

**LEGISLATIVE ASSEMBLY OF ALBERTA**

Title: **Friday, June 17, 1988 10:00 a.m.**

Date: 1988/06/17

[The House met at 10 a.m.]

[Mr. Speaker in the Chair]

**PRAYERS**

MR. SPEAKER: Let us pray.

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

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

Amen.

**head: NOTICES OF MOTIONS**

MR. RUSSELL: Mr. Speaker, I rise to give oral notice of my intention to move, following the completion of routine Orders and before the calling of Orders of the Day and pursuant to Standing Order 40, the following motion:

Be it resolved that the Legislative Assembly, on behalf of all citizens of Alberta, express to the hon. Member for Little Bow, Raymond Albert Speaker, their sincere appreciation of his dedicated service to the people of Alberta on this special day of Friday, June 17, 1988, marking his 25th year as a Member of the Legislative Assembly.

**head: TABLING RETURNS AND REPORTS**

MR. FJORDBOTTEN: Mr. Speaker, I beg leave to table the Report of Proceedings of the Seventy-Eighth Annual General Meeting of the Alberta Land Surveyors' Association as required by statute.

MR. ISLEY: Mr. Speaker, I'm filing today the appropriate number of copies of the annual report of the Association of Professional Engineers, Geologists, and Geophysicists.

I'm also pleased to table the annual report of the Department of Public Works, Supply and Services.

**head: INTRODUCTION OF SPECIAL GUESTS**

MR. ELZINGA: Mr. Speaker, it's my pleasure, sir, to introduce to you and through you to Members of the Legislative Assembly, a group of 80 individuals comprised of grade 6 students from the Wes Hosford school. Joining them are teachers Peter Learn, Helen Romao, Sherry Lukinak; parents Sylvia Wedderburn, Elaine Macartney, Susan-Jane Sudyk, Cheryl Williamson, Minna Helwig, Debbie Elliott, Wendy Pawliuk. I look forward to joining with them later. They are in the members' and public galleries, and I would ask if they would rise and receive the warm, traditional welcome of this Legislative Assembly.

MR. SPARROW: Mr. Speaker, I'm pleased to introduce to you and to Members of the Legislative Assembly, a group of 25 students from my constituency. These students are from the J. E.

Lapointe school in Beaumont and are accompanied by their teacher Susan Mackey. I would ask that they rise and receive the warm welcome of the Assembly.

MR. R. SPEAKER: Mr. Speaker, I would like to introduce some very special guests in your gallery today. These people have had the opportunity of sharing many experiences of my last 25 years, and I'd like them to stand and be recognized. First of all, my mother, Mrs. Olga Speaker -- if she would stand -- my wife, Ingrid, and two children, Kari and Mark; my sister Doreen and her husband, Torgny; Ingrid's sister and her husband, Jim and Ann Skretting. I believe Ila Turley is there as well. Ila was a very good friend of the former Speaker of this Legislature. Her husband, Bill, worked with both Mr. Dawson and myself in terms of politics for many years, and she has many good memories of the time in this Legislature with the hon. Peter Dawson. So she's a very special friend and guest here today. The other guest is Mr. Dave Clark, who has worked very closely with me in the constituency and is a good friend and ally in the world of politics. So it's just a pleasure to have them with me all together today, and I ask you all to recognize them.

**head: ORAL QUESTION PERIOD****Funding for Private Schools**

MR. MARTIN: Mr. Speaker, to the Minister of Education. Those who strongly believe in public education in our province are concerned about the minister's plan to create what we might classify as a modified voucher system. The minister is proposing that two families with seven children can form a private school, and with only minimum qualifications these private schools can then begin to bleed funds away from the public systems. In view of the fact that several school boards have raised serious objections to this proposal -- I might point out to the minister that I met with members of the Calgary school board yesterday, who are extremely concerned about this -- will the minister explain to us and to the people of Alberta why she is intent upon turning over tax dollars intended for public education to what I consider very narrow interests?

MRS. BETKOWSKI: Mr. Speaker, I think it's important to point out in the first instance that private education has been funded from public dollars in this province since the mid-1960s. There has never been a minimum as to what constitutes a private school in this province, and we thought it was important, particularly given the judgment out of the Supreme Court of Canada, that we set some kind of minimum. That was never there before. So in terms of Bill 27, yes, we have recognized that parents have an option for private schooling, an option which is in a tradition that this province has been based and one that is consistent with the Supreme Court ruling, including the allocation of public funds, in part, to those private schools.

MR. MARTIN: Well, Mr. Speaker, two families with seven children: that could seriously erode the base, and that's the point they're making. That has nothing to do with the Constitution. Now, the minister has her ally Mr. Ted Byfield who thinks this is a great thing because it's the end of public education and the start of private education. Knowing they have allies like this, I ask the minister to tell us what consideration she has at least given to withdrawing this proposal.

MRS. BETKOWSKI: Well, Mr. Speaker, I'm afraid that the Leader of the Opposition is being remarkably inconsistent in his questions and his observations. If he is suggesting that there be no public funds allocated to private education in this province, that is one thing. If he is suggesting that instead of two families and a minimum of seven children, which also kicks in some controls on Building Code standards -- if he's suggesting that that is not enough, then perhaps he would like to put an amendment on the floor of the Assembly when committee study of Bill 27 occurs.

But as far as suggesting that we should not be supportive of private education in this province or that we should not be funding it publicly, I'm afraid we cannot turn back the clock, and to do so would be inconsistent with the Supreme Court judgment. This is not taking dollars away from the public system in an inordinate way. We have, as I indicated during second reading of the Bill, a declining number of students in private education -- I think an opportunity with our new School Act to ensure that the public system continues to be responsive to the needs of its community, thus not building in an incentive to move away from the public system. But in terms of a balance, yes, we are recognizing it, and yes, we feel it's an important part of delivery of education within this province.

MR. MARTIN: Mr. Speaker, talk about turning back the clock. We thought public education was a reality in the 19th century. I point out to this minister that it's not the Leader of the Opposition; it's boards from all over the province that are extremely concerned about this. At least, then, could the minister indicate to us: does she have any studies? If so, could she tell us in the Assembly what effect such a modified voucher system will have on the public system? Has she checked into other places?

MRS. BETKOWSKI: Well, Mr. Speaker, we're getting into debate, but I welcome it, because when the member says do I have any studies that address private education and the use of it -- what we have, Mr. Leader of the Opposition, is a decision out of the Supreme Court of Canada in the fall of 1986, wherein they stated that in fact Alberta had struck a balance between the role of the provinces with respect to exclusive jurisdiction over education and the right of religious freedom and other individual freedoms which are guaranteed in the Charter. In order to strike that balance, we recognize that some people will not have their needs met in the public system. This is not a lessening of support for public education, which we are proponents of and supporters of and, in fact, I'm a product of. But to say that we should limit it or wipe it out entirely is simply not consistent with the law of the Supreme Court of Canada.

MR. MARTIN: Mr. Speaker, that is an absolute red herring. They didn't tell you that you had to have two families and seven children. The point that we're making is that you're going over that balance to what they were talking about in this Bill. Can I ask the minister this then? It's my understanding that the seven largest public boards in this system, led by the Calgary board, have all agreed that this is a serious matter; it's over at least 40 percent of the student population. Will the minister at least agree to meet with the boards before she proceeds with this proposal?

MRS. BETKOWSKI: Mr. Speaker, I have met with, I think, close to 90 boards, including the big urban boards. If the urban public boards were to say to me, "I like private education and I

think more dollars would go to it," I would be shocked. But the fact that there is an option in our system, the fact that we fund private schools in this province to about one-third of the level if they are a category 1 or 2 private school, the fact that we do those things is, in our view, a balance. When the member says that expressing in the legislation that there be at least two families and seven students is going over the balance, he may well wish to propose an amendment to that section. But what I don't like is the fact that under existing legislation there is no criteria, there is no limitation on families. It can be one person creating a private school. I don't think that is in fact correct, and that's why we as a government have proposed a limitation in the section.

MR. SPEAKER: Member for Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. The Supreme Court of Canada doesn't say in any way that we have to provide any degree of funding to these schools, and many provinces don't. What I want to know from the minister is: why shouldn't parents interested in sending their children to their own private schools pay for these schools instead of getting \$1,500 of public money from the government and now a new exemption from municipal taxation in this School Act?

MRS. BETKOWSKI: Well, Mr. Speaker, the Member for Calgary-Buffalo and I: here we go again. The Supreme Court, in fact, does say that within the striking of the balance. Alberta has recognized that there is a need for private education. It may not specifically say that the dollars that go there should be there, but what it does say is that Alberta has struck the balance. To pull out those dollars now, to say that we're not going to fund private education by a portion of public funds would, in fact, be inconsistent with the ruling. I look forward to this study in committee that the member may well wish to propose, as he did during second reading.

MR. SPEAKER: Thank you.

Second main question. Leader of the Opposition.

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

### **Ethanol Fuels Industry**

MR. FOX: Thank you, Mr. Speaker. People in Alberta are well aware of the many benefits of an ethanol industry in terms of providing alternate markets for grain producers, economic development opportunities for rural communities, moving towards a renewable source of energy, and the like. But recent studies remind us of another very compelling reason to develop an ethanol industry, and that is to replace lead in gasoline. My questions are to the Minister of Community and Occupational Health. Because these recent studies confirm that lead is a more dangerous pollutant than previously realized and that it's particularly harmful to young children, will the minister add his voice to the growing number of well-informed Canadians calling on the federal government to eliminate lead from gasoline as soon as possible?

MR. DINNING: Mr. Speaker, I must admit that it is not an issue that I have become familiar with. I welcome the hon. member's representations and will take them as good advice.

MR. FOX: I'd like to point out to the minister that the studies just released in Ottawa indicate that lead is a very serious contaminant, very harmful to the healthy development of young children, and that Canada's permissible level of lead is 10 times what it is in the United States. I would like to ask the minister if he's prepared to look at these studies, and in the interests of maintaining the health of Alberta's population and children, would he then be prepared to lobby the federal government for eliminating lead completely before their 1992 deadline?

MR. DINNING: Mr. Speaker, I would be prepared to look at the studies.

MR. SPEAKER: Agriculture, supplementary.

MR. FOX: Well, the . . .

MR. ELZINGA: If I could respond as Acting Minister of the Environment, under whom this does fall, to share with the hon. member that as he is aware, it does fall under the federal government. Lead is to be removed, Mr. Speaker . . .

MR. SPEAKER: I have two people standing, but the Minister of Agriculture was recognized by the Chair.

MR. ELZINGA: Mr. Speaker, as Acting Minister of the Environment, in his absence I'm happy to share with the hon. member, if he is unaware, that the federal government has decreed that lead will be removed from gasoline by 1992. There have been substantial reductions in the lead component in gasoline, and we look forward to a phasing out, and we have had discussions with the federal government as it relates to this.

MR. SPEAKER: Vegreville, second supplementary.

MR. FOX: Well, if I might, then, to the Acting Minister of the Environment. Is he aware of the fact that many of the lead alternatives being proposed by the petroleum industry are just as harmful as lead and that the best alternative from every angle is ethanol?

MR. ELZINGA: Mr. Speaker, the provincial Department of the Environment is working on a number of presentations that they have made to them as to how best we can supplement and complement the removal of lead from gasoline. I should share with the hon. member that an immediate phaseout of lead would be very difficult because, as he is aware, there is a variance in refining capacities within this province. In the event that there was to be an immediate phaseout, it could not be accommodated by the refineries that are presently in existence.

MR. FOX: An immediate phaseout would be difficult, but it's something certainly worth working towards -- 1992: a lot of children born and affected by lead in the interim.

Will the Acting Minister of the Environment and the Minister of Agriculture explain to us why he refused to accept the gracious invitation of the mayor of Minnedosa to come to that province and see just how ethanol is produced and what benefits it provides to that community?

MR. ELZINGA: Mr. Speaker, contrary to what the hon. member indicated, we accepted the invitation. We have a note here from the mayor whereby she canceled the meeting because of

lack of response from the New Democratic Party and the Liberal Party.

MR. MARTIN: That's a lie.

MR. ELZINGA: Mr. Speaker, they're calling me a liar.

Even though the lack of response, we still had our officials attend. Even though they canceled the meeting, our officials attended and said there was a number of positive aspects to the ethanol industry in Minnedosa. In addition to that, we met with federal and provincial officials on June 9 in Banff whereby we can pursue a national policy, and there is a consensus. Mr. Speaker, again this is the hon. gentleman who is attempting to gain cheap political points on a very serious issue, and he has not got his facts correct.

MR. SPEAKER: With due respect, hon. members, we had a discussion yesterday after question period about people inferring that others were liars, and perhaps we should not have that kind of demeaning of this parliamentary process continue. Thank you.

Westlock-Sturgeon.

MR. TAYLOR: Mr. Speaker, my supplementary is back to the original to the minister of community health with respect to additives in gasoline causing damage. Although we are moving to remove lead by 1992, we are not doing anything to lower the carbon monoxide count in the clean air of our cities. That can only be done by putting alcohol or ethanol in. When will the minister demand that the rules for clean air be stepped forward in Alberta so we have to use ethanol in order to have purer gasoline?

MR. DINNING: Mr. Speaker, perhaps my colleague the Acting Minister of the Environment would like to answer that question, but failing that, I'm sure the Minister of the Environment when he's back in the House would be happy to answer the question.

MR. SPEAKER: Supplementary question.

MR. ZARUSKY: Thank you, Mr. Speaker. As we all know here in this House, it's very important that we do diversify our farm economy. My question is to the Minister of Agriculture. Realizing that the demand for grain in the world is increasing and prices are going up, would the minister be able to tell this House at what price it is feasible to use grain for ethanol?

MR. ELZINGA: Mr. Speaker, the studies that we have read, not only our own but a number of other studies, have indicated that oil prices had to be in the vicinity of \$50 a barrel to make it viable.

MR. SPEAKER: Thank you.

#### Power Rates

MR. TAYLOR: Mr. Speaker, my main question is to the Premier with regard to EEMA, the Alberta Electric Energy Marketing Agency. Although most people and certainly our party would agree with the idea that telephone rates for electricity -- in other words, equalizing around the province -- helps diversify and spread industry, the province is scheduled to take the amount of \$50 million to \$60 million a year subsidy that they

put into this plan . . . In order to keep rates fair, they're scheduling to take that out, which means that they're asking Red Deer, Calgary, Medicine Hat, all points south, to subsidize the industrial expansion of the north where our water is.

Now, that is eminently unfair, Mr. Speaker, so I'm asking the Premier will he agree now to reinstate the subsidy that they have been paying to the EEMA plan, in October when it expires?

MR. GETTY: Two things, Mr. Speaker. First of all, the member's allegations in leading up to his question are incorrect, and if you start with a false assumption, you end up with a false decision. Secondly, the whole matter of EEMA, as the hon. member knows, is the responsibility of our Minister of Transportation and Utilities. I ask him if he'd like to respond.

MR. ADAIR: Mr. Speaker, I think it's important that we outline again for all members the role of EEMA in its move to attempt to, I guess you could say, narrow the disparity between generation and transmission costs in the south and the northern part of the province. That part of EEMA has worked extremely well.

Our concern at the moment is the fact that EEMA as it was originally structured: is it doing the job that it can do today and for the future, recognizing that we will have other factors involved in the decisions as to costs, such as the coming on stream in 1989 of Genesee 2 -- that's the first of the Genesee plants -- Sheerness 2 and Genesee 1 in the period between 1989 and 1991, and recognizing also that we're presently at probably the high forecast scenario as a result of the activity that's occurring within the province of Alberta now? The generation is starting to increase, and we will see an increased amount of power used. Of course, those costs will be shared by all Albertans as where, for example, the costs of Sheerness 1 in southern Alberta were shared by all Albertans at that time. We are looking at how we may be able to utilize the EEMA process to assist in smoothing out future rates fights that may occur with the coming on stream of these other plants.

MR. TAYLOR: Mr. Speaker, I'm still back to the Premier because this is a philosophical point. Utilities answered the question of sticks and stones; I'm talking about equalized electrical rates whereby the government puts money in so that the south or the areas that have been primarily developed earlier are not shafted. The present system of making the thing pay for itself amongst the consumers shafts the south, and that's wrong. All the taxpayers of Alberta should pay to equalize it. Will he not agree to that philosophy, that all taxpayers of Alberta should pay for equalization, not just those that are developed up to this extent?

MR. GETTY: Again, Mr. Speaker, I should remind the hon. member that it is not the government that has money; it is the people of Alberta whose dollars he is calling for. The hon. Minister of Transportation and Utilities has just explained to him how it will be handled in the future. Now, having asked the question again, I will again ask the hon. minister to respond.

MR. ADAIR: Mr. Speaker, two things that we may be able to try and clear up for the hon. member opposite: the fact that in the smoothing process we're dealing right now with generation and transmission only, not the distribution costs. Where we had a disparity of about 30 to 35 percent previously -- which

prompted us to get into what we'll call the postage stamp rate for generation and transmission, that has worked very effectively -- in the interim, we have also provided a shielding process to southern parts of the province. That is part of the issue that the hon. member is talking about which has seen . . . [interjection] Would you just let me finish, sir? If you may . . .

AN HON. MEMBER: If you have more time.

MR. ADAIR: I've got quite a bit of time, if you may just let me do that.

We have in the shielding process used approximately about \$290 million to this point, with one extension to this point in time. As I said, we're looking at what we can do for the future, using the EEMA process to smooth out any rates fights that may occur with the coming on stream of additional power units that are under construction now.

MR. TAYLOR: Mr. Speaker, we're getting to the point slowly and surely here. The point is that unless you go ahead with that shielding point, Calgarians will be expected to put up a half a billion in the next 10 years or southern Albertans in general will go over \$2 billion. This is what I'm trying to get at: will the shielding continue? Yes or no?

MR. ADAIR: Mr. Speaker, I just pointed out that we are looking at what options are available to us for the future, keeping in mind that the article that was in the Calgary paper covered what appeared to be just the shielding costs, yet they should include not only the shielding costs for the generation and transmission but also the increased capacity that will be coming on stream. For example, right now 6,602 megawatts are produced in the province of Alberta, and there is an excess at the moment. It's anticipated that by the year 1991 that figure will go up to 7,362 megawatts, so the additional increase of power sold to the system will be also part of those costs that will go up as well. We're looking at those.

MR. SPEAKER: Final.

MR. TAYLOR: Okay, Mr. Speaker. To the minister. Is it possible that we could export power as Quebec is doing -- and we're doing a certain amount now -- and use that to help shield the southern Alberta consumers?

MR. ADAIR: I think, Mr. Speaker, that particular aspect of the possibility of exporting power is being pursued quite actively with the hon. Minister of Economic Development and Trade and myself, working with the province of British Columbia and dealing with the possible markets on the west coast of the United States and having already in place the line between Alberta and B.C. to allow us to do that. The interconnect line is there, so there are some possibilities down the road for that to be used at the present time.

MR. SPEAKER: Thank you.

MR. R. SPEAKER: A supplementary question to the minister. As one of the options of smoothing out the impact on the rates throughout the province, is the government considering any legislative changes that would bring the cost of a new generating system into the rate structure prior to the generating system actually producing power? For the system at the present time the

cost of the system comes into the rates at the date of production. Is there any consideration by the government of a change in that area?

MR. ADAIR: Mr. Speaker, that has been a concern of ours. What actually happens in the process right now is that the utility companies provide the information to the PUB, who then automatically accept all of those costs initially, review it, and then look at possible rebates later down the road or the likes of that. We're looking at whether there's some possible avenue of putting those costs in ahead of time to remove what you might call spiked increase and then the rebate decrease so that it's better understood by all of the purchasers and consumers in the province.

MR. SPEAKER: Member for Athabasca-Lac La Biche.

MR. PIQUETTE: Yes, Mr. Speaker, to the minister. To encourage economic diversification, will the minister be willing to provide price shielding for the small power generation and in effect increase their price of 5.2 cents a kilowatt after 1995, having an inflationary addition to their price?

MR. ADAIR: Mr. Speaker, after the year 1995 the small power producer, if generating at that particular point in time, will be working directly with the utility company, and the forecasts used by the PUB/ERCB at this point in time show a steady increase in those costs beyond that. So they would be negotiating directly beyond that, if they are at that particular point in time not already into the 20-year contract or the 15-year contract that they're going to have to get into right now in order to accommodate their request for a levelized price which would allow those costs and that money to come forward before, in order to attract the investors and the likes of that. So the 5.2 cent per kilowatt hour price that is within our Bill was a price that was set as the 1995 levelized price, including in the price a factor for inflation for the life of the 20-year contract in order to provide that capacity, and I guess you could say that assurance, to the small power producers and their potential investors that they will be getting a price. And that was a request that was accommodated through the inquiry and by the small power producers.

### Twenty-five Year Retrospective

MR. R. SPEAKER: Mr. Speaker, my questions are to the Premier and possibly to the Deputy Premier as well. Taking a bit of licence on this day, looking a bit at history and the possible recurrence of events, I note and hold in my hand a number of Bills that were introduced in the last few days of this Legislature: the Alberta Corporate Income Tax Amendment Act, Alberta Income Tax Amendment Act, Land Titles Amendment Act, Personal Property Security Act, Planning Amendment Act, Child Welfare Amendment Act. I note from the records back in 1970 that the Leader of the Official Opposition at that time made a very clear case that major legislation such as that should be presented to the Legislature so that the opposition has several weeks to study the implications of those kinds of Bill. To the Premier. I was wondering if he could comment on the possibility of that being a policy at the present time.

MR. GETTY: It's a very good question, and I really welcome it, inasmuch as the hon. member and myself were here at that time, and I was supporting the Leader of the Official Opposi-

tion. It is true, and I agree with that proposition, that you should have major pieces of legislation introduced early. It's one of the reasons the government introduced their major legislation a year ago -- the School Act, the labour Act -- and wanted people to study it. We have always tried to give the fullest possible time for debate at all stages of a Bill. I might also say, if you recall, that when you're talking about taxation matters, we put it clearly in the budget and then provided a great deal of time for budget debate. On the other matters, we put them clearly in the throne speech and provided a great deal of time for debate on the throne speech. So we have done it with the major legislation, and we have done it in the budget and the throne speech.

One other thing. The hon. member says that legislation should be brought in early in the session. This may be. [laughter]

MR. R. SPEAKER: I'll tell you, that's good news for the boss at the farm.

Keeping in the same spirit of the history of things that happened in this Legislature, I note that on this Order Paper, and the Premier has already referred to it, we've had some very important pieces of legislation -- the School Act, the labour Act, the child welfare Act -- and also a social policy discussion paper. Those very same items were on the agenda of the Legislature in 1970. Now, I raise the question with the Premier if he could possibly comment on historical cycles.

MR. GETTY: Yes, I'd be very pleased to, Mr. Speaker. I notice the child welfare Act the member refers to and the social policy paper. Might I say that one of the problems might have been the minister of social services at the time. [laughter] However, on this day, and knowing my respect for mothers, wives, and families, I would say that that was not the problem.

A comment on historical cycles. You can't trust them. Because if you recall, Mr. Speaker -- and I draw the attention of the hon. member -- back then they had a new leader, and that new leader didn't win the election. We've had a new leader, and we've won the election.

MR. R. SPEAKER: Certainly your strategy was the proper one, and we realized that after the event of 1971. Hopefully some of us gave you that advice.

In looking back at history again, the Social Credit government of the day in 1969 ran a deficit. There was a lot of concern at that time by the member for Strathcona West, who is presently sitting in the leadership of this Legislature. He declared very clearly, and I recall his statement saying that this government doesn't know the meaning of restraint. Now, I was wondering if the Premier could comment on that now, looking at his background and knowledge, and indicate to us what circumstances have changed in the intervening years, possibly to even change that point of view.

MR. GETTY: Well, Mr. Speaker, I recall making that statement, yes, and I think that government back then didn't know the meaning of restraint. Having said that I have to acknowledge that back in 1971 that government introduced a budget for the first time in the history of Alberta of \$1 billion. As members know, budgets nowadays are in the order of \$10 billion. So you can see that governments in this country have to be continually alert to exercise restraint and not use taxpayers' money, even with good intentions, in such a way that we load debt onto not only today's generation but generations into the future, as

they have at the federal level when we had governments, not of the support of the hon. member or mine but governments also represented in the House, who felt that you should give everyone something free and then hope that the people never woke up and found out that it wasn't free and that the debt was on their shoulders. So we'll keep working to exercise restraint.

MR. R. SPEAKER: Mr. Speaker, my final supplementary is to the Deputy Premier. Back in 1969 the major debate in this Legislature -- and it certainly had a lot of political waves created -- was the Bighorn dam. It was big news, and we had hearings in terms of environmental experts. One of the key words at that time that was known in all the households of Alberta was a cost/benefit study that the government should have carried out. The opposition at the time, the Conservatives, firmly opposed the concept of big dams on rivers. So I raise with the Deputy Premier, who a few years ago was the Minister of the Environment -- would he agree that with age the government he now represents has gained some wisdom in this area by showing support for the Oldman River and other major water projects?

MR. RUSSELL: Yes, Mr. Speaker.

MR. SPEAKER: Edmonton-Glengarry, main question.

#### National Defence Tests

MR. YOUNIE: Thank you, Mr. Speaker. I would preface my questions with a note that the other Mr. Speaker in the Chamber is somewhat of a tough act to follow, but I'll do my best.

To the Minister of Federal and Intergovernmental Affairs. When questioned on the issue of post office closures, the minister hides behind the somewhat weak excuse that it's a federal issue. Yet on the equally federal issue of testing chemical weapons the minister wasted little time in jumping on the minister of defence and wringing from him a promise that he, the minister, will be notified prior to future tests. I have concerns both about the tests and the process of notification. In reference to the minister's illogical argument that we're only testing antidotes and the fact that one can only develop an antidote for a chemical that one has, can the minister explain on what authority he has it that the Russians have been kind enough to send us samples of or recipes for their chemical and biological weapons? Does glasnost extend that far?

MR. HORSMAN: Mr. Speaker, I'm not sure how the federal government and the Department of National Defence obtained the types of agents that may be stockpiled by the Russians. I would assume that they did so by means that are not at the disposal of the province of Alberta. But in any event, in my discussions with the minister he indicated that it was quite clear that they were testing gases for purely defensive purposes, for the clothing, the respirators, and other goods used by defence forces in this country on the types of nerve and chemical gases that are well known, apparently, to be stockpiled by the Soviet Union in large quantities.

MR. YOUNIE: Thank you. The fact is they're testing weapons and antidotes that we have developed in case our use of them, which they do contemplate, may affect our people as well as who they consider the enemy. On the matter of notification, that the minister of defence talked about publicly, I'd like to know how many hours, days, weeks, or months, whichever it might

be, notice he will get? And will that notice be shared with other members of government and members of the public?

MR. HORSMAN: I, in my discussions with the Minister of National Defence, made it clear to him that I did not expect to be notified of every test that took place in Suffield or other defence research establishments. There were some discussions that my colleague the Minister of the Environment had with the federal minister because of their shared responsibilities relative to emergency services. The Minister of the Environment may be the person to address the question to, and I would perhaps on his behalf take the question as notice, although I'm not his acting minister today.

MR. YOUNIE: Thank you. Will the minister in his negotiations with his federal counterparts ensure that that notice will include a description of the safety precautions and backup emergency response plans related to the testing and that those will be conveyed to appropriate ministers?

MR. HORSMAN: It has been made clear through statements made by the federal Minister of National Defence when he was here in Edmonton this week the types of precautions that are taken and, of course, the fact that these tests are conducted under carefully supervised conditions in a vast area of Alberta, well out of range of any individual -- or animal life, for that matter -- because of the nature of the Suffield experimental station and its size. He has made it clear that medical personnel are in attendance and that the tests are carried out with the greatest of care. I'm relying on his advice to all Canadians to that effect.

MR. YOUNIE: Mr. Speaker, with all due respect, they are happening only a few miles from the minister's own riding, in an area of the province where winds are seldom a little more than brisk. So I think he should be concerned. Will the minister ensure that both the minister of community health and the minister in charge of disaster services not only get notice with sufficient lead time to review those safety precautions but that, in fact, the process of notification allows some way for them to recommend improvements or modifications to the safety precautions and emergency response measures?

MR. HORSMAN: Mr. Speaker, as I have indicated, the Department of National Defence has assured us that they will conduct these tests in the most carefully supervised circumstances, when wind and weather conditions are appropriate. The hon. member is obviously not as familiar with southeastern Alberta as I am. There are many days when the wind does not blow. He is quite incorrect in suggesting that Medicine Hat is anything like Lethbridge in terms of the amount of wind that was blowing.

I just want to respond briefly to . . . The hon. member has suggested that I was only too anxious to deal with this matter in the House in answer to questions posed. That is true. Defence is a national responsibility; however, the ownership of the mineral rights in Suffield belongs to the province of Alberta. It was a clear case of joint responsibility with respect to the whole Suffield range, and that's, of course, one of the reasons that I as Minister of Federal and Intergovernmental Affairs have a direct responsibility for relating to the Department of National Defence. Because it does involve the property and the personal security of Albertans, and that is a responsibility that this government is concerned about. So to compare this particular

department, National Defence, with the post office is nonsense, and the hon. member well knows that.

MR. SPEAKER: Next main question, Edmonton-Gold Bar.

### Child Care Standards

MRS. HEWES: Thanks, Mr. Speaker. The Premier has made some noble statements regarding family life, motherhood, and options for parents. I must admit that with his charming acknowledgment earlier this morning, this is a hard subject to wade into. Yesterday as well the Minister of Social Service told this Legislature once again that there are going to be changes to the provincial child care program. Now, these kinds of statements leave municipalities, families, workers, parents, operators pretty much in limbo as to what is intended, thus making planning, including budgeting, impossible. It's important that the government now provide a full picture so that Albertans can make prudent plans. The minister has said that there will be training standards for staff in child care. This is long overdue. The shift is going to take time to gear up for. It will provide great opportunities. I welcome it. Can the minister guarantee that there will be increased spaces and tuition loans available at accredited institutions for early childhood development training?

MRS. OSTERMAN: Mr. Speaker, the hon. member has made a number of comments, one of the last ones being that I had stated that there would be training standards. I said that I have that under consideration. There has not been a final decision made with respect to that, but hopefully that will come early this summer. It is my understanding -- and the hon. minister responsible for Advanced Education may like to comment -- but there certainly is an abundance of opportunity in this province, through the colleges and so on, with respect to child care information and training leading to diplomas and so on. I think that probably our main concern would be as a rural member, the opportunities for people in a number of the other areas in the province to access that type of information and training.

MRS. HEWES: Mr. Speaker, can the minister assure the House that if there are training standards introduced, there will be a means for upgrading training for present workers and operators who want to play a continuing role, as well as newcomers in the field?

MRS. OSTERMAN: Well, Mr. Speaker, that's a hypothetical question. In any event, notwithstanding what policy may be in place today, or absence of it, as the hon. member might suggest, I think it is important that we, to the best degree possible, make that information and training available across the province.

MRS. HEWES: Mr. Speaker, will the minister inform the House if the minister is planning to set standards for out of school care as well and separate funding for out of school care from FCSS?

MRS. OSTERMAN: At this point in time, Mr. Speaker, I'm only addressing day care and family day homes and child care with respect to under the age of six.

MR. SPEAKER: Final.

MRS. HEWES: Thank you, Mr. Speaker. My final supple-

mentary is to the Premier. In view of the Premier's expressed support for parents who stay at home, what, if any, are the tax reforms the Premier is contemplating in order to neutralize these choices?

MR. GETTY: Mr. Speaker, I want to make it clear that the government support, my own support, is for parents, period. But what we want to do is make sure that actions that the government takes -- and government's always moving, trying to do things to help people -- don't fall into a habit of providing a playing field that's not balanced. In other words, if you take into consideration the federal government, which is now proposing a child care system of some, depending on estimates, \$6 billion to \$11 billion -- that that be administered in the best possible way, and that the way it was initially announced, it tended to throw those dollars in favour of parents who have their children taken care of outside of the home. I think most Albertans would want that to be a level playing field, not to take away from those who need it, but to make sure that it is administered fairly.

In the area of day care in Alberta, I point out to the hon. member that this government provides more spaces in day care, child care, than are needed, the only government in Canada that comes even close to that. We, then, regardless of income, pay \$250 per child. Now, if you have three children in a day care, that's \$750 to that family who have their children taken care of outside of the home. What are we doing for the parent in the home, the mother who stays at home?

MRS. HEWES: What are you planning?

MR. GETTY: That is the challenge. That is what this government's determined to do, is to try and make sure . . . And as we've said in this House, the diversity of the makeup of families makes this a complex challenge, because families are so different, whether they're one parent, a single father, a single mother, unmarried parents, or married parents. So we are going to try and design programs that help families and make it on a fair basis.

I've been talking about support for the family for the last three years everywhere I go in Alberta. There's a tremendous response coming from Albertans. They agree with that, because they know the future of this province is built on the strength of home, family, and community. That's what our government is going to do.

MR. SPEAKER: Order please. The time for question period has expired. Might we have unanimous consent of the House to complete this series of questions?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.  
Edmonton-Calder.

MS MJOLSNESS: Supplementary to the minister, Mr. Speaker. Would the minister ensure that a wage subsidy program be put in place in order that we pay child care workers decent wages and recognize their valuable work?

MRS. OSTERMAN: Mr. Speaker, I think all hon. members recognize the importance of the work that is done by child care workers. Day care centres are in complete control. The public sector and the private sector are in complete control of the man-

agement of their centres, and there is an inordinate amount of funding going into the parents' hands and directly into the day care centres' hands. Certainly if there is a call for higher wages, that can be achieved.

MR. SPEAKER: Additional supplementaries?

The time for question period has expired. The Chair has received notification of two points of order, one being from the Minister of Agriculture, the other from Vegreville.

MR. YOUNG: If I could rise on the point of order, Mr. Speaker, which is the one I'm certain the Minister of Agriculture was raising. It related to an exchange between the hon. Member for Vegreville and the Minister of Agriculture. The concern is one about which you gave an admonition, but I must advise that I clearly heard the expressions "liar" and "lies" coming from across the floor. That, under section 320(2) of *Beauchesne*, of course, is quite out of order and unacceptable parliamentary language. As a matter of fact, page 108 of *Beauchesne* is almost a full page of citation and reference as to instances where this has not been permitted to be used.

Mr. Speaker, I've been unable to see the Blues, so I do not know what the official record shows, but I would ask that the matter receive some further consideration.

MR. SPEAKER: Vegreville.

MR. FOX: If I might, Mr. Speaker, on the point of order, I'll peruse the Blues and make an appropriate decision. But it does surprise me that the hon. Government House Leader didn't hear the word "liar" plus the six-letter word that is not only unparliamentary but unacceptable in any form of exchange, that the hon. Minister of Agriculture used in exchange the other day. So perhaps both ears could be active.

MR. SPEAKER: Well, with due respect, hon. members, what occurred the other day has no relevance to what has occurred today. Because the Chair did indeed check the record of *Hansard* of the other day, and it was not recorded in *Hansard* as to what might have transpired. That issue is dead and gone, and that was pointed out yesterday.

Now, with respect to today, the Chair does indeed have the advantage of having called for the Blues, and in the exchange it comes back here to this statement. Minister of Agriculture:

Mr. Speaker, contrary to what the hon. member indicated, we accepted the invitation. We have a note here from the mayor whereby she canceled the meeting because of lack of response from the New Democratic Party and the Liberal Party.

The Leader of the Opposition:

That's a lie.

Now, with all due respect to all members of the House, without having corresponding evidence and all the rest of it, it is still unparliamentary to be shouting at each other, "That's a lie," or "Liar," and so forth. And while it has been occurring on an occasion or two in this House, the Chair would hope that the Leader of the Opposition would do the parliamentary thing and withdraw that statement as uttered earlier in question period.

MR. TAYLOR: You read in the Blues, which I didn't know till you read in the Blues . . . It said that the hon. leader of the Liberal Party was informed and declined. Did you? [interjection] All I can say is I wish he would table that, because I don't have

the size of bureaucracy that he has. but I haven't seen any letter, or I did not send one declining an invitation. [interjections]

MR. SPEAKER: The Chair would point out that in the course of yesterday there were two hon. members who indeed did the honourable thing and withdrew comments. One of them was the Member for Westlock-Sturgeon, and later in the day it was the Minister of Energy, after some time for reflection. I wonder if perhaps the Leader of the Opposition might indeed find it in his heart to be magnanimous enough with regard to the House on this occasion and to withdraw that statement please.

MR. MARTIN: Well, Mr. Speaker, it's always amazing that it comes back on this side, but I will withdraw it. I will say that he was not telling the truth, which I think you will tell . . . That's parliamentary. And I think it will be proven by the Member for Vegreville.

MR. SPEAKER: The Chair will accept it as taking it back into what is acceptable parliamentary form. At the same time, though, the Chair will point out that the Leader of the Opposition was a bit foggy in his perception of reality. Because as mentioned yesterday, one member from this side, of the Liberal Party, withdrew a comment, and yesterday one member of the government, at the direction and urging of the Chair, withdrew it. So I don't really regard that as having the Chair being biased.

Before we call Orders of the Day, we have a request under Standing Order 40.

MR. FOX: Mr. Speaker, I have a point of order as well.

Thank you, Mr. Speaker. I do hesitate to rise under the provisions of Standing Order 23(h). I recognize that in the colourful relationship that I and the hon. Minister of Agriculture have had, there are exchanges that go back and forth, and that perhaps forms part of the activities of this Assembly.

But I am concerned that in some of the statements that he made that were clearly at odds with the facts about me, he put words into the mouth of the very gracious mayor, Her Worship Beth Gordon, of Minnedosa, by saying that she had sent him a letter saying that due to lack of positive response from the Liberal and New Democrat parties the invitation to visit Minnedosa was canceled. The fact is that the mayor issued an invitation to the hon. minister, with a copy to the leader of the Liberal Party and myself. In a very polite way, I urged the minister to accept the invitation. I worked behind the scenes with the hon. leader of the Liberal Party and the leader of the Representative Party, both agriculture critics of their caucuses, to co-ordinate a delegation from this Assembly. I met in private with the minister and urged him to take the opportunity to accept so as to avoid making this a political issue. The mayor of Minnedosa sent a further letter to the Minister of Agriculture outlining her intentions to sponsor an information tour on Wednesday, June 15, again copied to the leader of the Liberal Party and myself. My office has been in touch with the mayor on two separate occasions over the last few weeks, and I myself have spoken personally with the hon. lady at length. I really regret that the Minister of Agriculture has declined to show some leadership in this regard.

I'll table the letters that prove the allegations made by the Leader of the Official position that he so graciously withdrew. The letter says:

Due to the lack of positive response to our invitation, The Town of Minnedosa and Mohawk Oil have decided to cancel



the information day scheduled for June 15th.

No reference to the party I represent or our numerous calls to her office, or reference to the Liberal Party. I am aware that the minister's assistant spoke at length with the mayor, where he explained the minister's reluctance to go, feeling that the ongoing subsidies they claim exist would be too onerous. The mayor also says in her letter that

It was never our intention of creating waves on the political scene and regret any problems our invitation may have caused.

I table those for the information of the Assembly.

MR. ELZINGA: Mr. Speaker, I must admire the way the hon. member has a way of twisting the truth, and I'm going to illustrate how he's done it again today. [interjections] I again had the courtesy to listen to the hon. Member for Vegreville. I respect very much, too, that we're getting into the latter part of June and occasionally tempers on all sides of the House will . . .

AN HON. MEMBER: No excuses.

MR. ELZINGA: I'm sorry? And I can understand that . . . [interjections]

MR. SPEAKER: With due respect, hon. members, this is a dialogue through the Chair. It does not need any additional back-chat. Thank you. [interjection] It is.

MR. ELZINGA: I can appreciate, Mr. Speaker, that at times like this, sometimes with the frustration of debate one can get a little carried away, because as you're aware, occasionally it happens to me.

But I should indicate to the hon. member -- and he indicated I had implied that the mayor had sent me a letter blaming the NDP. I never said that. I indicated that we . . .

MR. FOX: You just read it, Mr. Speaker.

MR. ELZINGA: Sure, and I'm happy to have him read it in the record again. I never referred to the letter. The hon. member's trying to twist the facts again. What we did is: immediately upon receiving the facts of the letter from her indicating, because of a lack of that positive response -- as the hon. member indicated correctly, our office, Mr. Bard Haddrell, my executive assistant, phoned her and she indicated to us that she had not had the courtesy of a response from the New Democratic Party or from the Liberal Party. We had sent a letter to her in response to her letter on June 7, indicating our willingness that if I could not attend for an official to attend, acknowledging that this House wasn't sitting. I recognize the opposition parties have the flexibility of not being here. We've got an obligation to be here. But, Mr. Speaker, she indicated at that time that she did not have a response. As I indicated in response to the question from the hon. member, we did respond.

In addition to that, if I can, there's nothing, as I've indicated before, that would make me happier in the event that we could have a positive resolution of this. But our official has given me an interim report indicating there are a number of positive aspects as to what is taking place there, and again, contrary to what the hon. member indicated -- and I'm not about to use the language, recognizing it's unparliamentary -- this government, this minister, is the one who put it on the ag ministers' agenda in July in Toronto. He indicates that's not the case, but that's very

much the trait of the hon. member. I just wanted to have the facts clear on this. We accepted. We communicated. The lack of response comes from the other parties.

MR. TAYLOR: Mr. Speaker, if I may speak to the point of order, this letter quite clearly says "Due to the lack of positive response to our invitation," and it's addressed to the minister. It's not addressed to the hon. Member for Vegreville or the Member for Westlock-Sturgeon. So obviously it's a lack of response through that area. I know I've been copied, Mr. Speaker, but being of a frugal nature and looking at our rather niggardly budget provided by the government to the caucus, what I was hoping to do was get a ride down with the Minister of Agriculture in his plane and go down there in class and come back. So we kept waiting for the minister to try to fix a time, and all we got was going on and on and on. But certainly just the cheap trick he's tried to pull now, that he has to be in the House and we don't, is one of the reasons we wanted to be with him. It's sort of like sending three convicts out to a store together: we all wanted to watch each other; we all wanted to be together. And obviously the Minister of Agriculture didn't want us along.

MR. SPEAKER: Thank you. The Chair notes that with regard to this correspondence from the town of Minnedosa, her honour the mayor, dated June 10, it is indeed addressed to the Minister of Agriculture but it also shows copies to Nick Taylor and Derek Fox. Therefore all three parties were informed, if they all indeed received the fax -- that's as in f-a-x.

The Chair wonders if perhaps the Minister of Agriculture is prepared to table the copy of the note which he referred to earlier in the debate. Depending on the response from that, the Chair's further comments . . .

MR. ELZINGA: Yes, Mr. Speaker. I'm happy to table the package of documentation whereby the two letters, June 7 and a letter dated May 16, are from me to the mayor, indicating my warmth in accepting her kind invitation.

AN HON. MEMBER: How about the note?

MR. ELZINGA: The note from Minnedosa? That's included in this. I indicated there were four letters, two of which are my acceptance of her warm invitation.

MR. SPEAKER: Thank you, hon. minister. The Chair will take under review the correspondence as received and tabled by the Member for Vegreville and the Minister of Agriculture and will report back to the House on Monday.

Now, do we have any more points of order? No.  
Standing Order 40, Deputy Premier.

#### head: Mr. R. Speaker's 25th Anniversary as a Member of the Legislative Assembly

MR. RUSSELL: Mr. Speaker, I rise under Standing Order 40, first of all to seek the unanimous consent of the House on a matter of urgency, to proceed with the oral notice of motion which has now been distributed to all members. The urgency, very quickly: the event is being marked today, the hon. member's family is in the gallery, and we would like to have this recognition time today. That is the essence of urgency to which I seek unanimous consent.

MR. SPEAKER: With regard to urgency, only the mover may speak. Do we have unanimous consent to agree to the urgency of the debate?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.  
Deputy Premier.

MR. RUSSELL: Thank you, Mr. Speaker and hon. members. I'd like to read the motion into the record:

Be it resolved that the Legislative Assembly, on behalf of all citizens of Alberta, express to the hon. Member for Little Bow, Raymond Albert Speaker, their sincere appreciation of his dedicated service to the people of Alberta on this special day of Friday, June 17, 1988, marking his 25th year as a Member of the Legislative Assembly of Alberta.

Mr. Speaker, that is quite an accomplishment, rare and unique in our country and certainly rare and unique in this House. Members will note that the wording of the motion expresses the appreciation of the people of Alberta for service to the people of Alberta.

Naturally, we know what this House is today and what conditions in society are today, but I thought it might be interesting to see what was news 25 years ago. So the archivist in our Legislature Library very helpfully assisted me by looking up the headlines on the front page of the *Calgary Herald* of June 17, 1963. The main headline was, "Girl Orbits 24 Hours; Spacemen in Fourth Day." That marked the day of the first woman in space 25 years ago.

Other headlines that might be of interest to us: "Hays resigns as City Mayor." Harry Hays, of course, following his mayorship of Calgary, went on to become our country's Minister of Agriculture and then a member of the Senate. He was followed by an alderman sitting on Calgary city council with me at that time by the name of Grant MacEwan. That's what that was 25 years ago.

Another news item said, "Voting starting slowly in most Calgary Areas." That was the election which sent our hon. colleague here at the time.

In the U.K., "Tory rebel calls on Mac to quit," referring to Harold MacMillan and his knowledge of the Profumo affair and the interesting news about Christine Keeler.

In provincial news an interesting headline, "Dry area may get government aid," referred to the drought in the Palliser Triangle that year.

It was interesting. We didn't have any exact headlines in the sports section, but I think I know what one of them said: "CFL Training Camps Open. Eskimo Pivot Getty in Top Form."

There was another tiny little item which the hon. Member for Little Bow will appreciate: "Fort Sask.'s Buck Takes Season's Final Bonspiel."

Mr. Speaker, there have been a series of dramatic changes in our society and in this Chamber during the last quarter century. During that time, of course, some things -- the very important things -- have remained constant. Others have changed dramatically as we've gone to becoming a global village, the era of instant communications. In those days, the hon. member and myself will recall, we didn't have *Hansard* or television or even a question period, and no research assistance and no research support. We didn't get monthly pay. We used to come in, have a session, and then all have to stand in line at a wicket in the Clerk's office and get our cheque for the year and then go back

to our constituencies. So it was quite a different time, and I believe this Legislature has adapted with the times.

But throughout that quarter century I want to, on behalf of our colleagues, pay tribute to the hon. member and the excellent service he has given. I know he's a well-respected MLA in his riding. It takes a great deal of dedication and a great deal of strong family support for an Albertan to give that kind of service on a nonstop 25-year period. So our congratulations and sincere thanks.

The hon. member hasn't changed very much. We were having breakfast the other morning; he's taken to wearing those funny little Rumpelstiltskin glasses. But he tells me the only thing that's changed, his arms have grown shorter and he can't get that paper far enough away anymore to read. But other than that his constant and dedicated and incisive service has remained there on behalf of the people. I think an achievement like that deserves recognition and warm congratulations, and I'm extending that to you, hon. member.

MR. SPEAKER: Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. I, too, would like to rise and speak for the Official Opposition. I certainly haven't been here for 25 years. As people know, I was elected in 1982, and at that particular time coming into the Legislature was a little overwhelming when you looked at the numbers across the side. There were four of us here. One of the things that happens when there are only four of you in opposition is that you get to know each other on a personal level very quickly, because as you can see, there were 75 on the other side.

I first met Ray, at least to my knowledge, back when I was the president of the party and you were going through a little, what they might call, filibuster, a real filibuster at that particular time. I think it was called "Remember the Alamo" with Grant Notley and Tom Sindlinger, and those were exciting times at that particular time. As I recall, I think that was about 1980 or '81. But as I say, when there are just four of you in the Legislature, you develop a personal relationship. I would like to say for me, Ray, that I've enjoyed the company. Especially when there were just the four of us, we had a lot to talk about. I said to Ray earlier on, "Anybody that's been in the Legislature for 25 years certainly deserves our accolades," because after five-and-a-half years, I wonder about it from time to time.

Let me just conclude and say to Ray, in terms of the personality, that I did notice some changes from back when there were four of us to now. Of course, Ray now is the elder statesman of the Legislature, very calm and determined and certainly doing an excellent job in terms of agriculture. But I can remember when there were four of us, Ray. There were days that you came in and I saw Ray Speaker be very angry over there in opposition. Many people haven't seen that in this session, but some of the other members would know what I'm talking about. So we've seen that aspect to him when Ray got up on the wrong side of the bed and the government I'm sure, wished he hadn't that particular day.

But let me say, Ray, that on a very special day like this -- 25 years is a real milestone in our history -- it's certainly appropriate to have your family and your friends here when history is being written. Let me as part of the Official Opposition just wish our best and congratulate you on 25 years of service to the people of Alberta in this Legislature.

MR. SPEAKER: Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. Let me also add my thanks and appreciation and congratulations to Ray and his family. Known as a politician that didn't spend 25 years in the Legislature but 25 years trying to get into it, I know how important, because of the politician who's in the Legislature, family and friends are. I'm sure many's the time you had to go out, the family, and visit and knock on doors and talk to people and tell them Ray would continue to work for them if they put him back. The very fact that Ray's constituency is considered such a bastion and almost impossible to touch means we've all had to give up trying to win the seat and, instead, try to win Ray. We talk to Ray from time to time. I notice the hon. Deputy Premier said he had breakfast with him the other day. Well, I can tell him he's made a mistake already. Ray is not a morning man; you have to work on him in the evening.

But I remember, too, meeting Ray the first time. It was in the early '60s when I was president of the Social Planning Council in Calgary and Ray came down. The Social Credit, in an attempt to prolong their government, was doing much the same thing this government is doing. They announced that they had a new social policy, which Ray was talking about. Ray was a very good exponent of it, and certainly Ray had a great influence. I thought at that time, after talking with Ray, that if this was the type of politician Alberta had, it was really the honourable profession many people said it was. I think Ray is the type of person that brings honour to the profession of politics. Because it's too often too easy to criticize politicians -- rightfully so in some respects, but maybe on the other hand, we live in a fishbowl. Ray has always lived in a fishbowl, and in that fishbowl he's always been above reproach.

I just want to take the time to say, Ray, that you're a true son of Alberta, a true Albertan, and the type of politician that if anybody was starting their son out tomorrow to be a politician and they wanted to ask him who to model themselves after, he would suggest Ray Speaker as one of the principal ones. Ray, may you have 25 more years representing -- however, on behalf of the Liberal Party.

Thank you.

MR. SPEAKER: All those in favour of the motion, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

AN HON. MEMBER: How are you voting, Ray?

MR. SPEAKER: Carried with one abstention. On this occasion, we'll allow one abstention.

Hon. Member for Little Bow. [applause]

MR. R. SPEAKER: Thank you very much. I feel just about as nervous as the groom that's already at the altar. The Deputy Premier wouldn't understand that yet. However, things can change, and as time goes on, events occur.

Before I express my appreciation to everybody here, I'd just like to mention one little event that happened this morning that was a kind of highlight and something I'd, in a very devilish way, been thinking about for a number of years. The hon. Leader of the Opposition mentioned the fact that we worked -- there were the two New Democrats and two Socreds working together -- in terms of the opposition on a number of topics.

One of their advisers, by the name of Ross, was often dressed appropriately as a consultant. Historically, one of the things when I first started politics . . . I don't know whether the hon. Premier or the Deputy Premier recalls this, but as I traveled into Ottawa and also observed some of the historical pictures of Abe Lincoln, one of the things I liked -- and I got a vest suit at that time when I started -- was to put my thumbs in my vest and stand like this. It sort of added an air of confidence to the politician, made people think you knew what you were talking about. But anyway, after vests were gone, and in the last few years, I thought there was something better. I have been requesting this from my wife on a number of occasions -- Father's Day, Christmas, birthdays, whenever I could -- but for some reason or other she felt it just wouldn't fit my personality or my dress appropriately. Well, I want to thank the hon. Member for Edmonton-Glengarry today that he has finally conceded to my request and made it possible for me to fulfill one of my devilish little schemes in this Legislature. I'd like to show you at this time what that desire has been, was, and is possible here today. [applause] I've always wanted red suspenders so I could stand in the House like this. Notice that the hon. Leader of the Liberal Party wore a blue tie today, appropriately, so I could be dressed in red.

Mr. Speaker, I'll try not to take too much time of the House, I do appreciate the time you're giving me today in recognition. But I do want to express some appreciation in the House in a formal way, because many people have done many good things to help me in whatever way I am successful in this role as a member of the Legislature. I'd like to thank the Deputy Premier for his kind remarks here today. They're certainly appreciated very, very much, I'll make one promise to the Deputy Premier, in my next campaign brochure I will not quote him, even though I would like to. But thank you for those kind remarks. It's much appreciated by myself and my family.

To the hon. Leader of the Opposition, thank you for your remarks. Our association, even though philosophically we are in different areas -- not on all subjects; there are some we agree on. But the ability for us -- and it's demonstrated, I think, here -- where we can be different in philosophies, different in terms of attitude on various subjects, we as members of this Legislature can respect and work hand in hand for the good of the public. I do appreciate your kind remarks to me. I appreciate you being able to step over that boundary and make them so appropriately.

To the leader of the Liberal Party, I would like to say that I do recall our first meeting when I walked into the Social Planning Council in Calgary as a new minister of government. I must say that I had much apprehension, because I came from a rural background, a background where I was teaching school and with a high interest in athletic activities, not necessarily in broader social policy. I was concerned about people, I guess; I had some compassion. That's why I became the minister. But I do remember walking in, and the first thought that struck me that day was: Nick Taylor, oilman on social policy council; there's got to be a conflict. Now, since I've learned to understand you better, I understand you can be flexible and adjust to various modes over a period of time. But thank you for your kind remarks as well.

My further appreciation I'd like to express publicly to my family for the many hours of tolerance, understanding, and support they have given me without criticism, without any negative talk or problems. To my two children that are at university at the present time I feel a very positive attitude toward being re-

sponsible in life. I think as parents that's one of the greatest rewards we can have. I give credit to my wife, Ingrid, who has steered them along through the difficulties and the problems and, I would say, at times clarified their objectives appropriately for them. Thank you.

My mother is with me in the gallery today, and that's much appreciated. When I first became a member, she gave me a thought which was just excellent wisdom. She said, "Ray, remember in public life that self-praise is no recommendation." I thought that was one of the best pieces of information, and in many, many situations I've tried to remember that. Most likely I've forgotten at times and forgotten to be humble. I apologize to my mother, but I want to thank her for her encouragement and the just positive contribution she's been able to make to my life along the way.

To all of you as legislators and my legislative staff, to your staff, Mr. Speaker, the support staff, to people in the building that clean our offices, that bring us a flower once a week: I've got to say a special thank you to all of them that have helped me so much in carrying out my responsibilities in this Legislature. We all know -- and I know you as members appreciate that -- that it's persons that support us and help us in many little ways that make our job and our stay, sometimes in very trying times, much more pleasant here in this Legislative Assembly. So to those people and to all of you here and my former colleagues, I'd like to express my appreciation for the contribution and the support you've given me in working through these 25 years as a member of the Legislature.

A very special appreciation I'd like to extend to my constituents. I was given the honour in 1965 -- and I sat just before that pillar over there as a backbencher -- to move the Speech from the Throne, and also at that time, if you can believe it, we concluded the Speech from the Throne. We were able to debate, and I was able to sum it up and conclude it. To the Premier, my conclusion at that time in 1965 was a football analogy of how this Legislature was just like a football game. So I think it's very appropriate that when you graduated from football to become the leader of our province, the techniques you learned there, I'm sure, would apply to this Assembly equally as well. But those constituents gave me the honour to represent them, and those were my opening remarks, that I thanked them for that at that time. I would have to say -- and as you will all feel -- I thank them again for the many times they've been able to stay behind me and give me their support and their confidence that I could assist them either individually or by groups to meet some of the goals and objectives they had in their own way.

I believe in that. That's the representative process. It's our roots here in this Legislature. If we forget that those people are the ones that graced us with the opportunity to be in this House, then we've forgotten what our roots are and we've forgotten why we're here. I would have to say that's one of the lessons I try to remind myself of very, very much. I look at my constituents, and I've always said: "They must be more than just voters. They are people that are friends and people that are confidants." So today it's just an extra pleasure to be able to express my appreciation publicly and on the record to those constituents.

To the press . . . There are times in my life when I pause in terms of appreciation. But I have learned over those 25 years that the press is a very important part of the democratic process. That communication between this Legislature and the people of Alberta in the most objective possible way is that link of democracy that's necessary. I know as members we often say that

trust is broken, but knowing many of the press members over the 25 years, and some of them in a very personal way, in their role their desire is to be objective and to present the news in the best possible light to the people of Alberta. So I want to just express my appreciation for their very important role to the members of this Legislature and to the people of Alberta, and certainly their association with me over the years.

Mr. Speaker, I don't want to impose on my colleagues an endless amount of reminiscing and so on, and I won't go into a number of situations that I think would be interesting experiences. But I'd like to say that the kindness and the helpfulness and the opening of doors by many people over those 25 years, especially Premier Manning, who asked me to come into his cabinet: Premier Strom, working with him in cabinet and also very actively in the political organization; Premier Getty; and also Premier Lougheed giving me the opportunity to be at first ministers' conferences, to be involved in the repatriation of our Constitution. Those were special opportunities that I want to express a thank you for here today.

My 25 years of service in this Legislature have always been excellent and gratifying years, and I can say very clearly that there is not a situation I can remember that was not gratifying and that was not fulfilling. I have no regrets. And as an added comment to my friend Mr. Taylor, I would highly recommend to young people that they become involved in public life and serve their municipality or their province or their country. It is an honourable role, and people are very good to you if you take it in that light.

I'd like to mention, though, Mr. Speaker, in the next couple of minutes just a few interesting observations I have had with regards to the Legislature and my responsibilities as an MLA. As an MLA you all know that you're confronted with many, many problems, and I'd just like to cite one as the type of extreme example that we are often confronted with. A young couple phoned me on a Saturday morning, and they said: "We'd like to get married. Can we come out to your farm, and could you marry us today?" So my first question was, "Have you got your medical?" -- because I thought, "We're on the road here" -- and they said, "Yes." I'd thought there'd be "No" and that would be the end of the situation. "Yes, we have our medical." Well, I paused for a moment or two and was just about ready to say yes, I could do the job, thinking that I'd tell them the truth on Monday. But I didn't. [laughter] There are many situations like that that we are confronted with.

This Legislature is an interesting place as you observe certain things happening. I think of a backbencher, and I'm sure many of you can identify with this experience. You're plucked out of the back seat as a backbencher with certain limited experience, the Premier says you are now a cabinet minister, you have a responsibility and within a week you find that you are an immediate fountain of knowledge. It's an amazing transition that occurs, and it's happened many times over the years. I've seen that happen. But I guess when people are given responsibility, they take that and do their job.

A couple of other things. Question period in my first four years in this Legislature was nonexistent. We came into the Legislature, we started with the Speech from the Throne, and there was no question period. We started with legislation; there was no question period. I didn't even know it was an item on the agenda the first four years I was here -- you know, to where we are today, where it's the prime show of the day. And there are many other good changes that have occurred.

The other item I've rather enjoyed in terms of changing is

the security of this building. Some interesting things have happened over the past. When I was a minister I had two things that could have been serious, I guess, in one sense, but I didn't look at it in that way. The first visitor I had was a sword swallower from one of the mental institutions of British Columbia. He came rushing into my office -- and the sword was not in his throat. The second instance a few weeks later was a man circling a noose. The Minister of Health at that time -- he had stopped in his office looking for me, and the Minister of Health said, "He's just across the hall." I've thanked Jim Henderson a million times for that. [laughter] So this fellow comes into my office with the noose, twirling it around. Now, we had security in that building at that time: I had an Italian secretary who was that tall. [Mr. R. Speaker held his hand at waist level] Both of those people were turned around and quickly escorted out the door. Thinking about it over the years, I'm sure she's the equal of Oscar.

Mr. Speaker, overall, in terms of my observations of those 25 years, the decorum in this Legislature has been a very special thing. As I've traveled to Legislatures in Ontario, British Columbia, Manitoba, I've noted a much looser and different kind of decorum that was there, a different kind of respect for the Chair. It's a special thing we have in Alberta, and I think as members we've got to work hard to try and keep it that way. It's a very good thing, and I know you're all dedicated to that very thing.

The other item I'd like to note are the respect and the compassion that exists between members of this Legislature today and in the past, irrespective of partisan views, which is certainly a tribute to the members and the type of people that are elected in this province.

I want to thank you, Mr. Speaker, and all of you as members of the Legislature for allowing this pause in our normal business to give recognition to my 25 years as a member of this Legislature. I humbly accept that recognition, and I'd like to just close it in this way: whatever honour goes with that recognition, I would like to share it with my father, in my father's name, because he was the person, back when he was living, that set the groundwork in terms of opportunity, in terms of his work in the community, his work with our family, and in his community service. If I can share that honour, that would be my choice here today.

Thank you. [applause]

MR. SPEAKER: Thank you, hon. Member for Little Bow.

When the House adjourns at 1 o'clock today, there is to be a special reception held on the fifth floor to honour our colleague, and at that time a special presentation will be made to him on behalf of all members of the House.

### ORDERS OF THE DAY

MR. SPEAKER: Might we revert briefly to the Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.  
Redwater-Andrew.

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

MR. ZARUSKY: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to the rest of the Assembly, 39 bright and energetic grade 6 students from the H.A. Kostash school in the town of Smoky Lake. Let me just tell the students they've just witnessed a milestone in political history. Twenty-five years is a long time, and I think Mr. Speaker's done it very well.

The students are accompanied by a teacher, Miss Ardell Clark-Tronnes; parents Betty Gawluk, Violet Carlson, and Venetta Bazjan; and by their bus driver Rodney Bothe. Mr. Speaker, they're seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of this Assembly.

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

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

[Mr. Gogo in the Chair]

MR. CHAIRMAN: Will the Committee of the Whole please come to order.

### Bill 21 Employment Standards Code

MR. CHAIRMAN: The sponsor has moved an amendment. It is a government amendment, which has been distributed. Based on the custom of this committee, we will consider the sponsor's amendment prior to other amendments.

Are there any comments, questions, or further amendments to the Bill?

Hon. Minister of Labour, are there any opening comments to your committee study?

DR. REID: Mr. Chairman, I do have some. In relation to the amendment that has been presented to the committee this morning, there are just a few brief remarks, because the amendment is relatively brief.

The three elements of the amendment listed as A, C, and D are obviously what one might refer to as minor amendments. "A" corrects some miswording. "C" has been introduced in response to very valid points that have been made both by employees and employers that if indeed someone did not give notice and was leaving employment, say, the day before payday, it is in many cases absolutely impossible to be able to give them their full pay and benefits after all the deductions by the following day. It's an impossibility, and for that reason we have introduced the concept as listed in item C.

Item D is an interesting one, Mr. Chairman, in that in section 53 we have removed the reference to section 55. The difficulty is that in some occupations there are gaps in the employment, and they are gaps that are accepted as a part of the employment. For that reason it should not be regarded as continuous employment if an employee is laid off for two months and then hired subsequently for, say, another nine-month period. That again cleans up a difficulty that became evident in Bill 21.

The major part of the amendment in part B is to clarify that there may be delegation of certain duties to employees of the

Crown within the department or elsewhere, but that in no case can the powers of the director of employment standards under section 92 be delegated. That's for very obvious reasons, and I don't think they need much debate. The matter of witnesses and the definition of "court" is, of course, a fairly routine matter which is frequently found in legislation.

In regard to the rest of Bill 21 and the sections throughout Bill 21, I would like to briefly draw members' attention to some aspects of the Bill, without being repetitive from remarks that I made at introduction of second reading. There are some significant changes in this Bill as compared to its predecessor, the Employment Standards Act. The Employment Standards Code has got a preamble, and that preamble represents very well the aspirations of all Albertans in employment whether as employers or employees, but especially those of the employees since the Employment Standards Act does set out the minimum standards for employees' benefits in the province. The preamble does recognize the whole concept of fairness and equity and the fact that whether one is the employee or the employer in a given entity, both have got a significant interest in the well-being of that entity and its continued existence.

On the other hand, the requirements that are set out in relation to communication and education correspond very well with the third "whereas" in the preamble where it addresses the concept of "open and honest communication between affected parties." Mr. Chairman, members who have read the final report of the committee which I chaired in 1986 and whose final report was issued in February of 1987 will remember that considerable attention was paid by that committee to the concept of communication between employees and employers. Indeed, in that committee report it was recommended that this be made compulsory. The difficulty with making such communications compulsory is that the very varied nature of employment in Alberta would make it frankly impossible to devise a system that would be universally applicable and acceptable. The variations between private and public sector, large divisions of perhaps multinational corporations and small employer-operated entities, the difficulties between the single-location entity and the multiple-location entity, which we find so commonly in Alberta because of the energy industry in particular -- those variations make it absolutely impossible to have a standard communications system, and for that reason it has not been made compulsory in the Employment Standards Code.

However, there are provisions for the minister to do certain things through education and communication which promote fair and equitable standards for employment in Alberta. There are provisions for councils to correlate information for the benefit of employees and employers. And more important, in section 5 are the provisions for the Lieutenant Governor in Council to develop a system that could be put into any given worksite in order to correct what may become manifest as a bad relationship. In other words, if there are sufficient complaints, sufficient problems in a given entity, then the Lieutenant Governor in Council can -- if that employer and those employees are unable to develop a sufficiently open system themselves, then a system can be developed for them and imposed upon them.

In actual fact, Mr. Chairman, I would hope, and I trust that this provision will not be necessary, as prior to the imposition through the Lieutenant Governor in Council of such a system, then it should be possible by persuasion, moral or otherwise, to persuade an entity where there are those difficulties to consult with many of the excellent relationships that exist in the province. If any given employer has any difficulty finding a

good relationship, then it would be obviously a responsibility of the department and the minister, whoever that may be, to assist them in contacting a good relationship where there is an entity that would correspond in most aspects to the entity in trouble. Such a consultation is going to be quite easy, as I have had a number of employer/employee relationships both in the unionized sector and in the non-unionized sector, public and private sector, offer to be of assistance where it may be required in a given entity.

I've spent some time discussing this, as the committee that I chaired and, indeed, the government feel that the open and honest communication between employees and the employer is crucial to the development of the right kind of relationship between employees and employers. Manifestly, Mr. Chairman, this cannot be solely a legislative or government function. It is something that employees and employers will have to work at. In most cases the successful relationships in this province that exist in so many entities have been based upon an open and honest communications system. Those systems vary markedly across the province, but when they work, the benefit to all concerned is of such significance that I would encourage all employees and employers to develop a system which is suitable to their entity, whatever it may be and wherever in the province it may be.

The other significant changes I would like to list are to be found in specific sections of Bill 21. The concept of a deemed trust for wages is a new one, and is surely a fair provision in that when an individual is working for an employer, they are doing so on a day-by-day basis and they have earned their wages or salary on a day-by-day basis. It is obvious that that money is really, in concept held in trust by the employer until the appropriate pay period is finished and, for that reason, should not be available to other creditors of the employer. The provisions that have been introduced in Bill 21 will go a long way, especially in cases where the employee otherwise would not receive their due wages because of their employing entity being put into receivership and other situations of that type.

In fact of the complaints that are received by the employment standards branch in relation to nonpayment of wages, the vast majority of those where the company is not in receivership are dealt with to the satisfaction of the employee with little difficulty. There are, of course, the situations where there are misunderstandings or varying interpretations of the situation. But in the vast majority where there is not a receivership, the employees do receive their due wages with little fuss, and indeed frequently after nothing more than a phone call from the employment standards officer. It is, indeed, in the cases of receivership where we have the greatest difficulty in having employees receive their due wages, and for that reason this one provision will make a significant difference to a considerable percentage of the cases where wages have not been received in the past.

Mr. Chairman, in similar vein, we have corrected some provisions to do with the payment of wages, and I think that has been clarified in many cases.

In other benefits that are now laid out in the Employment Standards Act, we have introduced the concept of adoption leave for adoptive parents as this is felt to be a reasonable balance to the maternity leave received by the natural mother of a child. That maternity leave, of course, can be taken both preceding and following the delivery, but there is a requirement that at least a certain time be taken subsequent to the delivery, and that amount has been balanced by adoption leave for the adoptive parents. Since in the case of adoption there is not a

biological function involved, the adoptive leave may be taken by either parent.

Mr. Chairman, another significant change has been the introduction of a change in vacation allotment. This is now after five years of employment with an employer. There is a requirement for three weeks of vacation with pay rather than the previous two weeks. This recognizes the changes in society and indeed recognizes what has in most cases been happening in any event in the Alberta employment sphere.

Mr. Chairman, we have introduced changes in termination notice by the employer, and we've introduced the requirement for a termination notice by the employee. In the case of an employer, the termination notice has been extended for long-term employees due to the concept that is now well recognized in law that an employee of longer duration has become more useful to the employer and has and should have acquired a greater interest in the employing entity. For that reason it is only fair that after a period of four years the notice required to be given in the event of termination of that employment should be extended. It is done serially to periods of four weeks, five weeks, six weeks, and eight weeks, after four years, six years, eight years, and 10 years respectively. In the event that the employer is not able to give that much notice to enable the employee to seek alternative employment, then the employer will have to give wages or salary equivalent to the notice that has not been given. There are, of course, some provisions to cover the situations where it is absolutely beyond the employer's control and where the employer himself may in actual fact be incurring significant financial losses as the result of cancellation of contracts and other similar events that can occur.

There are, of course, exemptions for those employment situations where it is an accepted fact and is traditional, as in the construction industry where the workers in the construction industry are fully aware that the employment will cease when that particular project comes to completion. On the part of the employee, if notice is not given, there is no penalty. The wages due shall still be given, but if there is no notice given, the wages do not have to be given straightaway or at the earliest possible opportunity but rather at the normal pay period, a subsequent time after the termination by the employee, and indeed there is an amendment, as I mentioned, to that provision.

Mr. Chairman, we've also introduced in Bill 21 the concept of a rest period after five hours where the employment situation is such that it is reasonable to do so. The concept of reasonableness is, of course, related to those situations where there is a continuous process such as an electrical generating plant, an oil refinery, and those situations where the employees usually work on a shift basis around the clock and where in the very nature of the employment, the breaks for meals, for other requirements, and the biological requirements, those breaks are taken at suitable times during the operation of the plant facility.

The other item I would like to address is the concept of time off in lieu of overtime. Mr. Chairman, members will remember that in Bill 60 of last year there were some provisions addressing compressed workweeks and time off in lieu. In both cases there have been many representations made by employees more than by employers indicating that there is quite a preference for the compressed workweek, where for working longer than eight hours per day the employee gets complete days off additional to the normal days off. Those are the concepts similar to the four on, four off; four on, three off; three on, four off; 10 on, 10 off; or 14 on, 14 off that we find in so many continuous operations: in the forest industry, the oil and gas industry, the drilling in-

dustry, and elsewhere. The concept of the compressed workweek is now well accepted. Indeed, there were considerable objections raised by employees to the provisions introduced in Bill 60.

Similarly, Mr. Chairman, in relation to time off in lieu of overtime, it was brought repeatedly to my attention, both by unionized employees and by non-unionized employees, that in many cases they prefer to be able to take time off in lieu of overtime. By the time they pay the taxes and the other deductions associated with the overtime pay of one and a half times the regular pay, the benefit financially is slight. In many cases, especially for women employees, they prefer to take the time off in lieu so they can spend it with their families or fulfilling the responsibilities that go with having a family. For that reason, the restrictions that were introduced in Bill 60 have been removed.

Now, I am aware, of course, of the difficulty that this can create when it is made a condition of employment that employees accept time off in lieu of overtime. There have undoubtedly in the past been some abuses of this by individual employers. The difficulty is that in trying to circumscribe those problem employers, the language is such that to restrict the use of the bludgeon type of employment proposal would in actual fact probably in any case restrict the freedom otherwise that employees wish to have. We have introduced the concept, however, that there has to be a written agreement by mutual consent, that that agreement can be withdrawn with notice, and that the employer cannot terminate employment if the employees decide that they no longer wish to take time off in lieu of overtime pay. That partially addresses the problem. I realize that it does not fully address it, but it is a best effort.

Before concluding my remarks, I would like to address two items that have been raised, both within and outside the Legislature, Mr. Chairman. One is the matter of benefits for part-time employees. There are provisions in the regulatory making powers for the Lieutenant Governor in Council to apply regulations on a uniform, universal basis or to segments of employment. Those provisions are there because of the difficulty in putting in statute that benefits shall be prorated. It is difficult especially with the irregular part-time employment, where the number of hours worked per week may vary from one week to the next. It is difficult to prorate the benefits in some cases where there are insured benefits through an insurance company. One obvious example is, say, a dental plan. Do you prorate the payment out of the dental plan? Do you prorate the contribution to the dental plan? Do you prorate on a service-by-service basis and that type of thing?

Obviously, there are some benefits that can be prorated, and the classic example is, of course, the private pensions Act provisions that were introduced in January of this year which make it necessary that any pension plan that is offered to full-time employees -- if a part-time employee earns one-third of the maximum CPP earnings, then they either shall be incorporated into the same pension plan or shall be in an equivalent plan. That is easy when it is directly related to the dollar earnings. Where the benefit is of the nature of a dental plan, it is obviously not so easy, but the regulatory power is there and will be used where we can find examples of suitable use of it.

The other item, Mr. Chairman, is the item about the equality of treatment of women, and I would just point out, as indeed the Member for Drayton Valley did earlier on in debate on Bill 21, that throughout Bill 21 there is no discrimination on the basis of gender, and that is obviously in concert with the basic Individu-

al's Rights Protection Act and Alberta Bill of Rights provision that apply to Alberta legislation.

I think with those opening comments, Mr. Chairman, I will now turn the floor over to any member who may wish to take part in debate on Bill 21 at committee stage.

Thank you.

MR. CHAIRMAN: Thank you, hon. member. Perhaps before proceeding with Edmonton-Belmont, we could get an indication from hon. members who wish to speak on the amendment and Bill 21.

Hon. members, it has been our custom that the committee allows discussion on the amendment and Bill simultaneously. The only caveat is that we must deal with an amendment prior to going to another amendment. So the Chair would entertain comments, questions on both the amendment and Bill 21 at this point.

The hon. Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. The minister in his comments indicated that there are employers out there that do make life difficult for employees at some time, and of course it works the other way as well. But I want to look at one point that the minister stated, the particular point of time off in lieu of overtime. He was saying that some employees would not want to use the option of having time off in lieu of an overtime clause, and to regulate that so an employer couldn't use that option would be so difficult and cumbersome upon all employers that it's not worth putting that particular section or that particular clause into the section of the Act.

[Mr. Musgreave in the Chair]

Well, Mr. Chairman, I submit that the very point of this Act is to protect the employees from bad employers. Now, thankfully the numbers of bad employers are few for the most part and far between. The role of this Act, as I see it and as my colleagues in the Official Opposition see it, is to protect workers in their relationship with their employers, to try and provide a provision that will ensure there is some form of equity, and that equity regrettably, for all the minister's statements, is not in this Bill. There's nothing here that guarantees employees are going to have the opportunity to request that they have no overtime. The minister says that an employee can with notice withdraw any contractual arrangement made with an employer so that overtime will not have to be worked.

Well, Mr. Chairman, there are employers out there that come from large chains. Mariposa comes to mind, the kinds of employment policies that were going on at that chain of stores. I'm sure that if an employee of Mariposa had a problem with the overtime or the scheduling system, the employer would not concede the prerogative or the privilege and would force that employee to continue to work the amounts of overtime as a scheduled shift. If that employee didn't like it, if the employee continued to object to that kind of treatment, I suppose that some members here would say, "Well, the employee always has the option to quit." But that's not the point. The point should not be that the option should be to quit. The point is that there ought to be an option to ensure that there's some fairness and some equity, and that's not contained here in this Act.

As we go through the Act, we see that there's not an awful lot that deals with fairness or equity for many Albertans. The preamble of the Act talks of certain goals that we would like to

set out in our province for employment, but then we go on further through the Act, and we see the contradictions that occur straight off the bat. We have in the second "whereas" of the preamble:

Whereas it is fitting that the worth and dignity of all Albertans be recognized by the Legislature of Alberta through legislation that encourages fair and equitable resolution of matters arising in respect of terms and conditions of employment.

That's the second one. The third one goes on to say that

whereas the employee-employer relationship is based on a common interest in the success of the employing organization, best recognized through open and honest communication between affected parties . . .

Those are two important, perhaps for me the most important, sections of the Act, because what the second one says to me is that there is going to be the recognition of worth and dignity for those who, through their labour, make a living.

Later on in the Act it says that disabled Albertans will not have to be paid the minimum rate of pay that is set for all other Albertans. So there we have the first contradiction. Equity? No. Dignity? No. Recognition of contribution? I would suggest not. We have minimum wage rates that are established by this government currently at \$3.80 an hour due to go up to the princely sum of \$4.50 an hour September 1. But if you happen to be a disabled Albertan, if you have difficulty getting around or difficulty in communicating, a disability that prevents certain employment opportunities, and you have to go and work at a job that is less than what you might hope because of your disability, there is provision in this Act for a director to allow that employer to pay less than the minimum wage, less than \$4.50 an hour. When we total that \$4.50 an hour over the course of a year, we're still below the poverty line. So we're going to allow disabled Albertans to work and enjoy an income that will probably be lower than the poverty line.

Now, Mr. Chairman, I would suggest that there are many Albertans with disabilities who are capable of working in employment where they ought to be paid far more than the minimum wage, and I'm sure that many employers, good employers, will ensure that that discrimination does not take place, and they will ensure that those worthwhile employees are paid and paid well. But for those few employers out there who are bad, who do not treat their employees well, they may very well find that this section of the Act allows them the latitude to pay their employees less, employees that have some very special needs. And special needs, as we know, are always accompanied by some very special costs. Just kitchen utensils and tools, things that we take for granted, come with extra costs for the disabled folk, and here we're asking them to live on less money than what we've regulated to be as a minimum wage.

The third whereas:

Common interest in the success of the employing organization, best recognized through open and honest communication.

Open and honest communication: well, I know that the minister would like to provide the opportunity for people to speak to one another, but quite frankly there are occasions when employees are being confronted by the employers, say on any organizing drive. How are we going to have open and honest communication? How is it going to be fair when the employer can go up to an employee and say: "Go ahead. Go ahead and sign the card that allows you to join a collective bargaining unit, and you know what will happen to you? We'll shut down, or you'll be fired." How can we equate the honest communication there? That's not honest communication; that's a threat. There ought to be protections in there to ensure that that doesn't happen, but



there aren't. There aren't in this particular Act, which deals mainly with the unorganized, nor is it there in section 22 of the labour code.

As to the amendment that the minister moved, the one particular section that immediately leapt out at me was the amendment dealing with pay following termination of employment. Well, Mr. Chairman, I'm puzzled as to why the minister would find it necessary to include this amendment to this section. Let's just go through the section:

- (3) If the employment of an employee is terminated by the employer without notice under section 56, the employer shall pay the employee the wages, overtime pay and entitlements to which the employee is entitled on the employee's next scheduled pay day.

I don't see any difficulty with that. Surely to goodness the employer is not going to start adding up the hours or the employer doesn't start the pay period with the assumption that an employee is going to work 80 hours and then make the cheques payable to that employee. I would suggest that when an employee starts a pay period, it goes in on a daily basis, either eight hours a day or seven and a half hours a day, perhaps 12 hours a day if we're looking at flextime, and that's added up on a daily basis. So we know that after four days the employee has worked either 32 hours or whatever the total may amount to. It's very easy to then calculate the hourly wage and the benefits multiplied by the number of hours. What this amendment does is allow for an extension of time for the employer to hold back wages that are earned and owed an employee after the employee terminates the contract.

Now, again I would submit that there are employers out there who are not all that terribly faithful to their employees, that don't feel a special relationship with their employees, and this will only afford them an opportunity . . .

MR. DEPUTY CHAIRMAN: Pardon me, hon. member. The Chairman has had a question with regard to the CBC cameras coming in, and we have given them approval. They want to get some shots of the committee in action.

Hon. member.

MR. SIGURDSON: I would submit that there are employers out there who will use this new amendment to hold back the wages that, as I said, are earned and are owed to the employee. Surely to goodness, with the technology that we have in place today, it's not too difficult to punch into the computer -- for those who are using computer accounting, which are many of the small businesses -- it's not too difficult to pull out the exact amount of money owed and feed that down to the local accountant who perhaps does the books and say: "This is the money we owe to this employee. Please ensure that the employee has that money on the next pay date."

Now, if we had an employee who was sick, had taken time off, I would hazard a guess that those hours wouldn't appear on the cheque, and there wouldn't be any problem going into the next period, that those hours wouldn't be included, his sick time off. Yet he would still be paid on the same date, the traditional pay date, without any problem. Accountants have no problem with that. What this is going to do, I fear, is allow, as I said, those bad employers just to hold back the money that is owed.

Now, Mr. Chairman, why do I keep on referring back to particularly rotten employers? They are few, quite rightly so; they are few and far between. There are not a lot of them out there, and I'm glad for that. I'm glad for the employees that have the good fortune of working for good employers. I'm pleased that

the majority of Albertans work for good employers. But I had a case not too long ago in my constituency where a chap had been working for a poor employer. I would go so far as to say this individual was working for a rotten employer who violated probably every section of the existing Employment Standards Act and who would violate every section of this Act as well.

What was that employer doing? That employer had this employee working 12 hours a day, seven days a week, day after day and week after week. At one point the employee had put in over 50 days straight at 12 hours a day. He was working in a camp. From the time he got up in the morning to the time he got back, it was 12 hours. Travel time was not included; traveling out to work and back was not included. His break time was deducted off the hours of work. So was his lunch time and his dinner hour. Although he was gone 12 hours a day, he was paid for 10. Worked over 50 days in a row at 12 hours a day.

An employer was taking advantage of an employee. The employee didn't think about the Act or how his rights were being violated. Three dollars and 80 cents. When he came to my constituency office, we had to fight for his overtime. We had to go through employment standards to get the overtime that was due him. The reason he came to my office is that he was so exhausted on that last day of employment that he had regrettably put his hand, his right arm, into a piece of machinery. That injury now prevents him from ever returning to work. He was a qualified journeyman carpenter. Use of his right hand is extraordinarily important.

When times were good, he was making good money. He was working in Fort McMurray and making an extraordinarily good income. When times were bad, he went out and, without the benefit of a contract, without the benefit of a collective agreement, worked for a rotten employer at \$3.80 an hour and was injured. The injury was such that it is going to prevent him from ever getting back into the industry that he was trained for. Quite frankly, he hasn't got the ability to be retrained for too many other positions where he can use his arm. On compensation, and this, quite frankly, has nothing to do with the Act before us -- pardon me, it does in a way. But at the compensation rate he gets 90 percent of the grand total of minimum wage. That's all he's entitled to. Here's a guy in his late 40s now not going to be able to work in the job that he could receive a good income at because he had a rotten employer. Twelve hours a day for 50 straight days: I want you to remember it. I want you to remember that they are out there. There are a few out there, and this Act ought to go a long way in protecting those individuals who happen to work for those rotten employers. It doesn't. It doesn't go far enough. In fact, I would suggest there's no provision for that kind of protection at all.

Those are my comments at this point. Thank you.

MR. DEPUTY CHAIRMAN: Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Chairman. A few remarks on this Bill, some general comments.

You know, one is curious as to how this type of legislation is written. It seems to me, as I observe what's occurred, that first of all, you decide what it is you want to do and announce that then you take a trip, then you hold some hearings, then you write a Bill, then you leave it for some discussion, and then you write another Bill that's what you wanted to do all along. I wonder, Mr. Chairman, about the exercise. I can think of no exercise that has added to or increased the cynicism in Albertans

as much as this one has.

Mr. Chairman, to be sure, when the Bill came in again, this part was separated out, and it does in fact deal with the vast majority of employees in the province of Alberta. I believe that since the original Bill was before us, there have been some modest improvements, but in my view they are not enough. I believe that when we're writing legislation of this kind, it should be prepared to serve us over a long period of time and require only minor adjustments, and I don't believe this one is written in that fashion.

Mr. Chairman, if I can just go to some of the details that I believe will require amending, the preamble in this Bill and in 22, its companion piece, sets the tone. If there is to be a preamble, it is put there for a purpose. It's there to set the tone of the whole Bill and to be used if in fact there is litigation. It can be referred to as the philosophical basis for the details in the legislation. Now, in this case, when we look at and see the first statement in the preamble, it says that

it is recognized that a mutually effective relationship between employees and employers is critical to the capacity of Albertans to prosper . . .

If we'd put a full stop right there, it might have been a useful statement; it might have worked as a preamble. But then we had to go to the lengths to add:

. . . in the competitive world-wide market economy of which Alberta is a part;

Now, surely the objective of such legislation is to create a positive environment for harmony in the employer/employee relationship, an environment of fairness and justice. But nowhere in this preamble do I find the recognition of the social purpose of an environment of collaboration, fairness, and justice between employers and employees. I find it to be deficient in that regard.

Mr. Chairman, the response to small business concerns: I believe some of these concerns expressed to the minister and to his staff during the interim period have been accommodated, and I applaud that move. I think they have listened. However, employees, and women in particular, seem to have been lost in the shuffle. We have to remember that 90 percent of employees, exclusive of the public service, are covered by this Act, by employment standards. Many of them are women, many work part-time, and many of them work at minimum wage. Now, we're talking here about lower skill positions held by men and women. These are non-unionized positions and are covered by the Bill. These standards all too often become the actual working conditions of those people. I believe that's what we have to concentrate on as we move through the details of the Bill and attempt to make minor adjustments, which I hope the government will take into consideration.

The first section on communication and education: the minister leans heavily on the need for communication, and I hope that it is more than a pious hope on his part. He talks about it as though it exists. He says that we have to have that atmosphere of fairness and that both parties have to work at it. Now, the minister has then gone ahead and written some of these requirements into the Act, and of course we have yet to see whether or not they will be fulfilled. In that section, of course, we have the business of advisory councils: not a unique idea, one that I think has some merit. But the control once again for these councils rests with the minister and makes that control subject, of course, to political interference. I don't believe that that is in the best interests of the employer or the employee. These kinds of advisory councils can even be placed where unions do exist

and therefore would have the possibility of doing an endrun where unions are in place.

Mr. Chairman, termination of employment has not been properly dealt with in the view of -- if 50 or more employees are to be terminated, notification must go to the minister. Then what? So what? One has to assume that certain things are going to happen, but we haven't heard what, if anything, they are. What on earth good does it do just to tell him we're going to lay off 52 people unless there is transition, training, and other mechanisms in place to deal with it.

Mr. Chairman, if I can go on to division 5, where we speak about overtime: now, here we have the potential for choices with the employer and employee. It leaves these choices open, and part of me agrees that there should be options, particularly where you have a small business with a small number of employees. But I think it also leaves it open to a great deal of pressure from the employer, who can adjust the hours and the employees to his or her own advantage. So there seems to me to be little reciprocity in this type of recommendation that might, if there were, be fair and equitable.

In the compressed workweek, the employer "may require" his employees to work. Now, I believe the compressed workweek is becoming an advantage to families and to individual citizens in Alberta and many of them choose this particular style of work. Flextime and shared time are also becoming more available choices to people. Again, in this one, while it is a good idea, there is no reciprocity, and control is left within the hands of the employer. Of course, we all know that it is very dependent on how that is exercised. I think it could have immense advantages, but it should be determined and arrived at mutually, not required by the employer -- I take exception to that terminology -- not thrust upon the employee.

Mr. Chairman, the 12-hour day, I think, can be desirable in certain occupations, and there are some people who prefer to work this. I think this once again supports new methodology, new relationships between employer and employee, particularly in small business.

I, too, am troubled by the section on the handicapped, where the director can exempt a person from the minimum wage payment. I believe the controls are not sufficient as far as how an appeal can occur in regard to a handicapped person.

MR. DEPUTY CHAIRMAN: Members of the committee, I wonder if you could lower your voices somewhat so that we can hear the hon. member and that *Hansard* can record the debate.

MRS. HEWES: Perhaps I should simply raise mine.

Mr. Chairman, I would like to ask the minister, and perhaps he can respond, if there have been discussions to any extent with handicapped groups and organizations. Of course, we are all aware that we now have a council. Presumably they could have advised him. But in the absence of that, there are many groups in our province that I think, would have been quite prepared to assist in developing legislation that would not disadvantage handicapped people when we know we are simply starting up our processes to assist them to find themselves in productive employment.

Mr. Chairman, continuing on in division 6, the minimum wage has been reviewed and increased. We're grateful for that, however small. We must recognize again that many people are struggling to live and support families on this wage, and I would have expected that the minister would have placed in this legislation a continuous review mechanism. I recognize that this

wage will be looked at from time to time and that employers and employees need lead time, but it seems to me that it would be immanently more satisfactory if there were a continuous mechanism placed in the Bill so that it could be looked at in relationship to the cost of living, inflation, and other indicators.

In division 7, Mr. Chairman, I support the vacation being increased to three weeks after five years. I think that reflects current practice, and I'm in agreement with that one.

In division 9 I deplore no termination notice if employment is under three months. While it's not exclusive to women, the three-month wonders are mainly women, and it puts women in a tremendously disadvantaged position because employers are able to simply release them, to terminate their employment. They go on UIC or back on welfare and go around again; it becomes a revolving door. We've all observed it. This Act, like its predecessor, doesn't seem to be able in any way to make a positive intervention in that one.

Mr. Chairman, in division 10, parental benefits, we had hoped the minister would see the light here and recognize changes in family life and in people's needs and in children's need. Maternity is now reduced to 17 weeks. It is our belief that there should be available without pay to an employee and the spouse 24 weeks, which could be taken by either or both parents -- to a total of 24, of course -- and that this should also be available to parents adopting children. Further, in the case of adoption there should be no limit to only children under three years. I think those of us who are adoptive parents know some of the difficulties of these circumstances, and as far as I'm concerned, having had both experiences, becoming an adoptive parent is probably more difficult and does require a longer period of adjustment for both parents. There is no question in my mind that parents adopting a child over three years should have access to an even longer period of time in order to achieve bonding with the child.

Mr. Chairman, I believe that section 73(a) is also deficient. I've spoken to this before in regard to an amendment to second reading of this Bill. This section exempts part-time and temporary workers, and while the minister in his opening comments today described the difficulties in prorating benefits, I think it's high time that we got into this century and started moving on. I believe that there should be vacation pay provided for temporary workers, that there should be termination notices, and there should be severance pay for those even under three months. I think those are only dealing with the realities of today, when we have increasing numbers of part-time workers who are keeping our labour force going, and this particularly applies again to women.

In section 92, Mr. Chairman, the section on reinstatement if the employer has breached certain sections: I'm concerned about this because once again the onus is on the employee to take action in this regard, and for reinstatement the employee, of course, must again apply. I believe that is not what I would consider legislation that is fair or equitable to the employee who has been improperly terminated or where the employer has breached certain sections of this Act.

The deemed trust, Mr. Chairman, I believe to be okay. Section 94(4), however, provides for no further appeal, and I think that one should be looked at again.

Mr. Chairman, just in summarizing, what I would have hoped for is a Bill that would have produced more of an atmosphere of fairness and justice, not only for small businesspeople but for all non-unionized workers and particularly for the working poor and minorities in our society, who could easily con-

tinue to be exploited, either consciously or subconsciously, by the terms of this particular Bill. I believe any Bill of this kind, which, as I mentioned before, relates to 90 percent of the employees in our province, exclusive of the public service, should be so constructed that it not only creates an atmosphere of fairness and justice and equity, but it also acts to protect it.

Thanks, Mr. Chairman.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Strathcona.

MR. WRIGHT: Thank you, Mr. Chairman. This Bill is a reasonable Bill, but it could be made better. It is not the odious Bill that we characterize Bill 22 as being. Having said that, though, there are a number of sections that very definitely require amendment, and there are provisions which do not fulfill even the rather limited recommendations of the final report of the task force.

Now, one of the features which is disquieting in this Bill, Mr. Chairman, is the number of exemptions that are applicable. The Employment Standards Code is supposed to be a code, and is a code in fact, for all workers, whether unionized or not, although of course a union agreement will take the workers out of the operation of any of the clauses it deals with in labour standards. Therefore, it's a little hard for a worker to know where he or she stands if the particular provision can be exempted on the application of the employer.

To remind members of the extent of these exemptions, I just need to refer to the list which we have composed by going through the Bill. Agricultural workers or people employed under the Public Service Employee Relations Act. Now, it is true that in the case of agricultural workers they work under substantially different conditions to industrial workers, that there are emergencies at calving time, for example, or during harvest or at times of emergency. I suppose times of emergency occur in every employment, so emergency is perhaps the wrong word. Unexpected things happen, but you expect unexpected things to happen in farming and ranching. It's part of the job. So obviously the same standards cannot apply, but that no standards apply, or almost none, under the proposed labour standards is really quite wrong. Perhaps there should be a lower and different set of standards, but just to exempt them altogether is, we believe, wrong.

[Mr. Gogo in the Chair]

The Public Service Employee Relations Act: well, if that were itself a complete code, that would be fine, but there are some of them who are not unionized -- I'm talking about public employees now -- and therefore do not have a collective agreement. They don't have a code, then, to resort to, and it is not always the choice of the employee not to have a union agreement. So that is a major problem, Mr. Chairman.

Another provision which one would have thought to be pretty basic can also be excepted upon the application of the employer; namely, the four-week notice required to the minister for an employer planning to lay off 50 employees or more. Now, on the face of it, that is a pretty progressive piece of legislation, yet it can be exempted upon the application of the employer.

The employer may be exempted from a requirement to keep employment records at the place of business under section 17. Now, I suppose in all these cases, Mr. Chairman, circumstances

can be thought up that might make it reasonable to grant the exemption, but the uncertainty that the possibility instills in the whole Act is not such that it can be justified by the odd exceptional case. As the saying goes: hard cases make bad law. That's to say, if you make your law according to the hard cases, then you have a too flexible standard in most areas of legislation, and this is certainly one of those areas.

An employer cannot require his employees to work past 8 hours in a day without overtime pay unless he can gain from them an agreement to take time off in lieu. That permission, Mr. Chairman, is easily got simply by making it a condition of employment. I suppose you can say that if the worker doesn't like that as a condition of employment, he or she doesn't have to take the job, but the bargaining positions of the employer and employee, particularly nowadays, are quite unequal, particularly the unorganized ones, which is what this Bill applies to.

The requirement that hours of work be confined within 12 hours in any day: even that can be waived by a director's order or regulation. Again, there might be very exceptional types of employment where this might be reasonable, but I'd just remind hon. members of one consideration alone, which is that the number of industrial accidents rises through the working day, on the average, on a pretty straight graph. So you're asking for sloppiness, not only from the danger point of view but from the point of view of the quality of the work done, if a worker has to work in excess of 12 hours in one day.

The requirement that an employee be granted a half hour rest period for a shift of five hours or more doesn't apply if such a break would be unreasonable . . .

MS BARRETT: Paid or unpaid.

MR. WRIGHT: Right. . . . or the director issues a permit or a regulation is made exempting the employer from providing it; that's section 30.

Cabinet can make regulations setting hours of work and overtime provisions different from those in the Act. That's really like saying, "Well, this is what the Act says, but if you want it changed, just get cabinet to pass an order." It's most peculiar legislation. It's quite different from the Canada labour code standards, Mr. Chairman.

Cabinet can make regulations setting out different vacation

pay provisions from those in the Act. Again this is ruled by the length of one's elbow instead of by certain rules. Cabinet can make regulations setting out different provisions for general holidays and general holiday pay. Perhaps that one is one with more sense to it.

So in dealing with the Act in general, we have to say that it is too full of the rights to exemption to be acceptable as being first-class legislation.

In the definition sections one notes some sloppiness, as I would characterize it, of some of the definitions or absence of them. In section (1)(c) there is no definition of a dependent contractor, which is an important concept in the Act, but that's very detailed, and I think we'll be coming to that later by way of an amendment, Mr. Chairman.

On the amendment, which is also before discussion, Mr. Chairman, I do have a subamendment of a commonsensical nature. If hon. members want to look at the amendment that has been put before us, they will see that it deals with the delegation of powers of the minister. There are some points to be made about that.

I'm getting a dirty look from the acting House leader, so perhaps I can move that we adjourn consideration of this Bill in committee.

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. GOGO: Mr. Speaker, the Committee of the Whole has had under consideration and reports progress on Bill 21.

MR. SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? So ordered.

[At 12:59 p.m. the House adjourned to Monday at 2:30 p.m.]