly. I have, less than two blocks away from here, 24 samples of water. I'd be very, very pleased to give the NDP caucus the contents of these 24 bottles of water. They can go and have this water sampled; they can table the results in this Assembly.

MR. SPEAKER: Supplementary question, Edmonton-Glengarry.

MR. YOUNIE: Thank you. I don't want to see the bottles; I want to see the results of tests.

MR. SPEAKER: Order please, hon. member. The Chair would kind of like to see a supplementary question.

MR. YOUNIE: Yes, immediately. Will the minister commit himself to providing the results of tests that will show how much dioxin is in those samples? Or is it that he doesn't trust the people of Alberta to know that information?

MR. KOWALSKI: Mr. Speaker, I hope that all 2.35 million citizens of Alberta are currently watching the question period. I'm going to look straight into that camera directly in front of me and tell all these 2.35 million citizens of Alberta that I've already made that commitment. It's located in *Hansard*. It can be found in *Hansard* of either March 21 or 22 of 1988. That's a public document made for all citizens of Alberta.

For the Member for Edmonton-Glengarry to stand up and ask the question, "Will the Minister of the Environment make that commitment?" is absolutely nonsensical. The Minister of the Environment has already made that commitment; it's included in *Hansard*. Anybody in Alberta can have it.

MR. SPEAKER: Edmonton-Glengarry, final supplementary.

MR. YOUNIE: Thank you. I think we should look at real motives. Can the minister somehow allay the fears of Albertans who suspect that the real reason for delaying the tests is to make sure that Daishowa is under construction before the public finds out how much dioxin is being produced by the pulp industry?

MR. KOWALSKI: Mr. Speaker, that is absolutely stupid.

There is no pulp plant. There is no pulp plant on the Peace River in Alberta. How in the heck can Daishowa, which hasn't even been built yet, be producing dioxins? We are going to provide all of the information that we get from quantitative tests. We have samples. I gave a challenge out on Monday that if anybody wants to come with me -- man or woman, in this case -- I'll take you by the hand and take you over to the Alberta Environment building. I also indicated that we are sending samples to Wright State University in Ohio . . . [interjections]

MR. SPEAKER: Order. Order please, hon. member. The time for question period has expired. Might we have unanimous consent to finish this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Oh, heck.

MR. TAYLOR: Mr. Speaker, I'm afraid that whatever has been in those bottles, the minister's been sipping on it a bit.

In view of the fact that he does not want to go ahead with an analysis, under the rather strange excuse that he hasn't built the pulp plant yet, would he be prepared to tell us what it would cost to have that analysis made? -- And just possibly the opposition parties might have the money in the budget to send it out and have it analyzed for him.

MR. KOWALSKI: No problem at all with that, Mr. Speaker. My understanding is the NDP caucus gets nearly \$1 million a year for research. It's my understanding that the leader of the Liberal Party gets nearly \$400,000 allocated to the Liberal caucus for research. We've got 24 bottles of water. Each test costs \$3,000. Three thousand times 24 is 72,000 bucks.

I watched the leader of the Liberal Party stand in this Assembly the other day and on the basis of his research hold a sheet of paper -- I couldn't tell that during the question period; I went home and watched this on ACCESS television -- an article from a newspaper. A newspaper costs 25 cents a day times 365 days per year; it doesn't come out to \$400,000. The Liberal Party can pay for this. I'll give them the samples; they can get it done and table the results in this Assembly.

MR. SPEAKER: Vermilion-Viking, followed by Clover Bar.

DR. WEST: Thank you, Mr. Speaker. A supplemental to the minister. Could the minister tell the House if an average forest fire in the province of Alberta dumps as much dioxin on the people of Alberta as does a pulp mill for the entire year?

MR. KOWALSKI: Well, Mr. Speaker, I'm sure glad that one of the government members has taken the time to read the pamphlet on dioxins and furans, because if they would, they would see a statement saying, "Where do dioxins and furans come from?" and they will see that the biggest supplier of dioxins is municipal incinerators, then wood waste operators, then sewage sludge operators, then slash burning, then fuel-wood burning, motor vehicles, and forest fires. All of those are listed. The biggest contaminant is municipal incinerators. The NDP has yet to raise a question about that.

DR. BUCK: Mr. Speaker, to the Minister of the Environment. Basically, I was going to ask the question about dioxins in fireplaces. Can the minister indicate if there has been a study

specifically done in this province as to what dioxins are produced by domestic fireplaces?

MR. KOWALSKI: Mr. Speaker, there has been a number of studies done with respect to this, and in fact in the fall of 1986 I put out a press release with respect to this matter. As I recall, I reamplified it again through 1987. We tend to make a lot of communications available to the people of Alberta, probably one or two a day on average. Sometimes they're picked up and sometimes they're not, but we did put one out with respect to the fireplace contamination that does exist.

MR. SPEAKER: The time for question period has expired. I understand . . . A point of order, Calgary-Buffalo.

MR. CHUMIR: A point of order with respect to Standing Order 23(g), Mr. Speaker, in relation to your ruling that my question was out of order. The question related to why lottery expenditures are not presented for detailed review in the Legislature. The world obviously doesn't turn on whether I get to ask this question or not; however, the integrity and respect for our legislative process does depend on the ability of elected representatives to ask questions on important public issues unless some good reason exists for declaring such questions out of order.

I would submit that such reason is not present in this instance, either on the basis of principle or on the basis of detailed analysis of paragraph (g) of Standing Order 23. This standing order precludes reference to any matter pending in a court where any person may be prejudiced by the reference. I wonder whether the Speaker would rule on the question of what person it is who would be prejudiced by such a question as I was asking the minister in this instance. I await with particular interest whether it will be suggested -- as it was once before, I believe, Mr. Speaker -- that I and my colleagues are the prejudiced parties and, if so, whether the suggestion will be made with a straight face.

Most significantly, however, I would suggest that a key test of these questions would be whether the question would stand on its own regardless of whether or not there is litigation in process. Now, the question of whether or not \$113 million of expenditure should be debated in this Legislature I would submit stands totally separately from whether or not such debate is legally required. I understand the minister is preparing legislation which will presumably clarify the situation. I have stated publicly that our litigation will be withdrawn if the issue is in fact clarified.

However, regardless of such clarification the same question will still remain relevant and will be asked in this Legislature: should the \$113 million be debated by the members of this Legislature in a detailed manner? The fact that this question remains relevant regardless of whether the litigation stands or falls is, I submit, the greatest evidence that the question doesn't refer to any matter pending before a court. It's not related to the litigation within the terms of Standing Order 23(g), but it's rather a question of broader public interest relating to the democratic process.

So in summary, I would ask the Speaker whether he might clarify for the future edification of members of this House his basis of ruling under section 23(g), with particular specificity as to who it is, which person, is prejudiced by a question of this

nature and on what basis is it a question relating to litigation as opposed to a broader question of policy under the democratic process.

MR. SPEAKER: The series of questions arose courtesy of the Member for Calgary-North West. As long as that particular member dealt in terms of the disposition of the funds or was asking questions about future disposition of funds from the lotteries, then the line of questioning was indeed in order. The moment the Member for Calgary-North West then raised a question with regard to policy, then that question was immediately ruled out of order and the member took notice and went on to another supplementary question. The Chair then later recognized the Member for Calgary-Buffalo standing yet again with respect to discussing the issue of policy and having the funds brought into this Assembly for discussion and disposition.

Now, the Chair is very much aware of the interest of the hon. Member for Calgary-Buffalo in this whole issue. Nevertheless, in the course of last year it was the hon. Member for Calgary-Buffalo, together with colleagues from the Liberal caucus, who indeed breached the privilege of this House by going ahead with a civil action. The action, which still is, according to . . . [interjections] Excuse us; excuse us. The action, which I have here: "In the Court of Queen's Bench of Alberta, judicial district of Edmonton, between Sheldon Chumir [Calgary-Buffalo], Bettie Hewes [Edmonton-Gold Bar], Grant Mitchell [Edmonton-Meadowlark] and Nick Taylor [Member for Westlock-Sturgeon]. . . and Her Majesty the Queen in right of the province of Alberta as represented by the Minister of Career Development and Employment and the Provincial Treasurer of the province of Alberta."

To our knowledge, as of checking the records in the last few days, this action is still in place and is, therefore, still active. That brings us within 23(g)(i):

A member will be called to order by Mr. Speaker if that member

(g) refers to any matter

(i) that is pending in a court or before a judge for judicial determination.

The statement was given to the House on May 14, and if members, including the Member for Calgary-Buffalo, have forgotten that, I'm sure they can use their own ability to go back and research what was said to the House at that time. That is still the decision of the Chair, which continues in the whole precedent of this House which follows on a ruling made by Speaker Amerongen on May 11, 1978. At that time the statement was made:

Not only should questions and answers and debate in this House avoid the appearance of influencing judicial proceedings, they should also not be used as a means of getting information which could conceivably be useful in those proceedings. The procedures of the courts are designed for getting all the information necessary for those proceedings, and it would not be proper to use the question period as a sort of adjunct or an aid in regard to court proceedings.

The quote again, as made by the Chair May 14, 1987, also carries through this. One of the questions that was raised by the Member for Calgary-Buffalo was: "Who, indeed, might be prejudiced by the action?" The answer still is the four members of the House who brought action and the two members upon which it was served. It is still out of order with regard to the policy questions.

MR. TAYLOR: Mr. Speaker . . .

MR. SPEAKER: Is this an argument with respect to this

judgment?

MR. TAYLOR: No, this is with respect to your statement. In the preamble to your statement, you said we had breached the privilege of the House by bringing in the action. Mr. Speaker, I would like to correct that, unless I misheard. But I did believe we breached the privilege of the House by serving the summons, which is entirely different.

MR. SPEAKER: You are correct. Thank you.

ORDERS OF THE DAY

MRS. CRIPPS: Mr. Speaker, I move that the questions and motions for returns stand and hold their place on the Order Paper.

[Motion carried]

head: MOTIONS OTHER THAN GOVERNMENT MOTIONS

202. Moved by Mr. Zarusky:

Be it resolved that the Legislative Assembly urge the government to consider amending the Liquor Control Act to allow the following:

- (1) privatization of the retail and warehousing operations of the Alberta Liquor Control Board;
- (2) reduction of the regulatory powers of the Alberta Liquor Control Board;
- (3) expansion of permitted off-sales by hotels to include liquor and wine;
- (4) equalization of the permitted number of seats in beverage rooms, dining rooms, and nightclubs;
- (5) expansion of the hours of sale of alcohol products as determined by consumer demand;
- (6) creation of a community club licence; and
- (7) a hearing to be held prior to the cancellation or suspension of a licence or permit.

MR. ZARUSKY: Mr. Speaker, I see by the applause here I'm going to have a lot of support for my motion. As you know, my motion is severalfold. It's a motion that's not new to this Assembly and was debated last year in quite a vigorous way and, I think, should be pursued.

First, Mr. Speaker, let me say a little about philosophy. As you know, it is our government's philosophy to promote free enterprise and to have less regulations in what is going on with private enterprise. I think this is part of the motion, because as you know, we want to give private industry the opportunity to get out there and do as much as they can and create jobs and bring revenue to the province. There might be some misinterpretation about this motion in saying, "Well, we're going to get rid of the Alberta Liquor Control Board completely," but that is not true at all. This motion says just to downsize the activity of the Liquor Control Board and keep it where it should be, and that's in the taxation and regulation end. So I am sure some members here would be very upset, saying we'd lose the revenue of a liquor tax to the province, which in fact this motion does not state.

Mr. Speaker, another reason for this particular motion that I brought up for discussion is the very great importance of Alberta's hospitality industry. You all know that the hospitality industry to hotels, restaurants, cocktail lounges, motels serves a

very great purpose in this province and probably this country. It also brings about a personal interest for me in this industry, because not being associated with it right now but years ago, my father was very involved in the hospitality or hotel industry. I can tell you that during that time I learned it's not an easy job. It's a 9 to 5 job and . . . It's not a 9 to 5 job -- sorry -- because as you know, the hours are long; they can stretch from early morning till all hours of the morning again. So anybody who hasn't been associated with it probably can't communicate on the amount of work involved.

Also, as has been indicated by our government in our future budgets and whatever else, our goal with this government is to create a \$10 billion tourist industry by the year 2000. I think that's where some freedom to hotels comes in at this point, because as we get more tourists into this province coming out of other countries, it's very important that we accommodate them as best possible. Because if any of you have traveled anywhere else in the world, you'd have to realize that people in other countries aren't used to our style of drinking or socializing. There are bars in other countries that are probably open day and night, with entertainment and whatever else, but we have to make these people comfortable when they come so they will spend money here. At the same time, we have to be careful that we do not relax our laws and rules completely and bend them to benefit all of them. We still have to keep our certain regulations and laws, which I will touch on later. As you can see, Mr. Speaker, it was a great success when the lounges and the hotels were open on Sundays during the Olympics and made some of our athletes more relaxed and made them feel more welcome. At this point, I think there will be some implications for this province from that.

Mr. Speaker, this motion does have several different elements to it, but it basically boils down to two things, and that's privatizing the ALCB and reforming regulations. As you know, our government wants to cut out as much red tape as possible. We have a committee set up under the chairmanship of my fine colleague here, Ron Moore, and they are looking at ways to deregulate and help private industry succeed in this province.

[Mr. Deputy Speaker in the Chair]

This motion also points to finding the best ways of making changes. I think the extension of off-sales to wine and liquor would probably be of great benefit. The sale of wine has been tried in a few pilot projects right now in the province, and I think reports are coming in. But so far the feedback is very good. If this was done, I don't think we'd have to worry about maybe extending the hours anymore, because it would give more flexibility.

I also believe we have to have a framework that will allow the communities to have the best system for their community. You know, we've got different communities, and every community in the province differs. You can go to Willingdon, you can go to Warspite, you can go to Fairview, Lacombe, Okotoks, or Medicine Hat, and every one of these will have requirements different from Edmonton or Calgary. This is something I'd like each and every one of you to keep in mind as we debate Motion 202.

As far as the availability of liquor goes, Mr. Speaker, I don't want any of my colleagues to get the wrong idea about this motion. It's not a promotion for the streets of Alberta to be flowing with rivers of alcohol, because we still have to watch what our society is doing. In this motion it's not even mentioned that

grocery stores or gas stations become the major outlets for selling alcohol, because that would be too much at one point. We're just interested in the people that are involved in the business at this point.

It's also talking about some increased availability but not excessive availability. It's about availability that consumers are looking for in today's marketplace, and that is of convenience. Mr. Speaker, while there are 5,300 licensed premises and over 200 outlets, not every community is getting the access it should. I think some hon. members, especially in rural Alberta, would agree with this. The hours Alberta Liquor Control Board outlets are open just aren't suitable, because some are closed on Mondays, some aren't open in the mornings, and some are closed after 6 p.m., so you can see the big difference and discrepancy in closing hours. As you know, sometimes a person that's traveling from one community to another -- they might be going to visit a friend -- is interested in a drink rather than beer. They come into a town where the liquor outlet is closed at 6 o'clock and can't even pick up a bottle of wine, which some people do while they have their meals.

Also, the issue of availability leads to consumption and use and abuse. I think that at this time the majority of our society is mature and responsible. They have that outlook about alcohol, and they use it socially and responsibly. As you know, Mr. Speaker, there are people who have serious drinking problems, there are people who drink and drive, but those are a very small minority. As you'll see through statistics, there is only a certain percentage of people that do have problems when they drink and drive and whatever else.

Mr. Speaker, in Quebec the immediate effect of changes in their liquor laws was having 9,000 outlets that sold wine, instead of 350 in the time before. Yet total consumption only increased marginally. If consumption does increase, that doesn't necessarily mean that abuse will, because some people have different drinking habits than others.

Also, it is attitude and not availability that dictates the incidence of problem drinking. As a government, we have programs through AADAC that promote responsible attitudes about drinking, and AADAC and other groups are aiming these programs at young people. I can tell you, Mr. Speaker, that these young people are growing up in a maybe changing society, and the majority of them are responsible young people. They probably do go out and have a drink, but through the good education systems we have through AADAC and possibly religious groups or even charitable groups like the Lions Club, that's got a quest program going right now -- that's an education program for drug and alcohol abuse -- I can tell you that these young people are learning. I myself have young people right now that are young adults, and I can see them going out. I see them having a drink once in a while, but I haven't seen them abusing it, because they've learned the proper way of using alcohol.

Another part of this motion, Mr. Speaker, is a way to promote a healthier attitude, and that's the creation of community club licences. This type of place brings to mind the English pub and dart board, and basically that's what this is all about. This is a place for people to get together and have fun, and this place can also happen to have a liquor licence. Drinking isn't necessarily the prime purpose of going into a facility like this. Usually it's set up in a smaller residential area by some enterprising person that wants to make a few dollars and at the same time contribute to the well-being of society. In this case it's a neighbourhood that can get together, have a discussion, have a pool table or whatever else. At the same time, to get to this facility

they don't have to drive; they can walk, which is a benefit in this case.

An idea like this has been very successful in the province of British Columbia, and what it requires is municipal approval. Also, area residents have the right to petition or referendum this sort of situation, so it is up to the local people or the neighbourhood to dictate whether they want this or not. I think we as a government should maybe seriously look at helping some like this.

Another thing about our society is that it expects convenience. You know, Mr. Speaker, shopping malls are open late almost every night of the week and just about every day of the week. Also, ALCB cost-saving measures have cut down hours of operation and have taken this convenience away from customers. What you get is probably a rush to liquor stores if they know what day it is closing. This way, if the local liquor facilities near the neighborhood would have this opportunity, people could stop there and pick up their spirits requirements.

Consumer convenience also means convenience for tourists. I can tell you it's probably puzzling to some tourists coming into this country and seeing that our liquor outlets are closed when they're used to having them open in their country.

Mr. Speaker, this motion isn't calling for completely doing away with regulating alcohol sales. It is saying that we have to update the regulations and make them more of 1988 than 1924. As I mentioned before, we are in a new society, we're in a changing society, so we have to live to the demands of our society. The intent of this motion is to keep control or social consciousness in the hands of government but to be flexible enough to meet the demands of the marketplace. And that's very important, because liquor taxes do bring a lot of dollars into our provincial Treasury. I don't think they're outrageous demands, and as I mentioned previously, it's mostly a matter of convenience and service.

Mr. Speaker, further regulatory reform is necessary because the current regulations just go too far. I don't think it's necessary for the Alberta Liquor Control Board to say what form or capacity liquor should come in or what brands or varieties should be sold. Let's leave that to private industry.

Mr. Speaker, as I mentioned before, the Alberta Liquor Control Board should just be preventing the sales of alcoholic beverages to minors, collecting government revenue, and watching out for general abuse -- not making red tape. I think that's a very important thing to remember in this motion. This motion is not doing away with the collecting of revenue. Some members might have felt we still need this important revenue.

Mr. Speaker, if you talked to some of the larger beverage room owners, you'd probably find that they are extremely interested in maximum seating. As you all know, we have some problems with some bigger bar owners that have the capacity but don't have the licence for seating. So there should be some changes in this. While they're probably interested in profits also, they have some justification in wanting this maximum to be equal to that of dining rooms and nightclubs. Mr. Speaker, it's interesting that the 1973 Ghitter report recommended a capacity of 375 in bars. Currently, the capacity is only 200. I don't know why that change didn't come, but I hope that with the help of all hon. members it can happen.

Mr. Speaker, another idea in this motion is that there have to be some changes to how cancellations, suspensions of licences and permits take place. What happens in these cases -- and I know way back, from my father being in the industry -- is that you have many employees working for you. The owner or man-

ager isn't around sometimes, and the employee, not intentionally, will break the law in one way or another by selling liquor to a minor or whatever else. The ALCB inspector can be there at that time, and the bar is automatically suspended or closed. So I think it's only fair, Mr. Speaker, that a mandatory hearing be held before there is a suspension. This way the owner or the manager has a chance to give an explanation why this certain offence was done. In the vast majority of cases there is a preceding hearing anyway, but that's usually too late. Mr. Speaker, it's not going to add to the workload of ALCB, and certainly everyone should be entitled to due process of law in this country. As you know, if a restaurant or dining lounge or bar gets closed up for one reason or another, it is bad for their reputation, because people figure some unjust stuff was going on there. I think we are hurting the owner in that way, so it's better to help him out as much as we can.

Another point to the motion is expanding hotel off-sales. Mr. Speaker, this is one area that hotel owners in my constituency and probably in my neighbouring constituencies have certainly talked to me and my colleagues about. I can see their point, because many of them have been in the hotel business maybe for 40 years or more. In this case, they were selling beer for all those years. I can tell you that all of them have proved to be capable and they are serving a need in the community, because it takes a special person to be in this sort of business.

Mr. Speaker, a need that's especially prevalent in rural areas is that expanding off-sales in the hotels and in some communities could take the place of the ALCB outlets; that is, the ones that simply are not proven efficient. The off-sales also would have to be strictly adhered to and regulated. There wouldn't be any laxity or relaxation. Sales to intoxicated people on their way out the door wouldn't be permitted. Customers would have limits on the amount they could purchase, and at this time the hotels would be providing a little extra service to their community.

This certainly seems to be a very reasonable extension of services and in some cases, as I've said, one that provides better community services. Because sometimes you get a community of 150 people, 200 people, or 90 people -- you know, there is no ALCB outlet in there and there never will be. This way, if the residents of the community or residents of the rural area around the community decide they want to buy a bottle of whiskey or a bottle of wine, they can drive into the community, pick it up at their local bar -- they don't have to drive 30 miles away -- and have it in their house instead of maybe going to this bar and wanting a drink of whiskey or rum or whatever else and at the same time meeting up with some friends, and you know what happens at that time. Sometimes a person gets carried away, has a few too many, gets into his vehicle without thinking that he is intoxicated, and you know the consequences of that. Lives could be lost, and at the same time it causes many problems for the individual which probably at the onset of the evening was never intended.

Mr. Speaker, I would like to conclude with a few closing remarks, and that is to stress to the hon. members that this motion is not trying to do away with liquor stores or the Liquor Control Board. It's just a matter of privatizing them, maybe giving them to private industry to run. And the same thing with warehousing -- at the same time, keeping the Liquor Control Board to regulate law and collection of revenue and other things I mentioned previously.

Another thing we should keep in mind with this motion is that it's very important to our hotel and hospitality industry at

this point to help them in every and any way we can, because they are going through a period of tougher times. They need this extra help to carry them through to better economic times. I know they are responsible people. They're hardworking people in the community. They're people that belong to many community organizations, give a lot of their time to charitable groups, and at the same time donate a lot of money to groups that do put on certain functions, whether it be trophies for hockey teams or curling teams or whatever else. These are very valuable people in the community, and I think we should salute them as citizens and treat them that way and give them the freedom in this province to exist in a business that they chose and hopefully will do better.

Also, Mr. Speaker, I want to conclude on this one note. As far as my philosophy of government is, the government's business is to stay out of business. We believe that private enterprise should be carrying the ball. Government might provide assistance here and there, but private business should be scoring all the goals.

Ladies and gentlemen, hon. members, I just want to close right now and thank you for listening to me. I would like your support in this motion. Let's get these people all the help they can get, and let's get a flourishing industry in this province. Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: I believe the hon. Member for Edmonton-Strathcona caught the Chair's eye.

MR. WRIGHT: I'm obliged, Mr. Speaker. I can't really speak as a well-known boozier, Mr. Speaker, but I think this motion is worthy of serious debate and attention.

The extent of drunkenness in western Canada and, indeed, in North America, from all accounts, was of astonishing proportions before the time of the First World War. I know that when I came here in 1953, I was interested to find that the instances daily of people being arrested for being drunk and disorderly in Edmonton in 1914 exceeded the number then common by a factor of two; that's to say, there were twice as many. Although the city was now five times as big, there were twice as many that were daily arrested in 1914 for that offence compared to 1953, which gives you an idea of the extent of the problem of alcohol at that time.

In response to that, the women's temperance league, and of course the thrust for Prohibition in the States and the same thing here, was a very worthy and understandable reform and resulted in Prohibition for a while of course, as we know, in Alberta and indeed in Canada, which was soon thereafter relaxed in various ways.

But what we have in Alberta is the relic of that in the Liquor Control Act, and we do take it for granted as being a normal way of regulating drink. But it is, in fact, abnormal in world terms. That's not to say it needs to go. It's stood us fairly well over the years, but as we grow up as a society, as we become more civilized in some ways -- I suppose you can say --, as opportunities for education improve, and as people become more used to a variety of recreation, one has to look at the terms of the Act all the time. It is my belief, which is obviously shared by some in this Chamber, including the mover of the motion, that the Act is, in fact, lagging somewhat behind the temper of the times and what is necessary in the way of government regulation of the drink trade.

[Mr. Musgreave in the Chair]

So one has to do a balancing act between what we are compelled to do for the 15 percent or so of the population who have trouble with drink and the extent to which it should control the ability of the rest of us to have access to alcohol. At the present time, I think, the Act is overconcerned with the admittedly very great problem of the control of drink and the misuse of alcohol. The abuse of alcohol is there, but the question is: is it necessary to have the restrictions of the Alberta Liquor Control Act to deal with that problem? I'm afraid that I don't go along completely with the mover of the motion in saying that increase in the consumption of alcohol does not mean that there's an increase in the abuse of it. It doesn't necessarily mean that, but all the studies do show that abuse of alcohol goes step in step with increased access to it. Nonetheless, I think we have to draw some distinctions here.

It's my respectful submission, Mr. Speaker, that there is a difference between spirits on the one hand and wine and beer on the other. Wine and beer, being undistilled, of course is a natural drink. Indeed, before there was tea or coffee, beer was the ordinary drink of common people. It can be a healthy drink, particularly when it's not pasteurized and still living, and can be good for you. To put it in the same bracket as, say, gin or spirits -- you know the old saying in London in the beginning of the last century, "Drunk for a penny, dead drunk for twopence," was true of gin. It was cheap and available -- and mother's ruin. But I say it is different in the case of beer and wine. [interjection] I'm sorry I missed that. And in the matter of the wider availability of liquor, I think we should make that distinction, as is in fact made in the province of Quebec.

It does seem to me an unsupportable situation in 1988 in Alberta that if you live in a small town that happens to be 40 miles away from the nearest liquor vendor -- and there are many of those -- if you want a bottle of wine for dinner, you have to drive 80 miles. It seems quite silly. It is also not in the best interests of these small places, because families who want to stock up for the next week or two with beer or wine or whatever drink they drink have to go to the nearest town that has a liquor vendor. So they might as well go there and shop for everything, because they're likely to get a greater variety -- a bigger supermarket and so on. So the local shop, which otherwise they're quite willing to go to, loses customers. So there are some arguments that should be considered, quite apart from the mere availability of the drink.

In the province of Quebec, as you know, the corner stores can sell wine and beer, and it's my belief that we should be looking at something like that. It's very good for the corner stores, which are a very useful thing to have but are struggling at the present time.

Now, at the same time, there is always the probability that there will be abuse of the system. That happens whatever the system to some extent, and admittedly it would make it a little easier. But I do believe, Mr. Speaker, that in Alberta we have arrived at a degree of maturity that we can handle that.

Looking at the proposals in detail, the first in the motion is:

Privatization of the retail and warehousing operations of the Alberta Liquor Control Board.

Well, I understood the mover of the motion really to draw back from that and say, "Well, it's really a reduction of number rather than the abolition of the Liquor Control Board operations," and I would agree with that.

Reduction of the regulatory powers of the Alberta Liquor Control Board.

I'm not sure about that, Mr. Speaker. I think perhaps the mover

of the motion means that there should be a relaxation of the regulations, and with that I would agree. It's very overregulated. I think they got into the habit when there were only beer parlours and there were strict rules as to the size and fittings in the beer parlours. Now it's been multiplied so that if you want to have a place that sells wine, you've got to have Muzak, you've got to have carpet of a certain quality, you've got to have fittings in the washrooms of a certain -- all things which should be left to the board of health perhaps or the standards of the municipality but need to be out of the list of requirements of the Liquor Control Board.

Next:

Expansion of permitted off-sales by hotels to include liquor and wine.

As I say, I would much rather see any such expansion of sales be in small retail establishments, such as in the province of Quebec. Yet that option isn't in here, to my surprise, and that would have been the most sensible one, I believe.

Next:

Equalization of the permitted number of seats in beverage rooms, dining rooms, and night clubs.

I'm afraid I don't know about that. So perhaps it makes sense.

The fifth:

Expansion of the hours of sale of alcohol products as determined by consumer demand.

That does seem unnecessary, Mr. Speaker. Perhaps the better move there would be flexibility of the hours, so that if the rule is that you're allowed to be open for seven hours, you can choose the seven hours and perhaps even split it up. Because it may be that in some parts of town there is a demand for a place that's open, like the Coffee Cup Inn was in Edmonton, from 11 p.m. to 3 a.m. But it seems to me reasonable that there should be a limit on the number of hours an establishment is open but a choice as to when it's open.

Creation of a community club licence.

That does seem sensible to me, Mr. Speaker.

Lastly:

A hearing to be held prior to the cancellation or suspension of a licence or permit.

I'm surprised that isn't in the Act in words. I presume it's not, otherwise it wouldn't be here. But I can assure the members that the rules of administrative law require that there be that anyway. But if it's not in the Act, it certainly should be, just to clear up any misconceptions.

In short, Mr. Speaker, I think that this motion is worth careful study by members. I realize there are those who are opposed to any greater relaxation of the availability of drink, and I respect their conscientious beliefs in this respect. But there are others who believe that we are mature enough to have a more relaxed regime in the matter in Alberta now in the year 1988.

MR. SHRAKE: Mr. Speaker, the province of Alberta is headed for a real record year this year. The unfortunate thing is it's in alcohol consumption. British Columbia is number one, but we're number two, and we try harder, sir. I just heard a previous speaker try to make the point -- I didn't hear any figures or statistics -- that the availability of alcohol has a relationship with the consumption. Unfortunately, he alluded that it would increase consumption. You know, the strange thing is that I have all this data -- I had my little researcher get all kinds of data for me -- and unfortunately, as I read the data, all of the data would indicate that the more outlets you have, the less consumption you have. I find that very difficult to believe.

In the Dominion of Canada the most outlets per person in

Canada is Quebec. Quebec drinks about a third, almost 30 percent, less alcohol per person than Alberta. Now, the place in Canada that has the fewest outlets and the most consumption -- they have prodigious consumption; they must do some real drinking up there -- is in the Northwest Territories. They have very few outlets, but boy, they got the consumption up there. So you really wonder: is it the availability, or is it the attitude? There is a difference.

As far as that goes, our own ALCB shut back on the hours they're open. Lo and behold, what did we have? Less consumption? No, we're drinking more now than we did before they cut back on the hours.

Mr. Speaker, as far as availability, there are places in the U.S. we can take a little example from. There's a place called New Orleans, Louisiana. One of the reasons I've heard that there's so much consumption of drink per person in Alberta is because of the tourists. Well, they get more tourists in New Orleans than we do in the whole province of Alberta -- I assure you of that. As far as access to alcohol in New Orleans, Louisiana, you can get it 365 days a year, 24 hours a day. And you can buy booze there at drug stores and grocery stores. Even the service stations have a small selection of alcohol available. And guess what? They drink less per person -- they're up about 35 percent less per person -- than the average Albertan. So perhaps this notion, this idea, that the availability of alcohol affects the consumption is not correct.

We've somehow got off on the idea -- and we've tried it for a long time in this province -- that we're going to legislate common sense regarding alcohol. And we have tried it. In the old days here on the prairies the only place you could get a drink was at the hotel. No other place would sell alcohol in the early days. They finally got the Alberta Liquor Control Board outlets in Alberta, and boy, we'd really made some strides. But in the hotels we had in the old days the women and escorts went to one side and the men on the other. But it seemed like our consumption was still high.

In the United States, the mighty United States down south of us here, they've really had some good experience. At the turn of this century the alcohol consumption in the U.S. was very low -- very low. The average employer frowned upon one of his employees drinking. Compare that with today. You've got to have a few drinks at dinnertime. At the turn of the century if you lived in a nice neighbourhood and if they knew you drank demon rum, you were considered an outcast. Finally the feeling got so strong in the United States they brought in Prohibition: no more liquor in the United States. And then the consumption began. It became so fashionable. If you knew a bootlegger, you were high up on the pecking order, boy. Mr. Speaker, if you only knew a good bootlegger, people really had a lot of respect for you. It was a real in thing. It was the vogue thing. That was perhaps the setting of a trend.

And let's not knock the Americans. Let's look at our little old Alberta here. You think of our social events here. Can you imagine going to a Grey Cup game party here in Alberta without having booze? Now we've got the Stanley Cup games. They brought professional hockey in. You couldn't go to a Stanley Cup game without having lots of drinks for your guests. Now they've brought in the big American Super Bowl game. And holy smokes, you should see the boozeout parties they have now for the Super Bowl games here. I hope we don't get any more of the major sports events, because I don't think our livers in this province can take it.

In this province we have reached the point where you cannot

go to a function on New Year's Eve without booze, because we've seen it on television and in the movies for so many years that it would not be a New Year's party without booze. You know, you get zonked out. Christmas has been a sacred celebration, the birth of Christ, a time of celebration and getting together with your families, and I see we're sliding on that. You've got to have booze at it.

Then the one event which Alberta is very famous for the greatest weddings in the world. We have lots and lots of booze. I went to a wedding down in Iowa. It was a lovely wedding. We went to Coe College in little Cedar Rapids, this lovely big hall. I was surprised they didn't have a bit of booze there. And you know what? The wedding was still quite nice. In fact, I learned something else. The Americans don't have this tradition of banging on your glasses to make the bride and groom kiss. We had about 250 people there, and I went ding, ding, ding, and my favourite nephew -- the room went deathly silent. Two hundred and fifty people looking at me and this strange delegation of Canadians, sitting there. Finally my poor little nephew says, "Uncle Gordie, what's wrong?" I suddenly realized, I guess we only do that in Canada. I told him, "Kiss her, stupid." So he kissed her. He gave her a good kiss, and they thought that was very nice. They realized that's a good Canadian tradition. But I went to a wedding here in a place called Lamont, Alberta. Things started early in the day there.

AN HON. MEMBER: That's a Ukrainian wedding. Three days?

MR. SHRAKE: Were you there too? I don't remember you there.

When I got there, the first thing, I was given a straight shot of vodka. I threw that down, and that was the start of the day. There was one little lady who kept coming around with a pitcher of beer. They kept going around with little trays with the vodka, and I kept after the vodka. Finally, the wife and I left there; she was not happy. The next day I explained that my lower back hurt, and I thought, "I've been lifting something." She said, "No." I guess she has a little medical knowledge. She said, "Your kidneys are probably telling you you drank too much yesterday." And I thought, "But it's become a tradition."

I guess I laugh about this. But we shouldn't be laughing, because that's part of our problem. The availability of alcohol is not the problem; the problem is our attitude. I've seen some advertisements, messages, late on the television from the Mormon Church. You know, I begin to respect these messages that alcoholism is a problem. Out of the fatal accidents in this province -- have you read the statistics? -- most of them have alcohol involved. The wife battering, the wrecked marriages, a lot of the sex crimes -- a person says, "I drank too much; I didn't know what I was doing." The job absenteeism is going high in this province. We can't control this with our ideas of laws and regulations. I would like to see us spend a little more money. AADAC is doing a good job, and I would not at all mind seeing their budget increased.

But for us, back to Motion 202. Motion 202 says to make the alcohol available in a convenient manner, sold at local stores. Believe it or not, Mr. Speaker, the province of Quebec has done that. And guess what? Their consumption did not go up. I don't see anything wrong in allowing a man to leave his home, go down to the local store, buy his liquor, and take it back to his house. You'll find they will drink less than they do if they go to the bar. If you go to the bar, you know there's a

certain closing hour. And it's automatic; they come around and say, "Last round." You don't say, "Well, I've had enough." You think: "Oh-oh, last round. Quick, let's order another round here." It's an automatic thing we do in this province. [interjections] Yes, sir, I've got experience. I worked on a city crew back in the mid-70s. We got off at 4:30, and the guys were always very anxious, this city crew, to get off to go to the bar. They didn't go home and have a drink; they'd go to the bar. In those days the bar had to close for the supper hour, and boy, those guys could get more drinks in between -- we got off at 4:30 but between a quarter to 5 and closing time, I think it was 6 o'clock, they could put away half a dozen real easy there. Some of the boys who practised hard could put away a dozen glasses of beer. My kidneys couldn't take that, though.

Seriously, one of the reasons we originally only sold alcohol through our hotels -- they're the only outlets other than the government -- was because in the early days we had to build accommodation across the prairie, and this was an additional source of revenue for the hotels. The hotel industry is hurting in certain parts of this province, but we can't very well say, "We will have our legislation in the way that Albertans consume their liquor to assist your industry." That's not the way to go. I think the way we should go is what we are doing, and that's promoting tourism to bring people in.

But back to the main message in here. If we allow alcohol to be sold in the local neighbourhood store, I don't believe you're going to go down to the little neighbourhood store, where maybe the little Chinese fellow has a store on the corner, and see drunks staggering home from there. I think you'll find they will buy their liquor there, carry it home, and we'll have a lot less alcoholism than if you have to go to the bar. I think that's what our current legislation almost forces us to do: we must go to the bar.

The Alberta liquor control outlets: we've cut down the hours to less and less and less. Their convenience and availability is very inconvenient. So we head down to the old pub; we usually like to stop in and have a couple of "tall, dark, and dirties." I think we are having more problems with catching the people coming home from the hotel than we do from the little neighbourhood store.

So in closing, I'll just say that this is an old motion, very similar to one Brian Lee once brought out. Then the MLA from Calgary-McCall had it again, and we will see this again in the future. Someday we will go ahead and approve this, and when we get something like this approved we'll find that, lo and behold, having the liquor available in local stores does not create the alcoholism. I think perhaps the government can get out of this business of having these strange liquor stores where we keep odd and strange hours.

As far as loss of revenue, there is no loss of revenue. We make our money off the tax. Your \$15 bottle of whiskey -- it only costs them about a buck and a half to produce the stuff. The rest is basically tax and a small profit for the distiller. We get our money out of the tax, not out of the markup we take in the liquor store. The cost of our employees -- and our employees are unionized of course; they're members of CUPE, and that's good. But they don't work the same hours as the little guy at the grocery store. You'll find the guy at the little neighbourhood grocery store will work in the evenings, weekends.

I think that if you do have it available, you won't have the person trying to stock up the booze because the liquor store closes at 8:00, and maybe he'll need more, or else go to the bar, drink up, because she closes -- we've got to get this last round.

So I would hope that someday, before I get too old and gray and ray liver gives out, we will see this motion approved in this Legislature.

MR. ACTING DEPUTY SPEAKER: The hon. Member for Lethbridge-West.

MR. GOGO: Thank you very much, Mr. Speaker. I welcome the opportunity to share a few thoughts on Motion 202. I often wonder what is ever new in this House. April 7 a year ago the hon. Member for Calgary-McCall brought it forward. This year it's identical except the strategies. I see a change: they've removed number 8, which they had last year, and that was to tolerate or permit or allow or authorize Sunday drinking. So I guess like good strategists they think that if they dilute the motion, it will have a better chance of getting through.

I listened with great interest to the hon. Member for Redwater-Andrew, and I'm a great supporter of him, a great supporter of him except when it comes to motions like we have on the Order Paper. And it may surprise some members, Mr. Speaker, that there are parts of the motion I have no quarrel with -- I have no quarrel at all. However, I notice as the arguments and the debate carry on, certainly by the proponents, they tend to cloud the issue with what is, I think, the real issue.

I recall that not long ago we were talking about seat belts, and people on the one side said: how can we possibly not have seat belts when everybody else around us has them, in terms of jurisdictions? That seemed to carry the day. I would hope, I sincerely would hope, that it was the safety of lives that motivated us to pass the law. But then we had the radar device. We pass laws in this province that say, "Thou shalt not," we put signs up, and we have penalties if you speed. Then we turn around and because our neighbours do it in other jurisdictions, we allow radar devices.

MR. ACTING DEPUTY SPEAKER: I hate to interrupt the hon. member, but the time for the debate of this motion has expired.

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

Bill 201
Freedom of Information and
Personal Privacy Act

MR. PASHAK: Mr. Speaker, it's with a modicum of pride and a great deal of humility that I move second reading of Bill 201, the Freedom of Information and Personal Privacy Act.

Although it is really by the luck of the draw more than anything else that I start this discussion on this very important piece of proposed legislation, I do follow in the path of a number of great parliamentarians representing all of Canada's major political parties. I do follow in the path of a number of great parliamentarians representing all of Canada's major political parties. Before I mention some of these people that have introduced such measures as this on other occasions, I'd just like to say briefly that Bill 201 really does two things: it increases access to government information under certain restricted conditions, and it also protects the rights of citizens against the unwarranted collection of personal data. It would also provide a

procedure whereby a citizen could find out the nature of information held by governments about that person and provide a means where that information could be corrected if it should be false in any way.

Mr. Speaker, the history of the development of this kind of legislation in Canada is a long and honourable one. At the federal level the two names that are most closely associated with the right-to-information kind of legislation are Mr. Barry Mather of the New Democratic Party, the former Member for Surrey-White Rock in British Columbia, and a man that I'm sure many members on the other side of the House would recognize, Mr. Gerald (Ged) Baldwin, the Member of Parliament for so many years from the Peace River country. Mr. Mather first introduced this Bill in 1965, and on three subsequent occasions he further brought the Bill before the House of Commons. His concern was to better assure the public rights to freedom of access to public documents and information about government administration. In December 1974 Mr. Baldwin moved that Bill C-225 respecting the right of the public to information concerning the public business be read for a second time and be referred to the Standing Committee on Justice and Legal Affairs.

I'd just like to quote very briefly from the *Hansard* at that time some remarks that Mr. Baldwin made. He said:

I am attempting, by this bill, to reverse the practice that exists in Canada, namely, that no information is given by the government unless it sees fit to do so. The government has always the option of falling back on the time-honoured cliché that it is not in the public interest to advise members of this House, the press or the public with regard to certain material.

I'm sure that all members of this House would recognize the person that Mr. Baldwin was, his commitment to individual rights and his belief in democracy.

It wasn't until 1982, however, that the Parliament of Canada enacted both -- at the same time, actually -- an Access to Information Act and the Privacy Act. These Acts, by the way, were closely associated with the new Constitution and the Charter of Rights and Freedoms. Most people who study the political scene in this country would agree that that combination of the Charter of Rights and Freedoms and these two Acts did two things that were really important to all Canadians. It really enhanced the condition of democracy in this country, and at the same time it added immeasurably to the protection of individual rights.

Mr. Speaker, I'd like to point out that although these two Acts may seem contradictory, they're in fact very complementary. They're essential to each other, like two sides of a coin. Privacy legislation enables individuals to have some control over what is done with personal information. They provide this to governments in exchange for benefits of some kind. Essentially individuals are protected against the whims of bureaucrats, while in exchange, the public is given information about how government processes work.

This Bill that we're now debating was first introduced by the late Grant Notley in this Legislature on June 12, 1975. It was then called the Right to Information Act and was reintroduced a total of six times -- and now today, seven times -- since then. Mr. Notley introduced the Bill five times and then our current Leader of the Opposition on two subsequent occasions. But it's really 10 years since this Bill has had a full debate.

DR. BUCK: You ought to read *Hansard*.

MR. PASHAK: Well, I'm doing the best research I can.

In addressing the Bill, Mr. Notley acknowledged the great

contribution of Mr. Baldwin. Mr. Notley also made it very clear that there's no intention in this Bill to interfere with the important rights to privacy, but rather it is the right of individuals in a free society to obtain access to information used to develop public policy. I might also add that one of the other people in the Legislature that strongly supported that Bill was the former representative from my constituency, John Kushner, who is perhaps more famous for his 'kushnerisms,' but in reality he had, I think, a very sharp and acute political mind.

But what was the reaction of the then Alberta government to the government of that day's moves to increase public rights to access to information? Well, I have an article -- actually, I've looked at a number of articles that appeared in the newspapers back in the 1980s. Here's one in particular that appeared in the *Edmonton Journal*, Monday, December 20. It's entitled "Government in Alberta often cloaked in secrecy," and these are some of the points that are made in that article. First of all, American journalists were really quite astounded and amused because Peter Lougheed, the Premier at that time, asked for a closed meeting with U.S. Senators in the United States. Most of their public business is carried out in the open.

The then minister of public utilities, who is the current Minister of Economic Development and Trade, refused repeated requests to table working documents on the effects that the electrical marketing agency would have on the price of electricity in southern Alberta. Papers and strategies related to the heritage trust fund were withheld as matters of security. Similar positions were taken with respect to the Constitution and energy. When Mr. Notley asked for papers related to technological and environmental issues on a proposed dam on the Slave River, this was denied, and to my knowledge this information has never been forthcoming.

Perhaps most seriously, the then Attorney General said that he thought freedom of information was no more than a fad, and the Premier said that he would not object if a freedom-of-information Bill were defeated in Ottawa. In fact, when that measure was approved in the House of Commons in 1982, the then and current minister of governmental affairs said to the Minister of Justice federally -- in a letter dated June 30, 1983, he asked the federal government to treat every scrap of information it has to provide as confidential and not to be released to the public under the federal government's Access to Information Act.

Well, why would Albertans want such an Act? From my brief experience in the Legislature, just let me reveal some of the things -- and I could go on with an almost inexhaustible list, but just quickly, here are some things that have come to my attention. We asked for five studies that were mentioned on free trade; these were never made available. Studies cited by the Minister of Career Development and Employment and proving that a higher minimum wage would increase unemployment have never been released, in spite of the fact that we've asked for them. We've asked for studies cited by the same minister purporting to claim that 40,000 jobs have been created since the election; they were never forthcoming. We've asked for information on the contract for riprap for the Oldman River dam. That's never been made available. Contracts for the lease arrangements and rates for the Olympia & York developments could easily be made available now; that development's completed. Where are they? Why can't we get that information? Why can't the public have the right to see that information? Why can't we get information immediately on the terms of contracts that exist between Social Services and public agencies and

consultants? Alberta just goes out of its way to deny the public the right to this kind of essential information.

[Mr. Deputy Speaker in the Chair]

Let me just tell you quite briefly what happens in other provincial jurisdictions. Quebec, by the way, is generally regarded as having the most effective right-to-information legislation of all the provinces in the country. Ontario recently enacted a freedom-of-information Act: a commissioner can order governments to hand over information if certain requirements are met. New Brunswick and Newfoundland have access-to-information Acts. They provide for an appeal to an Ombudsman if a government denies them information. P.E.I. has a similar kind of situation. If you ask for information from the province of Prince Edward Island and it's denied, you have access to a court to get that information. Manitoba had taken legislation through to the point that it was passed but not proclaimed. This Act would have given any person the right to apply to access or to examine or to copy any record in the custody or control of the government.

Now, no one is asking for carte blanche here; nobody wants to say that government should turn over all of their private documents. In fact, all of the legislation, including the piece of legislation that's before you today, exempts certain things from becoming public information. They would include cabinet records -- they should remain secret -- policy recommendations to public servants, security documents, Mr. Speaker, and any information that would unreasonably interfere with government agencies and prevent them from carrying out their mandate.

I would just like to describe very briefly the situation in Alberta currently. There's a ministerial committee set up under the Department of Public Works, Supply and Services Act, and it's charged by statute and regulation with developing a records management policy for the entire government. This committee is charged under the Department of Public Works, Supply and Services Act, section 21(2)(d), with "defining and clarifying public records" and what access is to be granted. This they have failed to do totally. I have their records management policy here. I can find no mention of what a public record is or how one should have access to it. So clearly this government is not complying with the intent of its own laws.

Mr. Speaker, it's my considered opinion that the public interest and the protection of individuals in this province would be best provided by the enactment of Bill 201. I urge all members of this Assembly to support the Freedom of Information and Personal Privacy Act.

Thank you.

MR. MUSGREAVE: Mr. Speaker, I'd like to make a few comments. I think that what the hon. member has just mentioned is worthy of consideration. This may surprise some of my colleagues on this side of the House.

Going back several hundreds of years, that was one of the battles that the ordinary people had with Charles II, and the ordinary people won that battle because Charles lost his head. But the struggle was over the control of the purse and the control of the information in the community.

I think it's worthy of consideration because I feel that there is a malaise in our country with regard to politicians. We hear this joke that the honesty of politicians comes after used car dealers, and I think this could be turned around if more people felt that we weren't holding things back like we do now. For

example, on the federal scene Mr. Mulroney conducted a great battle against the then Liberal government on the issue of PetroCan and how it was handled and how he would make sure that the information would become available to the public if he were Prime Minister. We know that because of that, when he became Prime Minister, he stonewalled it just as effectively as did the Liberals. And we have in this country the Auditor of Canada having to go the courts to try and get the records released so he can look into how that company was put together.

I agree with the hon. member that there are certain matters of cabinet and things involving personal affairs that obviously can't be released to the public. In the case of federal issues there's certain things in the security of the state that can't be released, and it's obvious that no government wants to be embarrassed. Quite often the feeling is -- I think it's a reflection of our society. In the United States they have laws to make people be free and make them be enterprising and make them be democratic and open. It's always struck me as rather ironic that we in Canada, if we want to know what the salaries are of some of the big companies, the big public companies that trade in international affairs, we have to go down to Washington and find out what the president of the Canadian Pacific railway makes, because we can't get that information in Canada. Perhaps that's why we as Canadians are supporting governments in their secretive method of doing business.

But going back to Charles II, I thought it was interesting the hon. member mentioned the fact that the government of Manitoba had passed a freedom-of-information Bill. He also mentioned the fact that it hadn't been made . . .

AN HON. MEMBER: Proclaimed.

MR. MUSGREAVE: Proclaimed; thank you. Hadn't been proclaimed. What this tells me is that the socialists are no more desirous of freedom than some other parties in this country.

AN HON. MEMBER: Somebody voted against them.

MR. MUSGREAVE: Well, they're no longer there, fortunately.

But I think people have the right to know what we are doing with their money. I think they have a right to know what we are doing with their affairs. I think it would be wise of our government, as part of our policy of open government where we have cabinet ministers going around the province listening to people and having private conversations with them, to bring out a white paper to consider whether or not we should have an information Act, as has been suggested.

Thank you, Mr. Speaker.

MR. DEPUTY SPEAKER: Hon. Member for Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. I would like to lend my voice to support of this very important Bill before us as well. It comes to be a matter of great importance to me, not just because of being a rookie MLA and coming into this place and wanting to be able to get access to the kind of information that members opposite have and to be able to fully brief ourselves in terms of what some of the real issues are going on. As the Member for Calgary-Forest Lawn has alluded to, there have been several instances in this House when it would seem to me that just in terms of honesty and openness in government, the kind of integrity that one would expect from a government that

has nothing to hide, such information would naturally be forthcoming insofar as it is public information in the first instance.

Perhaps it's a principle that we should articulate a bit more clearly, that this Bill is based on the assumption that we in a democracy are publicly elected, that the amounts of money that are spent on our campaigns are publicly recorded, that people know that when we come in to make laws for the public, in fact it really in the final analysis is the public's information initially and finally, not just the information of the Progressive Conservative Party or the New Democratic Party or whatever party happens to be in government. But in fact it is information about the public that is collected by a particular government to make the laws on behalf of that public. So in fact, I think a basic principle is that it is public information through and through and should be open to public review.

Certainly, as the member has said, the Bill is based on three principles. One, that the public not only has the right to have access to the information under control of government, because it is public information collected at public expense -- I mean, I don't see the Progressive Conservative Party collecting the information. It's the taxpayers' money that goes out and collects it, so one would think that it would be therefore incumbent upon government to keep it open to the public. Secondly, that there will be the necessary exemptions so that the information that can be received would be limited and specific, and that's laid out in the Bill. And thirdly, that discussions on the disclosure of government information, where there's some question about whether this could or could not be disclosed, would be reviewed independently of government. We've suggested in this Bill that it be a matter for the jurisdiction of the Ombudsman, that he would be able to be the independent review in terms of what would be decided, finally, to be made public.

But let me raise another aspect of the discussion as well. Again, I don't know them too well except that many of them are my constituents. This has to do with the records managers, those very honest toilers in your government departments who -- many of them live in my constituency -- are the records managers of government departments. In speaking to their association and hearing some of their own concerns, I think there's a great issue with respect to this Bill that would impact on records managers in government departments. My impression from what I've heard from them is that many of them are confused themselves in terms of what's public and what isn't, what the minister will jump on them for releasing and what can just go in the garbage can.

In fact, the whole matter of keeping the records, I think, is something they would like more attention being paid to, but they're not clear in terms of -- particularly with respect to the Act under which Public Works, Supply and Services has to do with the recording of public information. It doesn't give them much guidance. It seems that they are told to keep records and to try to manage those records, but it's not clear to them down the line, as it is now in Ottawa and in other jurisdictions, as the member has said, what exactly is open for review and what isn't. So I would hope that with passage of this Bill, it would send out a signal and a message to records managers in this province and in the departments of government that they would be able to have a much clearer understanding of what it is that is public and what it is that their job as records manager is to be.

Hon. members, I'm sure, are aware of the kinds of bugs in the system that they've had to work out in Ottawa with respect to the public information Act there, and there are indeed a few

of them. Certainly regulations pertaining to the imposition of user fees, how much it's going to cost for someone who wants to access government records. I know the media are very interested in this side of it, that there's a certain cost attached and how much one has to pay as a user trying to get the information, how much they're going to have to pay. The determination of exactly what is a cabinet document. The number of days allowed to retrieve the information. I think in Ottawa it was said at first that it would be 30 days and then it was 60 days and 90 days. By the time the information comes back, the questioner has gotten so frustrated that perhaps they've left the scene. And as we've seen in this government, the switching around of various departments. Now, I'm sure members opposite know exactly what now is in Community and Occupational Health and what now is in Social Services and the different breakups of the departments as things get switched around over there, but certainly that makes it difficult to know where the information is of the past five or 10 years and so on.

So these are all difficulties and impediments in terms of the working through of such legislation. But again, in the spirit of the principle that with public information gathered at public expense by a particular government, it's incumbent upon them to then be able to have access to that information and it not be secreted away and closeted away in some cabinet minister's briefcase.

I think, Mr. Speaker, if I could just use one last argument for the Bill, which has to do with the kind of integrity that this speaks. I would like to direct these comments to the Member for Calgary-Montrose insofar as we have some questions about integrity on behalf of government to let out the kind of information that is asked for, because then the burden of proof -- if it is not revealed, if it is not disclosed, it gives us the distinct impression on this side of the House that they must be hiding something. It's not just for us; it's people in our constituencies and in the general public. I mean, they get this suspicion: well, what are they hiding, or what's the problem; why can't our public information be revealed to us? If it is hidden away and closeted in secrecy, then it must be because there's some kind of irregularity or some kind of goings on or something that's less than true about it that the government is wanting to hide. It would seem to me that, as the member previous said, a government that prides itself on being open government and accessible to the people should have this Bill at the forefront of its legislation insofar as it speaks so loudly in legislative terms about access to information and the kind of integrity and openness and honesty that a government which is governing on behalf of all the people would want to have in a relationship with those people.

So with these principles and these concerns, Mr. Speaker, I urge all members to support passage of this Bill for second reading.

MR. STEVENS: Mr. Speaker, I've listened carefully to the introducer of Bill 201, the Member for Calgary-Forest Lawn, and to other members who have spoken today, particularly my colleague from Calgary-McKnight, and now the most recent remarks by the Member for Edmonton-Centre.

I'm developing a new process this session, Mr. Speaker, which I'd like to share with all members. I'm going to try and find shorter titles. I think Bill 201, Freedom of Information and Personal Privacy Act, might be called the "snoop" Act. I'll refer to it as the snoop Act in the discussion I have today, because when one talks about access to information, which is what this

Bill purports to do -- and I'll discuss that in a moment -- surely it has to be balanced with the rights of individuals to privacy.

Now, when you ask as a member of the Legislature for other members to consider Bills, and then you read the Bill very carefully, you'll find out how snoop this Bill is. Not only does this Bill say that if this Bill were to be passed, "any resident of Alberta may apply to the Government for a record," it then tells you how those records would be denied to anyone else other than the person who applied for them. So I can see, Mr. Speaker, that this Bill, if passed, would be used by a number of people for frivolous and vexatious and invasionary requests for information that, once released to that individual, could never be made available to anyone else. That's why I call it the snoop Bill. It's very clear in section 2(1)(a) and thereafter that the information is only available to that person who made the inquiry. Isn't that an interesting invasion of privacy?

I also know, Mr. Speaker, in my former capacity on behalf of this House as a member of a committee of the Legislature on Legislative Offices, that discussions with the Ombudsmen, both in this province and in other provinces, indicate that the Ombudsmen throughout Canada are not concerned with privacy or with secrecy. What they are concerned with is the proper enforcement and administration of our laws. What they find when they are asked by citizens for assistance is that usually it is a human mistake that has been made by a public service official. It's not a policy question at all; it's a mistake that's been made by someone who's been genuinely trying to assist that person and conducted himself or herself appropriately but has made a mistake. But again, we find in the Bill that if you can't get the information, citizen of Alberta, then you can go to the Ombudsman and demand it. Now we'll have the Ombudsman and his or her office seeking information that would otherwise be denied.

The Bill is very broadly drafted. In fact, it is so broadly drafted that it would allow any government that had a Bill of this nature to hide more than is proposed in the discussions today by the members to be obtained.

AN HON. MEMBER: How?

MR. STEVENS: Very simple. The definitions are so broad. And to answer the member who interrupted me while I did not interrupt his colleagues, the legislation is so broadly drafted that the government is allowed to deny the person seeking information from -- I think there are about 11 sections here. For example, "legal advice"; advice "which could reasonably be expected to be detrimental to Alberta's or Canada's dealings"; "where the information on record is elsewhere provided" and so on and so on. It is so broadly drafted that any government that was faced with this kind of legislation could simply deny the information in the first place.

AN HON. MEMBER: It can anyway.

MR. STEVENS: Well, I'm going to come back to that too. And, again, I appreciate all the interruptions. It's interesting how that's happened in all the sessions I've attended with this new group. While we may listen patiently, we have to face these interruptions.

So there is no evidence required except, as the Member for Calgary-Forest Lawn [says], "public interest." No one ever defines what public interest is. But in his Bill he says that would be the prerequisite for providing the information, the so-called

"public interest." Well, once again we have in this Assembly, Mr. Speaker and members of the Assembly, an opposition party who now propose to do something in law that they themselves find hard to do by example, that they themselves find hard to do by leadership, that they themselves find hard to do by their daily activities in this Assembly. They must write a law. Yet they themselves find it hard to obey the laws of this Assembly. That's so interesting, that those who cannot stand at the appropriate time or sit and listen have to write a law. They propose resolutions to problems that truly concern all citizens. How are decisions made? What information did the government have? What areas of concern did the government consider? So to get to that information, they propose a law that would provide all of that information to that individual -- not to anybody else; just to the individual asking for the information.

Instead, they can judge by the decisions. They can also attend these sessions. They can also have access to the first *Hansard* ever established in Canada, the longest question period in any Canadian parliamentary democracy. They have access to Public Accounts and share it. They have access to other standing committees and special committees of this Legislature. They are in fact able to seek information through motions for returns. All of these things are provided for in our legislation, and all are provided in accordance with the rules of Parliament. If one is a believer in rules -- as we've just heard, here's a new rule -- then why don't they follow those rules that they themselves are party to? So it's very interesting to see once again how this group operates.

One of the true responsibilities and the freedoms that we have in this Assembly is to be able to speak freely, to be able to bring forward our ideas, and to encourage others to submit them. I have many constituents who write to me -- I'm sure all members do -- with a concern that I may direct to a department directly or to the minister for advice. I would never reveal the name of that constituent, not even to the NDP. I would never reveal the name of that constituent or the nature of his or her concern without that person's permission. But here we have the opportunity for someone, if this Bill is passed, to seek the information, to seek the person's personal and business concerns. In fact, it even goes so far as to say -- and I'll read it very clearly:

Notwithstanding section 2(2) an individual's record of private business may be used

- (a) for census, [et cetera],
- (b) for the use of public archives, or
- (c) by any agency for a civil or criminal proceeding.

I therefore could not even have a citizen write to me about a concern he or she may have about a pending matter involving a statute or regulation for fear that that person would have that information provided to that individual, probably and no doubt in the NDP. That's the freedom that we have, to represent our people with confidence.

We have an open government. I say that clearly, and I'll defend that in any debate. I'll come to the . . . [interjection] Temporarily representing my own constituency, where I have my temporary residence, I'll be happy to come and do that. All one has to do is ask for the information. All one has to do is stand here and request it in a motion for a return, and all one has to do is follow the regulations and the requirements of this Assembly. The information will be made available. The problem is, Mr. Speaker, they don't like the decisions. The NDP do not like the information. They don't like the decisions; that's the problem.

MR. HYLAND: They don't like the good news.

MR. STEVENS: They don't like good news, as my colleague from Cypress-Redcliff says.

You can obtain all of this information at any time, and if any citizen feels aggrieved, as I've mentioned, that citizen can go to the Ombudsman. That citizen does not need a privacy requirement.

I can also see, Mr. Speaker, that with this kind of legislation we simply would have another job-creating opportunity for government to add to the size of our bureaucracy. We've seen some of the frivolous questions that have been put forward in this House, not only in Oral Question Period but in the written question part, where the government has been required to spend countless hours and public service time in assembling information that never results in any response, that never results in any further examination by the person seeking that information to see if the government should have made a different decision or should have made some other choices. [interjections] Well, that's right. I should discuss that part too. But simply, when one has to spend hours and hours of time compiling information to provide to this Assembly when it can be readily obtained through research funds, when it can be readily obtained from the library, it is beyond me. It is simply another evidence of their job-creation efforts in the bureaucracy rather than in the private sector.

I further want to say, Mr. Speaker, that I think this kind of invasion of privacy is detrimental to the people of Alberta in another way. When government seeks information, when ministers seek information, they expect and deserve the best options available. They receive that from our public service. When our public service officials, who are among the best in Canada, give advice to ministers, they do so knowing that that information is private, knowing that until the government or minister makes a decision, that information is private. The best way to deny the people of Alberta the objectivity, the neutrality, and the best advice of our public service is to demand that all of their memos and suggestions and observations be made public and that those be judged and not the decisions of the government. Instead, we would find that our public service would withdraw and no longer provide that kind of information, except verbally. That's the tragedy of this kind of legislation.

[Mr. Musgreave in the Chair]

We have a Legislative Assembly Act; we have a Financial Administration Act. We have codes of conduct for our public service. We have the various requirements for disclosure, both as all of us face in this House and as some of us who have the privilege of being members of Executive Council must follow. We have a host of strictures on our public service, the number one being, of course, to obey the law, because if someone does not obey the law, then they are liable for charges.

No one needs this kind of an Act. In fact, I suggest that it is a snoop Act, and to use the words, of the Member for Edmonton-Centre in another form when he talked about bugs in the system, this is the new bug. This is the bug in the wall. This is the kind of Act that reflects the paranoia of the New Democratic Party when they don't have information that meets their obligations or their requirements. It's the Big Brother approach to government.

So, Mr. Speaker, I for one certainly would not support Bill 201, and I hope that the Legislature soon sees this Bill set aside.

MR. ACTING DEPUTY SPEAKER: The Member for Athabasca-Lac La Biche.

MR. PIQUETTE: Thank you very much, Mr. Speaker. I'd like to rise in support of Bill 201, the Freedom of Information and Personal Privacy Act. When the Member for Banff-Cochrane indicated that this should rather be called the snoop Act, I really wonder whether he actually read the Bill or simply read some portions of it and made his own personal interpretation. Because it goes nothing the way the member suggested, that any individual has the right to pry into the affairs of another individual. Basically, the Bill indicates that an individual may apply to the government for records of his own private business, which I think is something all of us from all parties should support.

I think his federal counterparts, when they were in the federal opposition, called for this kind of Bill to be passed in the federal Parliament. I find it very hypocritical of the Member for Banff-Cochrane that he would accuse a New Democrat of something which his own federal counterparts, when they were in the opposition, were in favour of. Even their great chief John Diefenbaker, in the many years he was leader of the federal Conservatives, called for a greater freedom of information Act.

For this member to be putting it down to a political conversation here today is really unfortunate, because what we should be really addressing is that in this province, as well as many other provinces, we are very often a Big Brother type of government, where we decide what is private, what is confidential, and what is to be released to the public. Government is in fact not accountable for many of its actions. In public service we do have people who may be prejudiced in their decisions in terms of whether it be a public transaction or release of information. This would make the bureaucrats of the government in power much more accountable for any action they do take, if the individual is able to access his own private business when it has anything to do with public accountability.

So I think it's a Bill here that all political parties should be making sure of implementing, because as sure as I'm standing here, this party in power will be sitting on this side of the fence a few years from now, and they will be the ones seeking information that they would like to be able to represent their constituents with. So really we're trying to be helpful to you, because we know very well where you're going.

I think one of the problems that any MLA or any political party faces, whether they be in government or the Official Opposition, is that we get a knowledge of the frustration that develops within our structure of government. We do know, as you well know as ministers sitting here today, that there are many bureaucrats who are having to send little brown envelopes over to the Official Opposition because of the fact that they are very concerned about some information which is being held confidential and should be made public. The only way they have access to making sure that information is available is by breaking the rules of their own government, but it has to be done in many cases for public accountability. This would make available for any individual or members of the opposition or members of the government to make sure that the rules of fair play are always maintained, that we do in fact have accountability in government, and that the individual is not subject to a Big Brother mentality which holds within its own power the right to withhold information on its own without relating back to the responsibility it has to the individual.

So the Member for Banff-Cochrane -- as opposed to saying

we're creating a bug in this system, we're really debugging the system which is actually in play right now, which is in fact where government decisions are made in private and very often where very important decisions relating to the future of an individual or a company are made by a government and where information pertaining to that decision is never made public. I think it's a kind of accountability issue that our party, the New Democrats, would not be afraid to fight an election over.

Thank you very much.

MR. ACTING DEPUTY SPEAKER: The Member for Edmonton-Strathcona.

MR. WRIGHT: Thank you, Mr. Speaker. In my not very lengthy time here in the Legislature I've never heard such a farago of nonsense concerning a motion or a Bill as fell from the hon. Member for Banff-Cochrane talking about this Bill. I'm glad that his level of acumen is not average for the ministers opposite. He completely misrepresented the thrust of the Bill. The thrust of the Bill is the very opposite of Big Brother. The thrust of the Bill is this: that government information is people's information and should be disclosed at all times, unless there are solid reasons to the contrary, and not at the whim of the government but according to the rule of law. It is an attempt to set out the rule of law in that respect.

The first section after the definition section says the main thrust of it:

2(1) (a) Any resident of Alberta may apply to the Government for a record made in the course of public business, and

(b) any individual may apply to the Government for a record of his own private business,

and the Government shall, within a reasonable time . . . et cetera, disclose it.

I just hope that what we heard from the hon. member I've referred to was a demonstration or an act or something and not representative of the thinking about this Bill, which is basically Mr. Baldwin's Bill, on the government side. He called it a snoop Act. Nothing could be further from the truth. Subsection (2) of section 2 says:

Notwithstanding subsection (1), the Government shall not disclose an individual's record of private business to any person without prior written consent of the individual to whom the record of private business pertains, whether or not such record forms part of a record of public business.

The hon. member read from section 4 as if it were the access-to-information section. Section 4 is exactly the other way around; this is the privacy section. Section 4 is:

Where an agency of Government requests or demands information from an individual the request or demand shall indicate...

certain things: the purpose for which it is to be used and so on. Then it says that

any information supplied pursuant to such request or demand may only be revealed to another agency or person on the fulfillment of the conditions indicated pursuant to clause (b).

That is to say:

whether and on what conditions the agency will have the right to reveal the information to any other agency or person.

So in supplying information to the government, there is a contract created, as it were, which the government may not break. That is not the case at present. Once the government knows the information, it can use it for any purpose, but it may not disclose it under the terms of the Public Service Act, under existing laws

-- as you know, I'm sure, Mr. Speaker -- outside the government.

Then it goes on to say:

- (2) Notwithstanding section 2(2) an individual's record of private business may be used
 - (a) for census or other statistical purposes...
 - (b) for...public archives, or
 - (c) by any agency for a civil or criminal proceeding against or on behalf of the person to whom the record relates or with the prior consent of a judge.

So there are safeguards over and beyond what we have at the present time.

At the present time whether information is released from the government is almost entirely at the whim of the government. It's nonsense to say that we have the access under the rules of the Legislative Assembly; we don't. Questions do not have to be answered; motions for returns do not have to be acceded to. It's entirely within the gift of the government. In this day and age of glasnost and perestroika, Mr. Speaker, it should be quite different. If they can have it over there, surely we can have a bit of it here.

Thank you.

MR. ACTING DEPUTY SPEAKER: The Member for Lethbridge-West.

MR. GOGO: Thank you, Mr. Speaker. I've listened very carefully to many of the arguments. I think I recognize the motivation in the hon. Member for Calgary-Forest Lawn. He talked about, as did the Member for Athabasca-Lac La Biche and the hon. Member for Edmonton-Strathcona, who I listened to very carefully, the precedent that has been stated in Canada. As hon. members know, it's been in the United States for some years, not without a great deal of problems. It's being considered at the moment in Britain, and that's not motivation, I guess, to necessarily deal with it here. Reference was made to the fact that Manitoba had passed the Bill. In their wisdom, however -- and I am a great respecter of the former Premier -- they decided not to proclaim it, for whatever reason. Ontario, which is a great libertarian province of Canada, the greatest populated one, passed it on January 1 of this year. We've yet to see how it's going to work. Reference was made to some of the smaller provinces in Canada and where the process could be in place to appeal either directly to the Assembly or through the Ombudsman. However, I'm not at this point convinced.

Mr. Speaker, I too have great interest in the O & Y deal and some of these other things that as a member of the governing party I'm not privy to. That is to the exclusive use of Executive Council, which takes a specific oath to Her Majesty to deal with those matters. There are times when I'm very interested in knowing that. However, as a member I've got to be concerned not only about cost but about what's wrong with the present system.

I hear inferences all the time that motions for returns do not work. I've been here as long as most members of this House, and I can only recall one or two occasions when they haven't. [interjections] With respect, one or two occasions when they haven't. And I question whether or not the hon. members have given it sufficient time to determine. Maybe it's the way they word the motions for returns. The Minister of the Environment: I don't know of anyone who's been more open. I heard in question period today his response to questions, and hon. members who had asked questions were not prepared to accept what he offered.

I don't want to get into the number of dollars available for research and so on. I'm quite surprised. If and when I'm on Members' Services, I intend to review that. I had no idea that that number of dollars were available for research. With respect, a lot of this information is available.

Mr. Speaker, I am not convinced at this point. With respect, I haven't read the Bill in great detail. The very fact that the hon. Ged Baldwin got it through Ottawa gives it, to me, some degree of merit, and I think we should look at it very carefully. However, at this point I am not convinced that we should proceed to deal with it today. I as a member want to take more time to look at it, and in particular I would like to have an assessment of how this freedom of information is working in the province east of us, the province of Ontario, which I submit simply hasn't had enough opportunity.

Thank you, Mr. Speaker.

MR. ACTING DEPUTY CHAIRMAN: The Member for Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Speaker. I just can't believe that somebody thinks we get enough and adequate information. I'm just looking at the 1987-88 third-quarter report for the Alberta heritage trust fund. It says here that the commercial investment division investment was \$260 million in that division, but it doesn't say what they're worth because the Treasurer has decided he doesn't want to tell us how much they lost in October. They won't give us the market value, because he doesn't want to tell us how much they lost in the October market crash. Now, that's incredible, absolutely incredible. It's always been there before. We've always had both figures: the amount put in and the market value. He disagreed with the Auditor that there wasn't a \$124 million loss. He said it was something in the neighbourhood of \$50 million. He can't confirm it, and he isn't telling us. When will we get that figure?

That's the kind of information we have not had from this government. And you expect us to go research it? Where? The Treasurer is the one that's got the information. We shouldn't have to fight to get the information. This body, this Legislative Assembly, is meant to be a policy-making body, yet the kind of information that you put even in the budget documents is so poorly organized, so clouded in vague terms that it is almost impossible to figure out what the hell is going on. So we end up having to spend a lot of time cross-referencing documents all over the place, taking information anywhere we can get it. Talk about research. Yes, we have to do a lot of research, far more than we should have to. The information is available to this government, and if they want to give good government to this province, they should make that information available to all the people of this province. Then we would have the facts and figures properly laid out so that we could all see them, and then it would be much easier to analyze and therefore discuss policy.

The Member for Edmonton-Gold Bar made this point when she first came to the Assembly. She looked at the documents and said: this is absolutely and totally crap that you give us. She said that the city government lays out the information in the budgets much, much more logically and sensibly, explains what they are doing so that any ordinary layman can understand it, and then the city council gets the chance to debate that and set some policy and make some decisions about what goes on with that budget.

Does this government do that? No. What do you give us? You give us some figures couched in incredible terms that have

very little meaning, that don't tell us what is going on. You don't even know yourself half the time. The member that just stood up said he didn't know what was happening with Olympia & York. Everybody in this province should know. That's taxpayers' dollars. What in God's name are we doing in this Assembly? We're busy fighting over trying to get information out of the government. What do they tell us? What does the government tell us about what happened with North West Trust, for example, or with the Treasury Branches? How much information do we get? Not half enough to make any intelligent policy debates and discussions, because the government doesn't want us to know the facts.

The heritage trust fund is a prime example: \$12.6 billion you tell us we've got in there. Do you ever give us enough details? Do we ever get a chance to debate in this Assembly policy for the heritage trust fund? Even the committee, which I sit on -- for the last two years we've sat around debating different recommendations and talking to ministers and asking questions. And you don't always get to ask very many questions. The Treasurer, I think I pointed out once before, answered three of my questions at the start of the session this fall -- it was in January actually -- and then filibustered the rest of the two-hour meeting so that I couldn't ask him any more questions. All he did was tell us what we already knew, what was in the document, and bragged a lot, said things that didn't make any sense.

Meanwhile, he made several major shifts in money in the heritage trust fund. For example, he now finds himself putting a large portion of the money from the heritage trust fund into the farm credit stability program and the Small Business Term Assistance Act. He did that while our committee was in session. In fact, he had done it before we were in session. In the fall of '86 he started doing it and never told anybody on the committee. We were going ahead discussing other things, didn't have a clue that that was what he was doing, had no chance to review and suggest that maybe that was a good idea or maybe it wasn't a good idea. In fact, his only authorization was an order in council that he passed in the spring while the House was sitting. Now, why would a government, when the House is sitting, pass an order in council to shift \$2.3 billion around without bringing it into the House and debating in the House as to whether they should or not? That's absolutely scandalous. No government should be doing such a silly thing as that.

[Mr. Speaker in the Chair]

This freedom-of-information Bill would force the government to become accountable to the people of Alberta. Where's the money in the Treasury Branches, the \$650 million that was loaned to North West Trust? That has never been accounted for and never properly explained to this House. What we do know is that the taxpayers of this country had to bail them out to the tune of \$225 million. Even then the Treasury Branches still got an interest in the new North West Trust because that wasn't enough money to cover the deficit. We do know that the Treasury Branches had a \$118 million deficit after two years. Some of it must be the result of the \$650 million of bad loans to that company. Now they're turning around and doing the same thing to Peter Pocklington.

MR. SPEAKER: Order please, hon. member. The Chair has been listening here and also outside and is interested as to how the most recent comments relate specifically to sections of the Bill. But please continue.

MR. McEACHERN: Mr. Speaker, I'll just say that it looks like the government is going to do the same thing with the Treasury Branches now, with the Pocklington affair, that they did with the North West Trust affair. I hope they don't, but I wish they'd give us the facts and the information so we could find out what they're doing.

With that I move this Bill.

MR. NELSON: Mr. Speaker, considering the hour and the comments I wish to make, I would ask that we adjourn debate.

MR. SPEAKER: One doesn't automatically have that chance to move the Bill when there are other people who want to participate in a debate, but fine, if most... Those in favour of the motion with respect to the Bill?

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed?

SOME HON. MEMBERS: No.

MR. SPEAKER: The noes have it. [interjection] There's not enough. Thank you very much.

Calgary-McCall.

MR. NELSON: Thank you, Mr. Speaker. As I indicated, I would like to make a few comments with regards to this Bill, but considering the hour, I would ask that we adjourn.

MR. SPEAKER: I think the Chair has to work on the theory that the Bill has been defeated. [interjections] The record will be checked, but I'm sorry.

MR. NELSON: On a point of order, Mr. Speaker. There were at least two members who did stand in their places relevant to this, to speak on the Bill. The question, whether it was called by the member or not, is irrelevant.

MRS. CRIPPS: Mr. Speaker, in view of the hour...

MR. WRIGHT: On a point of order, Mr. Speaker.

MR. SPEAKER: No. The hour of 5:30 has arrived; therefore the House stands adjourned till 8 o'clock this evening. Please, hon. member. The Chair will take under advisement with the Table officers as to what indeed has transpired and report to the House tomorrow. It's a very interesting procedure with regard to the House business on a normal day.

[The House recessed at 5:30 p.m.]