

LEGISLATIVE ASSEMBLY OF ALBERTATitle: **Monday, June 13, 1988 8:00 pm**

Date: 88/06/13

[The House resumed at 8 p.m.]

[Mr. Speaker in the Chair]

**head: GOVERNMENT BILLS AND ORDERS
(Second Reading)****Bill 27
School Act**

[Adjourned debate June 13: Mr. McEachern]

MR. McEACHERN: Thank you, Mr. Speaker. I rise, then, to continue discussion of second reading of Bill 27, a very important piece of legislation. The School Act of Alberta is being changed by this Act. I was, if I remember right, when we adjourned debate at 5:30 talking about the rights of students compared to the rights of parents, and I have a few more remarks I want to make in that regard.

Of course, if the rights of students and the rights of parents coincide, then it's easy, I think, for all of us to say, "Well, that's great, and we'll proceed in the direction that would be what parents want." In the vast majority of cases I think there's not much doubt that most parents just want a good public education system, and that's what's probably best for most students, so there's not really a conflict. But this Bill goes so far as to say that parents have a right to alternative kinds of education from the public system if they wish, that they have the right to private schools, or they have the right to home schools if they can turn up seven students from . . .

MR. SPEAKER: Forgive me, hon. member. Perhaps hon. members might quieten down just a tad. I know you might have interesting dinner conversation, but the dinner hour is past.

Edmonton-Kingsway, please.

MR. McEACHERN: Thank you, Mr. Speaker.

So I think the Bill actually comes down on the side of the parents' having the right to decide totally. While maybe that's the right position to be at eventually, maybe that is correct, maybe that does fit with the Charter of Rights and Freedoms, I would be interested if the minister would explain to us which sections of the Charter of Rights and Freedoms say that specifically, because I don't think it's quite that cut and dried or quite that specific.

Of course, I can think of a simple example where we take away parents' rights in favour of looking after the children properly in other fields; for instance, in Social Services it's quite acceptable to take away children from a home where they've been abused or subjected to incest. Now, I'm not suggesting that that really is a major consideration in terms of this Bill, but it does just establish the principle that there are times when we abrogate the parents' so-called right, to look after the children's right to decency and to a future free from those kinds of problems. So I want to say, Mr. Speaker, that it's not necessarily all that easy to know where to draw the line in some other situations as well. I

mean, are children really the chattels of the parents? Are they really in some way owned by the parents, and therefore the parents have the right to determine exactly what kind of an education system those children should partake in?

I can raise some important questions, I think, in that regard. I believe some of the Mennonite communities have in the past and maybe still are running schools which do not have qualified teachers in them, because they prefer to isolate their children from the larger community and raise them in a manner they thought was important. So we have to decide: are we going to allow somebody to do that? Now, I know the Bill basically says that schools have to have qualified staff, but I'm wondering if that really is the case totally. Now, it might not be acceptable to have a school which is so narrow in its definition of what education is that it wants to have its own specialized teachers not educated in a public system like the Faculty of Education at the university.

On the other side of the argument -- and I think it's an important question -- suppose you have a school set up on a reservation where natives feel they have the need for input into the education of their children but they don't have enough qualified staff educated at the University of Alberta with a four-year degree. To what extent do you allow them to use staff that is not fully qualified? I would submit Mr. Speaker, that you do have to have the qualified staff in charge, but there may be some ways of having assistants or guest speakers, certainly some of the elders, that could be used as resource people to come into the school. This could become an affirmative program.

So I'm not saying that the concept of having different kinds of schools is a bad thing. What I worry about is that if we just establish the right for any group of parents to have their own school, what would we do if a group of parents decided they wanted to set up a school for the worship of the devil, for example? Obviously, at some point you'd have to say, "Well, no, you can't set up that kind of a school, whether you can find somebody that was educated at the U of A and has a bachelor of education degree to teach it or not." So I would like the minister to address that problem in some detail.

I would like to raise one or two other aspects of that problem as well. At what stage do you soften the basic requirements for affirmative action programs? At what stage do you insist on the standards to be met? If the parents or the private school people have a basic right to that school, at what stage does the minister stand up and say, "You can't do that." I think the minister owes us some discussion and explanation on that point.

I have visited with people from private schools, a couple of them within my own riding, and I find that they run very important programs for them in their view and for perpetrating their view of the world. One of the reasons they want to do that is because they find the public school system to be far too big and far too uninterested in the individual. By the time you get to a school with 1,000 or 18,000 students in it, it becomes very hard for anybody to feel that they personally are important in that school. I know that the teachers -- and I taught for many years, and I know that my colleagues and I tried to make each student feel that they were important, but when you are faced with 30 or 35 kids every class, it's pretty hard, Mr. Speaker. The single most important reason why people like to set up smaller schools is not just necessarily for the religious content itself but the fact that the individual can get the love and care that should go with a good education and should be part of a good education.

I actually admire very much some of the things that were being done in that regard by a couple of the schools in my riding

that I've had some contact with, have talked to, gone to their graduation exercises, and so on. So I can understand the need and the desire on the part of parents to do that for their kids, but at the same time you've got to look to the standards and whether or not those students coming out of those schools, when they do have to, say, at grade 9 graduate out of that school or even grade 12, and go on to the next public system, whether it be university for the grade 12 student or whether it be grade 10 into the public system from junior high, you have to know that those students have the same chance as everybody else. If the school was not able to maintain that standard, then you wonder if the parents are really doing their children a favour by isolating themselves from the larger community. We are becoming such a varied community in terms of our ethnic groups and different cultural groups and linguistic groups in our society that I'm not sure it pays to isolate students down into a small and narrow view of the world when, in fact, ultimately they're going to have face that whole world anyway.

I think of one of the religious groups that, although they don't seem to worry too much about having their own school, nonetheless they tell their own children that they're not to vote in elections, that elections are dealing with this world and they really should wait until the next world to worry about how things are going to be and sort of give up on this one, I suppose. So to what kind of degree are you going to give the right to parents to isolate their children from the larger world that we live in? Mr. Speaker, I don't think that the minister has really dealt with the rights of the child versus the rights of the parents. I don't see that those two things are always coincidental; they may often be in conflict. I would remind the minister that we all fund the general education system. It seems to me that the route we should go is to see to it that we have a really flourishing public system, be that the separate school or the public school system. In fact, as you know, in some cases the Catholic system, which is the separate here, is the public system in other jurisdictions.

So the thing about those two parts of the public system is that they are always open to new students, that they can't really close their door and say, "We won't take this student." I think that because of the funding problems that this government has generated, there may be some problems in that area, but ultimately every student has the right to go to a school, and it's up to the public system to provide the necessary educational facility. So if we were to fund the public system really well and allow within that system a great deal of diversity and a great deal of right for the parents, the students, and the teachers to have a lot of say in what it is they're teaching and what their school is all about and the directions they want to go, then I don't think very many people would want to break away from a system like that and move their children into a much narrower, smaller system. Now, a smaller school has some advantages in the sense that the teachers, the staff, and the parents can have more involvement and there can be more love and caring which goes with the education, which is very important. But at the same time, you narrow down the opportunities because obviously a bigger school can put forward a much larger curriculum, a much greater variety of things which the student can learn from compared to a small school which doesn't have the kind of funding.

I guess I would ask the question: how many public dollars should go into some of these narrowly defined private schools? Should a private school that is getting a large part of its funding from public dollars have the right to close their doors and say,

"No, this other kid who doesn't happen to belong to the same religion can't come here," for example? Now, Mr. Speaker, if the minister is going to allow public dollars to be spent in a school, and if it's convenient for families that live nearby and they're prepared to send their children to that school, it seems to me that if their main funding is going to be public funding, then they need to open their doors and not say that they won't take that student into their school. So those are the kinds of things that I look at in terms of this problem of private schools versus public schools.

Now, I'd like to say that one of the reasons we're having so much desire on the part of parents to set up their own system is because they feel that the public systems are not flexible enough, or they feel they're too big and impersonal. Those are the two, I think, basic reasons, and I think that as long as this government continues to underfund education, as they have in the past, and leave the school boards to raise a large portion of the money by property taxes, and as long as dollars are tight and classes are 30 to 35 students in most classes, we're going to have that problem. I would remind the minister that a couple of years back the Edmonton public school system did a survey of parents in the city, and they found that two-thirds of the parents wanted a better education system than they had. Even if they were asked to pay more taxes to pay for it, they said, "Yes, we still want it." That's a very fundamentally important point, Mr. Speaker, and this government has not, I don't think, built the kind of education system that the people of Alberta really need or want so that we can keep them all in one system.

If you continue to underfund the public system and continue to have schools so crowded that teachers can't make the students feel like they're an important part of that system -- I think all you need to do is look at the graduations of the various high schools and some of the bigger schools and how many kids that graduate don't bother to come to the graduation do. Now, I know a lot of students do and have a great time. There's a lot of good feeling, and they feel good about their three years in the school and so on and feel good about some of their teachers. There's a large number of students who do that, and there's a large number of teachers working very, very hard to make sure that students feel that way. But you have to admit that at most graduation dos there is a large percentage who just stay away because they don't really feel part of it enough to bother to be there. So our education system is not doing the job, and as it does not do the job, you get more and more parents looking for alternatives. That's why they look for alternatives, because they say this system somehow is failing.

Mr. Speaker, what I fear is a dispersing of our efforts in too many directions. I used to wonder if the Conservative Party in this province was purposely setting out to do in the public system so they could build some kind of an elitist private system. I watched for a number of years, and I remember Grant Notley and I talking about this over a number of years in the mid 70s and through to the early '80s. Finally, I came to the conclusion that, no, that's not what's going on; I think they just don't know what direction they're going or what they want to do, and that they put people in charge of the education system, like the former minister, who don't know about education and make all kinds of assertions and push people around a lot and create a lot of resentment that this minister has had a hard time overcoming, and that they didn't really have a plan to do in the public education system. They didn't really have a plan to build an expensive private system for the wealthy, but that doesn't mean it couldn't happen by accident if they continued to treat it the way

they were.

Well, this Bill gives me some encouragement to believe that they won't continue to move in the direction that they seemed to be moving over the last four or five years under the previous minister. But it doesn't preclude that we'll end up dispersing our efforts in so many different directions, into home schools and into private schools, and having the public and separate systems fighting over dollars to such an extent that we do not have a first-rate public system. We are still in danger of that, and I think the minister has to look at her Bill rather carefully and think about the directions of education for the next X number of years and try to build a vision for the 21st century: a unified, good public education system that has everybody as part of it, with enough flexibility in it so that some of those parents and different groups that want something special for their children within that system can find it within that system.

This Bill still requires a great deal of debate and some changes. Mr. Speaker, at Committee of the Whole, of course, we will be putting forward some amendments. It depends to a great extent on the arguments raised by the minister and the reaction to some of our amendments whether or not we'll be supporting this Bill at third reading.

Before I wind up my comments, I wanted to talk a little bit about funding equity, which the minister touched on. I'd like to say to the minister that in the system in the province -- although the rules under the BNA Act were a bit difficult in a legal sort of sense to follow, nonetheless the practice had grown up that the dollars for the parents of each student followed the student into the system. About two years ago the minister changed that and defined a resident student so that a student belonged to one system or the other by whether or not he was Catholic, and the parents had no choice about where their tax dollars would go. That created a fight between the public and separate systems, and I don't blame either side for getting really alarmed at where that could lead. The first inkling I got of it was one of my constituents getting this letter at home saying that we now have to sign this saying whether our kids are Catholic or not, and isn't this an invasion of privacy, and so on. But then you talk to the school board, and you find out they've got a very good reason for asking that question.

So you started a kerfuffle in this province about funding that needn't have been started. That's not to say that we didn't need to look at the system of funding and see if some changes were needed, but the minister did not need to start a fight between the public and separate systems of the degree that she did and then didn't deal with it in Bill 59 and threw out some alternatives. I'm not sure if she still has this thing figured out in a way that's going to satisfy all parties. It's not an easy problem, and I won't claim off the top of my head to have an easy solution for her. But I do think that she created the problem, or at least a large part of it, herself and now doesn't know quite what to do with it and hasn't really come to full terms with it.

One of the problems that needs to be looked at again, particularly now in this day and age when the rural communities are losing so much of their population and losing a big part of their tax base, is that the minister is going to have to find more ways of equalizing opportunities of keeping schools open in the rural areas even though the numbers of people and students are dwindling.

Mr. Speaker, what we need is a well-funded public education system, and by public education system I mean both public and separate schools, because they have the right as public systems in this country according to the BNA Act. We need in those

schools to allow a great variety of alternatives within the system so that we don't push people out of the system and then face the problem about whether or not they should be allowed private schools, so that we don't end up dispersing our efforts in too many different directions and not having a good, cohesive public system that meets the needs of most people. What we need is a system that encourages individuality and acceptance of differences for the various cultural and ethnic groups and linguistic groups within our society. What we need is to teach them to co-operate and live together and plan and build together. We need a system in which parents and students and teachers all feel more empowered than they do at this stage and not so much reliance on the minister deciding and settling every possible dispute and running a system that in effect is underfunded, allowing people to become restless with the system as it is and hence look for alternatives outside the system.

Mr. Speaker, I would like to have a response from the minister on some of those ideas.

MR. SPEAKER: Thank you.

MR. WRIGHT: Mr. Speaker, I'm sure there's a lot more good than bad in this School Act, and it's been the result of several years of hard work by some dedicated and intelligent people. That's been especially apparent in the changes that have happened since the Bill last year, and any of us who have looked into it to any extent, such as I have -- not to any great extent, but to some extent -- realize the thinking that's gone on of a fairly nonpartisan nature, as far as I can see, in order to give better education.

Dealing with the principle or principles, really, that one finds in this Act, there is one section -- I daren't use that word, dare I? But there's a principle here that runs through the Act -- it happens to be embodied in a section, but I needn't refer to that -- that is remarkable, and it says, in effect, Mr. Speaker, that all the rights and benefits in the Act are subject to the test of reasonableness. I don't know another statute that says that, and I would really appreciate on a matter of principle some comment in her winding up from the minister concerning that matter of principle. It's as if we said that the rules of the road contained in the Highway Traffic Act were there insofar as they were reasonable. I was just saying for the benefit of the minister that I was impressed by this new principle. I think I'm adversely impressed by the new principle of reasonableness, that the rights and benefits are there subject to limitations of reasonableness. I'm not aware of any other statute that that occurs in, and I think that the minister will have to justify that at some point because it does set all the rights and privileges in the Act at some doubt.

I notice, too, that a number of matters will have their meat, as is common in legislation such as this, in the regulations. I do ask the minister to file the regulations or not bring the Act in until she has, because it's not fair to ask us to buy a pig in a poke like that when we're being asked to deal with any matter important, or unimportant for that matter, the meat of which is in the regulations which we don't see. For example, Mr. Speaker, there is a commendable attempt to comply with section 23 of the Charter of Rights and Freedoms in this legislation, which merely repeats almost verbatim the words of that section with regard to French education. So the meat of it will be in the regulations, presumably. I do remind the minister, who probably needs no reminding, that the 10th recommendation of the committee of this government on regulations in November of 1974 was that:

wherever possible, a set of proposed regulations should accompany new Bills as they are presented to the Legislature for consideration.

I do think that's important where the regulations are important, as often they are. This isn't quite one of those Acts where the Act is just a shell and the real legislation is in the regulation; nonetheless, there are parts which are governed by the regulations, and I'm sure that 90 percent of the regulations that were passed under the old Act will carry forward into this. But there are some very important ones that won't.

In what I thought, Mr. Speaker, was a really excellent paper, called *Equity in Education [Financing]*, put out by the department, proposals were made to redress the imbalance of assessment between poor and rich school assessment districts. The difference in the tax bases of different school districts is quite astonishing. Some have \$100,000 per pupil, I guess -- yes -- others less than \$10,000. It's a tremendous spread. What is fair, if every child in the province is going to have an equal start, is that as much as possible each child carries the same dollar into the system provided by the government on his or her head. Then there can be the local assessment of school districts so that the particular school district can have the precise sort of education it chooses by paying more or less money in addition to what comes in from the centre. But it is so important that the districts start off from the same point.

In that paper, *Equity in Education [Financing]*, as I'm sure most of us know, there were some options given. I found the option that used the corporate assessment to equalize that starting point to be most attractive. If I'm not mistaken, that has been drawn back from in this Bill, Mr. Speaker. I wish it were not so, but perhaps I don't appreciate some of the force of some of the objections which were made to that option 4. I know there were many objections made by people who were sitting on a lot of school assessment and would lose their advantage, but it is proper that they should lose their advantage in order that others less advantaged would be brought up so that all children would have an equal amount to carry into the system, all the more important because the proportion of the education dollar funded from the centre has been dropping. The government is criticized for this, I think correctly to a degree. But it must be admitted that there cannot be a completely open end to the escalation of costs imposed by the local authorities which they just expect the government to pick up a constant proportion of. Having said that, I submit that the proportion currently being paid by the government is too low and remind the government of its promise when it was elected in 1971 to get back to the . . . It was 90 percent under Social Credit. I don't put all that magic in precise proportions, but the importance of the equalized assessment, of course, increases in exact proportion to the proportion of it, to what comes from the government.

One of the principles the minister gave us was access to quality education and also flexibility. She was referring under flexibility to the right of parents to educate their children how they please, providing they get a reasonable minimum of education. That means the right to have private schools. We agree with that right. It is one of the basic rights of parents, I suppose you can say. However, we have strong doubts as to the extent that public money should fund private education. It is perhaps too harsh an idea to say that under no circumstances should private education be funded with public money. On the other hand, 75 percent strikes us as being an unduly high proportion. Where the parents choose to educate their children outside the system, I defend their right to do that. I deny their right to de-

mand public money to do it.

I suppose one has to compromise in these matters, as in so many others, and allow some kind of a right, particularly when it has now become the custom. It is perhaps too late to turn back, but 75 percent does strike me as being an indefensibly high proportion of the tax dollar to spend to support private education, however good, because to the extent that you subtract from the public dollar to support private education, however good, you weaken the public system. So that is one of the principles of the Bill which is in itself completely unobjectionable, but the accredited schools, of course, carry with them the right to receive public money, and one has to have some debate about the correct level, if any, of public money going to private schools.

Equally, I suppose, one should question the inclusion within public or separate systems of what are private schools, which we do see in some of the systems, Mr. Speaker, entirely funded with public money. Nonetheless, I agree with that principle of flexibility and the right to experiment and so on, I suppose perhaps a good compromise is to permit those sorts of experiments at local option within the public system, as in fact does occur.

On matters of principles of the Bill that's all I have to say at this time, Mr. Speaker, but I think I've hit the high spots.

MR. SPEAKER: Thank you.

Call for the question.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. The minister had many fine words this afternoon in introducing Bill 27, the new School Act, for second reading. I certainly hope and trust that, by and large, the Bill bears out her high expectations for this School Act. I know that certainly there are important principles to be reflected in any education legislation before the Legislature, but I also have, as has been expressed by others this afternoon and this evening, some concerns about both the principles, not only those that were expressed this afternoon but some that appear not to have been expressed. As well, I have some concerns about how those principles might be implemented through the kind of structure of the Bill in front of us this evening.

I think it also raises a number of difficulties which I hope we can correct sometime between now and the point at which the Bill is finally enacted into law. I think there are going to be a number of difficulties over the long term that this Bill will bring to light if, in fact, it's allowed to be implemented as it is before us. For example, the minister spoke about the importance of flexibility, and that's a point I think all legislation should have, flexibility to some extent. But the minister in her remarks this afternoon referred to the sections regarding private schools or home schooling arrangements.

Well, Mr. Speaker, I think the history of public education in this country is that we have expected there to be a public system in place. We've expected parents and students to be compulsory in their attendance at those schools. The overriding direction for education has been provided by provincial departments of Education, and we've emphasized over the years standards of education in the kinds of programs that have been offered. That, by and large, has served this country and this province well over the years, and I would be very concerned if we were going to

abandon those principles for the sake of flexibility. That's what concerns me about some of the emphasis in the provisions of the Bill.

We've established in this province two public systems, Catholic and protestant. Over the years there's been a control exercised through the Department of Education on the content of curriculum. With professional organizations and school boards and the department itself standards of teacher certification along with the efforts of the universities have also been an important factor in providing quality of education to our young people. The principles of sound public administration and management of finances, the monitoring of student performance, and so on have all been important principles that we have always followed in Alberta over the years. So I'm very concerned, Mr. Speaker, if in the name of flexibility we abandon those principles.

At committee reading I suppose we'll have an opportunity to pursue the individual sections of the Act and question the minister a little more closely on how she envisions these principles to work, given these provisions in the Act, but it seems to me that if we give flexibility the first priority or the most important of the principles, we may in fact lose in other areas and other principles that have served this educational system of ours in Alberta well over the years. So while I, as I say, congratulate the minister on these principles she's outlined, I have some concerns about how some of them are going to operate in practice.

I would congratulate the minister, though, and I think it's important to do it at this stage. She's gotten some letters from me in the past few months about the major concerns, the major fears, that were aroused by Bill 59 when it was tabled last year. It certainly sparked more public interest in the School Act than we've probably seen in this province for a generation or two. So I don't know; maybe that was the teacher in the minister coming out as a way of educating a lot of the public about what is in our School Act and getting them to sit up and take notice and become very concerned about the legislation governing schools in the province. But that certainly was the effect of it. As a result of that input from people from all over the province we see a number of changes reflected in the Bill in front of us. So certainly I would like to at least congratulate her for being willing to listen and incorporating many of those changes.

Some of them -- and I just list them, Mr. Speaker. Catholic education in the province: people involved in the Catholic education system of Alberta were concerned about proposals for dividing property for taxation purposes. They were concerned about their freedom and right to provide certain religious programs. Those kinds of concerns were brought to the attention of the minister. Parents of children with learning disabilities -- very concerned about the clause regarding uneducable, that label, as it might apply to certain children in the province. The concept of corporate pooling, where corporate taxation would be centralized and redistributed by the Department of Education or by the minister. Those who run private or alternative schools had concerns about Bill 59. As well as French language education in the province. There's quite a list. It seems to be that many if not most of these groups have had the minister listen to their concerns and, to some extent, respond and address those. I think there are two, though, in particular that I would like to raise with the minister this evening, and I will get to those in a moment.

I'd like to make a couple of positive comments at this point of review of the Bill; that is, to identify a couple of areas where I think the minister has moved in the right direction in ways that

she didn't have to respond to any particular interest group. First of all, I think the presence of the preamble in the legislation outlines the general basic direction in which the province and the education system is headed, I think that's important to identify. I've got some concerns, as others have already expressed some before me, about the content of some of those and believe that improvements could be made in the preamble, but generally I think it was important to include that.

I'd also like to say to the minister that the whole section regarding conflict of interest and pecuniary interest is a very important issue for those who are elected trustees at the local level, as it is for all local officials. I speak from some personal experience in that regard. I looked at the wording of the provision, and it bears some close resemblance to the wording contained in the Municipal Government Act but I think there have been a few important changes made in it as well to make it a little more clear as to the intent of some of the details of that provision. I think that is an improvement and I'm pleased to see it contained in the Act.

There's some reference made for certain kinds of programs, whether it be special education programs, work experience programs, early childhood services programs. I'm pleased to see that these are specifically identified. Many of the other provisions of the Bill, of course, carry on the provisions of the present School Act, and there are a number of minor details that are changed in a number of those. But basically much of what's in this Act also carries on what we already have as legislation in the province.

Now, I mentioned just a moment or two ago that there were two particular areas arising from the concerns brought to the minister's attention that in particular I don't think have been explained at this stage of the Bill to my satisfaction. I'd like to take this opportunity to raise them with the minister. She referred in her comments this afternoon to the removal of section 59(2) of the current School Act. She said that she was doing that for constitutional reasons. Well, I'd just like to bring to the minister's attention a concern that I have specifically in the city of Calgary. I would like to raise that as affecting particularly a group of people in Calgary that may . . . I'm not going to say that they are threatened entirely by the removal of this provision, Mr. Speaker. But I'd like to raise it with the minister, in hopes that at the time we come throughout the different stages of reading of the Bill, she can respond to those concerns.

Over the course of the last 10 or 12 years the Calgary board of education has been trying to grapple with what would be called an alternative schools policy within the board, programs offered by the board of education. In 1976 that policy was adopted by the Calgary board of education, and immediately there was a number of schools that fell under those provisions and qualified for support. They were the Calgary Hebrew school, the I. L. Peretz school. Then in 1979 the Plains Indian cultural survival school came under the alternative schools policy, as well as the Logos Christian education school in that year. Between the years of 1980 and 1983 there were another three alternative proposals brought to the board: the National Ballet school of Toronto, which was rejected; the transcendental education group, which was rejected, and one out of three that was approved, the German-English school, but that one never got off the ground. So in that time there were, I guess, three or four schools that came under the umbrella of the alternative schools policy.

The board of education in Calgary voted to terminate some of those contracts in 1983 and by June 1984 the Logos school

no longer operated. The Plains Indian cultural survival school was spared and still continues as an alternative program under the Calgary board of education.

MR. SPEAKER: With due respect, hon. member, the examples are of mutual interest to both us from previous existences, but we're getting in such long, convoluted detail with respect to this principle that you are addressing, and perhaps you could shorten the examples and come back to the principle. You have very little time left, actually, on your second reading debate.

MR. HAWKESWORTH: Okay; I appreciate that comment, Mr. Speaker.

As a result of this change in policy of the board the two Jewish schools became affiliated under the Calgary Jewish academy with the Calgary separate board of education. Because of section 59(2) in the existing Act, which refers to people who are "neither a Protestant nor a Roman Catholic," members of the Jewish community who signed this contract between the Calgary separate board and the school were able to transfer their property assessment to the separate school board as a way of providing support to that system and as a way of helping defer the cost which the board had undertaken in undertaking to bring this school under their umbrella.

Now, what concerns me is that by removing this provision in the existing Act, it leaves a question in my mind as to: what is the status of those individuals in the Calgary area who may have transferred their property tax for assessment purposes to the Calgary separate board of education? I take it from the minister's comments this afternoon that there may be some transition provisions made. But over the long run I have concerns that the ability of those individuals who are of a faith that is neither Protestant nor Roman Catholic may not have the freedom that they have under the existing Act to direct their taxation as they wish, especially given the circumstances of this school which the Calgary Catholic board took in. It's allowed them to continue offering that program; they would like to continue, I believe, to carry on that status and that arrangement with the Catholic board. But there's a question in my mind whether the new School Act will take full account of their concerns and whether their rights and freedoms which they presently enjoy will be protected under Bill 27. That's an important principle, which I would hope the minister, under the principle of flexibility, might be willing to consider continuing to provide in the new Act.

I am also, as I said earlier, pleased that she's made some changes in dropping the uneducable clause in Bill 59 and instead set out a process whereby children of special needs can qualify for a special education program. However, in looking through the Act, I'm concerned that some boards in the future might not fully appreciate the direction or the intent of the legislation and might not establish a special education program for children with special needs. I think if the minister would look at perhaps only one small amendment to those provisions that would ensure that boards could not use the loophole that might exist within those provisions to get out of the responsibility of providing special education programs, it would be a marked improvement of this Bill.

There's an ambiguity, Mr. Speaker, in which one of the provisions has to do with resident students. Then, for those who have a special need, a special education program can be set up. Finally, there's a provision for a special needs tribunal for parents or a school board who then might refer that student and

their needs to the tribunal to make a determination for a special needs plan. In this continuum that the Act provides, it's not clear what is a special needs plan as opposed to a special education program. It concerns me that it might be possible that a board could say to an individual parent that a child would not receive a program under the resident program, but the Bill in front of us remains silent as to what a parent might expect from the special education program provision.

So I'd just like to say to the minister that this is an important area that parents would like to have clarified. I think she's aware of their concerns. It may be that it was a simple oversight that the small amendments and changes had not been made at the time the Bill was drafted and tabled in the Legislature. I would be very interested and pleased to hear from her that she was going to respond to those concerns that have been brought to her attention about parents, especially those in rural areas where an individual board might not want to offer a special education program to a special needs child. If she can ease that ambiguity, I know she would make a lot of parents in this province who have those children especially happy.

Mr. Speaker, those are some overviews of the points and principles that I would like to raise throughout the reading of the Bill as we make our way to approval in this Legislature. There are certainly more details that could be expressed, but I would simply say that the principles espoused by the minister are fine principles. We all agree with the principles themselves. How they get translated and implemented is really the key. I think there's a fair degree of disagreement over that; I guess it's to be expected, as the minister said this afternoon. I look forward to that debate in the days ahead. I know that the minister, who has listened carefully in the last few months to the overwhelming concerns that have been brought to her attention -- I hope she hasn't finished listening -- as a result of some of these comments made at second reading will go back to the drafting board and incorporate some of those in amendments that she might bring forward later in Committee of the Whole.

Thank you, Mr. Speaker.

MR. SPEAKER: Would the minister sum up now?
Ponoka-Rimbey, followed by St. Albert.

MR. JONSON: Yes, Mr. Speaker. I would just like to make a few comments during second reading of Bill 27. First of all, I think the minister has every right to feel some personal satisfaction in the introduction of Bill 27, because I think it has a great deal of potential for improving the educational system of the province.

I'd like to just briefly comment on the process that's been involved in the Bill coming to this point in its process of going through the Legislature. There has been reference, Mr. Speaker, to the four years it took to get a new School Act, and perhaps that's one of the problems that there was in the whole process of developing the Act. I think there was some space of time between the original study and the public hearings and the publication of *Partners in Education* and the actual development of Bill 59.

[Mr. Musgreave in the Chair]

Bill 59, that much-maligned piece of legislation, actually did capture a number of the principles that were developed in the *Partners in Education* paper, such things as the need to recognize greater parental involvement, the establishment of school

councils -- that was in Bill 59 and is in Bill 27 -- the need for the possibility of greater flexibility in programming at the school board level. That was very much emphasized in the initial process and is provided for in Bill 27. And I could go on with a number of other items.

Actually, Bill 59 was flawed, perhaps, but really in three or four key areas: those concerning the balance in the funding arrangements between separate and public school boards; the unfortunate use of the term "uneducable", which caused a great deal of concern; and the long list of concerns related to the general theme of local autonomy. I feel that in Bill 27 those key areas of criticism of the introductory Bill, which was Bill 59, have been very well adjusted for, and the objections that were presented in great numbers and by large numbers of people across the province and in various organizations have been addressed and have been met.

In Bill 27 there are four or five things that I would just like to comment on. They are for the most part items that have not been dealt with by previous speakers, but I think they deserve to have some attention drawn to them.

First of all, Mr. Speaker, in the early part of Bill 27 we have the statements of roles and responsibilities for various participants in the educational system, certainly a new concept for a School Act and one which I think is innovative and has the possibility of pointing directions to the individuals involved in the system and developing a sense of ownership and pride and responsibility as far as the delivery of education is concerned. The statements outlining those items for teachers, principals, and students are well presented, in my view, and we will see if they bring the response that is hoped for. I would add, though, Mr. Speaker, that I would have preferred to have had a section for parents, perhaps also for school boards. But perhaps when they see the high ideals set out for students and teachers and principals, those two very important groups within the educational system will respond accordingly.

A second area of Bill 27 that I think is very important is the effort that has been made in the Bill to define and separate the various terms that deal with teachers' contracts of employment. There is a definition of a temporary contract an interim contract and probationary contracts. I think a very important change from the previous School Act Mr. Speaker, is that which adds an additional probationary year to the contract or the initial years of teaching of a new teacher. This is something the school trustees of the province have long advocated, and it was good to see in the process of developing Bill 27 some trade-offs and some agreement between two of the major stakeholder groups, the Alberta Teachers' Association and the Alberta School Trustees' Association, over that and other issues in this particular section of the Act.

I'm also glad to see, Mr. Speaker, the improvement by way of natural justice in the whole process governing the transfer of teachers in the province. That's certainly an improvement; not ideal, but certainly an improvement over the previous situation.

Mr. Speaker, one area that certainly has always concerned practising teachers and school administrators is the whole area of school attendance. The provision for an attendance board to review the particularly difficult cases of nonattendance in school and the fact that this attendance board takes a constructive approach to bringing to bear the various agencies and services of government as well as the participants, the parent and the student with the board of education and the teaching staff, is in my view a very constructive way to approach some of the chronic and very difficult types of nonattendance problems we have in

our schools. It will certainly only be used in a few cases, because I think schools and school boards are working hard to develop constructive attendance policies within their own jurisdictions.

Mr. Speaker, there's been some reference during second reading to the whole issue of private schools. Although I suppose second reading is not always an opportunity for various points of view to be expressed and various stances and group policies to be expressed, if you look at what is achieved in Bill 27, I think it is really quite good from the point of view that it has clarified and, in my view, simplified the whole area of jurisdiction over what were before four categories of private schools and what was before in existence but not properly recognized -- the machinery was not in place to police it so to speak -- and that is the whole area of home schooling. We have now two categories of private schools, accredited and registered. We have a statement making it clear that there will be policies and regulations governing home education, and I think overall, given the situation that existed for many years in this province, this is quite an improvement by way of clarification in this particular area.

There seems to be also, Mr. Speaker, some overall concern regarding the mention of fees in Bill 27. It's only practical to have it recognized in a school Act that boards of education have the right to charge fees. I really think that given the point of view that's been expressed about fees, those that expressed those points of view should react favourably to the statement on fees in the Act because there is an appeal process -- in other words, an avenue to appeal -- if there's a situation where the basic education of a student is going to somehow be denied by the charging of excessive fees. On the other hand, it is only realistic that there be the provision for the charging of fees, because the appetite of the public, of parents and students in this province, for co-curricular and extracurricular programs and for specialized programs to meet unique community needs is far beyond what the general taxpayer of this province can be expected to cover entirely, be it from property tax or from the general revenues of the province. I think that realistically there has to be that provision. I believe school boards will act reasonably in this regard and the fees charged will be for constructive purposes in the schools for which they are charged.

Finally, Mr. Speaker, there's been the overall reference -- although it's not really part of this Act, I guess it's an opportunity to talk about the whole area of funding. Although the School Act has never to my knowledge specifically outlined the amounts of funding and so forth for education in this province, I do concur with some of the members opposite in that I would like to certainly see it possible for the proportion of provincial funding increased to that 75 or 80 percent of the overall costs of offering the basic program of education in the schools of this province. I hope that sometime in the not too distant future that will be a possibility. However, when we're also talking about funding, I would like to once again commend the minister for the balance that has been worked out in this Act between the relative amounts of access to funding that separate and public school boards have. I think it's a fair and reasonable solution to the problem and one that given the co-operation of all parties involved, should serve the province well long into the future.

Finally, on this particular last point Mr. Speaker, I do see the need to further work on the whole area of equity in educational funding for some of our isolated rural areas, sparsely populated areas, school jurisdictions with low assessment basis and particularly high costs of offering their school programs. I know

that the minister has previously indicated a concern in that area and will be working on that particular problem.

So overall, Mr. Speaker, I once again commend the minister for her efforts on Bill 27, and I would urge passage of Bill 27 through the various stages of the Legislature.

MR. ACTING DEPUTY SPEAKER: The Member for St. Albert.

MR. STRONG: Thank you, Mr. Speaker. It's a pleasure for me to rise this evening and speak to Bill 27, the new School Act, introduced today by the Minister of Education. I think I would like to initiate my comments in congratulating the minister for listening -- for listening, Mr. Speaker, because of all the inequities that were in the former School Act, which was Bill 59. I think what the minister has done is an excellent job in listening to those concerns that were voiced by parents, educators, school boards, superintendents of schools, and all those others involved in education. It's nice to see that we have some of our Conservative cabinet members that do listen to people's concerns and make the appropriate amendments in some of the legislation we see before us in this Assembly.

AN HON. MEMBER: Not like some ministers.

MR. STRONG: Right. Not like some members and some other cabinet ministers, Mr. Speaker.

If we look at the principles of Bill 27 as we see it in front of us, some of those principles are that we want to assure for every child in the province of Alberta a quality education; in other words, the best education that we as government, legislators, or parents can provide to our children. In addition, one of the principles in the legislation is also equity in funding for school districts. That is also there.

Mr. Speaker, one of the major concerns that I have and that has been expressed to me by many of the constituents I represent in St. Albert is education funding. I believe that impacts seriously on the principles that are contained in Bill 27, the School Act. Through the Chair, I'd like to ask the minister exactly how, with a lack of funding in education, the minister can meet the commitment that's expressed in the principle of Bill 27. How can those principles be achieved if that funding isn't there?

If we look at the constituency I represent, and that's St. Albert, what we see in St. Albert is that almost 40 percent of the property tax bill my constituents pay is now going to fund education. I don't think that's fair, and I don't think it lives up to the commitment that was granted in the past by the Conservative Party or the Conservative government here in the province of Alberta of getting education funding by the province up to that 85 percent level that was committed to back in 1971. Because, Mr. Speaker, what we see is that commitment not only not being fulfilled by this government but a further cutback in achieving that 85 percent level. We just cannot meet the principles as espoused by this minister in this Bill without getting that funding for education up to that 85 percent level that was promised by this government.

I'd like to remind the minister that because of this lack of funding in education, what it's created in our school systems is overcrowding. That overcrowding is evident, again, in St. Albert. Paul Kane high school in St. Albert is currently 500 students overenrolled. St. Albert high in St. Albert is currently 300 overenrolled. That's almost 800 overenrolled in two high

schools in St. Albert. I had the pleasure a number of months ago of turning the sod for the new high school in St. Albert, which is Bellrose. Certainly I was there with the minister. That is an excellent step to eliminate that overcrowding in those high schools, but this should have been done quite a number of years ago. That's what I speak to when I say: how can we meet the commitment that's espoused in the principle of Bill 27, that new School Act, if we as government don't commit the funding to education that it deserves?

In addition, Mr. Speaker, what this lack of funding also has created is many of the students coming home in the community and asking their parents not only through those additional property taxes but also for a commitment of their money when it comes to shop supplies, when it comes to book rental fees, when it comes to home economics classes where those students are asked for additional funds to provide some of the materials they need in those classes to do the projects they have slated so they indeed can learn in all those various areas the education system provides. I think that's very unfair too, because how can a parent who doesn't have access to the money required continue to provide that money to their children in that school system for these additional fees? What do they do, Mr. Speaker? Certainly I as a parent and as a member of this Legislative Assembly can stand here and say that if my taxes have to go up on a provincial basis to provide that continuing education, the best education we can give our future, which is our children, then I am quite prepared to do that. That same principle has been expressed to me by many of the residents of the community I represent. So I think if that minister is going to continue to espouse principles that certainly all of us can hold up and say are correct and right and excellent, then certainly that minister also has to recognize that in order for us to provide for and meet the principles as espoused by the minister in introducing Bill 27, we have to take a serious look at where we're funding education in the province of Alberta as a government.

Mr. Speaker, I've traveled somewhat to many of the different schools in my community and had the pleasure of traveling to the city of Calgary to visit at the University of Calgary the dean of the faculty of Fine Arts -- almost an hour's discussion with him in conjunction with a number of other people. Again, what was expressed to us was the fact that we have all these brick and mortar edifices, first-class facilities second to none, but the problem is funding. That dean indicated to us that a budget they had had of \$7,000 to pay for some of those supplies and some of those things they need in that faculty had been cut over the last four or five years to \$300 for supplies. Now, Mr. Speaker, I ask you and all members of this Assembly: how can we in this Assembly, how can this government meet the commitment to the principles as laid out in Bill 27 if we don't provide adequate funding?

It's fine to build all these facilities, but if all we're looking at as Albertans and as legislators is a fine brick building with lots of glass, adequate heating systems, and lots of shrubbery, we also have to understand that the education process must go on within those facilities. That requires a teaching staff and adequate budgets to put forth the education that we hold in high esteem in the province of Alberta. That, Mr. Speaker, is number one in the Bill again, a principle to provide the best education we can for our children. Now, how can we meet that requirement and obtain that principle if we don't have that funding?

Another area I'm a little concerned with, Mr. Speaker, is the area of high tech. We've heard this government get up on numerous occasions and say that we as Albertans have to compete

in worldwide markets, that there is perhaps an ability for us to compete in the high-tech areas, that a lot of money has been spent through various other departments in trying to achieve this goal. But I'll come right back to the principles as espoused in Bill 27 and again ask the minister or any of these Tories on the front bench: how can we meet the commitment to provide that high-tech education to our children when we're cutting back on education budgets? Now, I don't know how that is possible. I don't know how it's possible at all. Certainly we as Albertans, if we are going to be involved in high tech, have to have a work force that is extremely educated, very highly educated. But as always, it seems what we're dealing with in this Legislature is illusion and not reality. Certainly I'm aware that we spend an inordinate amount of dollars on education, yet every nickel we spend provides our children and all of us as Albertans a better opportunity to compete, a better opportunity to earn a better living if we're educated rather than not educated. And certainly that takes money; it takes funding in an education system again. Otherwise, Mr. Speaker, we will not be able to meet that commitment to those principles that were laid out by the minister in issuing the principles, or what the minister thought were the principles, in Bill 27.

Another area we can look at, Mr. Speaker, is community schools. Again, if we're to provide that education to all our children and meet the principles as the minister laid out, what are we doing in community schools? Now, we went through budget estimates here, we went through a lot of discussion, yet how are we going to be able to meet the commitment to those principles when we're not providing the funding for our community schools?

Another area I've looked at is special education programs within the school system, Mr. Speaker. How can we meet the ideals and principles laid out in Bill 27 if we are not going to provide adequate funding to special education programs? I think it's fine for the minister to say that while we provide X number of dollars to those school districts, it's up to those school districts to pay out those moneys, use those moneys where they see fit. When it becomes a question of providing a basic education for as many students as they can as opposed to setting up funding for special education, unfortunately that special education has taken a backseat to some of the other programs that are offered to all students in high schools, junior high schools, elementary schools, or our universities or other types of postsecondary educational facilities. I'd like to ask the minister exactly how we are going to meet that commitment to these principles if we don't fund those systems and those programs within the school system adequately. Because if we don't, there's no way we can obtain or meet or match the principles as espoused by the minister in second reading of Bill 27.

Mr. Speaker, just for the interest of the minister and some of the parents and some of the other Members of the Legislative Assembly, I can say that my son has a learning disability. If it wasn't for the dollars that were provided a few years ago here in special education programs, my son would have suffered a serious, debilitating -- almost injury within the school system if that education and opportunity had not been provided for him through the special education programs they had set up. And I was fortunate, Mr. Speaker, fortunate that my son could attend those classes, because the number of spaces provided in those areas four years ago, five years ago was very limited. And there is still a demand for spaces like that. I would suspect if there's a demand for them in the constituency I represent, St. Albert, certainly there's a demand right across the province of Alberta in

many of the other school districts.

Now, if we don't meet the funding requirements of education, how can we have a School Act that cites all the fancy principles and the fine, nice words but fails to do the job in the education system we have come to expect and Albertans have come to demand, and that's a decent education for their children? There's no way we can do that. So again I'll stress to the minister that if the minister's going to meet the requirements and meet those principles that were laid out for Bill 27, a new School Act, then certainly it's back to the drawing board to take a look at funding for education in the province of Alberta.

Mr. Speaker, I said it's not just good enough for the minister to almost shirk the minister's responsibilities by turning around and saying, "Well, we provide X number of dollars to those school districts," because in citing a 2 percent increase in education costs and education budgets, that falls far short of what even inflation is in the province of Alberta. Again, if we look at a strike in northern Alberta, the school district there, as far as I'm concerned that strike was caused by a lack of funding provided for education by government. Because it's very difficult for any school district to sit down and negotiate fairly with their employees when they don't have the money they get from this government to pay those marginal increases those teachers were asking for in northern Alberta not that long ago, Mr. Speaker. Again what we're looking at is if we expect to meet the principles laid out in Bill 27, certainly we as a province and as a government have to provide those moneys to that education system so that process can work in the best interests of those it was intended for -- and that's the kids; that's the students and the children, our children, our future -- in those facilities. [interjections]

Mr. Speaker, I wish you'd call to order some of these here to my left these backbenchers sitting over in the corner that are trying to get my goat and disturb me. It's fine for them to sit back and laugh and make snide comments about what I'm talking about but I'd like them to get up and make some original comments of their own rather than always just gum flapping and lollipopping. If they're not articulate enough, maybe I could get up and take their time.

I think the minister has made an attempt, certainly a very valid attempt, to right many of the wrongs that were perpetrated in Bill 59. Again I'd like to congratulate the minister specifically in one circumstance, and that again is in my constituency of St. Albert where the separate and the public school boards are reversed, where the Catholic system is the public system. I believe there are four other jurisdictions in the province of Alberta where that is the case. I think certainly when you look at what Bill 59 tried to do to what we call the public system in St. Albert, which is the Catholic system, it tried to take away some of their tradition and history as being one of the first school districts set up in the province of Alberta. Certainly I sympathize with their position and said I'd represent that position in the Legislature. I congratulate the minister for making that change in Bill 59 and creating some fairness in Bill 27 which has been introduced before us for second reading.

I think, Mr. Speaker, that many of these issues are very important, and I would certainly hope the minister would go back to her colleagues in caucus and fight for more funding for education so we as Albertans can get the best education possible for our children, and that's all our children in the province of Alberta.

Mr. Speaker, I thank you.

MR. GIBEAULT: Mr. Speaker, I'd like to make a few comments on second reading of Bill 27 this evening. In my constituency, which is a suburban one in the southeast corner of Mill Woods in Edmonton, we've got many excellent schools, perhaps some of the most modern ones in the province. Those that we have we're very proud of. But I have some concern. I don't really feel Bill 27 addresses the larger concern the Edmonton public school board has raised, because they are receiving expressions of concern from parents in suburban areas like Mill Woods and in districts like those represented by my colleagues Edmonton-Glengarry and Edmonton-Calder.

MR. ACTING DEPUTY SPEAKER: Order please. I wonder if the Members of the Legislative Assembly would mind giving priority to the member who has the floor and allow him to debate without this chatter going on in the background.

MR. GIBEAULT: So what I'm referring to here, Mr. Speaker, is whether or not we're providing -- or we should be providing, perhaps, in our School Act -- some provision to ensure that districts have an equitable level of support for new facilities in relation to the number of students they educate. The Edmonton public school board educates some 15 percent of the students in the province, yet they don't get 15 percent of the capital financing that's available. We're pleased that this year we're going to be looking at the beginning of construction and a new school in the Daly Grove community, but I would be remiss in my responsibilities representing my constituents if I didn't point out that there are several areas of unmet need yet. The whole neighbourhood of Bisset, a highly developed urbanized area of the city of Edmonton, still has no elementary school, Mr. Speaker, and in a whole area east of 66th Street which has some 30,000 residents, we still have not a single public junior high school. We've talked to the school board officials about this, and that is what they've told us. They said, "We'd be able to provide these kinds of facilities if the provincial authorities would give us the kind of capital resources in proportion to the students we are educating, and that simply just isn't happening now."

So there's some reference in the Bill to the School Buildings Board, Mr. Speaker, but in what I've read of it, I don't see that it provides for that important concept of equity that is so important to parents in suburban districts like mine, and not only mine but, as I mentioned, those in the north side of Edmonton, suburban areas, and I'm sure that similar districts in Calgary and other high-growth areas apply the same.

Now, one of the other important areas here is the whole area of transportation, I guess we could say, because that's very important, Mr. Speaker. In some of the districts in my constituency where there are no schools, like the ones I've just mentioned in Weinlos and Bisset and many of the areas that don't have a junior high school, many parents have got to bus their kids out of Mill Woods entirely to schools in south-central Edmonton -- Ottewell and others -- and many of them have to take several buses. The school board is not in a position to provide the yellow bus direct service from the neighbourhoods to the school involved, so they have to take the city bus, and that often involves several transfers and a substantial waste of . . .

MRS. CRIPPS: Mr. Speaker . . .

MR. ACTING DEPUTY SPEAKER: Does the hon. minister have a point of order?

MRS. CRIPPS: Yes. According to 734, the second reading of the Bill is the principle of the Bill. We've heard speaker after speaker go on about all kinds of things and occasionally mention the principle. But that's not on the principle of the Bill.

MR. GIBEAULT: Mr. Speaker, that's exactly my point. Why isn't it in this Bill? Surely access to the school system -- and transportation is a part of that -- has got to be part of the School Act. I just don't believe it's adequately dealt with in this Bill. So that's another area of concern to many of my constituents in suburban Edmonton and the Edmonton-Mill Woods area: that transportation is not properly supported and authorized in terms of the new School Act.

One of the other concerns we have, Mr. Speaker -- and I say all of these comments in the context that certainly Bill 27 is an improvement over Bill 59 in many respects. We want to acknowledge that, particularly the elimination of that very repugnant clause about uneducable students. There are other improvements as well, and we appreciate that. But certainly we want to make this the School Act that will provide the environment for education of our students for several years to come. So there are some provisions there that I think could be significantly improved. One of them is that the Act does not really deal with the whole issue of user fees, and that is becoming increasingly a significant factor for many parents. I know one parent for example, who's got two high school students in the Mill Woods constituency at the J. Percy Page high school, and between bus pass, locker fees, book rentals, and the various fees, that adds up there: over \$100 a pop for each of his two students. So that's \$200, at least, before he even gets the students into the school. And then there are various other field trips and related expenses. It really adds up to a significant amount.

We were talking just earlier last week about the Premier and his alleged commitment to the family and so on. Well, Mr. Speaker, if we want to be pro-family, how about doing something in the School Act here that talks about user fees and the increasing burden that is becoming on families? You know, the reason a lot of people don't have larger families anymore is because it's so costly to try to raise children, and a part of that is all the costs that are involved in terms of educating their children. They've got all these fees they have to pay when they register them at the beginning of the year, and they've got to provide additional clothes and supplies and so on. If we want to really talk about something we could do to support families, Mr. Speaker, how about looking at a provision in this School Act that doesn't have parents having to fork out hundreds of dollars before their students even get into the door at the beginning of the year?

Another provision, Mr. Speaker. What about the whole area of learning resources: what kind of learning resources we're going to have and to what extent they'll be provided and in what manner they're going to be provided? There's virtually no mention of that in the School Act, Mr. Speaker. Why is that? Is it because just recently the Minister of Education decided to trash the regional film centres because she doesn't seem to believe in them, she doesn't seem to want to give them the priority the teachers in rural Alberta everywhere outside of Edmonton and Calgary have given them, and have supported them? The school boards have supported them by increasing allocations year after year because they provide a very valuable service to the teachers and the students in rural Alberta. They're not mentioned here. They have no legislative basis, no authority, so it makes it easy

for the minister to look at her budget in a difficult year and say, "Well, let's scratch that item." And by trying to save less than a million dollars in a very shortsighted way, it compromises the integrity of one of the best learning resources delivery systems in North America, bar none.

Mr. Speaker, the Minister of Education and many members of her government like to talk about how Alberta is number one, and I'll be the first to admit that the network of regional film centres in the province was, in fact, one of the best in North America, bar none. And why she has decided to eliminate their financial support and, I guess, a concomitant provision here -- they're not even provided for in the School Act -- indicates to me a disturbing lack of understanding about the importance of having good quality learning resources for the students of the province of Alberta, particularly in the rural areas.

Another area I want to make some comment about is that in the School Act we don't have any reference to anything that talks about an intercultural or multicultural education policy, Mr. Speaker. Now, that was recommended by the Ghitter report some years ago, and still we haven't got one. We've got some school districts who understand the multicultural reality that we're living in now and want to address that. They've implemented policies in this regard in spite of a lack of leadership and direction from the provincial government. I would be interested to hear what the minister has to say about that and how much longer the educators of this province are going to have to wait for that, because many of them have indeed been waiting a long time. We just had again this reference to this hatemonger recently in his court decision, and surely that must convey to the minister, if nothing else does, the urgency of having a comprehensive policy for multicultural and intercultural education in the province of Alberta.

Mr. Speaker, those are some of my comments about the Bill that is before us, and I would appreciate hearing some of the minister's responses to them.

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

MS BARRETT: Thank you, Mr. Speaker. I, too, would like to add my comments to the second reading of Bill 27. I was just looking at the comments of the minister, and I see that she was very excited in her presentation of the principles that she believes are supported by this Bill, and I note that she referred to certain sections in those comments, Mr. Speaker. I would like to point out that I'm not so sure I'm as excited as the minister is about the provisions of this Bill.

For instance, one of the things that comes to mind right away is the direct reference to establishing the ward system for the election of school board trustees, Mr. Speaker. I certainly have no personal objection to a ward system; it can often make a great deal of sense, especially in larger metropolitan centres. However, I do object to the minister having the power to impose a ward system where it is not wanted or where the people by and large have not asked for it. I wonder about the concept of a Bill in which the minister is granted that sort of power but a Bill which doesn't also include the option of directing a school board itself to conduct a plebiscite to test the waters, so to speak. It's not that the minister herself is necessarily bad-intentioned. I don't believe she is, but I'm not sure that I could say that about other ministers in the same government, and I don't know that this minister is always going to occupy that position. No offence to her -- she's a nice woman -- but I hope that in a few

years it's going to be a New Democrat occupying that position.

AN HON. MEMBER: Oh, heaven help us.

MS BARRETT: Oh, I've elicited the comments from the peanut gallery, I see. That's very pleasing. I like to wake you up at 20 to 10 at night here, Mr. Speaker.

In any event, I think it's always wise to allow for a check and balance within legislation so that no minister gets carried away with the, I guess, monopolization of power, basically.

Now, Mr. Speaker, there's one thing that I think should be in this Bill but isn't in this Bill -- and it is a substantive, principled issue -- and that is reference to financing. There are references to financing, but they have to do with equity financing between districts and divisions. My concern is that there's no written commitment here for the Alberta government under its present administration to increase to the level of provincial funding for education we used to enjoy in Alberta. The reason, of course, I'm concerned is because I know that certain areas, certain school boards, are finding it increasingly difficult to raise the additional money they require by way of, you know, operating bingos or whatever other sort of gambling activity or goods-selling activity they can find. I'm not convinced that the present level of funding is adequate at all, quite frankly, hovering around the 60 to 63 percent mark.

The government itself commissioned a study some five years ago, the results of which recommended the provincial government increase its level of financing of education to 85 percent. I believe that's very close to the level of funding the province had committed historically up until the Lougheed Conservatives took over. It's not very often I want to give right-handed compliments to the former members of the Social Credit government, but I guess in this instance I have no choice, because they were the ones that had established a fairly high level of funding and prevented the need for communities and boards and individual schools, parents and children, to go like beggars from door to door selling chocolate bars or whatever or conducting bingos. I know it's been argued in this Assembly that that's good for the community: it gets them involved in education. I, too, like to see people involved in education, whether or not they have children, in fact; I think it's a very good idea. But I think you have to ask yourself how far one individual, family, neighbourhood, city, or province can go in the direct fund-raising necessary to maintain a good level of operation.

As an example, I'd like to point out that about two weeks ago I visited the Eastglen junior high school in the riding of Edmonton-Highlands. I had a grand time. I went to every single classroom while they were in progress; the principal took me around. It was very instructive. For instance, when I was at the computer teaching class I noticed that they have Mac computers -- that is, Apple Macintosh computers -- but they have five-and-a-quarter-inch floppy disks. Now, that seemed incongruous to me, although I confess I don't know all that much about computers -- I operate a few of them when I'm not actually in this Chamber -- and I thought they were incompatible. And sure enough they are; that is, the five-and-a-quarter with the Macs. I said, "Why is that?" He said, "Well, we haven't got enough money to bring our old equipment up to snuff with our new equipment, and that's the way we have to do it." Then I had a look at the way they had them plugged into electrical outlets that just weren't designed to take all those computers, and yet the school hasn't got the money, really, to upgrade its facilities. I was distressed to learn that the public health nurse who used to

come at least one day a week, and at one time one and a half days a week, is now coming at a rate of one half day a week. And although that's not directly the responsibility of the minister, it seems to me that if we take a larger view of education, we would come up with principles that are more clearly set out and more clearly defined than those we find in Bill 27.

As everybody knows, staffing has become a serious problem in our schools. It is not that an individual teacher might not for one or two years be able to tolerate a very high student-to-teacher ratio; it's that the ongoing effect throughout the grades to the children is detrimental, Mr. Speaker, and in fact we've had that trend established and continuing now for about the last seven years.

MR. ACTING DEPUTY SPEAKER: Order please, hon. members. It's very difficult for *Hansard* to pick up the debate of the hon. member when there are several conversations going on at the same time. So in respect for our proceedings, I would ask hon. members if they must insist on speaking, to do so in a low voice.

Hon. member.

MS BARRETT: Thank you, Mr. Speaker.

As I was saying, the student/teacher ratio, as everybody knows, has increased dramatically over the last several years, and it's my contention and the contention of professionals that this will be to the detriment of the students in the long run. As everybody knows, having an educated work force is tantamount to having a very productive work force that can keep us on the edge of technological development, keep us on the edge of research and related developments, and keep us on the edge of all the markets in the world that we're trying to obtain or retain.

I always think it's sort of, you know, penny-wise and pound-foolish to shortchange the funding in your education system when you know that in the long run it is that very system itself which constitutes the greatest factor in the country's opportunities not only for prosperity but for intellectual, social, creative, and spiritual development. All of those things, I believe, are shortchanged when we don't take that view. And I don't really see that view being adopted, although I do credit the minister with having come in with substantial improvements over Bill 59. I recall one letter I wrote about Bill 59 shortly after it was introduced, to a person who wrote in and said: "Jeez, can you really believe this Bill? You don't really support this do you, Pam?" And I wrote out and said, "As far as I can see, nobody outside the Getty cabinet supports this Bill."

So I give the minister credit for having come back with a better Bill, but I alert her to the fact that there's an awful lot on the plate aside from school financing, which I believe is a fundamental principle which should be embraced by a Bill, considering how long we've waited for a new Bill.

I think it would be good to have the commitment to restoring the funding for community schools, and making a direct commitment, following on the minister's observations that community schools in a way are unfair to those who haven't gotten that designation, to allow all schools to have a special fund which they can use to keep their doors open in the evenings and on the weekends, and to facilitate community development. As you know, community development has also taken a beating under what's been called -- euphemistically, I might add -- financial restraint of the Conservative government over the last six years, Mr. Speaker. If it's not being done through one area, it needs to be picked up through another, but you don't give the other

area the resources, then one has to ask: is it being done at all?

I think this is a prime opportunity for the minister to state in the preamble of this Bill that the government's commitment is to establishing, basically, community school designation for all schools which apply, and I assume that all schools would apply **if** they knew that was their future. The reason I think they would is because right now I see schools taking part of their annual budget and instead of hiring an extra teacher to accommodate the additional demands and also to help reduce the student/teacher ratio, what they're doing is designating one salary to a community liaison officer who is dedicated to working with children who present problems in the classroom and who very often represent problems that are reflective of their family lives. These can range from children who are in abusive homes to those who are in very low-income homes in which the stress factor runs very high to those who simply aren't being fed properly at home for whatever reason, whether it's lack of income or parents who themselves might not be very literate or very functional when it comes to making sure their children's diet might need to be balanced. I'm not arguing that that's commonly the case, particularly the latter, but I am arguing that it's commonly the case that low-income parents who don't have two nickels to rub together have no choice but to send their kids to school with a diet that is insufficient to meet the demands of rapidly growing little bodies in which there are rapidly growing little brains just anxious to get learning but who are set back in their attempts to learn because they really are physically not as well as they can or should be.

I'd also, I guess, like to see a commitment from the minister to really tackling illiteracy here in Alberta. I know the minister has talked about equity in education and equality of access, and it's true her Bill constitutes a substantial improvement over its predecessor, Bill 59. But the fact of the matter is: we still have a high amount of illiteracy in Canada and in Alberta. I would argue that additional commitments and funding for the training of those who are illiterate, whether completely illiterate or functional illiterates -- of which it is estimated that there are some 60,000 or more in Alberta -- would be a welcome signal from the minister and from the government that they believe and understand that being literate is a vital factor in being a society which values learning, which values the instrument of language, which values the abilities that are built upon those skills, and which values the chances we can have in an ever more competitive international economic environment.

It is true that the most literate group of people in Alberta and in Canada tend to be those who most recently left high school, but with the continual underfunding of education in Alberta, I fear the trend will actually be reversed and before long we will see that those who more recently left high school are starting to constitute a greater and greater part of Albertans who are illiterate.

One of the most important factors contributing to illiteracy is the desire to leave school, and one has to ask what it is that is not being satisfied within the system that leads people to want out early, Mr. Speaker. If it is the case, as I believe it is, that our schools' ability to keep pace with a rapidly changing environment is diminishing in the face of reduced funding, then I think we've found the essence of the problem. The question then is: are we committed enough to answer that problem? I can speak safely on behalf of the New Democrat caucus in saying yes, we are. There isn't a member in our caucus who would not set as a top priority moving towards -- and I do mean incremental and directly planned -- the 85 percent funding target

even within the first year of our government, Mr. Speaker, because we understand the importance of education to the overall scheme of our society and economy. So I regret the lack of references in that regard.

I also would point out that I think the minister's Bill which is currently before us for second reading fails to acknowledge the importance of multiculturalism in education. I'm not going to say the K word, Mr. Speaker, but I've been very disturbed for the last 10 days about a certain Alberta Court of Appeal decision which has sent a cloud of regret, I believe, throughout the entire province. The issue is not race specific in my view; the issue is one which needs to be ever increasingly broadly addressed through as many channels as we possibly can.

[Mr. Speaker in the Chair]

I do not argue that the only solution is the addition of money. I do, however, argue that the adoption of some of the recommendations of the Ghitter report are insufficient to meet the challenge we are now facing by certain quarters in our society. And to that end I would argue that the Bill itself should embrace a commitment to develop the intercultural education foundation fund, Mr. Speaker, because that fund and the programming commitment that could, with the political will, go with it may go a long way in preventing the need for this Legislature 10 and 20 years from now having to contemplate public education campaigns or special committees of the Legislature or other committees which have to look at how it is that we promote a genuine sense of tolerance and respect for one another and for all groups, whether identified by socioeconomic stratification, race, religious affiliation, what have you. In some instances, Mr. Speaker — I joke about it, but it could be in terms of height. We have to look at this from a very broad perspective, and I believe the Bill fails inasmuch as it doesn't undertake a grasping commitment to developing interculturally sensitive education throughout the province on a systematic basis.

The minister may argue that over the course of the last few years her department has gone through and vetted all curricula for, shall we say, intercultural insensitivity. That's a good start. The native education project is a program that I most wholeheartedly endorse, but I find no reason that there couldn't be a stronger commitment in this Bill, given how long we've waited for it, to a greater commitment to that thrust in education. I believe all Albertans would benefit from it, Mr. Speaker. I point out that there are associations in Alberta such as the Alberta Association for Multicultural Education, which can be called upon for no end of recommendations when it comes to developing a policy or policy orientation or set of policies that would facilitate the government in this regard.

Mr. Speaker, I think the minister has gone a long way in satisfying the concerns that had divided the public education system subscribers from the separate education system subscribers, and I give credit to her in that regard. I had worried for some time under the condition of Bill 59 that I was watching yet another instance of rather crudely devised Machiavellian technique administered by a Conservative government. As I've often said to the minister, I think she's on the wrong side of the House, and I think she ought to cross over on this side now that she's fixed that part of Bill 59, Mr. Speaker. It was certainly a very contentious part. So I would also congratulate the minister on recognizing that the noneducable clause — and I realize that I stand with some Conservatives in this regard — was an unacceptable clause, and I'm glad that she listened to Albertans.

I hope now, though, that she will listen to the rest of the concerns of Albertans that were not incorporated into Bill 27, and that is, make a commitment and use her clout within cabinet to get the commitment for more adequate provincial financing for the education system, knowing that it will still come, Mr. Speaker, from other sources. But one has to ask: at what expense? Are we wearing out our teachers, our parents, our volunteers, and our students as they go out either begging for or lobbying for funding when, in fact, the equitable basis upon which funding can and should be distributed is through the progressive income-tax-based tax system from which the Alberta government derives several billion dollars in a year? If there are instances in which the Alberta government believes that it is inappropriate to spend that portion of its revenues on a nonequitable basis or on a basis which forces the other partner into collecting more and more of their operational revenues, I would urge that it not be in the fundamental areas of education and health care. They are fundamental, I guess, and sort of a cornerstone of an advanced industrial democracy, a future which I hope this government is not planning to very quickly abandon.

And on that note, Mr. Speaker, I think you can probably guess that we will have a number of more detailed concerns expressed in committee stage of this Bill, which I look forward to, but in the meantime urge the minister to listen to the concerns that have been raised by those who have argued strenuously against the cutting of community school budgets, those who have had to pay user fees whether they can or cannot afford them, those who have watched their property taxes and school user fees and volunteer fees and all the rest of it rise as the financial commitment from the Alberta government has decreased.

And finally, Mr. Speaker, in the wake of recent events I encourage the minister to listen carefully to those who argue that there is one way, one surefire way, that we can make sure that in 10 and 20 years from now we don't have to have a debate about intolerance, lack of understanding, lack of respect, and possibly even what amounts to hate mongering. Use the education system to make the best of all Albertans, use the education system to the honour of all members of this Assembly and to the honour of all children, those who have been through our education system and those who will in the future.

AN HON. MEMBER: Question.

MR. SPEAKER: A call for the question.

The Member for Vegreville.

MR. FOX: Thank you, Mr. Speaker. Just a few comments, if I might, on the new School Act in second reading. I would like to join other members of the Assembly in commending the oft praised Minister of Education for her initiatives on this Bill. It is an improvement over the previous School Act, Bill 59, and I think that's got to be noted.

I, as an elected member, had a number of concerns brought to my attention by Albertans who were very anxious about some provisions in Bill 59. Certainly the one expressed most often was the clauses dealing with whether or not a person would be considered noneducable. And I think the way in which the new Bill deals with that sensitive area demonstrates very clearly that the minister and her staff have not only listened but they've responded to those concerns, and I'm encouraged by that.

I notice also that the matter of corporate pooling of funds has been rejected by the minister, and I think that's indicative of

how debate on principles germane to an Act like this crosses party lines in some ways. Because I was at a meeting with a number of trustees from our part of Alberta and some other members of this Assembly; both Conservative and Liberal were at that meeting as well. This issue of corporate pooling was a contentious one, certainly amongst some members of the minister's own caucus. So, you know, there are debates that will go on at length on these things, and I think they're important debates.

In terms of rural education I think a number of the changes proposed in the Act are good in that regard. But, I think, from talking to parents and teachers and students in rural Alberta, the two concerns I hear expressed most often deal with -- well, first, with funding. And I'd be a lot more secure in my expressing support for the principles of this Bill in second reading if I had a clear indication of what the minister's intentions were vis-à-vis funding for rural education, a commitment to, you know . . . It says here that special funding to balance inequities will be a priority in future increases through the school foundation program. That vague commitment isn't enough to make me or the people I represent feel secure, because there's no doubt that funding is becoming a very serious problem in a number of rural jurisdictions.

It's got to do with a couple of things, I suppose. The minister and I have had some disagreement about who funds what and what the percentages are, but the minister maintains that the government's commitment to funding education has increased and that it's increased at a rate that exceeds the rate of inflation in education. That may be true, but the point I try and make is that the government's share of the total cost of education has been declining and that that deficiency has to be made up by the local taxpayer. It's also no secret, Mr. Speaker, that people in rural Alberta are having a very difficult time making ends meet. It's unacceptable to me for this government to suggest that rural ratepayers ought to assume a greater and greater share of the provincial government's responsibility to provide basic quality education for children out in rural Alberta.

This problem is exacerbated by declining enrollment, and members who represent rural areas will know what I'm talking about. The school boards there not only have to cope with shifting enrollment -- in the county of Beaver, for example, where there's a shift from the centre and east side of the county to the west side of the county towards Tofield, that creates challenges for them in terms of providing programs and keeping schools open and keeping options open for kids -- but some counties are confronting a dramatic decline in enrollment. The county of Two Hills is an example. It has seen their student enrollment decline from something in the neighbourhood of about 1,500 pupils some 10 or 12 years ago down to just under 900 in this year. That creates a real challenge for the trustees and the teachers in that school division to provide the kind of quality programs that parents demand and that students deserve in order to give them a fair shake at opportunities in the future. So this funding is an important issue, and I'm just not sure what the minister's intentions are in any sort of concrete way.

Parts of the Bill that make provisions for user fees I guess worry me in more than one way. Because I worry that we might find this government proposing in the future, Mr. Speaker, that in the case of a school like Lavoy community school -- which was in danger of closing this year and I gather has been given a bit of a reprieve, hopefully for several years but at least for the next year -- if parents want to continue sending their children to a school like Lavoy in order to gain the benefits of a more inti-

mate educational environment, they may be forced by this government to absorb some additional and as yet unenunciated or undefined user fees for that kind of thing. I'm not sure. I don't have any assurance to the contrary, so how can I confidently support all of the principles of this Bill?

And it's no secret Mr. Speaker, that rural depopulation is a persistent theme of this government. Indeed, the minister's own documents here that chart directions for educational programs, Directions to 1990, Alberta Education's Four Year Plan, state on page 5 that "there will be continuing migration from the rural areas to the urban centres." Alberta's rural population will decline from 23 percent in 1981 to no less than 14 percent in the year 2001, if I might quote figures from their policy document Caring & Responsibility, this blueprint for the future. That amounts to 93,000 Albertans, Mr. Speaker, and it seems to surface again and again in government documents and doesn't raise concern. But it raises grave concern with me and members of my caucus, because that paints a very bleak picture for people living in rural Alberta and certainly a bleak picture for small rural communities that are doing their very best to exist. I submit that when decisions are made about funding, special consideration has got to be given for the challenges confronted by rural school divisions. How can we ensure some sort of equalized opportunity for students in rural areas to make sure that they have as much chance to succeed as their confreres in large urban centres?

I think, Mr. Speaker, I would raise another issue that isn't totally within the purview of this Bill, but certainly there's interaction between the School Act and the County Act in terms of jurisdiction for rural education. I hear a growing concern in the country for the makeup of school boards. There is, I think, considerable support amongst rural ratepayers now for a position advanced by the Alberta Teachers' Association that proposes that everyone who serves as a school trustee ought to be elected as a school trustee. You know the situation currently: if you're elected as a county councillor, you serve as school trustee. And in some ways you have double power in that regard, because being a member of the county council, you have the ultimate fiscal power over the school board.

So you look at a school board like the county of Minburn. The town of Vegreville, with almost half of the money contributed in terms of taxes towards schools, in terms of having almost half the students in the county of Minburn, ends up with only two of, I think, 14 trustees on the school board. And those two trustees don't have the ultimate power when it comes to making funding decisions. The decisions made by the school board can be ratified or, indeed, overturned by the county council. So we have a school board that would make decisions about supplementary requisition, that decision would be conveyed to a municipal jurisdiction like the town of Vegreville, and the town of Vegreville would have no choice but to raise taxes in that same degree.

But as far as the county of Minburn, they don't have to do that. They can make their own decisions about whether or not they raise the mill rate, and the minister is well aware of some problems that that has caused. The county decided on, I think, three successive years not to increase the supplementary requisition. They went through a general assessment that caused people's taxes to increase generally, so they were a little bit gun-shy and reluctant to pick up the slack in terms of this government's declining commitment to paying their share of the total cost of education. So we've ended up with quite a desperate situation in the county of Minburn that I know the minister's aware of

and has been attempting to alleviate, where the board is faced with quite a substantial deficit. They're trying to cope with that deficit by . . .

DR. WEST: A point of order, Mr. Speaker, under Standing Order 23. At the present time there's an investigation going on in the county of Minburn in the school board, and I wonder if he's not talking about a subject that is counterindicated under 23(g)(ii):

that is before any quasi-judicial, administrative or investigative body constituted by the Assembly or by or under the authority of an Act of the Legislature.

MR. FOX: The evaluation system going on in the county of Minburn, as directed by the minister herself -- I don't think that constitutes a quasi-judicial body in those terms.

But I will wrap up my remarks just by reiterating my concern for funding for rural education, because I think it's something we can all agree on, that we want to provide absolutely the best possible opportunity for children in Alberta to succeed. We want to make sure that they've got a chance to develop their skills and their aptitudes and abilities, and I believe that over the last few years their opportunity to do that in some parts of rural Alberta has been jeopardized. I think that we as members in this Assembly ought to be doing all we can to address that inequity. I leave that concern with the minister and hope it's something we have a chance to talk about in more depth at future opportunities.

MR. SPEAKER: Call for second reading? Call for the question?

SOME HON. MEMBERS: Question.

MR. SPEAKER: May the minister make some summation of some sort? Hon. minister, closing the debate.

MRS. BETKOWSKI: Mr. Speaker, I will resist the temptation of going into some of the issues which will more appropriately be dealt with in Committee of the Whole, but I did wish to return to some of the principles that have been discussed around tonight. I'm reminded of a young student who said to me that he didn't mind school; it was simply the principal of the thing.

But with respect to the principle of equity and the fear on the part of some members of the opposition who have spoken that although they support the principle, they fear that it may not be met, I want to remind all hon. members that this is the first time that the principle of equity has been embodied in school legislation. And it is in fact a very strong commitment, a message from this government that we believe and, further, that the province will meet the inequities that exist, and that clearly is a clear commitment. When members talk about the panacea which they perceive that an 85/15 formula or a 90/10 or 80/20 or whatever is the result -- when they see that as a fine solution for all of the difficulties, several questions arise. Firstly is one of who is going to be the advocate on that side of the House for the controls that would be required in order for the province to fund 85/15 funding. And the Member for Edmonton-Strathcona addressed this issue very plainly when he said that the province cannot simply let go of the purse strings and fund whatever the school boards fund and . . .

MR. SPEAKER: Perhaps we could have order in the House.

Thank you.

MRS. BETKOWSKI: . . . to the degree of 85 percent.

Secondly, I think it's important to say that the ability of school boards to supplement what the province provides, whatever that figure is -- the 15, the 20, whatever -- is where the inequity exists. And members of the opposition, despite the fact that some of them have indicated that they've read and understood the issues that were identified in the options paper, I question whether they did; at least their expressions here today have not addressed that issue.

I believe the issue of equity can be met. I also believe that it is not necessarily a matter of only dollars but rather must involve creative solutions, solutions which are not based on yesterday's abilities to meet challenges but rather on tomorrow's. Addressing of that issue by this government is a commitment that we make, and anybody who says that the province cannot in fact meet those inequities underestimates our commitment to it.

The principle of flexibility has caused a good deal of discussion here today, and I guess in particular by the hon. Member for Calgary-Buffalo, who I can only assume does not support, nor do his Liberal colleagues support, the principle of flexibility which we have embodied as one of the five. Because this member and this caucus would argue that there should not be public funding for private schools, that there should not be alternative programs. And those who would purport to save public education do it a great disservice when they attempt to define and therefore limit what is public education in this province. My faith in the public system is strongly based. I believe that in fact the public system will respond to the needs of all in order that people will not opt into a private system. Certainly that is what we are encouraging. Our faith is in the public system.

I do want to correct a few misleading facts which the member has put before this Assembly. When he says, for example, that private school enrollment has been increasing over the past several years, I can tell him that in fact it has dropped over the last three. When he indicates that school councils could potentially be a delegation of all school board authority, he hasn't, obviously, read the Act, because in fact that couldn't happen. But secondly, those are school councils and a school board which may well be delegating some of its authority because it's duly elected by the people of the area to do so.

As well, encouraging the growth of private schools is done by provinces funding education. That is simply not borne out in fact across Canada, where some of those provinces which simply do not fund private education have in fact seen a far greater growth than we have experienced in Alberta.

The question of flexibility is a fundamentally important one. And who agrees with those principles? Well, certainly the Supreme Court of Canada does, and as a province we believe that when the supreme court of the land has adjudicated on the matter of freedom of choice within the overall jurisdiction of education being with the province, we must respond. And we have responded in Bill 27.

There were also a couple of points that I just want to address, and those are the limitations in the Charter. The Member for Edmonton-Strathcona asked wherein there ever was another statute which spoke to limitations. I refer him to section 1 of the Charter of Rights and Freedoms.

Finally, I want to just speak to the Member for Calgary-Mountain View and his arguments that the principle of flexibility should not mean that the principle of accountability is

dropped. I agree with him; there is certainly a balance. But I don't understand, therefore, his argument that the principle of flexibility should be hyperextended to the degree that it has been in the instance that he cited with respect to the Jewish schools in Calgary, where we had category 1 registered private schools being given full funding from the province plus a designation of taxes. I think that in fact accountability has been lost and an inconsistency has been created by those, and I'd welcome discussing the matter with the member when he's happy to do so.

Finally, I can tell and assure the hon. Member for Edmonton-Highlands that I am on the right side of the House and that I am proud to serve this Premier with this caucus and this cabinet, and there is nowhere else I'd rather be.

And in closing, I would like to say I look forward to the committee study and to move, Mr. Speaker, second reading of Bill 27.

[Motion carried; Bill 27 read a second time]

Bill 22 Labour Relations Code

[Adjourned debate on amendment to motion for second reading, June 10: Mr. Ewasiuk]

MR. SPEAKER: Call for the question?
Member for St. Albert, on the amendment

MR. STRONG: Thank you, Mr. Speaker. It's a pleasure for me to rise this evening and speak to the amendment placed before the Assembly by the hon. Member for Edmonton-Norwood, that amendment being that

this Assembly decline to give a second reading to Bill 22, the Labour Relations Code, because the House believes . . .

MR. SPEAKER: Thank you, hon. member. We don't need to have it read to the House. Thank you. Please, just on with the debate.

MR. STRONG: Mr. Speaker, I'd like to read it into the record.

MR. SPEAKER: Order, thank you, hon. member. Please, just go on with the debate.

MS BARRETT: Mr. Speaker, on a point of order. For the purposes of clarity when it comes to the reading of *Hansard* on a given day, there is no rule that says that a member cannot repeat the amendment to which she or he is speaking. I think that given the brevity of the amendment, Mr. Speaker, the Member for St. Albert certainly has a right to read it and remind people, and not only that, be on the record as having stated which amendment, for the purposes of clarity.

MR. SPEAKER: Thank you, hon. member. However, in the process of the last week the Chair has directed more than one member not to read the motion or the amendment, the sub-amendment. That is indeed what the Chair has directed, and the Chair looks forward to what the hon. member has to say about the amendment.

MS BARRETT: Then refer to what the amendment . . .

MR. SPEAKER: It's not a challenge. Thank you, hon.

member.

Is this a new point of order?

MR. McEACHERN: No, I think it's a little different aspect to it. I would . . .

MR. SPEAKER: I'm sorry, hon. member.
St. Albert, please.

MR. STRONG: Thank you, Mr. Speaker. Basically, what the amendment says, Mr. Speaker, is that:

the Bill should be consonant in all its particulars with the provisions of the . . . Charter of Rights.

I guess I'll begin my remarks, Mr. Speaker, by asking the minister whether any work was done through the Attorney General's department in seeing that all the provisions of the legislation that we have before us was researched and, indeed, in compliance with the Charter of Rights and Freedoms. I think, Mr. Speaker, what I'll do is I'll go back to the final report of the Labour Legislation Review Committee where it says in the general policies that were supported by the participants on page 85 that:

Albertans support the system of free collective bargaining as the best mechanism for determining terms and conditions of employment, where employees voluntarily choose to act in concert through a bargaining agent.

And, Mr. Speaker, I'll ask the minister: in all those processes of free collective bargaining did the minister bother to take the time to check with legal counsel, check with the Attorney General to see that all the provisions of his Bill, the Bill that we have before us, Bill 22, the new Labour Relations Code, indeed do comply with the Charter of Rights and Freedoms? It's very important that that does happen. Is there any area where the minister has got any information to say that these particular provisions he's got in his legislation do conflict with the Charter of Rights and Freedoms and, again, from the Attorney General or any other legal authority that indicated to this government or this minister that indeed it falls into the amendment proposed by the hon. Leader of the Opposition in any area?

I think, Mr. Speaker, we can go on that:

. . . mechanisms such as extensive use of compulsory arbitration are not considered appropriate.

That is, are there any areas in the arbitration processes that are contained in the legislation that we have before us that are in conflict of the Charter of Rights and Freedoms in Canada? I think that's what I'd ask the minister.

We can go on further, Mr. Speaker, under General Policies Supported by Participants, in section B, item (iii), where it says:

Albertans support the principle that ongoing or direct government involvement in the employee-employer relationship must be minimized.

Mr. Speaker, I'll again ask the Minister of Labour has the minister got any legal authority, including the Attorney General, to go through Bill 22 to see that it indeed does not violate any of the Charter of Rights and Freedoms that Canadians and Albertans have come to enjoy over the years? Is there any interference there of people's rights?

It says:

Employees and employers are best able to determine the nature of their relationship in the context of the market environment of the particular enterprise.

Well, Mr. Speaker, the minister has placed in some areas of the legislation certainly what I view and many of my constituents view as things that do interfere, things that create an unbalanced

market environment, and certainly things that they believe are in violation of the Charter of Rights and Freedoms. And that's exactly what the amendment states. It states that all the legislation

should be consonant in all its particulars with the . . . Charter of Rights and Freedoms.

Mr. Speaker, we feel that this Bill fails in many of those regards, specifically when it interferes with things that are best dealt with between employees and employers. It goes on further to say, Mr. Speaker:

Albertans support a limited role for labour relations solutions imposed through judicial interpretation of . . . [the] law.

Certainly I can support that, but again, in the legislation that we have before us, does that statement "in the legislation" conflict with the Charter of Rights and Freedoms that Canadians and Albertans have come to enjoy? Because I believe, in some of the areas, that it certainly does. If the minister has checked it and referred it to the Attorney General or a labour relations practitioner or legal counsel to get a determination, then certainly that determination should have been placed before us in this Legislative Assembly by the Minister of Labour to see that it does indeed comply in all manners and methods with the Charter of Rights and Freedoms in this country.

It says:

The capacity to resolve disputes arising in the labour relations system is best left with an informed and credible quasi-judicial tribunal such as the Labour Relations Board.

Again, what I'd like to ask the minister is: did the minister check with Mr. Andy Sims, who is the chairman of the Labour Relations Board, to get his determination as to whether or not any, all, or some aspects of the legislation that we have before us is in compliance with the Charter of Rights and Freedoms in Canada? Again, Mr. Speaker, that's exactly what the amendment proposes.

I'll go on further:

Those most directly affected by the labour relations system, employers and employees, must be able to understand and directly participate in the resolution of disputes.

Mr. Speaker, we've been through this in some of the areas of the legislation before. That input is totally denied in many areas of what the minister has put before us in Bill 22. Employees are not always able to have input, specifically union members and unions, where they are denied that input in some areas where this legislation seeks to take away rights and freedoms that should be enjoyed by all working Albertans. I think that's exactly what the amendment speaks to: we see an interference here, and what we are asking this minister and this government for is to be assured that this government and this minister have done their homework and indeed checked with legal authority -- got a determination from legal authority -- in order to determine whether or not all provisions of the legislation that we see before us are indeed in full compliance with that Charter of Rights and Freedoms.

In addition to that, Mr. Speaker, we see a number of major concerns that were spoken to by many individuals who appeared before the public hearings that were held all across the province of Alberta, itemizing what their specific concerns were. In one of those areas it says, and I'll quote partially:

from ongoing and frank communication between employers and employees. Albertans consistently identified encouragement and facilitation of communication as a major concern.

I know that the minister has addressed this in the principles of the legislation that he's got before us, certainly to say that he believes in fairness and equity and all those other fine things

creating that level playing field, bringing us into the 21st century. But, Mr. Speaker, how can we achieve that if some of those areas, certainly in our view as the Official Opposition, are in, I guess, direct conflict with what we view is guaranteed under the Charter of Rights and Freedoms? That's freedom to associate, freedom of expression: freedom. That is limited in some areas in many of the judicial systems and judicial mandates that we have and can seek guidance from. Has the minister, in those communications sectors of his Bill -- can he assure this Legislative Assembly and all Albertans that indeed the provisions in his Bill do comply with the Charter of Rights and Freedoms?

Mr. Speaker, we can go on again.

The use of replacement workers during a strike or lockout was consistently identified as a major concern, though views differed widely on choices available to employers.

Now, certainly we on this side of the House view the replacement worker as creating the majority of the violence in a legal picket line. I ask the minister: is the legislation that we see in front of us fully in compliance with the Charter of Rights and Freedoms, and is that perhaps why we didn't see anything done in the Bill that we have before us with respect to replacement workers? Perhaps what the minister had proposed in his legislation was a section dealing with doing away with replacement workers, and perhaps this minister found that that was in violation of the Charter of Rights and Freedoms. If that is the case, Mr. Speaker, certainly I would like the minister to stand up before this Assembly and give us that legal view of banning replacement workers in his legislation, because that banning would be in violation of the Charter of Rights and Freedoms that we enjoy.

We go on, Mr. Speaker, to section 5 on page 86 of that final report of the Labour Legislation Review Committee. It says:

Lockouts have not occurred often. Legislative provisions governing this practice have existed for some time with little comment from system participants.

The Bill we see before us does contain certain provisions that deal with the lockout provisions in a conflict or labour relations dispute. Has the minister checked on those areas of his legislation to see that all those areas do not conflict with the Charter of Rights and Freedoms?

It says further:

Employer use of this mechanism to confirm termination of a collective agreement has been identified as a [major] concern, particularly in connection with the construction industry.

What they're speaking to there is the 25-hour lockout. Again, in our view on this side, we feel that that 25-hour lockout is in violation of rights granted, rights to full freedom of association granted under the Charter of Rights.

Certainly the freedom of association goes much further than just having the right to join a union. I think, Mr. Speaker, that all union members in the province of Alberta have come to respect not only that they have the right to choose a union of their choice but certainly have that union represent them in any and all matters of collective bargaining purposes, any matter of any nature; that they feel that that organization should fully be able to represent their views and their particular wants, needs, and desires in exercising their authority and ability to join a union of their choice and have that union give them the full opportunity of representation. I believe that if the minister again refers to his Attorney General, to legal counsel, specifically with some expertise in the labour relations field, he will find that there are, perhaps, some areas of the legislation that we find before us that are in conflict with the Charter of Rights and Freedoms in

Canada, and also that applies to Alberta.

Employers argue that no agreement can continue indefinitely and that under some circumstances a lockout is only a means of agreement termination. Certainly I can concur with that, but again, it speaks directly to the 25-hour lockout that was allowed in the province of Alberta when it wasn't allowed in any other province in this country. Certainly if the Minister of Labour is indeed going to take working Albertans into the 21st century, he should have done his homework and checked to see whether the provisions that he has contained in Bill 22, the labour standards code that we have in front of us, fully comply with that Charter of Rights and Freedoms in all aspects of the legislation.

We go on further, Mr. Speaker, and that's in item 6 on page 87 of the Labour Legislation Review Committee's final report issued in February of 1987. It says:

Critical to the labour relations system is the process through which employees choose whether to be represented by a union, commonly known as the certification process. Employers and employees consistently asked the Committee to ensure the process is simplified, and that legal and procedural barriers to a timely expression of employee preference be limited.

Certainly, Mr. Speaker, when we look at the certification process contained in this minister's legislation, this government's legislation, as it applies to working Albertans, there certainly is some question as to the constitutionality of those rights, those freedoms that were protected, where we have a massive interference in the certification process. Again, has the minister checked with his Attorney General or legal counsel with that expertise in the labour relations field to determine that his new certification process is not tampering with the rights that Canadians and Albertans have come to enjoy as being part and parcel of their freedom of association and freedom of the right and the choice to join a union of their choice? Has the minister done that?

We go onto the next section, item 7: corporate restructuring.

MR. SPEAKER: Order please, hon. member. Reasoned amendment or not, it is still second reading of the Bill. The ambit of discussion on second reading is still the same: not getting into too much of a detailed study of the Bill. The Chair has been making careful note of the hon. member's comments. We're now up to example number 6. That is sufficient. Perhaps you could come back to the reasoned amendment in its broader context. Thank you.

MR. STRONG: Well, Mr. Speaker, it's very difficult for me to put into words -- and again I'll just refer back again to the amendment, because I guess you're calling me to order. Basically what the amendment calls into question is the consonance with respect to all the provisions of the labour legislation that we have before us to see whether it does not or does violate the freedom to associate and those rights granted under the Charter of Rights and Freedoms. I think it's certainly important that we look at areas of the legislation without delving into the specific areas in the legislation -- specific numbers, clause numbers, parts, or anything else -- but certainly get into a broad-ranging discussion over what this minister has done and what the minister hasn't done when it comes to labour relations and whether the labour relations and the enforcement or mechanism we have before us certainly protect individuals' rights.

I think, Mr. Speaker, without getting into any more examples, certainly I'll look at the total legislation to say that there are many areas where this legislation that is before us impinges and infringes on people's rights. It does that in many areas

where it takes those rights away: many areas. I think certainly we will move on in Committee of the Whole to getting into many of these areas where we feel it does impinge, but in speaking to a reasoned amendment, I think it's certainly incumbent on the individual standing to say: "This amendment was introduced. Now, it was introduced for a valid reason, to determine whether or not the minister has indeed done his homework when it comes to his Bill, his government's Bill, not being in conflict in any area." That's what the amendment says: not in any area of that legislation is this Bill that we have before us in conflict with that Charter of Rights and Freedoms.

Mr. Speaker, I'll conclude my remarks on that note and offer a subamendment that I have here, and if we could get a page over, I'll get the copies up to you.

MR. SPEAKER: You're not as good looking as the rest of the pages.

MR. STRONG: Mr. Speaker, certainly not as attractive as what we're normally used to, but I think the Member for Vegreville is certainly doing an honourable job.

MR. SPEAKER: Read the subamendment, please.

MR. STRONG: Thank you, Mr. Speaker. The subamendment says:

By adding at the end of [Mr. Martin's amendment]: "and those conventions of the International Labour Organisation to which Canada is a signatory."

MR. SPEAKER: Thank you, hon. member, for the subamendment. The Chair rules that it is in order but draws to the attention of the House the difficulty now of trying to refer to an off-shore organization. We've been through the Alberta Court of Appeal, we have the Canadian Charter of Rights, and now we go to an international body. The Chair also points out that in the subamendment the arguments must indeed stay closer to the subamendment and that there is indeed a moot point with regard to the word "signatory." Canada has been a signatory to these conventions, but it is not a law until it has been ratified by the Canadian Parliament. So we have a narrow focus in which to deal.

Speaking to the subamendment, St. Albert.

MR. STRONG: Mr. Speaker, I think the subamendment is very clear. I think certainly, you know, Canada has signed internationally at the UN many agreements to protect not only its workers but protect workers in many, many areas. I believe that the last time the ILO was in here, they made a determination that some of the legislation that this government had passed -- and I believe it was specifically with reference to Bill 44 that was introduced by this government -- that that particular piece of legislation was not only in violation of what Canada had signed as a nation but that certainly this province and this province's legislation were in violation of that august body. I think certainly, Mr. Speaker, as we all know, the ILO, the International Labour Organisation, is part and parcel of the United Nations.

Mr. Speaker, I think the amendment is very clear, and I think certainly that this minister and this government could look at many areas of the legislation, particularly labour legislation, that they have in the province of Alberta that certainly is in conflict with it. What I would like to ask the Minister of Labour is: has the Minister of Labour called anybody from the International

Labour Organisation to view Bill 22 to see that it doesn't contravene any orders, any mechanisms, any procedures that we as a country have signed when we signed many of those fine documents that guarantee workers' rights in this country, that certainly do not allow any government to take those rights away, certainly not when their federal counterparts have signed some of those treaties.

I think, Mr. Speaker, that's all I have to say in that regard. I'll sit down and let others make comments, because I'm certain that they will.

MR. SPEAKER: On the subamendment, Edmonton-Highlands.

MS BARRETT: Mr. Speaker, I speak in favour of this subamendment, having watched firsthand from the galleries the events that took place while the government pursued Bill 44 in this Assembly in 1983. There were arguments made by our late leader, Grant Notley, with respect to sending the provisions of that Bill to the ILO for a review to see if those provisions were in contrast to, opposition to, or violation of the conventions of the International Labour Organisation, which Canada has supported.

Now, one of the prime concerns that I have with respect to Bill 22 in this regard, Mr. Speaker, is the ILO convention 87, "Freedom of Association and Protection of the Right to Organise," 1948. The date of our ratification registered with the International Labour Organisation in that instance was March 23, 1972. I'm given to wonder why it is that things would turn around so quickly, why it is that our Charter of Rights apparently says that we have the right and freedom to associate but this Bill says only under some circumstances or only when cabinet says you can or only if we don't catch you or only if you want to pay a \$5,000 fine.

I'm not so sure that the United Nations, of which Canada is an active member, would appreciate our contravening the provision of the ILO to which Canada has applied its signature. I don't think there's a question or problem about jurisdiction in this issue at all. Alberta is part of Canada. Canada is part of the United Nations. Canada has voluntarily associated with a component of the United Nations called the International Labour Organisation.

MR. YOUNG: A point of order with respect to what we're hearing and the standing order which the hon. member knows well. This subamendment in front of us has got nothing to do with whether Canada is or isn't a member. It relates strictly to "signatory." Let's get on with the debate.

MR. SIGURDSON: Mr. Speaker, on that point of order.

MR. SPEAKER: Well, it's a bit unusual for a member other than the aggrieved member to participate, but let's hear Edmonton-Belmont.

MR. SIGURDSON: Mr. Speaker, I'm surprised that Canada wouldn't take up membership in something that it's signatory to.

MR. SPEAKER: Hon. member, what's your point of order?

MR. SIGURDSON: Well, just replying to the Government House Leader's point of order.

MR. SPEAKER: Thank you, hon. member. You may proceed

if you'd like to quote a standing order and deal with that rather than get into a discussion about whether we were involved in the United Nations or the International Labour Organisation. It's to the specific point of order.

MR. SIGURDSON: It's the same point of order as the Government House Leader raised. [interjections]

MR. SPEAKER: Thank you, hon. member. Two is sufficient.

Would the hon. Member for Edmonton-Highlands continue dealing with the subamendment, please?

MS BARRETT: Avec plaisir.

What I was arguing, Mr. Speaker, is something that's completely logical. That is that if we're so convinced that the provisions of this legislation do not violate or contravene either the letter or the spirit of the conventions that Canada has signed -- and Canada embracing Alberta implicitly states that Alberta has signed -- with the ILO, then why are we sponsoring this Bill? One must ask the question: which side do we want our bread buttered on? Do we want to be, you know, one of these countries that say, "We're a bunch of good people; we belong to the United Nations, and we uphold certain international values, including the right and freedom of association and organization"? Or do we want to take away those rights? I think that the issue balances here on a very fine fulcrum.

I'm not going to argue with a degree of certainty that the provisions of this Bill do contravene our conventions with the International Labour Organisation, but I believe that they do, Mr. Speaker. I had a look at the conventions of the International Labour Organisation, that part of the United Nations, that go back all the way to 1919 and start with the hours of work. Now, technically speaking, because of the overtime components here, we never know; we might be in contravention of even that very first convention, number 1, "Hours of Work," 1919, into which Canada formally signed on March 21, 1935.

I note that there are a grand total of 153, I believe, conventions registered with the United Nations, ILO division, and some 155 recommendations, most of which have taken a fair amount of contemplation and thought, most of which have taken into account the perspectives of the employees, the employers, and government, where it tends to be either a mediating body or a certifying body or in some instances the employer itself. I believe that over the years the collective wisdom of some 150 member countries, over 162 conventions, and 172 recommendations that even my knowledge of labour relations says I should bow to in the event that there is a question in my mind as to whether or not we are living up to a commitment we made on each of the occasions we entered into agreement with the ILO.

Now, one of the provisions I'm particularly concerned about, Mr. Speaker, is the failure of the Bill to continue to allow the 25-hour lockout as a means by which contracts can be technically, legally broken. I think that would contravene a number of the conventions and recommendations of the ILO, to which Canada is a signatory. I think that body should tell us whether or not there are any violations of those specific recommendations even though the recommendations, as you probably know, are not binding. I believe if there is any doubt in any member's mind as to whether or not we are sticking to our principles -- those principles that we have putatively agreed to. If there is any question at all, we need to treat ourselves as if we were, you know, the proverbial court of law and say that if there's a speck of doubt, then one has to be more cautious or err on the side of

assuming that the party, in one instance, is not guilty but in this instance assuming that we might not have all of the wisdom in the world and we may not have tested this Bill against the specific conventions to which Canada is a signatory.

There are, in my view, questions with respect to the certification process itself. I believe what we're doing with this Bill is moving into a means by which we can implicitly allow the short-circuiting process of certification right at the workplace in a way that constitutes an unfair practice or an unfair opportunity by those employers who may want to exploit that particular loophole. I'm not convinced that that doesn't contravene the section of the ILO agreements that I referred to earlier, number 87, freedom of association and protection.

Now, Mr. Speaker, if there's any doubt about that, I believe what we should do is ask the body that was ultimately invoked to have a look at Bill 44. I remind you that that was the Bill that, amongst other things, took away the right to strike from all hospital employees and at the same time stacked the . . .

MR. SPEAKER: Hon. member, if the Chair heard correctly, you're talking about referring to a special committee of the House being invoked in order to deal with this, and that has nothing to do with the wording of this particular subamendment.

MS BARRETT: Mr. Speaker, I don't recall referring to the Public Affairs Committee. I recall referring to an instance just a few years ago when the Alberta union of public employees, having failed to convince the government to turn the issue of Bill 44 over to the ILO subsequent to the Public Affairs Committee hearings on the floor of this Assembly, determined that it itself would pursue a contest to the ILO. That issue had to do with not simply the removal of the right to strike from some public employees, an issue which the ILO has dealt with before, but also dealt with the issue of the stacking of the arbitration process, the predetermination by the fiscal policy of the provincial government as enunciated on an annual basis, as to whether or not that constituted, on top of the removal of the right to strike, a gross violation of the conventions to which Canada is a signatory in the ILO. Now, the ILO sent representatives to Alberta and to other parts of Canada to have a look at the . . .

MR. YOUNG: Point of order, Mr. Speaker, with respect to section 23. The hon. member is detailing at some length. I have really been patient and listened carefully for the last three minutes, and the hon. member has not been on the topic of the subamendment once in that time. So perhaps the hon. member could come back to the point. Alternatively, perhaps there's another member of her caucus who would like to resume speaking.

MR. SPEAKER: On the point of order?

MS BARRETT: No.

MR. SPEAKER: The Chair has made note of three references to three specifics with respect to Bill 22 to which attention has been drawn by the Member for Edmonton-Highlands. There will be no further examples provided in terms of her discussion of this subamendment.

AN HON. MEMBER: Why not?

MR. SPEAKER: The answer to the "why not" is simply be-

cause it's second reading. At the amendment we have been limiting members to speaking to only two or three examples. The same thing occurs with even more of a radical procedure with regard to subamendments. It's that simple, hon. members, with respect to any reference in Standing Orders or *Beauchesne*.

MS BARRETT: Mr. Speaker, one might want to have a look at the Blues and see what the Education minister talked about in second reading of her Bill this afternoon.

MR. SPEAKER: Thank you, hon. member. There was considerable latitude of debate given with respect to second reading of that particular Bill. It was exercised on both sides of the House, and that's the way it was. At that time, though, it was a matter at second reading . . .

MS BARRETT: Oh, one rule for them and one rule for us.

MR. SPEAKER: If the hon. member persists, perhaps the Chair will recognize someone else to speak.

Edmonton-Highlands on the subamendment narrowly defined.

MS BARRETT: Mr. Speaker, I have been speaking to the subamendment which I would like to make clear to you and members of the Assembly. The subamendment that I am speaking to calls for a testing of the provisions of Bill 22 against the conventions of the ILO to which Canada is a signatory. Now, I beg of any member of this Assembly to describe to me how it is that I can talk to a subamendment which deals with an amendment that says no to second reading, without referring to the contents of the Bill, which I find so offensive that I cannot give second reading.

MR. SPEAKER: Thank you, hon. member. The Chair has explained to the House with respect to both Bills 21 and 22, I believe, the narrow focus with respect to the amendments at second reading and again with the subamendments, where the focus is narrowed. The Chair has been more than lenient in allowing references to be made by various members, and on other occasions the Chair has had to take away the right to speak of various members. This is the last time of asking, hon. member: just to come back to what the subamendment says or else the right to speak will be removed.

MS BARRETT: Mr. Speaker, I'd be delighted to talk about what the subamendment says, just as I have been doing. The subamendment says that I have no confidence in second reading of this Bill until it is demonstrated that the provisions contained therein, which I believe in principle violate the conventions of the ILO that Canada has signed -- I am not willing to give second reading. Plain and simple.

I would like to tell you why it is that I think that the ILO is the body to bring this challenge to, Mr. Speaker. It is precisely because this Alberta government, under the Conservative administration, has demonstrated on practically an annual basis nothing but contempt for working people in this province and nothing but favouritism for its buddies like the Pocklington. Now, I say that the ILO is certainly capable -- certainly capable -- of judging the merits of a Bill on the basis of those positions that Canada has formally taken with the United Nations, those positions which Canada proudly trots out whenever it wants to point out how it is somehow magically superior to other coun-

tries which happen to be for a moment or two in history in something less than favour with the fashionable countries of the world.

Now I say that if we're so fashionable and if we're so advanced, why not go to this adjudicating body? That's what I'm asking members of this Assembly to agree to. Go to the body that you think says represents your views, the views that you have implicitly signed by being a part of Canada and not expressly objecting to on the occasions during which those signatures were applied to those conventions and tell us in Alberta whether or not there are any violations. I believe there would be violations discovered. I believe that the right and freedom to associate and the protection and right to organize are being short-circuited by the provisions of this Bill. I believe that we have, in the contents of this Bill, a sneaky attempt not only to violate and take away people's fundamental rights to express themselves but also to assure themselves of an objective environment in which they can proceed to organize in the workplace. Now, either we have that right or we don't.

I am not of the view that this Bill is in conformity with the Canadian Constitution, but that argument has been made, and it's been defeated. My side lost, Mr. Speaker. So now I'm arguing that we can go to a body of higher appeal. And why not? Why not? Is it going to cost Canada that much money? I look at half a million dollars that was spent on getting the document written prior to the introduction of last year's Bill. If that was an expense that we could afford, surely we can afford the expense . . .

MR. SPEAKER: Order, hon. member. That is not the wording of the subamendment, in terms of costs. In addition, the Chair also wants to point out that the wording in the subamendment does not say that this Bill would be referred to the International Labour Organisation. It would say that the conventions would be applied. It doesn't say to refer this to the International Labour Organisation. Therefore, that discussion or references would have to be ruled out of order in future.

MR. YOUNG: Quite correct.

MS BARRETT: Thank you, Mr. sub-Speaker. That's to the Government House Leader, by the way, Mr. Speaker, who said after you made your comments: "That's correct." If he knew so much, he'd be in the Chair.

Mr. Speaker, the . . .

MR. SPEAKER: Knowing much is not, indeed, an attribute of being in the Chair.

MS BARRETT: The subamendment, I believe, fits quite nicely with the amendment itself, which, you know, doesn't want to give second reading because we don't believe that it is consonant in all of its particulars with the Charter of Rights and Freedoms. The subamendment says: and of those conventions of the ILO. What I am arguing, Mr. Speaker, is that I believe it's not just the Canadian Constitution at this point that may be called to override the provisions of this Bill but also the ILO.

Remember that this body, constituted in 1919 at a really sensitive time in history, shall we say, a time in which labour relations were just becoming formalized as a result of a number of difficulties, shall we say -- to be kind to history -- in which adjustments were not easily facilitated. Maybe it's the case that we've come to that time again in the late 1980s. That's cer-

tainly not my contention. I believe that through co-operation anything can be achieved. That only requires political will. But in this instance I'm not convinced that the co-operative elements of those specific conventions to which Canada is a signatory are being upheld, not just in the letter of those provisions but also in the spirit of those provisions. I mean, it has come to be understood that people in the workplace have the right to organize, they have the right to engage in collective bargaining, and they have the right to the results therefrom being upheld. Now, if there's any doubt that those provisions are being overridden by the contents of Bill 22, then surely it is logical and reasonable to argue that the challenge ought to be met; in other words, to convince the members of the opposition New Democrats that there are no contraventions of spirit or letter prior to passage on the motion for second reading of this Bill.

I think under the circumstances not only of this Bill but even under current legislation, or lack thereof in certain instances, that's a most reasonable test to put to the ILO. And I do believe we can afford it, Mr. Speaker. I believe that if we really want to test the provisions of any Bill, we have ample opportunity to do so. Now, I don't think the people of Alberta want to wait for another 10 years or whatever to see a Bill that satisfies all needs and does comply with the spirit and intent of the Canadian Constitution and the ILO agreements, Mr. Speaker. But I think they have a right. Certainly, 28 percent of the work force in Alberta has a right to make sure their legislators have put things to the test and have satisfied themselves that there is no violation, deliberate or otherwise, of those particular provisions.

I look back and see some of the policies to which Canada has subscribed over the years -- in the first instance, in 1935 -- and I would say that most of them have probably been upheld in Alberta when it comes to minimal age for employment and the hours of work. But you know a funny thing, Mr. Speaker? The hours of work, for instance, the 44-hour work week hasn't been changed in all that time. Now, I'm not arguing in this instance that this Bill would necessarily come at loggerheads with the very first convention Canada ratified in 1935, but I do believe it's possible under the other conventions we have signed that there are potential areas of gray and, in some instances, I believe the direct violation of the intention of both Canada and, by extension, Alberta as being a signatory to the freedom of association and protection of the right to organize. As I was pointing out earlier, Mr. Speaker, that provision particularly refers to the right to -- let me use a little Mulroney bafflegab talk for a second -- level playing field. That's what that provision refers to: establishing a so-called level playing field so that people who want to engage in the process of collective bargaining can do so in a way that they won't be persuaded or intimidated or otherwise discouraged not to do so.

I am convinced that the Bill should not be read a second time because of the provision, the changing of the certification process that I believe does constitute an impediment to that level playing field -- if I can borrow the phrase from the temporary Prime Minister -- and violates the Canadian Constitution Charter of Rights. If I can't convince members of this Assembly, surely I can convince them that the way to settle this question, the way to settle this issue, is for them to undertake to prove to me how it isn't the case that we would be contravening convention 87, which we signed in 1972 as a so-called progressive country, Mr. Speaker. If they don't believe me and my contention that this Bill is wrong, that it violates the spirit and letter of those two larger governing bodies, then let them demonstrate it to me. It's true the subamendment doesn't actually say, "refer to the ILO,"

but it implicitly allows for the testing by the ILO against certain conventions to which Canada or . . .

MR. SPEAKER: With respect, hon. member, that is not what the Chair interprets from the reading.

MS BARRETT: Pardon me?

MR. SPEAKER: The Chair does not agree with that. There's no wording that says the reference.

MS BARRETT: No. I'm saying that there is no wording that says reference, Mr. Speaker. But you see, when you attach this to Mr. Martin's amendment that declines to give second reading to the Bill because we don't believe it conforms to the Charter of Rights, I'm saying I also don't believe it conforms to the conventions of the ILO to which Canada is signatory. Implicitly, then -- I mean, this is basic deductive reasoning -- it is now incumbent upon the government, in my view in supporting this subamendment, to demonstrate to me how it is in conformity. Because that's what the amendment says: "You prove to us how it doesn't violate the overriding, largely principled positions taken by Canada both in the Constitution and internationally through the United Nations, and maybe we'll consent to giving it second reading."

But it's very difficult to do that under the circumstances when I believe the principles of this Bill violate my own principles to the extent they do. Not that I would argue that principles are something that exist on a range from almost nonexistent to fully existent. It is that I take the issue itself quite seriously, and I believe the principles and the right to organize, the right to have collective agreements that can't be sneakily or cleverly broken, are not being upheld in this Bill. And I know that the Canadian Constitution and the ILO agreement, to which I have been referring, do state that one has the basic freedom to organize, one has the basic right to be organized, and that at least includes being organized in a collective bargaining unit and the rights that would naturally extend therefrom.

So, Mr. Speaker, I guess I'm also finally worried that it is a cabinet order. It is something so minuscule, something so easily accomplished from a not very visible venue, shall we say, that could override what we have sanctioned in the Charter of Rights and what we have sanctioned through the United Nations in its ILO division. You see, if the cabinet has the right to decertify basically . . .

MR. SPEAKER: Order. Thank you, hon. member. You've already given your three examples. We're now coming into a fourth and a fifth. So let us forget about that and come back to this.

MS BARRETT: Yes, Mr. Speaker. What I was arguing is that if the level playing field to which we have implicitly agreed both internationally and nationally can be overridden by something that's quite outside of that, such as a cabinet decision, then that could be tested by the ILO and could be demonstrated by the government if, in fact, they are so convinced that this isn't in contravention of the basic principle of that level playing field that I've so happily borrowed from Mr. Mulroney and his baflegab style, Mr. Speaker. I would argue that there are a number of provisions within this Bill that I am not convinced don't constitute a violation.

My final argument then is: if you can't convince me to ac-

cept on the basis of your own arguments, which haven't been offered . . .

MR. SPEAKER: Before recognizing any other members on this subamendment, the Chair would also point out that to repeat the same phrase five times within remarks during one's half-hour time allotment will not be allowed with future members.

Edmonton-Kingsway.

MR. McEACHERN: Thank you, Mr. Speaker. I'm happy to rise in support of this subamendment moved by the Member for St. Albert. This subamendment adds something to the amendment originally passed by the Member for Edmonton-Norwood that the Assembly not give second reading to this Bill because it is not consonant with the Charter of Rights and Freedoms, and now we're adding, and I think this adds an important aspect or a lot of weight . . .

MR. SPEAKER: Thank you, hon. member. Please do not read the subamendment.

MR. McEACHERN: I'm not reading it.

MR. SPEAKER: The Chair has been listening and is just concerned about the anticipation here, by my part.

MR. McEACHERN: I wasn't reading. I was just sort of paraphrasing to get the sense of where I was going with this.

We were adding to this Charter of Rights and Freedoms the convention of the International Labour Organisation of the United Nations, to which Canada is a signatory. I think it's important that you understand why we would do that. We're saying, in effect that we want to bring the weight of the international community to bear on the arguments about whether or not this Bill is a good one and should be passed in its present form. By mentioning this convention of the International Labour Organisation, which was signed by over 150 members of the international community, we think that we put the spotlight right squarely on this Bill where it should be, to say to the Minister of Labour: "You should look at what's going on in the rest of the world and see whether or not what you're doing makes any sense. Why is it that we are out of step? Why is it that Alberta somehow should be different and have a different set of labour relations rules than anybody else?" So there's a very important reason why this subamendment has been added, and I would expect that if we are wrong in wanting to do this and in our details of in what ways Bill 22 violates the convention of the International Labour Organisation, the members on the other side would get up and instruct us as to why they are in conformity or why they shouldn't be in conformity with that convention.

[Mr. Musgreave in the Chair]

Mr. Speaker, I think the Bill does step out of line with the conventions of the International Labour Organisation and the Charter of Rights in a number of important aspects. Both of those documents set out the rights of workers, the rights of freedom of association, the rights of freedom of assembly -- which implies the right to form unions -- and the right to bargain collectively. And although the minister tried to tell us that this Bill is supportive of the collective bargaining process, we find that, in fact, it's deficient in that area, and does not support collective bargaining as adequately as it should. In fact, Mr. Speaker, we

are still waiting for those amendments to section 81 that the minister promised the other day. I know he did say he would have to wait for Committee of the Whole, but he didn't wait for Committee of the Whole on a whole lot other of his amendments. I have the document here on my table.

So I'm wondering why he can't tell us what his detailed amendments to section 81 are, so that we could weigh them and see whether or not there is still a problem with the International Labour Organisation's conventions.

MR. OLDRING: A point of order, Mr. Speaker.

MR. ACTING DEPUTY SPEAKER: On a point of order, Red Deer-South.

MR. OLDRING: Then again I cite Standing Order 23. Mr. Speaker, we witnessed how difficult it was for the Member for Edmonton-Highlands to fill up the half hour when she really didn't have anything relevant to say to the actual amendment. Surely we're not going to allow the Member for Edmonton-Kingsway to repeat some of the same arguments that are equally as irrelevant to this subamendment as they were in the first instance.

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

MR. HAWKESWORTH: Thank you. On the point of order, Mr. Speaker. If the hon. member would like to take issue with the comments being made, that's one thing, but I didn't hear from any of the comments he made in his remarks that contained a point of order. I think he may have felt some frustration, perhaps, or he may wish to get in on the debate; I don't know. But I didn't really take from his comments that there was a point of order, Mr. Speaker.

MR. OLDRING: Twenty-three (b)(i).

AN HON. MEMBER: If we're really concerned about . . . [interjections]

MR. WRIGHT: Twenty-three?

MR. OLDRING: . . . (b)(i).

MR. WRIGHT: On the point of order, Mr. Speaker. That concerns speaking to matters other than the question under discussion, and the question under discussion is the subamendment that we decline to give a second reading unless the Bill is shown to be consonant with the principles of the Charter of Rights and of those conventions of the International Labour Organisation to which Canada is a signatory.
And . . .

MR. YOUNG: Order. Order. [interjections]

MR. WRIGHT: If the hon. member cares to rise on a point of order, let him do so, but not to shout from his place, Mr. Speaker. Please call him to order. If the hon. member who was speaking, Mr. Speaker, wants to make his points about what it is in the International Labour Organisation's code that is contrary to the Bill, then that exactly is the subamendment.

MR. ACTING DEPUTY SPEAKER: Hon. Member for Red Deer-North.

MR. DAY: Thank you, Mr. Speaker. On the comments made by the Member for Edmonton-Strathcona in giving you instructions to call the hon. Government House Leader to order for saying "order, order," citation 318 says:

There are words of interruption such as the cries of "question", "order, order", "hear, hear", or "resign", which have been sanctioned by long parliamentary usage . . .

So, Mr. Speaker, I declare it's not a point of order.

MR. ACTING DEPUTY SPEAKER: Order please. Hon. Member for Edmonton-Kingsway, I do believe you should try to come to this other amendment. You were straying and the Chair was allowing you to stray, but I would urge you to come back to the subamendment.

MR. McEACHERN: Thank you, Mr. Speaker. I was referring to section 81 of the Bill, which very clearly violates not only the Charter of Rights but the conventions of the International Labour Organisation. The minister has assured us that he's going to amend it. So I was just addressing a few comments to that point and sort of saying, well, where are those amendments so that we can know that in fact we don't have a conflict here, and was pointing out that he had said that he couldn't table it in the House because we weren't at Committee of the Whole yet. But I was saying we have in fact already got the other amendments that he intends to bring in at Committee of the Whole and so why are these particular ones, which are so crucial to the whole -- one of the main reasons that this Bill is in conflict with the conventions of the International Labour Organisation, probably one of the strongest points in which that is a problem. Yet he won't tell us what his amendments are so that we can see that in fact it is in line. I was just asking him to do that please.

MR. YOUNG: On a point of order, Mr. Speaker. We have now had from the hon. Member for Edmonton-Kingsway a complete repetition, which is contrary to section 23(c). Absolutely contrary. And he's used exactly, almost verbatim, the same verbiage before the last point of order and subsequent to the last point of order. The same points. [interjections]

MR. ACTING DEPUTY SPEAKER: Order please. I think we'll only hear one. The aggrieved person will rise on the point of order. The hon. Government House Leader has done that. Now back to the Member for Edmonton-Kingsway. I, too, would suggest that you do not repeat as much as you have been doing.

MR. McEACHERN: Okay. Thank you, Mr. Speaker. I will carry on. I just wanted to say to the minister that he is quite right; we do not trust him verbally. But that doesn't mean that if he gave us something in writing that we wouldn't be prepared to look at it and see whether or not this Bill will conform then, with the conventions of International Labour Organisation. It would be nice to see it in writing.

MR. DAY: The whole Bill's in writing.

MR. McEACHERN: Yes, but the amendments to section 81 are not yet, and we have not seen them. So, Mr. Speaker, I don't think that at this time that we should read Bill 22 a second time,

because certainly in the aspect of section 81 it does not conform to the International Labour Organisation's charter of rights for workers.

[Mr. Speaker in the Chair]

Mr. Speaker, another part of the Charter of Rights -- and this applies both to the Charter of Rights for Canada and the International Labour Organisation conventions -- sets out the rights to freedom of association and rights to form a union and to free collective bargaining. One can only put limitations on those rights, according to section 1 of the Canadian Constitution -- and I say the ILO conventions are in conformity with this -- subject to:

... reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

So if you're going to put some limits on those rights of association, on those rights to form a union and for collective bargaining rights, you have to be able to demonstrate that there is some kind of overriding need in the democratic society that allows you to do that or that makes it okay to do that.

Mr. Speaker, I don't think that this Bill is in conformity with those conventions, because it sets out rules of certification that are based to some extent on the American model. They say that even after the union, in trying to organize a group of workers, for example, has got over half of the workers signed up, there still has to be a vote taken, and 50 percent plus one has to agree to the certification. Now, it's like a double certification process. It isn't that the 50 plus one would be unfair or by itself anything that a democratic society wouldn't condone, but considering that the work has already been done and that people have already agreed, what that further provision does is it requires a time lag and a chance for the employer -- with the use of consultants who are hired, often with the expressed purpose of setting about intimidating and pushing workers into being fearful of signing up with the union. It allows them time to do their work.

Those people who have taken their courage in their hands and said, "Yes, I want to belong to the union," are then faced with having to turn around and say that again in what may be a very tense situation where they're in fear of losing their jobs. Or, in fact, some of the people that signed up, by the time that vote is taken, may very well have lost their job and somebody else may be replacing them that doesn't want to be part of the union or at least is prepared to go along with the dictates of the company. So it seems to me that workers should only have to sign up once, and so in that regard I think that this Bill puts undue pressure on workers and takes away from them the freedom of association, the right to certify as a union. That is why it is not in conformity with the convention of the International Labour Organisation and why this Bill should not be read a second time.

Now, in the preamble of the Bill, Mr. Speaker, the minister makes a statement that this Bill sets out fair rules for a competitive economy, fair rules for workers and employers in a competitive economy. Mr. Speaker, that's the wrong agenda. A labour relations Bill is meant to be, to some extent anyway, a charter of rights for workers. I mean, that's basically what you would expect in a labour relations Bill. Instead, this labour relations Bill is a way to try to make it so employers can survive in an economically competitive world without real regard for the rights of the workers in the process.

That's really the agenda of the minister, I submit, with Bill 22. This attitude loads the cards against the unions. The unions

have grown up, Mr. Speaker, out of the basic freedom of association.

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

MR. SPEAKER: What's your point of order? The Chair's having a little difficulty with the remarks, to say the least. Point of order.

MR. DAY: Citing 316(e), Mr. Speaker, and I could cite other examples too. The member opposite is clearly imputing motives to the minister, not only which are contrary to fact, but in fact, he is even doing that in direct violation of the rules of this House by saying that he's trying to favour one group of people over another and doing it deliberately; I believe that is imputing motives. I would ask that the member, upon your ruling, would retract that statement.

MR. SPEAKER: Member for Edmonton-Belmont

MR. SIGURDSON: Thank you, Mr. Speaker. On that point, I thought the Member for Edmonton-Kingsway had said that the Bill was going to cause that certain effect, not the minister. [interjections] Well, I'll have to check *Hansard* then, and thank you.

MR. SPEAKER: The Blues will be checked. The member will take due care and caution. It's been happening in question period to some degree, too, and will be called to order in the next number of days when it occurs there.

The Chair is also much concerned that the member has dealt with three specifics within the Bill, including the preamble, and that's more than enough. Let's come back to the subamendment. We're not now also going to go into a history of the labour union movement either, but let's come to the subamendment.

MR. McEACHERN: Mr. Speaker, I am talking to the principles of the Bill, not the great detail . . .

MR. SPEAKER: The Chair calls the member to order once more. We're not talking about the principles of the Bill; we are speaking to the subamendment. That is the second time of asking. There will be no third time, hon. member.

MR. McEACHERN: Mr. Speaker, the subamendment says that the Bill is in nonconformity with the conventions of the International Labour Organisation, and that is the main point that I'm trying to make here. [interjections] Well, the basic concept behind a labour relations Bill should be to set out the rights of workers in a democratic society. What I see this Bill doing -- and without imputing any particular motives to the minister, as said by the member opposite, I'm just saying that Bill 22 is based on the idea of worrying about whether or not a company can compete in a very competitive world and that that is the wrong orientation for a labour relations Bill. That is why we think it should not be read a second time, because that is contrary to both the Charter of Rights, at least certain aspects of it. And the Charter of Rights, I would admit, is not really a . . .

MR. SPEAKER: We're not speaking to the Charter of Rights, hon. member.

MR. McEACHERN: Well, it is part of the subamendment, in a sense . . .

MR. SPEAKER: Hon. member, the Charter of Rights is not. I will not fall into the bad habit of members just trying to read back what the amendment says or the subamendment. Look at your notes. You know indeed that the Charter of Rights does not occur in the subamendment.

MR. McEACHERN: But the subamendment is in addition to the amendment and so in that sense is all I was referring to, Mr. Speaker.

MR. SPEAKER: Thank you, hon. member. The Chair is talking about the subamendment. The Chair knows full well what the words of the subamendment are. When we come back to the amendment indeed we look forward to your comments there. Thank you.

MR. McEACHERN: Yes, Mr. Speaker. The subamendment says that we should not read this Bill a second time because it does not conform to the conventions of the International Labour Organisation of the United Nations, and that's the point that I keep coming back to.

I mentioned the competitive economy thing. There are a couple of other major points which also back that up. The fact of allowing 25-hour lockouts, which is still part of this Bill and still allowed in this province, is contrary to the conventions of the International Labour Organisation.

This Bill institutionalizes, in fact, a process of decertification of unions allowing the cabinet to decertify unions behind closed doors with no public debate as to whether or why a particular union should be decertified. Mr. Speaker, that's contrary to the terms of the conventions of the International Labour Organisation. This Bill also allows replacement workers, or scab labour, and that again is in contravention of the basic ideas of closed shop and union bargaining once a union is allowed to form. So, Mr. Speaker, there are a lot of major ways in which this Bill does not treat workers fairly, not only in the preamble but through many sections of the Bill.

Mr. Speaker, the minister said in his introductory remarks to this Bill that the employers are best able to determine the best interests of the firm. I would like to say that a corporation is not just the capital of a businessman or its shareholders. It is not just the management. It's not just the physical plant or the land or the buildings or the machinery. A corporation also has to have workers, and if you think about it what do we hold most valuable in our society? Some of you might consider that that desk is more valuable than the particular individual, let's say the House leader of the Conservative Party. But I would not agree to that Mr. Speaker. In my view, individuals are more important than machines or buildings or that sort of thing. So . . .

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

MR. SPEAKER: Point of order, Red Deer-South.

MR. OLDRING: Again, Mr. Speaker, and I hate to have to continue to recite Standing Order 23(b)(i), but again the member is just grasping to fill in time. He hasn't yet referred to the subamendment. He keeps coming back to the main Bill itself. Surely if that's what he wants to speak to, he'll give us the opportunity of voting on the subamendment so that we can go into

committee, and we can all address the substance of the Bill itself. Clearly, this member is just grasping to fill in his allocated time. I don't know if he doesn't have a copy of the subamendment but surely he can get back to it.

MR. SPEAKER: Edmonton-Kingsway, I'm certain you can make your summation.

MR. McEACHERN: The point that I'm making is that we have to decide what it is that we think is important when we're talking about a corporation and its activities. What I'm saying is that we would all agree that people and their livelihood are more important than dollars or machines and that sort of thing. I don't think this Bill reflects that. I think that the International Labour Organisation's conventions do reflect that. They focus specifically on what it is that's important as rights for workers in a democratic, industrialized society, or any other society for that matter, because it is an international body and many countries are not highly industrialized. So what we're saying is that this Bill puts too much emphasis on the dollars and on the managers and the owners, whichever the case might be, to define what is good for that corporation and not enough on saying: what is it that workers should have as a fundamental right in a democratic society? So I think the point is a very valid one, and if the member opposite can find a counterargument, fine. But I don't see that he's had a point of order, really.

Mr. Speaker, the Labour Relations Bill should be to protect the rights of workers, not the rights of capital. That would put it in conformity with . . .

MR. SPEAKER: Thank you, hon. member. With due respect, that's the third time that the Chair has heard the member say that. We're not getting into that kind of repetition. Would you like to make your concluding remarks, please?

MR. McEACHERN: That's just what I was doing.

Mr. Speaker, one other aspect of this Bill that I find a little odd is that the minister says he's trying to move away from a confrontational approach, and so he puts forward a tripartite sort of arrangement as a way to avoid confrontation. Now, I think he would go further in that direction if he would look closely at the conventions of the International Labour Organisation and see what it is that's essential to having a labour force that feels like it's worth while and part of an economic system rather than just pawns in an economic system. I would submit that his tripartite idea -- while he picked it up in Europe, and it does seem to have some validity and does work to some extent there, that is only so because before they started to do that system, they did what the International Labour Organisation does, and that is, they looked at the rights of workers and said: "What is fundamental to the rights of workers in a democratic society? What should be the fundamental things that workers can expect in terms of fairness in an economic system?" and laid those out. And Europe has pretty well accepted those kinds of things. So when it came time to say that labour and management and government should sit down together in some kind of a tripartite arrangement the workers were accepted as equal partners at the table, and the debates have been fairly effective. Countries like Sweden and Norway and West Germany and so on do a pretty job of that.

But that's because there was a fundamental trust there in the first place. Until you establish that fundamental trust in North America, the tripartite system is not going to work. So what this

minister needs to do is to back off for a moment on his tripartite suggestion and say to the workers, "We do value you; we do believe you have certain rights," and to put those into the Bill in such a way that they conform with what the International Labour Organisation is saying. When that process has taken place for a few years and workers and management start to respect each other and governments start to respect the rights of workers equally with that of management, then we may see a tripartite system that will work in this province.

That, Mr. Speaker, would be, I think, the final point that I would like to make. I really think that the minister has to address that question before he can press ahead with this Bill. So I suggest that we do not read it a second time unless he does that.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Is there a call for the question?
Edmonton-Strathcona.

MR. WRIGHT: Mr. Speaker, the purpose of my remarks will be to convince those few remaining members who are not convinced that we should postpone second reading of this Bill until we have made sure that its provisions are in conformity with the conventions to which Canada subscribes of the International Labour Organisation, of the error of their ways.

The International Labour Organisation is the sole surviving organ of the League of Nations and was adopted in its orphanhood about 1946 by the new United Nations. It has an august history of progressive labour conventions, to 25 of which Canada subscribes. It used to be 26, but one, in the colourful language of these things, was denounced in May of 1978, and was number 45, employment of women on underground work in mines of all kinds, which was passed in 1935, 19th session of the International Labour Organisation and . . .

MR. SPEAKER: Thank you, hon. member. An interesting example, but hardly germane to this debate.

MR. WRIGHT: Well, Mr. Speaker, in considering the subamendment, which refers to the conventions of the International Labour Organisation to which Canada is signatory, hon. members must know what they are, because it is against those that the provisions of the Bill before us must be tested. With the greatest respect to the hon. minister and his department, one must have grave doubts, having regard to the provisions of the Bill as they exist, that this testing was ever done at all, Mr. Speaker. We believe that so important are these conventions that it is a deplorable thing that that was not done. If we're going to have good labour legislation in this province, then we should take care that our standards conform to the high standards. Those high standards are, in fact, embodied in the conventions of the International Labour Organisation.

Mr. Speaker, we should postpone the reading of this Bill, so the subamendment runs, until that exercise has been carried out. This will contribute to the legislation in this province by making sure that we have standards which are second to none. We are always told that we have standards second to none in so many ways that I'm surprised that this simple exercise of ensuring that, in this Bill, has not been carried out by this government. Also, it seems that the idea that our domestic legislation should be governed by international treaty, of which this is a species, is gaining acceptance in this Chamber. The Premier and others have told us with some pleasure that the free trade agreement,

so-called, is good for us because it restrains the federal government from anything approaching the national energy policy again. There you have the precedent which is gladly accepted because it suits the temper of this government, Mr. Speaker, of an International obligation governing domestic policy. So we say here, in the interests not of the rich and powerful but of the workers, that we should gladly accept the convention, to which Canada is a signatory, of the International Labour Organisation -- again and again -- to control our domestic labour legislation.

These conventions, 26 of which have been ratified by Canada and 25 still remain ratified, are indeed important. Hours of work, industry, from 1919, whose ratification was registered with the International Labour Organisation on March 21, 1935, certainly deserve the attention of hon. members. The next one, which was in order of number of the conventions of the International Labour Organisation which appears is number 7 but hardly concerns us, I suppose; the minimum age at sea, 1920.

Unemployment indemnity, the registration of the ratification of which occurred on March 31, 1926, with the International Labour Organisation. Unemployment indemnity is certainly something that this Bill should be tested against. Weekly rest, industry, 1921, is an interesting one, Mr. Speaker. The ratification of that was registered with the International Labour Organisation on March 21, 1935. That is more than 50 years ago, yet I very much doubt whether the minister or his department have tested the Bill against that. We might find that there are some startling results if that testing is made, particularly in view of the increasing habit of round the clock and round the week and round the month opening of businesses.

Mr. Speaker, I need hardly take up the attention of the Chamber on the next one, 16, medical examination of young . . .

MR. SPEAKER: Order, hon. member. The Chair thinks that now we've been introduced to four of these examples. That should be sufficient. We're not going to allow ourselves to go through all 25.

MR. WRIGHT: I'm much obliged, Mr. Speaker. I suppose then, if that is your ruling, Mr. Speaker, we will have to use our imagination on the remaining 19 that I had hoped to bring to the attention of hon. members.

I will at least mention the most important and the one on which Bill 44 wrecked in 1983 in Geneva. Number 87, "Freedom of Association and Protection of the Right to Organise," 1948, the ratification of which was registered with the International Labour Organisation on March 23, 1972. Mr. Speaker, we know, of course, that the Canadian Labour Congress took that to Geneva in 1983 and the Bill was condemned insofar as it extended to the forbidding of the right to strike to those who were not in necessary employment; that is to say, employment that dealt with essential services, such occupations which this Bill before us does cover as liquor store workers, Treasury Branch workers, pari-mutuel operators, lottery fund workers, and nurses. So we have the clearest evidence there, I submit with respect, that the minister and his department have not done their homework in checking out this Bill against the international obligations of Canada as represented in the International Labour Organisation's conventions to which we have subscribed.

Mr. Speaker, I think, by their silence, I'm convincing hon. members bit by bit of the necessity of postponing second reading until this exercise has been completed, because so essential is it to the understanding of our Bill as being the best, which is

what I hope we all wish for.

Convention number 11, Mr. Speaker, concerns the rights of association concerning agricultural labourers. Bill 22, the Bill before us, exempts workers involved in primary agricultural production from the provisions of the Act and the rights and protections it offers to other Alberta workers. As a result, these workers do not have the right of association, do not have the right to join a union or to bargain collectively with their employers. This is contrary to that convention of the International Labour Organisation, and we have to grapple then with the problem of whether it is even legally possible to have a Bill in that form go through this House, particularly in view of -- as I say, the view which, I believe, may be correct, that international treaties of this sort govern domestic legislation if that is the purpose of them. That certainly is the purpose of labour conventions subscribed to by Canada with the International Labour Organisation. The Bill before us does contain those exceptions for agricultural workers. They are contrary to principle, Mr. Speaker, and contrary to convention number 11 of the International Labour Organisation.

Mr. Speaker, convention number 151, to hit another high spot, which is definitely applicable . . .

MR. SPEAKER: With due respect, hon. member. In spite of the Chair's admonition, we're now up to at least two more examples from the convention. The member has dealt with at least two specifics with regard to the Bill, and that is sufficient with regard to the narrow parameters of the subamendment as moved by a member of one's own party. Perhaps we could now keep it back on the general terms dealing with the subamendment.

MR. WRIGHT: Mr. Speaker, I certainly agree that perhaps, since it's getting on the late side, I shouldn't refer to the particular conventions which may not be applicable, but with the greatest respect, Mr. Speaker, I must refer to those conventions that definitely are applicable.

MR. SPEAKER: With due respect, hon. member, the direction has been given by the Chair.

MR. WRIGHT: May I inquire the reason, Mr. Speaker, pursuant to the Standing Order?

MR. SPEAKER: Hon. member, the Chair has ruled more than once this evening about the specifics with regard to amendments and subamendments. The Chair has shown considerable latitude with respect to the subamendments. The Chair has given direction more than once this evening and on other occasions with regard to the narrow parameters of the subamendments as to the number of examples that might be cited. The Chair has looked at at least three or four, certainly three specifics, with regard to the Bill that the hon. member has cited when the Chair has given direction that one or two is the maximum.

With respect to the conventions, the Chair drew to the attention of the hon. member about the ones to be cited, that we were not going to go through all 25, and at that time the member had referred to at least four or five conventions and has subsequently gone on to refer to at least another two. That, indeed, is sufficient, and it is well within the ambit of the Chair to be able to do that. The citations which can be given: we can deal with rules respecting repetition and relevance in debate published as procedural paper number 2 in the federal House of Commons. This has been referred to on more than one occasion in the House and

will be referred to again, and if the member persists, after further interventions, then the Chair will perforce, with great reluctance, remove the right to speak.

MR. WRIGHT: Well, I'm obliged to you for explaining your reasons, Mr. Speaker. The paper you're looking at speaks of the impropriety of referring to particular sections "of the Bill" at second reading. What I'm talking about are the particular conventions to which this Bill is contrary, Mr. Speaker. It's quite different, and perhaps if you would like to write my speech sometime, I'd take you up on that, but . . .

MR. SPEAKER: Order, hon. member. Perhaps the hon. member would be good enough to examine the Blues tomorrow and discover that the member has indeed been referring to certain sections of the Bill.

With the greatest of reluctance, there'll be no more discussion with the Chair on this issue. Please continue on the subamendment.

MR. WRIGHT: Very well. The convention that is particularly applicable, Mr. Speaker, that the subamendment, amongst others, draws attention to in effect, is the labour relations' public service convention. This lays out an updated version of rights already spoken to in conventions laid out as far back as 40 years before, and it contains a very strong statement that the right to strike is fundamental to the exercise of employees' collective bargaining rights. It is very hard to see how the present Bill can stand with that convention. For us to pass a Bill which so clearly flouts in some of its particulars that convention to which Canada subscribes is, if not actually illegal, certainly a breach of propriety in our framing of legislation in this province and will bring our labour legislation further into disrepute, I'm afraid I have to submit. It's bad enough being wrongly thought to be redneck here; it's worse to be correctly thought so.

In order to meet the two principles which tend to clash, Mr. Speaker -- on the one hand, the right to withdraw services and, on the other hand, the necessity to have employees who are engaged in essential services -- the convention in question clearly states that any system that replaces the strike must be totally impartial; that is, as the government is the employer, it must not use its legislative process to deny fairness to workers. It is a sophisticated convention, Mr. Speaker, far more sophisticated than this Bill.

I submit that we'll be doing ourselves a disservice if we give second reading to this Bill until we have complied particularly with that convention, let alone the other ones. And I submit with regret that the minister is not doing his duty, nor is his department doing its duty, until that exercise has been gone through, and the sooner they get on with it the better. Then we can get back to second reading, because I sense that the hon. members of the Chamber are being rapidly convinced by this argument, that will show that in order to get good legislation, we have to look about us and see what is done by others, particularly those who have the experience in the area of more than 80 years. Because it's not only the denial, Mr. Speaker, of the right to strike to those who are not carrying out essential services but also, where the right to strike is properly denied, the impropriety of not having a completely impartial method of arbitration to settle differences.

It's all very well to argue about it, as we undoubtedly would in the Chamber, but it's another thing to understand that it is contrary to our obligations by international treaty. It is a circu-

lar process, Mr. Speaker, to have an arbitration process that enjoins the arbitrator to pay attention to the fiscal policies of the government and the general economic conditions, when the fiscal policies of the government may be the very thing that the griever is grieving about.

Now, the changes in this Bill may have somewhat reduced the problems that the International Labour Organisation had with the arbitration process, but it is extremely doubtful, Mr. Speaker, that it has become the impartial process that the ILO conventions require. Beyond that, there are now some new proposals in this Bill, such as decertification after two years, decertification in other circumstances by cabinet order, which cannot stand, in my respectful submission, with that same convention, 151 of the International Labour Organisation.

MR. SPEAKER: With due respect, hon. member, we're into citing another one? Is that what you're doing, hon. member? Because if so, you lose the right to speak.

MR. WRIGHT: Oh, no, it's the same one I'm talking about, Mr. Speaker, but it's the most important one and the most recent one and the one on which Bill 44 wrecked. It is astonishing that even after that judgment of the International Labour Organisation this minister and this department of this government persists in its attempt to throttle the legitimate aspirations of the workers in this province. They will reap the trouble that we saw in Gainers again and again unless sensible steps are taken in the legislation, such as called for by the subamendment, of testing the legislation against the conventions, to which we are signatory, of the International Labour Organisation.

SOME HON. MEMBERS: Question.

MR. SPEAKER: Thank you. Call for the question.

Calgary-Mountain View, to the narrow confines of the subamendment.

MR. HAWKESWORTH: Thank you, Mr. Speaker. I'm pleased to be able to rise in my place to speak to the subamendment in front of us this evening. You know, I was wondering myself, back when the Minister of Labour announced his tour of the world to go to all these countries around the world and learn from labour legislation in all those countries, whether a trip to . . .

MR. SPEAKER: Order, hon. member. The Chair had to deal with the same issue with regard to Edmonton-Highlands at about 10:53 last night, that the words of the subamendment have nothing to do with the costs of any trip whatsoever. We're back here with the subamendment. Thank you.

MR. HAWKESWORTH: Thank you, Mr. Speaker. I didn't want to make any mention of the cost. It was simply the itinerary, whether the hon. . . .

MR. SPEAKER: Thank you, hon. member. It deals with the itinerary as well. We're dealing with this subamendment.

MR. HAWKESWORTH: I was wondering why the minister didn't meet with the ILO when he was traveling to Europe. After all, their headquarters are found in that area of the world, and it seemed to me the intention of the minister . . . As I've heard this government say on many occasions that they want the best

in the world, it would seem to me to have been advisable, if not logical, while he was so close at hand, that he could have gone and met with officials from the ILO while he was trying to learn what he could from other jurisdictions in the world. Where better for him to go, where he could have at his disposal the resources, the libraries, the experience, the contacts?

The informed individuals who are a part of that particular organization would have given him and the members of his task force ample opportunity to have met with them and brainstormed with them, questioned them about what the principles were that the ILO espoused, what sorts of things they would advise would be in any model legislation. It was an opportunity that he had the world to learn from and, unfortunately, to the best of my knowledge he and his task force did not do that.

The question is, Mr. Speaker: what might he have learned from such an encounter with the International Labour Organisation? Given particularly the specific history that has existed, albeit a brief one and not a long and extensive one, but given the specific history that we've had between the government of Alberta and the International Labour Organisation in the past, it would have given the hon. minister an opportunity to try and perhaps mend some fences, an opportunity to correct some -- or maybe not even so much as corrections but just simply to have found out why the ILO has said things about the Alberta government in the past. The fact is that it would have been advisable for him to meet with the ILO, but the fact is that he did not. And I'm quite concerned that there was another missed opportunity on the road to bringing in better labour legislation, more informed and more progressive labour legislation for the province of Alberta.

[Mr. Musgreave in the Chair]

Mr. Speaker, I'd just like to briefly refer to some of the general principles still contained in Bill 22 that reflect upon that past experience between the International Labour Organisation and the government of Alberta. First of all, there are still provisions within the Act that refer to illegal strikes that might occur from time to time in the province of Alberta and give the government of Alberta, particularly the Lieutenant Governor in Council, some powers to decertify those particular unions that engage in illegal strikes. Now, perhaps the ILO has some inventory of other governments elsewhere in the world in which we could find such provisions. It might have been worth while for the minister to have learned from that, to have such an inventory of such countries. The ones that are certainly made aware to me through the news media these days are primarily in South Africa, but perhaps there are some other more enlightened countries in the world where we would find such provisions, but without having sort of checked with the ILO, we can only speculate how many or where they might be.

This Bill 22, in particular when it comes to removing the certification of those labour unions involved in illegal strikes, those in particular found in division 16 of the Act -- those have to do with people providing emergency services, particularly fire fighters, hospital employees, and there are a number of other ones that might fall under that. It lays out the sort of arbitration process which those particular unions are forced to follow.

Now, I think it's fair to say that the International Labour Organisation does not rule out the right to remove the right to strike, or it doesn't say that in no instance can anybody tell a

group of workers that they don't have the right to strike. But, as I understand what the International Labour Organisation says, in those instances where some unions and some public employees are providing emergency services, essential public services, there are instances when it may be well in keeping with the International Labour Organisation conventions that they not be allowed to strike. So it's not an absolute right.

But this is the important provision, Mr. Speaker. As I understand their conventions, in those instances when the right to strike has been removed, then it has to be that the governing legislation puts in place an impartial arbitration process so that we don't have an instance where on one hand the employer, and particularly the public employer, says, "You don't have the right to strike, and in addition to that we're going to dictate to you the terms and conditions of your working environment all the way down from wages through to benefits." So you should not have a situation where the government is removing the right to strike plus using its legislative powers on top of that to deny fairness to workers. Well, Mr. Speaker, as I understand the convention, it seems fair to me that you have that balance if -- if -- a public authority has determined that certain public services are essential, are emergency, and that those individuals will no longer have that right to strike.

Now, what was the experience in Alberta, Mr. Speaker? This action which the Alberta government engaged in some years ago was appealed to the International Labour Organisation under this convention. Now, there are others here who have served longer in this Assembly than I have, but when they came over to Alberta to investigate, my understanding was that they couldn't even get a meeting with the ministers responsible. Well, it seems to me, Mr. Speaker, that the opportunity provided by the minister's tour around the world would have provided a good chance for him to perhaps quietly have taken a side trip over to the ILO to rectify that problem or that missed date from some years ago.

The problem in this province has been that the Alberta government not only has removed the right to strike for certain public employees but has also in the past set up an arbitration system that in essence, has dictated to the arbitration system what they can and cannot consider in reviewing the position of the employees that were bargaining with them, the reason being that we found once the right to strike was taken away, these arbitration boards were giving out awards that were higher than the government liked or wanted. They felt that this system of removing the right to strike hadn't satisfied all the objectives that they wanted to achieve even if those objectives were contrary to what the International Labour Organisation would deem to be good labour practices. So they instituted changes to the law which basically said that arbitration boards would have to make awards that were in conformity with the general fiscal policies of the government and those then were outlined in detail from year to year. So it basically gave the arbitration boards extremely little flexibility in terms of having an objective hearing, a blank page hearing, so to speak, from the government and the employees who were bargaining.

Now, Mr. Speaker, this Bill 22 purports to some extent to change that by changing the wording. But changing the wording does not necessarily mean that the practices are going to be altered one jot or tittle. It may mean that in the future what we'll have is the government tabling in front of these arbitration boards copies of the Treasurer's speech, for example, on the budget. It may be that there are other documents that clearly outline what the intentions and objectives of the government are,

which they will give to the arbitration boards and say, "Now, these documents outline the general economic conditions in Alberta," and make it very clear to those boards that the narrow scope they have in reviewing applications from public servants . . .

MRS. CRIPPS: Mr. Speaker, speaking of narrow scope, he's nowhere near the amendment to the amendment.

MR. HAWKESWORTH: Well, Mr. Speaker, I want to reiterate that the matter of the Alberta government's relationships with its public employees was in fact appealed to the International Labour Organisation some years ago. It's my understanding that the International Labour Organisation, due to the conventions it upholds, reviewed that application and found in favour of the public employees. So if I hadn't made that clear to the hon. member, I hope that brief explanation does, and I'll be a little more cognizant in the moments ahead to come back to that to make it clear with the remainder of my remarks.

The importance is, Mr. Speaker, that the arbitration process must be impartial if it is to fit within the overall confines or provisions of the International Labour Organisation conventions.

MR. ACTING DEPUTY SPEAKER: Order, hon. member. We have already had other members attempt to go through the 25 conventions, and the hon. Member for Calgary-Mountain View has dealt with decertification and the right to strike and arbitration, and I think that will suffice. I'd suggest you come back to the subamendment.

MR. HAWKESWORTH: Thank you, Mr. Speaker, for those comments. The other aspects of the Bill 22, which to my knowledge do not exist in any other jurisdiction in Canada, probably in North America, and perhaps not in any of the countries who are signatory to International Labour Organisation conventions, have to do with the denial of the right of support picketing and the denial of consumer boycotts in support of those workers who are out on strike against that particular employer. It would seem to me if this had been the matter which the minister was contemplating early on in the process of drafting this legislation -- he, after all, didn't embark on his trip around the world until after the experience in 1986 at Gainers Inc., in which a consumer boycott had a role to play in the final determination . . .

MR. ACTING DEPUTY SPEAKER: Hon. member, we're not dealing with the Gainers strike. We're not dealing with the trip of the hon. Minister of Labour. We're dealing with the subamendment to the amendment.

MR. HAWKESWORTH: Thank you, Mr. Speaker. The point that I would like to make is that the minister had a golden opportunity available to him to appear before the International Labour Organisation . . .

MR. ACTING DEPUTY SPEAKER: Hon. member, you have made that point several times. There is a rule against repetition, and I would ask the hon. member to please observe that rule.

MR. HAWKESWORTH: . . . to ask that particular organization what experience they had had in countries around the world in which consumer boycotts had played a role in terms of resolving strikes and whether any other jurisdictions in the world had con-

templated or, in fact, adopted the kinds of provisions that we now see contained in Bill 22. It would seem to me that the hon. minister would have likely found that in the review of those conventions the kind of support boycotting restrictions and the support picketing restrictions contained in Bill 22 would have not also found favour with the International Labour Organisation. The International Labour Organisation has throughout its history upheld the right of people to organize, to conduct strikes, and along with that it would seem to me that they've also said that it's right and proper, if people want to give support in a peaceful way to those kinds of strikes, that they should have the right to be able to support those individuals in that way.

So I say to you tonight, Mr. Speaker, that had the hon. Minister of Labour taken the opportunity to meet with the International Labour Organisation, I think he probably would have found out that this is probably unique not only in North America, but there would be many, many other countries in the world where this kind of provision would not be contemplated, would not be contained in their labour Bills, because they are provisions which violate the conventions of the International Labour Organisation. So all I can say, Mr. Speaker, is that the minister would have been well advised throughout his tour around the world to have taken a side trip, to have met with representatives of the International Labour Organisation, to fly by them or take some of these ideas that he was contemplating at the time.

[Mr. Speaker in the Chair]

It would have been wise, had he been contemplating these changes, to have taken them forward, reviewed them with the ILO, said to them: "How does it fit under our conventions to which Canada has been a signatory? We want to uphold our International obligations. We want to uphold those conventions to which we have become a party. We don't want to violate those areas. We want to clean up our labour legislation, make it the best in the world. Can you help us?" I'm sorry that the minister didn't take that opportunity. It was there for him. It would

have been good. I think he would have found that the provisions within the Bill would have been much improved. It would have gone a long way to creating the much healthier climate of co-operation in this province. There just would have been so many things that it would have done in addition to keeping us consonant with the conventions of the International Labour Organisation.

So all the way around, it's too bad. I'm sorry. It's unfortunate. Perhaps, though, he doesn't have to miss out on that entirely. He can take some advice from the opposition on this. Perhaps this gives lots of opportunity for him to go back down to his department and his office and the Leg. Library and dig out those conventions, find out the details of them, and figure out ways in which he could be sure that these areas we've identified for him this evening would not be in violation of those conventions. So hopefully, Mr. Speaker, these comments will prod the minister to undertake the right action.

Thank you.

MR. SPEAKER: Government House Leader.

MR. YOUNG: Mr. Speaker, I move that the debate be adjourned.

MR. SPEAKER: Order, please.

On the motion of the Government House Leader, those in favour please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion carries.

[At 12:31 a.m. Tuesday the House adjourned to 2:30 p.m.]