LEGISLATIVE ASSEMBLY OF ALBERTA

Title: **Tuesday, July 5, 1988 2:30 p.m.**
Date: 88/07/05

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

[Mr. Speaker in the Chair]

PRAYERS

MR. SPEAKER: Let us pray.

As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy.

As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country.

Amen.

head: INTRODUCTION OF VISITORS

MR. ROSTAD: Mr. Speaker, it gives me great pleasure today to introduce to you and to the Assembly, a number of citizens of Alberta who have been instrumental in what I call a history setting event. Back in March of '87 at the first ministers' conference on aboriginal rights Premier Getty stated that the government of Alberta takes responsibility for the Metis people of Alberta, that the government was committed to pursuing new and unique initiatives for self-government arrangements for Metis people, and that once they were formulated, they'd be enshrined in legislation.

I'd like to introduce a number of guests who have been instrumental in bringing forward the Bills that I will be introducing today, that are flexible and innovative approaches to achieving their goal of acquiring a land base as a made-in-Alberta approach. The executive of the Alberta Federation of Metis Settlement Associations consists of Mr. Randy Hardy as president, Mr. Ernest Howse as vice-president, Mr. Richard Poitras as secretary, and Mr. Walter Anderson as treasurer. Everyone knows that there are eight Metis settlements in the province of Alberta; the chairmen of each of the settlement councils are Archie Collins of the Elizabeth settlement, Mr. Wayne Anderson of Fishing Lake, Floyd Thompson of Kikino, Horace Patenaude of Buffalo Lake, Alphonse L'Hirondelle of East Prairie, Ronnie Anderson of Gift Lake, Sidney Cunningham of Big Prairie, and Greg Calliou of the Paddle Prairie settlement. Together with these ladies and gentlemen is a special guest, an elder of the federation, one of the instrumental people along with Mr. Richard Poitras in founding the federation and working to protect their land base. That's Mr. Maurice L'Hirondelle. I'd ask each of these to stand and receive the recognition and appreciation of the Assembly, please.

head: NOTICES OF MOTIONS

MR. YOUNG: Mr. Speaker, I wish to give notice of the following motion:

> Be it resolved that when the Assembly adjourns to recess the Third Session of the 21st Legislature, it shall stand adjourned until a time and a date prior to the commencement of the Fourth Session of the Legislature as is determined by Mr. Speaker after consultation with the Lieutenant Governor in Council.

head: INTRODUCTION OF BILLS

Bill 64
Metis Settlements Act

MR. ROSTAD: Mr. Speaker, it's indeed my pleasure today to introduce two Bills. Bill 64, Metis Settlements Act, is enabling legislation providing for a phased approach to the devolution of provincial authority to the settlement governing entities. The general council and settlement councils for each of the eight Metis settlements will be established under this Bill.

[Leave granted; Bill 64 read a first time]

Bill 65
Metis Settlements Land Act

MR. ROSTAD: Mr. Speaker, I also have the pleasure of introducing Bill 65, Metis Settlements Land Act. This authorizes the issuance of letters patent to the Metis settlements' general council, granting ownership in fee simple of those lands.

[Leave granted; Bill 65 read a first time]

head: TABLING RETURNS AND REPORTS

MR. ROSTAD: It's also my pleasure to table with the Assembly a resolution concerning an amendment to the Alberta Act.

MR. M. MOORE: Mr. Speaker, I'd like to table the year-end financial statements for Alberta Hospital Edmonton for the year ended March 31, 1988.

MRS. HEWES: Mr. Speaker, I beg leave to table an amendment to Bill 55, the Child Welfare Amendment Act, from the Liberal caucus.

I also beg leave to table a series of amendments to Bill 29, the Mental Health Act.

MR. STEVENS: Mr. Speaker, on behalf of the Minister of Public Works, Supply and Services, I wish to table the response to Question 199.

MR. STEWART: Mr. Speaker, I'm pleased to table a Syncrude Canada report entitled A Decade of Progress to commemorate the 10th anniversary of production by Syncrude. It's also an opportunity to recognize and acknowledge the tremendous accompUshments of Syncrude in the area of research, technology, record production, and cost reduction. As well, it's important to recognize the commitment of the owners, management, and employees to the future of oil sands in this province. Copies of the report have been distributed to all members.

head: MINISTERIAL STATEMENTS

Native Affairs

MR. ROSTAD: Mr. Speaker, you will recall that on June 3, 1985, this Legislative Assembly passed a resolution concerning an amendment to the Alberta Act, commonly referred to as

Resolution 18. This resolution committed the province of Alberta to transferring in fee simple, with certain exemptions, the Metis settlements land to appropriate Metis corporate entities and to the protection of these lands in the Constitution through amendment of the Alberta Act.

On June 17, 1987, I tabled before this Assembly for discussion purposes a document called Implementation of Resolution 18. During the last year this document was the subject of a continuing dialogue between the Alberta Federation of Metis Settlement Associations and the Alberta government. This dialogue was immeasurably enhanced by input received from settlement members and other interested parties. As a result of this dialogue and in the spirit of co-operation some major revisions have been made to the proposals contained in Implementation of Resolution 18.

Mr. Speaker, I was pleased to introduce to the Assembly two Bills to further implement Resolution 18. These are the Metis Settlements Land Act and Metis Settlements Act. As well, I was pleased to table a proposed resolution to amend the Alberta Act. The introduction of these Bills and the proposed amendment to the Alberta Act are not the end of the process to implement Resolution 18. It represents another step in a journey that the province and the Metis set out on 50 years ago. Like its 1938 predecessor, the Metis Settlements Act is enabling legislation establishing certain basic elements of the structures and systems of government on Metis settlements. The Metis Settlements Land Act provides for the transfer of approximately 1.28 million acres of land to Alberta's Metis.

This government is committed to the principles and concepts in the Metis Settlements Act and the Metis Settlements Land Act. We are also committed to the establishment of a process for the full implementation of Resolution 18. This process will be based upon the principle of close consultation and the spirit of co-operation, which has been the foundation of the mutual commitment of the Metis and the government to Resolution 18. The views of Albertans, Metis and non-Metis, will be sought, and wherever possible these will provide the basis for further implementation of Resolution 18 and the enabling legislation before you today.

Mr. Speaker, it has always been a matter of agreement between the province and the Metis settlements that section 43 of the Constitution be the legal instrument used in seeking the constitutional protection of the Metis settlement lands for Alberta's Metis people. In order to seek federal support for the application of section 43 of the Constitution to meet our mutual purposes in the implementation of Resolution 18, we have carefully selected the wording of the resolution to amend the Alberta Act, and over the next few months we'll be discussing this wording with the federal government so as to ensure the use of section 43. For the information of those who may not be familiar with section 43, it is the section of the Constitution Act that allows for constitutional amendment to occur between the Legislative Assembly of Alberta, the Senate, and the House of Commons on matters of applicability to Alberta only. Such a constitutional amendment would not require the approval of other provincial Legislative Assemblies. This government is of a strong view that matters such as these should be agreed upon only by those parties directly affected.

Mr. Speaker, in the past year consultation and co-operation have also led to the establishment of a process that will hopefully lead to a negotiated settlement of the lawsuits between the Metis settlements and the government of Alberta. It is my desire that the eventual proclamation of these Bills will occur in an atmosphere no longer clouded by the existence of a legal dispute between the settlements and the province, whether this is accomplished through the courts or through negotiations.

The Bills must be understood as part of a long process of negotiations that began in earnest with Resolution 18 in 1985. That statement of government intent was unanimously endorsed by this Assembly and led to extensive discussions with the Metis. We then tabled a more comprehensive paper, Implementation of Resolution 18, outlining a possible framework for protecting the land and providing for local self-government. We now are introducing actual Bills. They will be debated in this Assembly; they will also be debated outside of this Assembly. Our commitment to consultation continues. In particular, we want legislation that the Metis can live with, because that is what they will have to do. Given that, we are not going to complete the legislative process until we are sure that what becomes law will benefit the Metis settlements, in their view as well as ours.

Mr. Speaker, 50 years ago the first Metis settlements were set aside and the Metis Population Betterment Act was proclaimed. This legislation has stood virtually unchanged, although the settlements and the province have changed dramatically. The current Metis Betterment Act no longer adequately addresses the needs and aspirations of the Metis people nor reflects the attitude of Albertans. It is this disparity which the government seeks to redress today. This would not have been possible without the commitment and efforts of many Albertans. Perhaps the most significant contributions have been made by the members of the settlements themselves. Their commitment to their past and their vision of the future have been the foundation of the efforts of all those involved. In particular, the executive and board members of the Alberta Federation of Metis Setdement Associations deserve special mention.

I am proud, Mr. Speaker, that this government has been able to respond to the wishes and aspirations of the Metis in Alberta with the introduction of the two Bills and the tabling of the resolution to amend the Alberta Act before you today. The joint efforts of the Metis people and the Alberta government have resulted in this truly made-in-Alberta process.

Thank you, Mr. Speaker.

MR. SPEAKER: Leader of the Opposition.

MR. MARTIN: Yes; thank you, Mr. Speaker. As the government is well aware, back on June 3, 1985, when the Legislative Assembly passed this resolution referred to as Resolution 18, they had the support of myself at that particular time and the Official Opposition. If I may say so, I'm glad that consultation has occurred and continues to occur and, looking at what the minister says in this ministerial statement, that this consultation with all affected will continue.

I'm also appreciative of the fact that these major Bills are going to be allowed to sit for the time being so that not only will we have more time to look at them but also all the people who are affected. I think it goes without saying that when we go through the consultation process that the minister seems to be going through, especially with the people who are affected, I believe we often end up with much better legislation for all affected. Perhaps we can't please everybody, but I think we go in some direction.

Mr. Speaker, the only other item that I'd like to bring to the minister's attention -- I notice he says that they want to move ahead and get the court case settled one way or the other. I

would hope that as part of that consultation it wouldn't have to be done through the courts, that the government would recognize that there were legitimate desires on the part of the Metis people, and it's been going on far too long, and that that would be part of the consultation process.

The only other point I would make is that, as I say, I think it's a job well done at this particular time. I only hope that the consultation will not take place for another 50 years and that we'll have some resolution to this in the very near future.

Thank you, Mr. Speaker.

head: **ORAL QUESTION PERIOD**

Free Trade Implementation

MR. MARTIN: Mr. Speaker, to the Premier. The Premier ought to know that modem parliamentary democracy owes its origin to the Bill of Rights that was passed by the British Parliament in 1688. Now, the Bill of Rights resulted from a long struggle between Parliament and the Crown. The primary issue was very straightforward. Parliament objected to the following practice by King James II, and I quote:

> By assuming and exercising a power of dispensing with and suspending of laws, and the execution of laws, without the consent of parliament.

Mr. Speaker, King James was just born too early. He should have been in Alberta with the Conservatives in 1988. My question to the Premier, a very simple, straightforward one: why does this governmnent find it necessary to introduce legislation to suspend the laws and the execution of laws without prior consent of the Legislative Assembly? I'm talking about Bill 62.

MR. GETTY: Mr. Speaker, that legislation was introduced by the Attorney General and the minister of intergovernmental affairs. If the hon. Leader of the Opposition wants to hold his questions till he's in the House, I'm sure he'll be happy to reply to them.

MR. MARTIN: Mr. Speaker, as a follow-up, is the Premier saying that he's not aware of what's in Bill 62, the free trade Bill, and he can't answer the question about this major piece of legislation today?

MR. GETTY: Mr. Speaker, if you carried the hon. Leader of the Opposition's question on, I would be answering for all the Bills entered in the House. I mean, it doesn't make any sense. I give responsibility for a Bill, and then questions flow to that minister. That's been true throughout the course of this session and the last two before this. I don't know why that would cause him any trouble.

MS BARRETT: Who's in charge?

MR. MARTIN: Yeah, we want to know who's in charge. Is it the Attorney General, then, who's in charge, Mr. Speaker?

MR. SPEAKER: Is that the question, hon. member?

MR. MARTIN: My question is specifically -- I might remind the Premier what's in the Bill. Why is it necessary to have an all-encompassing Bill, like Bill 62, which would suspend the rights of this Legislature and give power to the cabinet behind closed doors to deal with the free trade agreement?

MR. GETTY: Mr. Speaker, again he's asked a question on a Bill introduced by my colleague. My colleague should be here for the full discussion of it. He shouldn't have to pick it up out of *Hansard.* That's why we have ministers responsible for Bills. I don't see the big problem for the hon. Leader of the Opposition.

MR. MARTIN: Mr. Speaker, to this Premier. Is he saying that he has not even discussed with the Attorney General this Bill that was brought before the House and that he actually doesn't know what's in it? Is that really what he's telling us?

MR. GETTY: Well, that bit of nonsense is certainly not what I'm telling them. What I said is that I could take responsibility for all the Bills, because the Bills have to go through cabinet. I chair cabinet, and I chair priorities, and I would obviously be knowledgeable about everything that's in all the Bills. But having given responsibility to certain ministers . . . [interjections] Despite the noise on the other side from the Leader of the Opposition and the Member for Edmonton-Highlands, who really don't want to hear an answer, I guess . . .

MS BARRETT: It's because you won't answer.

MR. SPEAKER: Perhaps the Premier would like to continue.

MR. GETTY: As I said, Mr. Speaker, individual members of the House have introduced Bills and are responsible for them. I welcome the hon. members to question those members who've introduced Bills. That's why we have the process of going through three readings and committee study. I don't know why it's such a big problem for the Leader of the Opposition, because that has been the process in Parliament and this Legislature for years and years and years. [interjections]

MR. SPEAKER: Thank you hon. members of the opposition. There's enough, thank you.

Westlock-Sturgeon, on a supplementary.

MR. TAYLOR: Mr. Speaker, the third whereas in Bill 62 says:

> . . . within the jurisdiction and responsibility of the Legislature of Alberta can be accomplished only by the Legislature of Alberta.

Then could the Premier explain why the federal government has made it a major piece of legislation and is going through the whole works when he thinks it can all be accomplished here?

MR. GETTY: Mr. Speaker, if the hon. member wants to know what the federal government is doing, he should contact them.

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

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

Hub Mall Business Leases

MR. WRIGHT: Mr. Speaker, my question is to the Minister of Economic Development and Trade and concerns developments at Hub Mall at the University of Alberta in my constituency. The minister is probably aware that a considerable amount of public money is being spent to upgrade the Hub Mall there,

which is a student shopping precinct, I guess you could call it. In the course of this a number of small merchants are being turfed out as their leases come up, even though they have rights of renewal. My question is: is the minister in a position to look into this situation to make sure that public money is not being used to the hurt of these small businessmen?

MR. SHABEN: Mr. Speaker, our office is aware of the concern that has been raised by the Member for Edmonton-Strathcona because we've received some calls. The relationship between the tenants in Hub Mall and the landlord is one that we don't believe would be appropriate for the government to inject itself into because in the final analysis the landlord is the University of Alberta, which is autonomous.

MR. WRIGHT: Mr. Speaker, I can certainly sympathize with and understand the concern of the minister in that respect. However, I have no doubt that the university is itself responding to the pressure put upon it by the lack of funds from . . .

MR. SPEAKER: What is the question, hon. member?

MR. WRIGHT: Well, I was just coming to that, Mr. Speaker. Will the minister undertake to examine all the options to make sure, so far as he possibly can, that these unfortunate consequences to these small businessmen will be avoided?

MR. SHABEN: Mr. Speaker, I'd be pleased to discuss the matter further with the hon. member. However, as I responded to his first question, the matter is really one between the lessor and the lessee, and the government does not have an involvement other than an indirect one, where the government, through the Minister of Advanced Education, provides financial support to the University of Alberta. I'd also be pleased to discuss it with my colleague the Minister of Advanced Education, but I am reluctant to involve the provincial government directly in a relationship between a lessor and a lessee.

MR. WRIGHT: Well, thank you. Is the minister saying he can't do anything to ensure that the character of the mall as a shopping precinct for students is maintained as that?

MR. SHABEN: Mr. Speaker, as I had indicated, I'd be happy to convey the hon. member's concerns to the Minister of Advanced Education, who is responsible for postsecondary institutions, but I would be reluctant to involve the government in a matter that relates to the university and their tenants.

MR. WRIGHT: To the Minister of Consumer and Corporate Affairs, if I may, Mr. Speaker. A small hamburger stand merchant has been in touch with me, and his $150,000 investment is being lost in the mall in favour of a franchised operation that's coming in. Will the minister undertake to have her department look into this particular franchise -- I'll give her the name of the entity concerned -- to make sure that the operation of this franchise is on the up-and-up?

MS McCOY: Mr. Speaker, I'd be delighted to do that when the hon. member gives me the information. It may be that we have already had our department look into that matter, but we could match names and see whether indeed it is the same circumstance. I do know that my regional office here in Edmonton has had discussions in a mediation role with both the university and one of the business owners in the Hub Mall, which resulted in a phase-in approach which was seemingly satisfactory to both parties. So it may be that that has already been helped along, as you say.

MR. SPEAKER: Supplementary or main question?

MR. TAYLOR: Supplementary, Mr. Speaker, if I may.

MR. SPEAKER: Thank you. Westlock-Sturgeon.

MR. TAYLOR; To the Minister of Economic Development and Trade. Mr. Speaker, while recognizing that he doesn't want to interfere between landlord and lessee, this is a case between government and landlord. Would not the minister contact the university, which is, after all, financed by public moneys, and tell them to haul off the dogs and use some common sense in their selection of an agent and in their leasing procedures?

MR. SHABEN: Mr. Speaker, as a result of calls to my office and to other MLAs and also to the Minister of Consumer and Corporate Affairs, our department and the Department of Consumer and Corporate Affairs have been indirectly having discussions. However, it would not be appropriate for the government to become directly involved between the parties.

MR. SPEAKER: Main question, Westlock-Sturgeon.

Publicly Funded Opinion Polls

MR. TAYLOR: Thank you, Mr. Speaker. It's to the Premier. As you know, in recent years governments have come to use more and more public opinion polls. They've become more and more dependent on them, and I suspect this government is no exception. The first question is: will the Premier consent to releasing all polls of the public using taxpayers' dollars?

MR. GETTY: Mr. Speaker, the hon. member would have to be much more specific than that to give some kind of a general answer. Perhaps he might want to either be more specific, contact my office directly, or put a motion on the Order Paper.

MR. TAYLOR: Mr. Speaker, all I wanted was a general answer to a general question.

Well, will the Premier confirm, then, that partisan issue questions such as party support -- who is voting for whom -- are on these publicly paid for polls that the government is running?

MR. GETTY: I'm afraid, Mr. Speaker, that the answer stands again. The hon. member is just going to have to be more specific.

MR. TAYLOR: Well, Mr. Speaker, I'm about as specific as I can. The Premier is running polls to see how people think and how they will vote. Will he at least consent to releasing all those polls that this government has run in the last six months that ask questions of a partisan political nature? Will he release those polls? How much more specific can I be?

MR. GETTY: Well, Mr. Speaker, if they're partisan political polls, they'd be paid for by a party, not by the government.

MR. TAYLOR: Mr. Speaker, I'd be most surprised. It would

be the only government in the western world that's doing it.

Will the Premier at least consent to release from these publicly paid for polls, not the results, just the list of the questions asked so that we can see whether they indeed are nonpartisan?

MR. GETTY: Mr. Speaker, as far as I know, there's only one individual in the House who's here at least for question period right now who's in a campaign these days. If the hon. member needs help with his polling or campaigning, he's going to have to get it from his own party.

Rebuilding West Dover School

MR. SHRAKE: Mr. Speaker, in Dover community, on the east side of Calgary, a disastrous fire burned down part of the Dover elementary school. I'm sure the hon. minister was aware of this unfortunate incident. I wonder if the minister could advise if the Calgary public school board has the funds or insurance to rebuild this school.

MRS. BETKOWSKI: Yes, they do, Mr. Speaker.

MR. SHRAKE: If there is any problem in rebuilding the school, I wonder if the minister could advise if she would be willing to attempt to assist the Calgary public school board in getting this school built for this coming year?

MRS. BETKOWSKI: Mr. Speaker. I think it is in everyone's interest, particularly the students at the West Dover school, to ensure that those students continue their educational opportunities. Every effort will be made to ensure that the program continues in the fall, although at this point I can't guarantee that that will happen. If it does not, the students will be accommodated elsewhere until they can be returned to their school.

MR. SPEAKER: The Member for Athabasca-Lac La Biche, followed by Calgary-Buffalo.

Deregulation of Transportation Industry

MR. PIQUETTE: Thank you, Mr. Speaker. We the Official Opposition have been warning the provincial government and the federal government about the perils of deregulating the transportation industry. Now some of the warnings are coming home to roost. Besides a sharp rise in safety related problems in urban centres, we now learn that Alberta has, since January 1, blindly rushed ahead in approving licensing permits to outside-of-province trucking firms. However, other provinces, such as Saskatchewan and Ontario, have not reciprocated, and now many trucking firms in Alberta are facing unfair competition and financial hardship. To the Minister of Transportation. Why has the minister moved so quickly in implementing deregulation of trucking licensing when some other provinces have not reciprocated in kind?

MR. ADAIR: Well, Mr. Speaker, it may take a moment for me to answer, so I ask your indulgence. Back in 1985 a memorandum of understanding was signed by all of the provinces in Canada with Canada in which they would put in place the Motor Vehicle Transport Act and then get into deregulation: 1985, and we're now in July of 1988. I don't think that can be considered to be fast, Mr. Speaker, to the hon. member.

What we have done in the process is identify, working with the industry -- that is, the Alberta trucking industry -- those areas where, in fact, we could get some consistency; in other words, assist our truckers, mainly our cross-Canada truckers, so that they and any of the other provinces would have the same set of rules in each of the provinces across the nation and that it would also work in the sense of permits that were provided by the United States to Alberta truckers, because that has already occurred, and we have many of them in place. My information is that the Alberta trucking industry will take on any of those particular truckers at any time with this deregulation that's been in the process for the last four to five years.

MR. PIQUETTE: But, Mr. Speaker, our trucking industry is suffering because of the minister's decision to rush to deregulate the licensing part. Is the minister prepared now to abandon or at least slow down the deregulation of licensing in view of the chaos that has resulted from its implementation?

MR. ADAIR: Mr. Speaker, I wonder if the hon. member would be prepared to provide me with some information that identifies the chaos that he speaks of or any of the other information that he has about truckers who are in fact in difficulty. My information as recently as last week from the industry itself was that Alberta has consistently been the leader, and they are very, very pleased with that in the sense that we have been working toward deregulation from the period between 1985 and now and that, in fact, what we have done is show that Alberta consistently is the leader in putting in place the kind of regulations that we have. Alberta is the least regulated of any province in the nation.

MR. PIQUETTE: Unfortunately, there's unfair competition existing in the way that other provinces are treating our truckers. Can the minister, then, indicate what action he will take if other provinces continue dragging their feet on the question of licensing deregulation?

MR. ADAIR: Mr. Speaker, about two months ago -- it might even be three months ago -- I wrote to the federal minister indicating that there was a concern starting to arise in Ontario over a case that was in Ontario, and they had ceased to issue any licences not only to Ontario truckers but to any other Canadian truckers, and would he ensure that we were consistent in the move right across the nation. That has already taken place, and to my knowledge they are starting to fit into the program. The next phase, Mr. Speaker, for implementation is January 1 of '89.

MR. PIQUETTE: Unfortunately, we should all be going in step.

Can the minister confirm that in the United States deregulation has merely aided large trucking corporations by eliminating many thousands of small trucking companies by driving down rates briefly and then raising them after competition had been eliminated? Will the same thing happen here in Canada?

MR. ADAIR: I can't confirm that. If you have any information that you could provide me, I'd be happy to check it out, because my understanding is -- and I say it again -- that Alberta truckers hold no fear of U.S. trucking dominance over regulatory reform and are prepared to compete with U.S. truckers at any level with our deregulation that's in place now.

MR. TAYLOR: A supplemental, Mr. Speaker, to the minister. Has the minister made any study -- this is hypothetical, but probably not.

MR. SPEAKER: By the member's own admission . . .

MR. TAYLOR: I'll rephrase the question.

MR. SPEAKER: Well, do it quickly.

MR. TAYLOR: When -- this hurts me to say it -- the free trade pact is implemented, can the different licensing between provinces still continue?

MR. ADAIR: My understanding, Mr. Speaker, is that the deregulation of this industry, as occurred in the United States a number of years ago, will not impact on free trade, other than the fact that it'll open the borders for movement of goods both to the U.S. and from the U.S.

MR. SPEAKER: Thank you.
Calgary-Buffalo, followed by Calgary-Mountain View.

Energy Industry under the Free Trade Agreement

MR. CHUMIR: Thank you, Mr. Speaker. This is to the Minister of Energy. The government's recent propaganda on free trade, Questions and Answers, asked some good questions, but unfortunately many answers are misleading and even wrong. For example, the booklet asks whether Canada has made a commitment to share our energy supplies and then says, and I quote, that

> the commitment for access to other commodities and for crude oil is no different than Canada's existing commitments under the GATT and the International Energy Agency.

Well, the reality is that under the free trade agreement we are prevented from cutting our exports to the United States below the proportion of energy over the previous 36 months, and this is a restriction far beyond GATT and the International Energy Agency. Now, the minister's a math teacher, so let's see what this means in natural gas terms, where we now export about 30 percent of production to the U.S. and going up. Will the minister admit that if we want to cut back a net 3 percent of the 30 percent going to the United States, which is 10 percent of exports to the U.S., we would have to commensurately cut back 10 percent in production in Canada in order to keep the proportions in order?

DR. WEBBER: Mr. Speaker, I won't treat this as an arithmetic class but emphasize to the hon. member that there have been conditions in place for many years through the International Energy Agency with respect to the sharing of supplies in emergency type situations. Of course, through GATT, as well, there are conditions. Yes, the free trade agreement does relate to the sharing of energy supplies. However, there are conditions that are in place which will certainly look after Canadian needs. In fact, we've been emphasizing all along, Mr. Speaker, that the best protection any consumer can have either in this country or in the United States is through long-term contracts. These contracts are being made between buyers and sellers today, and we expect that they will continue and increase, particularly in central Canada, where we've been trying to get the message across that the most secure supply is through long-term contracts.

MR. CHUMIR: Well, the fact is that a 3 percent cut in the U.S. would require a 10 percent cut in Canada, and there's no way we can realistically cut back production in Canada. I'm wondering whether the minister will then admit that under the free trade formula we've locked ourselves into a structure where we can't cut back on the U.S. exports because it would be like a boomerang that would hit us harder. Or does he think it's realistic to cut back on Canadian production and sales by 10 percent?

DR. WEBBER: Mr. Speaker, the hon. member certainly has got a different interpretation than what we have of the free trade agreement. As I say, I'm certainly not going to respond to his arithmetic in here today.

MR. CHUMIR: Well, why don't you tell us what it is instead of giving us a bunch of baloney?

MR. SPEAKER: That's the question. Is that the question? [interjections] Is that the question, hon. member?

MR. CHUMIR: I'm getting to that, Mr. Speaker. The important question that I would ask of the minister is: what kind of deal does this province have with other provinces or with the federal government to share any internal cutbacks in Canada under free trade or the International Energy Agency agreement? Does Alberta share in these cutbacks, or does it leave the rest of Canada to take the whole burden?

DR. WEBBER: Well, Mr. Speaker, the free trade agreement would have just the opposite impact on the development of our reserves in this country from what the hon. member is insinuating. We see the free trade agreement as an opportunity to have an assured market for our future supplies of oil and gas, and the energy industry in this country is very pleased with that agreement. In addition, in terms of investment in Canada the free trade agreement is expected to provide an opportunity for a significant investment from the United States into the development of our long-term reserves. So the free trade agreement is seen as very much of a positive from the perspective of energy development in this province. Further aspects relate to the petrochemical industry, where we have the removal of tariffs, which will have a significant contribution to the future development of energy in this province.

MR. CHUMIR: Mr. Speaker, the minister hasn't even attempted to answer my questions. All we're getting is roses and no problems. With the government pressing for long-term contracts with purchasers in the United States and elsewhere, what kind of planning process does the minister have in motion to ensure that we don't get snookered into a situation such as I described, where we can't in fact cut back on exports in the future because we hurt ourselves worse?

DR. WEBBER: Well, Mr. Speaker, the hon. member is trying to create a situation of fright for the industry. The free trade agreement, as I indicated, actually will be an incentive for the future development of supplies in this country, so we are not in the least concerned about the fact that we would be short of supplies in the future. We have over half the world's reserves of heavy oil and oil sands in this province to be developed in the future, and this would provide an opportunity for us to develop those reserves.

MR. PASHAK: Mr. Speaker, going back to the original questions about the sale of natural gas into U.S. markets, how does the minister intend to ensure that the interests of Albertans are

safeguarded, if we enter into long-term contracts in the United States, against interventions by American regulatory agencies?

DR. WEBBER: Well, Mr. Speaker, as the owners of the resource in this province we have control over the development of our reserves in this province, and when our producers enter into long-term contracts for those future supplies, we intend to uphold those contracts and be a good supplier for our customers in the future. So as owners of the resources we will certainly be able to make sure that Albertans are well served with respect to their future energy needs and that long-term contracts will protect those who want to enter into them.

MR. SPEAKER: Thank you.

The Member for Calgary-Mountain View.

Aboriginal Rights

MR. HAWKESWORTH: Thank you, Mr. Speaker. The Canadian Constitution and Charter recognizes aboriginal rights but does not define what those are. Four first ministers' conferences on aboriginal rights have ended in failure. Though the Meech Lake accord committed the Premiers to yearly meetings, the defining of aboriginal rights was not put on the agenda for those meetings. I'd like to ask the Premier: why was it that the issue of aboriginal rights was not put on the agenda for future first ministers' conferences as part of the Meech Lake accord?

MR. GETTY: First of all, Mr. Speaker, the hon. member is incorrect. The meetings did not end in failure. The meetings were the result of a great deal of input both by native groups and by governments, and each meeting moved both groups toward a better understanding of the problems that are faced in the matter of aboriginal rights and set the stage for future meetings. The Prime Minister chairs the first ministers' meetings, and as chairman he felt that the next meeting on aboriginal rights should come after the result of more work that would see a greater amount of progress that could also be made at the next meeting and, therefore, will call them at the request of the Chair.

The government of Alberta, as most members know, supported strongly by this Legislature, wanted to have as the number one constitutional item the reform of the Senate. We fought for that, and we have it.

MR. HAWKESWORTH: Well, Mr. Speaker, we still don't have a resolution of this issue, regardless of what the Premier says about the desire to have it resolved. So I'd like to ask the Premier if he's had discussions with other first ministers in order to set up a timetable and a work plan to put aboriginal rights back on the national agenda for future first ministers' conferences, to define those rights in the Constitution.

MR. GETTY: Mr. Speaker, from time to time at first ministers' meetings, at the Western Premiers' Conference, and I'm sure at the Premiers' Conference this summer in Saskatoon, these matters are discussed and will be again.

As pointed out by the hon. Solicitor General today, Alberta took the position that the responsibility for Metis people, for aboriginal and self-government were ones that we were concentrating on for the time being, and we have in fact, as the Solicitor General pointed out today, made a major move in that direction.

MR. HAWKESWORTH: Mr. Speaker, to the Premier. Is he telling the Legislature this afternoon that we will have to get a change in the Canadian Senate, that we will have to reform the Canadian Senate, before we can look at any other issue changing the Canadian Constitution, particularly aboriginal rights?

MR. GETTY: Mr. Speaker, the hon. member can review *Hansard,* and he will find that that is absolutely not what I was saying. I said that on the matter of Meech Lake the government of Alberta was fighting for a commitment to reform the Senate. That's strongly endorsed by this Legislature, overwhelmingly endorsed by Albertans. We're fighting to get that reform of the Senate accomplished. The preferred reform, which is also strongly endorsed by this Legislature and the people of Alberta, is the Triple E Senate, so we're going to be fighting for that. The Prime Minister may well call an aboriginal rights and native self-government meeting at any time.

MR. HAWKESWORTH: I'd like to ask the Premier: will he give his personal commitment today in the Legislature that he will approach the Prime Minister and request that the Prime Minister call such a meeting in order to resolve the matter of aboriginal rights in the Canadian Constitution?

MR. GETTY: Well, Mr. Speaker, no, I won't do that. I will certainly co-operate in every way possible in the next first ministers' meeting either on native self-government or on aboriginal rights. But I will not, because the hon. member feels that it's something that he would want to do, make a commitment to try and force a meeting prior to the right time and conditions under which that meeting should be held.

MR. TAYLOR: A supplementary, Mr. Speaker, possibly to the Solicitor General, on aboriginal rights. Could the Solicitor General enlighten the House as to just where this government sees the nonstatus Indian fitting in this constitutional argument for self-government: with the federal government or with the Metis Settlements Act?

MR. ROSTAD: Mr. Speaker, the jurisdiction is actually under the FIGA minister, who's absent, but the Constitution spells out that Indians are a federal responsibility. I would agree with him that there is some debate as to those who are off reserve at present. That does not mean those cannot return to the reserve. At this stage the province has taken willingly the jurisdiction of the Metis, and I believe the others are still in the federal jurisdiction.

MR. SPEAKER: Edmonton-Belmont

Community Schools

MR. SIGURDSON: Thank you, Mr. Speaker. My questions are directed to the Minister of Education, and they're about community schools, which are an important component in our educational system. Indeed, the community school program has received worldwide recognition. I'm advised that the Department of Education has evaluated all 66 community schools, and I'm wondering if the Minister of Education could advise us of those on-site evaluations.

MRS. BETKOWSKI: If the member is asking for some specific information with respect to specific schools, perhaps he could

be, in fact, more specific. I don't have at my fingertips at this point what the results of evaluations would be on community schools and many other schools that we evaluate across the province.

MR. SIGURDSON: Well, let's try this specific then. How many of the schools that were evaluated were awarded the continuing designation based on the merit of the evaluation?

MRS. BETKOWSKI: I don't know, Mr. Speaker. The question would have to go on the Order Paper, and I'd be pleased to provide the information for the hon. member.

MR. SIGURDSON: I'm wondering, then, Mr. Speaker, if the Department of Education has in fact, in an overview of the complete set of evaluations, all 66 as opposed to just the 15 that were contained in the Harvey report. You don't have an overview from the department?

MR. SPEAKER: Final supplementary on this.

MR. SIGURDSON: Yes, thank you, Mr. Speaker. Well, we hear on a regular basis that the community school program is an important component and that this government is fully supportive of the program. Given that, I'm wondering, then, when this government is going to restore full funding to the community school program.

MRS. BETKOWSKI: Well, Mr. Speaker, the question has been asked before, number one, but we finally get to the bottom line. The purpose of all schools in this province is to provide the best possible education for all students within those schools within this province. The community school education is an important part of our education system but not as important as the overall context of providing educational opportunity for all students in Alberta.

With respect to how those extraordinary dollars which flow to community schools are going to be apportioned to those schools, I have told the hon. member on at least four occasions in this present session that we are looking at ways in which those funds could better be spent to improve educational opportunity. I am continuing to do that and believe that we can come up with perhaps some better solutions than exist right now.

MR. HYLAND: A supplementary question, Mr. Speaker, to the minister. I wonder if the minister, when she is reviewing that, can also review what can be done for all those schools that are doing community school work in the community without the additional funding.

MRS. BETKOWSKI: Well, Mr. Speaker, that's really the issue, isn't it? There is nothing to prevent schools from using their facilities, as many schools do in this province, beyond the actual hours of school operation. One doesn't need an extraordinary amount of funding from the province under the community school program in order to do that. Nonetheless, I think there are some excellent programs which are occurring in our community schools, and those are being funded in an extraordinary way by about an extra $37,000 . . .

MR. SPEAKER: Order in the House, please.

MRS. BETKOWSKI: . . . per community school across the province. If there is a better way -- I am working with the Community Education Association to see if we can perhaps bring along some of those schools which are operating as full-fledged community schools without an extra cent from the province. That may be one of the opportunities that we have here for more creative use of limited government dollars.

MR. SPEAKER: Thank you.
Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. This valuable program helps schools in areas with special problems, and this means low-income areas, which are so badly neglected by this government. I'm wondering whether it wouldn't make sense to focus on funneling additional resources to those community schools in areas where there are demographic problems, such as inner-city schools or schools with large immigrant populations and many single parent families. Why don't we do that?

MRS. BETKOWSKI: Well, Mr. Speaker, I will stand by and I know this government will stand by the record of opportunity that we give for all Albertans in this province. We do believe in universal access to education. We have a Bill before this Legislature which reflects that, for the first time in this province's history. We have a motion on the Order Paper with respect to a social policy, which, although it will the on the Order Paper, will, I know, be reintroduced by this government as we debate the very important issue of who needs assistance and how we can extend universality as far as possible.

With respect to the community school program I think, in fact, that there are some ways in which we might be able to better utilize those funds. This is really a matter of budgetary interest and one that could well be raised next year when we reassess the Education budget before the Legislature.

MR. SPEAKER: Edmonton-Highlands.

Wage Subsidy Programs

MS BARRETT: Thank you, Mr. Speaker. I'd like to carry on, I suppose, a series of questions I initiated last Thursday with the Minister of Career Development and Employment, who answered in a very specious way my question about how many people get hired on permanently after they've been on a wage subsidy program. I quote:

> An outside study that we had done for the department indicated that close to 60 percent of the individuals who are hired under the program are . . .

And he didn't say "either." but I should say "either"

> . . . retained after the program has expired [or] find other jobs or go back for further education.

Now, Mr. Speaker, that's not precisely a quote. I want to ask the minister this. The minister wouldn't answer the real question. Will he answer it now? How many people who were hired under a wage subsidy program are actually kept on by that employer after the wage subsidy expires?

MR. ORMAN: Mr. Speaker, the intent of the wage subsidy program is not necessarily to create a permanent job after the work experience is conducted. Just as important is for individuals who get that work experience, if they see the opportunity that they need greater skill upgrading or want to enhance their education, to proceed on to further their education at one of our postsecondary institutions or pursue an opportunity under one of

our training programs. In addition, as I indicated the other day, if the individuals end up, as a result of that work experience, getting a job somewhere else, I see that as just as important as the retention after the program expires.

MS BARRETT: And he's still avoiding the issue, Mr. Speaker. So I'd like to ask the minister a supplementary then. What's he telling Albertans: that up to $100,000 a year per employer in wage subsidy is not meant to create jobs? Is that what he's saying?

MR. ORMAN: Mr. Speaker, I don't know; maybe someone else can answer that question because I certainly don't understand it.

Let me say that that program is a very useful program to the extent that it gives individuals who are unemployed an opportunity to get on-the-job work experience. That program is for the employee. The employer is the facilitator for the job experience that is being had by the employee. To suggest that it's a subsidy for the employer is not even half of the equation. The important fact is that individuals are getting valuable on-the-job work experience. Any study that the hon. member would like to review will indicate that a lack of recent work experience is the biggest barrier to finding a job.

MS BARRETT: Mr. Speaker, a supplementary question to the minister, who obviously doesn't like the questions. He said last Thursday that he doesn't have an agency or body intact to monitor whether or not these employers who are getting all that rich subsidy formula are ripping the system off. Is he prepared to do that in light of the fact that many of them use those programs as a turnstile simply for subsidized labour and nothing else?

MR. ORMAN: Am I prepared to do what, Mr. Speaker?

MS BARRETT: Subsidized labour.

MR. ORMAN: I'm not sure what she's asking me to do, Mr. Speaker. I guess that's the problem. Maybe she could clarify the position.

MR. SPEAKER: Final supplementary . . .

MS BARRETT: May I repeat the question. Mr. Speaker? Thank you. Is the minister prepared now to put in place a monitoring agency to determine if the the employers are simply ripping off the system so that they can get subsidized wages?

MR. ORMAN: Mr. Speaker, we do a monitoring of the wage subsidy program. That program has facilitated on-the-job work experience for thousands of Albertans. Now, I cannot undertake to this member or to anyone that we can monitor every particular contract that we enter into. I can undertake to the hon. member that we do on a regular basis do a random check of our programs and a random search in the computer, and we do follow up on them. Now, that wage subsidy program has been a very useful program, and I should indicate to the hon. member that it is a program that has served Albertans well, particularly during periods of high unemployment. To suggest it has done otherwise, Mr. Speaker -- I have thousands of testimonials I get as a result of the success of that program.

MR. SPEAKER: Edmonton-Gold Bar.

MS BARRETT: Final supplementary . . .

MR. SPEAKER: No. Edmonton-Gold Bar. [interjection] I'm sorry, hon. member. Edmonton-Gold Bar. Thank you.

MRS. HEWES: Mr. Speaker, to the minister. This is shocking information. You know, we're spending millions and we really haven't any mechanism to test.

Mr. Speaker, I suggest there's been plenty of time for tracking. If this is not creating jobs, if it is not creating permanent jobs, then what's it doing? Are the people going into retraining, or are they, in fact going back on social assistance or UIC? Where are they?

MR. ORMAN: Mr. Speaker, it would be much easier to respond if the hon. member would listen to the questions and the answers previously given. Firstly, we do monitor. To suggest that we don't monitor the program -- the hon. member did not hear the answer to the question. The second point she made is that these jobs aren't creating full-time jobs. I answered that, in fact, they are creating full-time jobs. How do we expect to answer her question if she doesn't listen? It's not even a supplementary.

MR. SPEAKER: Time for question period has expired.

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.

head: INTRODUCTION OF SPECIAL GUESTS

MS McCOY: Mr. Speaker, it's my great pleasure today to introduce to you and through you to the members of the Assembly, Mr. Jack VandenBorn, who is principal of the Calgary Christian school in Calgary-West and a very good friend of mine. I'm very sorry to see that he is moving to British Columbia this summer, and I shall sorely miss him. I truly appreciate him attending this very longest session in Alberta history today, particularly in view of my wish to say to him publicly that I hope a speedy return to Alberta is in the cards for you and Avlyn. Also with him is his brother-in-law Richard Roeters, of the Bethany Christian Services in Grand Rapids, Michigan, and I welcome him to Alberta, a great province. Would you please all join us as they stand to receive your warm welcome.

head: MOTIONS FOR RETURNS

209. Mr. Chumir moved that an order of the Assembly do issue for a return showing copies of all documents pertaining to the loan guarantee agreement of $3 million made on June 15, 1988, between the government of Alberta and the principals of Sprung Instant Structures Ltd. and Sprung Clindinin Ltd.

MR. SHABEN: Mr. Speaker, the subject contained in the hon.

member's question, the subject company, came to the attention of the members of the Assembly about a year ago, I believe, and the Member for Little Bow would recall raising a question. Subsequent to that there were discussions held between our department and the company, and on June 15 the government announced a loan guarantee to the Sprung organization of $3 million.

I'd like to describe for members a little bit about the organization. The company is now 101 years of age; it's been in business in Alberta for more than 100 years. The company has three divisions. The two divisions that are the oldest are the Sprung mattress and tent division that started in 1887, and that evolved into the Sprung Clindinin, which is involved in the manufacture of clothing, particularly outerwear, and then Sprung structures, and the most recent part of the company is Sprung Enviroponics, which I believe members are aware of because it's been public in the news.

The government was asked by the company to provide assistance to that company, so extensive discussions have been held. A decision was made by the government to provide support by way of a $3 million government guarantee. Now, the purpose of the guarantee, Mr. Speaker, is to enable the company to replenish and strengthen its inventories of building components that are required in continuation of the business both in Sprung Instant Structures and the inventory to Sprung Clindinin, which is the clothing manufacturing portion. The arrangement is one where our guarantee is with the company's bank, and there are certain strict conditions attached to that guarantee. One of the conditions is that none of the funds -- and this is an agreement by the bank and the company -- can be used for the greenhouse project, the enviroponics portion, but must be used for the purposes I've described.

We're really pleased with the success of that company, as it successfully markets products in some 26 countries from Alberta and has patents, particularly on its structure division, that are worldwide and world renowned. This is an occasion where government has provided a guarantee to assist the company, and we do that from time to time when we believe -- and in this case, we're confident -- it provides strong job retention and the strengthening of an Alberta-based company. It's not possible for us to provide the copies of the agreements, because they are commercially confidential, but I'm pleased as always to provide the members with the information connected with the financial support, which is a loan guarantee. The government receives a fee for that loan guarantee, and it will provide an economic boost particularly to the city of Calgary and southern Alberta.

MR. SPEAKER: Concluding the debate then, Calgary-Buffalo.

MR. CHUMIR: Well, there's an old saying that there's nothing new in this world, and indeed there's nothing new in this Legislature. Your refusal to provide these documents is consistent with a tradition going on longer than the longest continuing floating crap game referred to in *Guys and Dolls.* Here we have $3 million of public money at risk and we don't know and can't find out what the deal is. For example, we don't know, we can't find out, we haven't been told, and we certainly can't see directly whether or not Mr. Sprung and/or members of his family are on the hook in case of default. We don't even know the specific terms in which we, the people of this province, can be called on to pony up public money on behalf of a business venture in which the profits will be going to this private company.

Now, I am interested in the purpose of the loan and the guarantee that was touched on by the minister, but I also want to know the terms and conditions of the potential liability of the people of this province. It's referred to as a confidential commercial arrangement. I say nonsense. It's public business, it should be public, and one day in this Legislature it will become common practice for each and every one of those agreements to be laid out before the people of this province. That's coming. We can't do this for much longer.

[Motion lost]

MR. YOUNG: Mr. Speaker, once again there has been some discussion among respective House leaders, and it is my understanding it is the wish of members to give this afternoon to government business. Accordingly I would so move.

MR. SPEAKER: Those in favour of the motion please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried unanimously.

[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 55
Child Welfare Amendment Act, 1988

MR. CHAIRMAN: Are there any comments, questions, or amendments prior to the adoption of this Bill?

The hon. Minister of Social Services.

MRS. OSTERMAN: Mr. Chairman, just to refresh all hon. members' memories, the other day when we left off, we had voted on and accepted one amendment from the Official Opposition. Subsequently, others were introduced. I made numerous comments, I believe, touching on all those amendments, and believe the Bill is fine the way it is. I cannot accept those amendments.

MR. CHAIRMAN: Hon. Member for Edmonton-Calder.

MS MJOLSNESS: Thank you, Mr. Chairman. As the minister has just pointed out, last Thursday I gave a quick overview in relation to the six amendments the Official Opposition had introduced. I acknowledge that one was accepted by the government members and appreciate that I know that the minister did give some brief comments relating to the amendments and the concerns that were brought up regarding Bill 55. Mr. Chairman, after listening to the minister's response and reading over *Hansard*, I am convinced now more than ever that the government must accept our amendments.

The minister has referred many times throughout her comments to regulations that will accompany Bill 55. Indeed, I rec-

ognize that we need regulations, but these amendments reflect only areas of the Bill that are extremely weak or areas which are totally absent. I think that is imperative to protect children who will be adopted through this private process. Now, I know that when we want detail, we can look to regulation, but I think we need concepts embodied in this Bill. I have great concern that this Bill is very weak and is totally lacking in some areas.

The minister stated last week that the regulations "must be done," and I quote, "with a great deal of consultation and a long lead-in process." Mr. Chairman, if we wait for a long period of time for regulation, then what we've got is a Bill that is used as guidance for those particular agencies, and it is not adequate. I would say that our amendments would assist in protecting the child till such time that regulations are developed and actually put in place. Now, last week in debate the minister committed herself to circulating the regulations, once they are developed, to members so they can then be accepted and passed. I'm assuming that she meant passed in the Legislature. Well, regulations are never passed in the Legislature, so we would not have an opportunity to debate those regulations, whereas we do have an opportunity to debate this particular Bill.

One amendment that we feel should be passed, Mr. Chairman, reads that "Section 35 is amended by striking out proposed section 69(2)." This section allows the minister to decide who shall be prosecuted and who shall not be if a person is found to receive or give money in exchange for a child. I feel strongly that a penalty should be given and that, in fact, a person who is in violation of this Act should be charged. Now, I have no idea why the minister would want the powers to decide who can be charged and who should not be charged. In making comments last week on this particular point, the minister stated that a situation could arise where someone is at risk of getting a criminal charge and other times they wouldn't be at risk. That was the explanation for this particular section. Now, Mr. Chairman, I have trouble following this argument. I still feel that if somebody is in violation, they should be charged, and our amendment is quite clear in this respect.

Another area of Bill 55 that I continue to have grave concerns about Mr. Chairman, is fees that are being charged, and this Bill does not even state that fees are subject to regulation. What's even more alarming is the fact that when the minister was commenting, she was unable to define what a reasonable fee is to pay for a child, and we do know that some parents are paying $1,000, $2,000, up to $5,000 right now. In her comments last week, again she stated that if we have a problem with fees, regulations can be framed. So I take it from that that she's willing to wait until there is a problem; then we will frame regulations. This is indeed worrisome. Even though I do not believe money should be exchanged for the adoption of a baby, surely where it is allowed to happen, we need regulation in place and we cannot assume that just because an agency is a nonprofit agency the fees will not escalate or, in fact the fees will be reasonable. So we would amend that section.

MR. CHAIRMAN: Excuse me, hon. member. Perhaps you could be helpful to the Chair. The Chair is in possession of five amendments submitted by the hon. Member for Edmonton-Calder. Which ones are we talking about or was there an agreement at some time to consider them as a group? We are considering the five amendments proposed by Edmonton-Calder. Is it the intent that we will deal with them collectively and vote severally? Was that the agreement?

MS MJOLSNESS: Mr. Chairman, I have introduced them as a package.

MR. CHAIRMAN: We'll vote as a package. Is that the agreement amongst the committee?

MS MJOLSNESS: Correct.

Mr. Chairman, that amendment would read:

Section 35 is amended

(a) in proposed section 68.1(2) by adding "as prescribed in the regulations" following "reasonable fees, expenses or disbursements"

(b) in proposed section 68.1(2)(d) by deleting ", if the fees, expenses or disbursements are prescribed in the regulations".

Very briefly, Mr. Chairman, another amendment the Official Opposition feels very strongly about is:

Section 35 is amended by striking out lines 1 to 3 of the proposed section 59(2)(d) and substituting:

"(d) a home assessment report in the prescribed form prepared within the last twenty-four months by a qualified person on behalf of Alberta Social Services respecting".

Now, what we have added in this amendment -- and this is a very important point -- is that first of all, there is a time limit and we've put down "the last twenty-four months." I think that is very important. Also, the home assessment must be done by Alberta Social Services. We believe that 24 months is a reasonable time limit for a home assessment to be valid. Now, the minister stated she believes it could be 12 months. Obviously we both agree that a time limit is important so why not include it in the Bill? And I maintain that a home assessment must be done by Alberta Social Services. Currently the Act would have the private agency do the home study. So this particular Bill says that a private agency would do the home study.

I am quite bewildered, Mr. Chairman, as to why the minister does not see a conflict of interest here, because if a couple has paid an agency to get them a child, it is highly unlikely the agency is going to say to them, "I'll take your money, but sorry, you're not a good home." There is indeed a conflict of interest here, and I don't believe the agency should be put in a position of having to do the home assessment. I do not believe it is in the best interests of the child, and this amendment would deal with this concern.

Now, the last amendment deals with private adoption. I believe the Member for Edmonton-Avonmore wants to speak on one further amendment. However, the last amendment I would like to speak to pertaining to private adoption deals with a multitude of issues, Mr. Chairman, and attempts to strengthen a lot of the weaknesses, the very serious weaknesses, found in Bill 55 in relation to the private agencies. I would like to quickly read it into the record.

Section 35 is amended by adding the following after proposed section 71.1:

"71.2 A licensed adoption agency shall

(a) employ only registered social workers as adoption workers,

(b) notify Alberta Social Services of a prospective adoptive parent requiring a home assessment,

(c) ensure that no child is placed with a prospective adoptive parent unless a home assessment has been completed by Alberta Social Services,

(d) provide pre-placement counselling to prospective adoptive parents,

(e) supervise the placement during the period prior to finalization of the court order by completing a home visit every sixty days,

(f) provide necessary post-placement support

services,

(g) provide post-adoption counselling to relinquishing or adopting parents if requested, and

(h) keep records of all services provided and all fees charged, which it shall provide on request to Alberta Social Services.

It goes on further:

71.3 Alberta Social Services shall

(a) complete and pay for a home assessment conducted by an adoption specialist within ninety days of notification,

(b) provide and pay for mandatory pre-placement counselling to the relinquishing birth mother at the time of the decision to surrender the child, and

(c) regularly monitor the services provided and fees charged by licensed adoptive agencies."

Mr. Chairman, this is a very important amendment. I think it addresses many of the concerns we have with this Bill. I'd just like to again zero in on a few of the key points here. Number one, the amendment addresses qualified staff in regards to people who are working in these agencies. I know that regulations can expand on exactly what these qualifications should be, but surely we can expect some type of reference made to qualifications in this Bill. I think this is fundamental enough to be included in this Bill.

Mr. Chairman, the amendment also addresses home assessments. They must be done before a child is placed in a home by the department. I think this is absolutely imperative. The minister has stated, and I quote, that

> regulations will provide that a child will not be placed until a home assessment of the prospective adoptive parents has been completed and approved and screened through the department's information systems.

Now, on the other hand, the Bill states that the agencies will be responsible for the home assessment, so I think there's a bit of confusion here. This amendment would clearly state who is responsible for the home assessment.

The third point that's very important, Mr. Chairman, is that counseling is another area which is very unclear. Nowhere in the Bill does it talk about preplacement counseling, and yet the minister has stated that there will be mandatory counseling of the birth mother done by the department. Now, I would imagine that because it's absent in the Bill, we should expect it to be coming out in regulation, but we don't know when that regulation will be forthcoming. So if the minister feels strongly about this -- and she has acknowledged that undue pressure could be placed on a birth mother, especially if they're very young -- I don't think we can wait for these regulations, and surely to goodness we can spell this out in the Bill.

The last issue pertaining to this particular amendment, Mr. Chairman, is another essential component that is missing, and this is monitoring. The minister has talked about a tight framework in place before an agency would be able to obtain a licence, and therefore I suppose we can assume monitoring is not crucial or is not necessary. But all we have to do is take a look at what's happening in our day care system and we know that granting a licence isn't the only thing we need to do. These agencies must be monitored -- another important element, Mr. Chairman, that is missing in Bill 55, and our amendments would certainly serve to strengthen this Bill.

Now, one further amendment I'd like to talk about deals with the Children's Guardian or the Children's Advocate, and it reads:

> Section 14 is amended by striking out clause (b) and substituting:
>
> "(b) in subsection (2) by striking out 'the Children's Guardian' and substituting 'the Children's Advocate';"

Mr. Chairman, this would ensure the presence of the Children's Advocate at a court hearing. Now, I did have discussions with the minister over this. It was explained to me that the Children's Advocate would become an amicus curiae, which means "friend of the court," and it would be assumed that he or she would automatically be present in the court. However, I have been advised that this is not necessarily the case, that the amicus curiae is not automatically involved in a court case. So this amendment would certainly deal with that aspect.

I would hope that all members would appreciate . . .

MR. CHAIRMAN: Order in the committee, please.

MS MJOLSNESS: . . . that the Bill is weak in these areas and these amendments would serve to strengthen them.

MR. CHAIRMAN: Hon. Member for Edmonton-Avonmore, speaking to the five amendments submitted by the hon. Member for Edmonton-Calder, beginning with section 14 and ending with section 35.

MS LAING: Okay. I want to speak to section 35 -- I think it's (e) -- calling for a home assessment to be done by Alberta Social Services. I think it's really important the hon. Member for Edmonton-Calder has mentioned conflict of interest. She raises an important issue. If the home is found to be unsuitable, who will pay for the home study? That is, will it be the parents who have been found unsuitable?

The other concern I have is: one, would an agency find the people paying for the assessment unsuitable; secondly, if in fact one agency turns the couple down and finds them to be unsuitable, would it then be possible to shop around until they find an agency which will approve them as a home for adoption? I think there's a very clear concern there of conflict of interest in terms of: if you pay someone to find you a baby and also to find you as a suitable parent, whose interests will be best served? Whose interests will be of primary concern to the agency? Will it be the child, or will it be the adoptive parents? I think those two sets of interests may often be in conflict. Therefore, I think we must have a separate agency such as Social Services who will, in fact, pay for the home study, somebody that is independent and free and working to the best interests of the child, whose primary goal is the interests of the child. I see nowhere where adoption agencies hold as their primary goal the best interests of the child, especially when it's a private adoption agency.

Again, in regard to the amendment 71.2(f), I can't state strongly enough how important it is that there be support services and monitoring after the placement of the child in the home. If there are difficulties that occur, there must be somebody there to be able to intervene, to remove the child if necessary, to provide or insist upon follow-up counseling. If difficulties occur, I'm wondering if an adoption agency which would be responsible for the follow-up would have the power to mandate treatment or counseling if they want the child to remain in the home but there are problems. So again I have grave concern that if things start to break down, how will that be remedied? In what ways can guarantees be built in that, in fact, the child will be protected in terms of the best interests of the child?

I think when we look at this section it's really important to look at the preamble of the Child Welfare Act, under which this falls, in which it holds that we will make decisions in terms of the best interests of the child. I do not believe the Act without this amendment can be said to guarantee it will look to the best

interests of the child.

MR. CHAIRMAN: Hon. Member for Edmonton-Highlands on the proposed amendment.

MS BARRETT: Thank you, Mr. Chairman. Obviously, the comments from the previous two speakers are fully endorsed by myself and members of the Official Opposition New Democrats. The only thing I would like to add to those comments is that the minister said in her comments wrapping up debate a few days ago, last Thursday, that the intention of her legislation will be to ensure adequate safeguards in regards to the amendments we're proposing after section 71.1. I would just like to argue that the intentions of the minister may be good, but it's always been my belief that if you spell out in Legislation exactly what it is that you want to achieve -- that is, floors and ceilings for guidelines -- that would have a greater continuity than one minister's intentions. I particularly believe that in the instance of the adoption workers, it should be registered social workers precisely because we know they have the training. They do graduate from a program offered at universities in Alberta, and it seems to me they have the training that would keep them objective in their tasks. To me that is very important in what is inevitably going to be a fairly subjective world, Mr. Chairman, and I'm quite sure it is already fairly subjective.

So in urging the minister to adopt particularly this section, our proposals that would follow 71.1 encourage her to think about the employment of registered social workers as adoption workers in all agencies to assure the protection that I think the minister does believe is going to be otherwise provided in the Bill.

MR. CHAIRMAN: Are you ready for the question on the package of amendments proposed by Edmonton-Calder?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Ready for the question. All in favour of the amendments as proposed by the hon. Member for Edmonton-Calder, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: The amendments fail.

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

[Eight minutes having elapsed, the House divided]

For the motion:

Barrett	Hewes	Piquette
Buck	Laing	Roberts
Chumir	Martin	Sigurdson
Ewasiuk	McEachern	Taylor
Gibeault	Mjolsness	Wright
Hawkesworth	Pashak	Younie

Against the motion:

Adair	Getty	Payne
Ady	Heron	Pengelly
Alger	Hyland	Reid
Betkowski	Jonson	Rostad
Bogle	Kowalski	Schumacher
Bradley	McClellan	Shaben
Cassin	McCoy	Shrake
Cherry	Mirosh	Stevens
Cripps	Moore, M.	Stewart
Day	Moore, R.	Trynchy
Downey	Musgreave	Webber
Drobot	Nelson	West
Elliott	Oldring	Young
Elzinga	Orman	Zarusky
Fjordbotten	Osterman	

Totals: Ayes - 18 Noes - 44

[Motion on amendments lost]

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

MRS. HEWES: Thank you, Mr. Chairman. I have already spoken to Bill 55 and expressed some of my concerns in the House regarding the section on adoption, and the minister has assured us that much of this will be dealt with . . .

MR. CHAIRMAN: Order in the committee, please.

MRS. HEWES: . . . in the regulations, including mechanisms, if necessary, to control the fee, and also will probably be informing us, I would hope, of the mechanisms that will be put in place to monitor the private adoption agencies in particular, to ensure that they are operating within the proper standards.

Mr. Chairman, I do, however, want to support again the idea of a Children's Advocate. I think it's an important concept that we have here and that we also have in the mental health Bill. I believe we need some working experience with this particular concept in this particular idea, and I'm prepared to let that happen.

Mr. Chairman, I have an amendment to this section on the Children's Advocate that I have tabled in the House and would like to circulate to members of the committee.

Can I continue, Mr. Chairman?

MR. CHAIRMAN: Hon. member, could you advise the House: had the comments penciled in been made subsequent to Parliamentary Counsel or prior to?

MRS. HEWES: With Parliamentary Counsel's advice, Mr. Chairman.

MR. CHAIRMAN: Proceed, hon. member.

MRS. HEWES: Thank you. It's a very simple amendment. I'll just read it, Mr. Chairman, for those who haven't yet received one. It simply adds after section 2.1(3)(e) the following clause:

> 3(f) On receiving a report under clause (e), the Minister shall lay a copy of the report before the Legislative Assembly if it is then sitting, and if not, within 15 days after the commencement of the next ensuing sitting.

This amendment speaks to the necessity for the report of the advocate to be made public. I have mentioned that before. Mr. Chairman, it's not simply a matter of course and a matter of

principle that such reports be made public. I think it's very important from the outset, working with a new concept of a Children's Advocate, that we do, in fact, have the support and the ongoing support of those agencies and organizations and communities and families that are going to help to make this thing work.

Mr. Chairman, I believe the report of the advocate, perhaps not in the first year but certainly over time, will show trends, will show emerging problems, will be able to show us where we have been able to reduce problems in situations through appropriate intervention, and for those reasons I think it's important that those parts of our public who have the greatest involvement in this field of practice have access to this information, and as soon as possible. I would hope that the minister in her wisdom would want to make the report available quarterly, or more often, as the advocate will be reporting and advising her.

The Act also provides, Mr. Chairman, for the advocate to advise the minister on systemic problems, not simply on individual problems. I think it's extremely important that we get the support from our communities and from those who are generally responsible for many of the services that will be offered to children. Mr. Chairman, it's sometimes hard to get such documents from the government unless it's written in. We find ourselves asking in motions for returns for pieces of information, and sometimes the government seems to resist giving those out for reasons of confidentiality and so on. But if it is known and understood from the outset that this document will become public, then the document will be written in a fashion that renders it anonymous and therefore the information can be made use of without putting any individuals in jeopardy or at risk.

Mr. Chairman, I think it's extremely important -- it's essential, in fact -- that our private, nonprofit agencies who often provide the extended service to children and families in our communities have access. These are the agents that are able to move more quickly, because they are less locked into legislation, than government can, and often we will become dependent upon them as problems arise.

Mr. Chairman, just in closing, once again, Caring & Responsibility speaks to the need to collaborate with our public and to devolve ever more responsibility onto those agents and organizations in our public who are willing to take it on behalf of government and their communities that they serve, and I think this is one of the ways we make that come true.

Mr. Chairman, I would urge all members to support this amendment.

MR. CHAIRMAN: Speaking to the amendment the Minister of Social Services.

MRS. OSTERMAN: Mr. Chairman, I had indicated in my comments that it was our intention that the annual report be filed or tabled in the Legislature, so I am pleased on behalf, hopefully, of all my colleagues that we would seek support for the hon. member's amendment and I thank her for it.

[Motion on amendment carried]

MR. CHAIRMAN: Hon. Member for Edmonton-Avonmore.

MS LAING: Thank you, Mr. Chairman. I would at this time like to move another amendment which has been tabled, and I would read it out for the record.

Section 35 is amended by adding the following after proposed section 56(2):

> "(3) Consent shall not become valid until three days after the birth of a child.
>
> (4) A child may be placed in a prospective adoptive home when the consent becomes valid, provided a home assessment of the prospective adoptive home has been completed.
>
> (5) A petition for adoption should be submitted to the court within six months after placement of the child."

Mr. Chairman, the minister has spoken in the Assembly about the time lines, and I appreciate that she has said the consent would not be valid until three days after the birth and that this is in policies and regulations. But I don't believe that's good enough. I think we can trust this minister to have the best interests of children and be concerned, but we have no guarantees about what the future will bring and what future ministers will bring. So it's always worrying when things are left to the discretion of changing of views -- I'll put it that way.

Mr. Chairman, in terms of the School Act which was brought in last year, Bill 59, I think we saw the precedent I'm speaking to now. It was set. In Bill 59 a lot of things were left to regulation, and people were very upset about that When Bill 27 came in, it corrected that and put into the Act itself the things that had been left to regulations.

I think part of the problem with regulations is that they may be developed but also they may be changed without public input or public scrutiny, and often they're not known, especially if they're changed. So the person that has been violated through a violation of the regulations does not know their rights. It's not part of the public realm or public knowledge unless you go and seek it out specifically, and many people may not know that. It takes a fairly sophisticated person to go forward to find out what the regulations of the department are, to track them down. So if we have the requirement for the consent not being valid until three days after the birth as a part of the public record, it is then also part of general knowledge and is, therefore, subject to public accountability.

But I believe this amendment deals with a very important issue, and that is the protection of the birth mother from coercion when she is most vulnerable. Now, we recognize in the Bill that the birth mother has up to 10 days to revoke her consent. I do not see why, in fact we cannot put into the Bill a time line as to when consent will be valid. So I think in terms of just being consistent we should have both those times in.

In regard to home assessment, I believe we cannot leave it up to regulations and policy that home assessments be done prior to placement. It must be part of the Act so there is no confusion. Especially as we move into privatization of adoption, there will be a plethora of adoption agencies acting in the field. It is absolutely crucial that it be very clear what is required of them, and that is that there be an assessment completed prior to the placement. I just think it is not good enough that this be covered by policy and regulations.

And then I have to ask: who would monitor the regulations? Who would determine whether they're being followed? In fact, who would report if they were not followed? Certainly the adoptive parents would not be phoning up the department and saying: "Guess what? We got our baby before we were approved." Then also we have no remedy if regulations are not followed. So I think it is absolutely crucial that we have in the Act itself a clear statement of the process that must be followed.

I would ask for the support of the Assembly for this amendment.

[Motion on amendment lost]

MR. CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. CHUMIR: Thank you. I have a mercifully brief comment on the Bill, Mr. Chairman. I just want to say that I would like to be on the record as noting how wrong I believe it is to set up a system where those with financial resources and connections can jump the queue in respect of adopting children. I've had a great deal of experience in both law and business and I'm intimately aware of the ingenuity of individuals when their self-interest is at stake, and we only have to read now the catalogue of what's going on in Hong Kong with respect to the immigration situation. I am very concerned, Mr. Chairman, that this Act opens up the possibility for manipulators and operators on one hand and for ingenious and well-heeled potential parents on the other hand to take advantage of the scheme that has been set up and to be able to jump the queue.

We have a requirement to pay for home assessments with respect to private adoption, and we have, in particular, an open-ended provision with respect to legal fees, which I predict the minister is going to find very, very difficult indeed to control by regulation or otherwise. There's nothing more precious than a child to a couple which desires one, and I believe we should do our utmost to avoid having a system which benefits the wealthy. And I don't mean in here that we shouldn't require adopting couples to have adequate resources to care for the children. But that doesn't mean any great degree of largess.

I think this Act, far from ensuring or providing any circumstantial direction in respect of equality of access, leaves, as they say in the legal world, room to drive a coach-and-four through the legislation in favour of those with money and connections, and I predict that under this system we're going to find the loopholes will become larger than the basic system, which should be fair and I fear may not be.

Those are my comments. Thank you.

MR. HYLAND: Mr. Chairman, I wonder if I can participate in committee study of the Bill in relating to the areas of what used to be the guardian, now the advocate, with different powers and different ways of doing things. I want to relate it to those of native foster children, and the return to the reserves of those children from the white families they've been living with for a number of years.

My concern stems from an incident in my constituency with people that had a native foster child for four and a half years that became, as you can well imagine, very much a part of their family. When that child was returned to the reserve, a court battle, of course, ensued. It went round and round, and it's the effect, I think, that something like that has on a child. I think it showed that in this small town where this happened the support to the family and to that child was very great indeed, when you get a couple of hundred people writing letters out of a town of 700. When you think that those 200 people were families, there was a big concern in that town about how they felt about the care that child was going to receive and what was going to happen to that child.

I can well understand why they want to return the children for their native culture and their beliefs, et cetera, but I would hope all these movements of children are carried out first and foremost with the child in mind: not the desires of a certain group of people, be it those in charge of the social services in the various reserves or, indeed, those of the foster parents, but those of the child. What's going to happen to that child? How will that child get through this system when they're used to one family and all of a sudden they're pulled right out of that one family after that length of time -- four and a half years -- and put into another extended family? It's got to be very hard for the child.

As I said, in this case it went to court, and a judge found in favour of what was happening, in favour of the band. Such comments as were made in the judgment -- and I quote:

> I want to emphasize . . . [blanking out the names of the people] to be sure that you show this child the obvious affection and physical contact that this child is used to and that you show it the love that it has received and if the parties see it as appropriate for ongoing contact, then the parties should arrange that between themselves.

So there becomes the predicament, Mr. Chairman, with nobody to appeal to except a higher court, and a lot of money. And here are individuals trying to appeal something like this out of their back pocket, whereas a group such as a reserve has a larger pot to pull upon for legal fees. What has happened is that total access to that child has been shut off by the reserve to those foster parents. Even though the judgment allows them to arrange it, that didn't take place. So these people are wondering what's happened. There's no telephone contact, there's no nothing, so they don't know what's happened to this child. And to them, they know it wasn't their child, but it becomes as part of your heart; it becomes your child when you look after it for that long. So they're really torn. They've got no place to turn except a higher level of court, with no guarantee. The only guarantee that they have, it's going to cost them a great deal of money to do it. Whether they win or not, they know it's going to cost them a lot of money.

I discussed the issue with the present guardian in general terms of what would happen. And I think why I support the new Act is that there is a place to appeal to; it isn't just a single decision by one person, and there is some room for movement there. I think maybe in cases like this it will help. My question and concern is: are these children that are going back being followed? Or once they're back, they don't exist as far as Social Services is concerned; they become part of another society? I'm wondering if we're going to be able to trace them to see, indeed, if this is the right system. Are these kids going to be okay when they grow up? Or will we keep on doing it and find out it's not working, not find a better way to do it; we just go on doing the same thing and find out that we don't know what's happening to the children?

I wonder if the minister could comment on that, because to people who are involved in fostering, and this has happened to many of them, a deep concern that they have is not only the return but, more importantly, what's going to happen to that child in the end, and who is watching that child to make sure that it grows up and has all the chances that any other child would have.

Thank you.

MRS. OSTERMAN: Mr. Chairman, just briefly, in response to the hon. member's comments, it's probably one of the most difficult issues that we are facing, and that is leaving aside the particular case, because I believe we have an appeal launched there. But just to speak to the whole question in general, and that is the permanency planning for all children in our care but particularly for native children, I believe the legislation will provide for a better framework, certainly a less formal system initially, that will involve all of those who have an expressed interest in a par-

ticular child, so that indeed we can speak to the best interests of that child.

Obviously, Mr. Chairman, past systems have, in my view, shown far too high a failure rate in the casualties that we have now of young people in the native community, so it is our express desire to do much better. To that end, obviously I would agree with the hon. member that some follow-up is needed, because there is very little work done in the Canadian scene with respect to that. And it would be my intention to launch some sort of study that would do a better job of following up our native children.

MR. CHAIRMAN: Are you ready for the question on Bill 55 as amended?

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: All those in favour of Bill 55 as amended, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: Carried.

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

[Eight minutes having elapsed, the House divided]

For the motion:

Adair	Elzinga	Oldring
Ady	Fjordbotten	Orman
Alger	Getty	Osterman
Betkowski	Heron	Payne
Bogle	Hewes	Pengelly
Bradley	Hyland	Reid
Brassard	Johnston	Rostad
Buck	Jonson	Schumacher
Cassin	Kowalski	Shaben
Cherry	McClellan	Shrake
Chumir	McCoy	Stevens
Cripps	Mirosh	Stewart
Day	Moore, M.	Trynchy
Dinning	Moore, R.	West
Downey	Musgreave	Young
Drobot	Nelson	Zarusky
Elliott		

Against the motion:

Barrett	Martin	Roberts
Ewasiuk	McEachern	Sigurdson
Gibeault	Mjolsness	Wright
Hawkesworth	Pashak	Younie
Laing	Piquette	

Totals:	Ayes - 49	Noes - 14

[The sections of Bill 55 agreed to]

[Title and preamble agreed to]

MRS. OSTERMAN: Mr. Chairman, I move that Bill 55, the Child Welfare Amendment Act, 1988, as amended be reported.

[Motion carried]

Bill 29
Mental Health Act

MR. CHAIRMAN: Bill 29. There is an amendment. Hon. Minister of Hospitals and Medical Care.

MR. M. MOORE: Mr. Chairman, I'd like to briefly review the government amendments to Bill 29 and also to provide some information to hon. members on the type of regulation we would expect to put in place with respect to the operation of the patient advocate's office.

First of all, with respect to the amendments, members have a copy of the amendments before them. There are a number of amendments that simply correct drafting errors where reference is made to the wrong figures or whatever. There are other more substantive ones, and I will simply review the substantive ones.

Section 3 is amended by adding "or the Young Offenders Act" after "Criminal Code" to make it certain that persons held under the Young Offenders Act as not criminally responsible on account of mental disorder can continue to be held when their sentence expires if they still meet the criteria under the Mental Health Act.

In section 11 there's an amendment with respect to the information submitted by telephone, and these amendments are made to make it clear that there's only one extension of up to seven days for a warrant issued under section 10.

Another drafting error, I guess: section 14(1) is amended by striking out "formal patient" and substituting the word "patient."

In section 29(5) there's an important amendment there striking out the words "an attending physician shall not perform psychosurgery" and substituting the words "psychosurgery shall not be performed." That's just to make it absolutely clear that nobody shall perform psychosurgery.

Section 40 is amended, again, to correct drafting errors.

Section 41(3) is amended by striking out the words "of the applicant" This change makes it clear that all parties to a review panel hearing will receive a notice of their right to appeal to the Court of Queen's Bench whether or not they were the applicant for review.

Section 45(1) is amended by adding "and exercise such other powers and perform such other duties as are prescribed in the regulations" after "patients." This is an important amendment, because the original drafting overlooked the fact that I had wanted the legislation to allow the patient advocate to conduct reviews or investigations of his own accord without having had a complaint from someone -- on his own motion. So the Bill will now allow the patient advocate to conduct a review of a certain situation of his own accord without having to have a complaint forwarded to him.

In section 55 there are more changes with respect to drafting errors that occurred in the original Bill.

Mr. Chairman, I'd like to ask the pages to pass around to members a copy of a draft patient advocate regulation that is just as it says, a draft but it is what would be in line with the government's intention with respect to the kind of regulation that would govern the operations of the patient advocate. Members

will recall that at second reading I said that I would be providing a copy of draft regulations. Obviously, they can't be passed until after the Act is. The only thing I would add is that this regulation was done before I brought in the government amendment to make it clear that the patient advocate can conduct investigations on his own behalf, on his own motion, and the regulation does not take that into account. That, obviously, would have to be added to the regulation unless it's clear enough in the Bill that it doesn't need to be a part of the regulation, but I think we would need to add that. On balance, I think it will be seen that the patient advocate's responsibility is indeed very great in this legislation, and the patient advocate will have under the regulations proposed a lot of freedom to conduct investigations of his own accord or with respect to a complaint from whatever source.

Mr. Chairman, since the introduction of the Bill and since second reading we have received a lot of comments on this legislation. I would say most of them are favourable. There are still two divergent views with respect to one aspect of the Bill, and that is the treatment of the patient who objects to treatment. On the one hand, those who are in the field of treatment are saying, "You're making it too easy for the patient to object to treatment and too hard for us to provide treatment." On the other hand, some who are looking at the individual rights of patients are saying, "You make it too easy for treatment to occur." All I can say is that I believe the Bill is balanced fairly; it's a tough balance to try to provide. As I indicated on second reading, if an individual has a mental illness and is not treated, the rights of that individual are taken away as well. So we have to be careful that we don't get ourselves into a situation where people who are badly in need of treatment are prevented by our legislation from getting treatment because of their own objection when they're not capable of properly objecting.

Mr. Chairman, I think those are the balance of the remarks that I wanted to make on committee study. I'd recommend that all hon. members support the amendments and the Bill in total.

MR. CHAIRMAN: Thank you, hon. minister. Speaking to Bill 29, or the government proposed amendment, hon. Member for Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Chairman. I've been waiting for some time for committee stage of this Bill and an opportunity to look at the detailed study of it, although we had it tabled June 23. The government amendments before us as outlined by the minister certainly do tighten up a number of areas that were left hanging loose and provide, as the minister said, some drafting corrections and some housekeeping matters which our caucus certainly will be in support of and would give our sanction to at committee stage.

I am disappointed, however, Mr. Chairman, that we haven't gone through the patient advocate regulations, as the minister has just filed them -- we will be doing that -- because that does respond to a number of the concerns we raised at second reading. But I am disappointed to think that the government amendments as provided before us do tend to seem to be pretty surface kinds of amendments that really just correct drafting errors and fix up occasional other minor points of the Bill. But as the minister has indicated, in the mail that he's gotten -- I certainly have gotten a great deal of response from a number of quarters all over the province. In fact, I had another frantic call from a person just at 2 o'clock this afternoon who was convinced that this Bill just must not proceed. I said, "Well, it's certainly the government's intent." I haven't seen anything in the amendments to change it in any major fashion, and we're probably going to have to live with it for some time, though we've seen from this minister that we haven't had to live with a lot of things that he's brought in before. In fact, they get changed quite readily.

[Mr. Musgreave in the Chair]

But I do wonder why the minister hasn't responded, either in his comments or in amendments, to a number of the submissions that have been presented to him and to us in the other caucuses, particularly in the New Democrat caucus. I'm not sure what his response will be, for instance, or why there's no amendment to meet the concern of Professor Dewhurst, who is the chairman of the Edmonton Psychiatric Services Planning Committee at the University of Alberta. He, in a letter dated May 10, was very clear about the fact that his committee viewed favourably a strategy that when a committed patient refused treatment, a second medical opinion should be sought. I'm really wondering what the minister would make of that kind of representation.

Similarly, we've gotten calls and information from people at the Alberta Association of Social Workers and Alan Knowles, who is very concerned about what this Bill does to diminish the role of the Provincial Mental Health Advisory Council and the regional mental health councils. The work that they have provided over years -- and asking it to be disbanded in section 50, and for no apparent reason. There's nothing to replace it, nothing to fortify what's going to take place after this Bill becomes the law. What about the PMHC, and why are they being diminished in their role? They've had a very key function, both in terms of research and in terms of policy development. It seems that the minister, whether it's with his own bureaucrats or with the Hyndman commission or whoever he's got -- now that it's going to be his sort of hand in the field, they're now going to be either in his own department or at his own beck and call, whereas the PMHC was providing very strong help. I would have expected some amendment to the current Bill to have changed that situation.

As well, I'm not sure if the minister has met with Dr. Collins-Nakai from the Alberta Medical Association. In the letter from the AMA dated May 27, Mr. Chairman -- I would have thought there would have been some amendment because the whole Alberta Medical Association is tremendously concerned, as the minister did touch on, on the whole issue of detention without treatment. But she is saying: how can it be that physicians then would have to be in the role of a kind of police officer or police state, incarcerating certain patients without providing treatment for them, and questions whether or not the physician should be involved at all in this sort of legislation. Bill 29 has -- the potential it holds for considerable litigation against both hospitals and physicians. Before approving Bill 29, she writes:

> I would hope that you will meet with representatives of the AMA so that these deficiencies in the proposed legislation can be addressed before they become law.

We're getting close, Mr. Chairman, to it becoming law, and I'd like to know from the minister if he has in fact met with the AMA and has noted their concerns and whether he has any amendment that might satisfy their concerns.

Further, of course, are letters from psychiatrists in designated facilities in active treatment hospitals, people like Dr. Lorne Warneke at the Grey Nuns, again very concerned about sections 27, 28, and 29 and the whole business of detention without treat-

ment and how that impacts on designated facilities in active treatment hospitals. They're concerned that the whole move towards designation of certain units within active treatment hospitals for involuntary patients just will not come to pass if Bill 29 becomes law. And is that what the minister intends, or does he have any amendment which might meet the concerns of Dr. Warneke?

And then, of course -- I know they represent the other end of the extreme -- the Alberta Psychiatric Association's letter just of June 20. And I might note, Mr. Chairman, that these representations from these various groups seem to be coming a lot more in the last few weeks. I think more and more people are finding the time and the interest to express their concerns, and the Alberta Psychiatric Association is one of them. They have written very clearly -- it's of course section 29 of Bill 29, where they write:

> In the meantime these people are to be confined in hospitals under the care of physicians authorized to control them but not to treat them. This puts the physician . . . in an untenable and unethical position. Physicians are not trained nor are hospitals designed to confine and constrain individuals outside a comprehensive treatment plan.

Now, we'll be getting more into the issue as we debate it in committee, Mr. Chairman, but the APA not only is concerned about that but, in fact, has eight other sections which they feel would merit some amendment. I know the minister's gotten this letter, and I'd appreciate his concern as to why he didn't pursue any of the amendments that the APA was asking for.

And then, of course, the good folks at the Canadian Mental Health Association -- and I'll be anxious to hear what the Member for Edmonton-Gold Bar has to say about it all. But again, the CMHA has 16 different suggestions in their brief dated May 27, and, I guess, on the primary issue of detention without treatment, states, as I feel, that it's probably going to need to be an amendment at some point down the line, if not in this administration in successive governments, that it is recommended that if a review panel upholds an objection to all treatment, that panel must also uphold a decision to discharge. That, I think, really nails it on the head, together with a whole host, as I say, of 16 other suggestions of possible amendments that the CMHA would like to see, and yet none of them are reflected in what the government and what the minister has tabled before us.

Then, of course, we come to the last section. I know the minister's trying to dipsy doodle and dance around the role of the Ombudsman by the use of this patient advocate and the newly tabled regulations. But it is very clear, we will certainly be arguing and bringing in amendments which would see that the Ombudsman would continue to have jurisdiction over mental hospitals. If the minister has not gotten the documentation from Aleck Trawick, Ombudsman of the province of Alberta, that was sent to Fred Stewart MLA . . . The minister last week, I think, denied that he had ever heard from or received any submission from the Ombudsman about the issue, and if he hasn't seen it then I'm quite amazed, because that's not the view that the Ombudsman and others have . . .

MR. M. MOORE: Mr. Chairman, on a point of order. The hon. member is very, very inaccurate with respect to his information. Last week I was asked by the hon. member in the House if I'd had a request for a meeting with the Ombudsman, and I said that I had not. I never at any time said that I did not receive any information from him. Would the record please be corrected by the hon. member?

REV. ROBERTS: Certainly, Mr. Chairman; I'd correct that. The impression I had, that the minister last week was giving no truck to the argument that the Ombudsman should have jurisdiction and said that he's not ever had a meeting requested from him . . . It's under my impression that the Ombudsman had requested that, and if he hasn't, at least we know what the issue is. And I'm not fool enough to think the minister doesn't know what the issue is. The issue is that the Ombudsman have jurisdiction over mental hospitals. There's a great deal of documentation which, as I was saying to the Minister of Labour, goes back to 1981 and the discussion in this House where it seemed that the then Minister of Municipal Affairs, Mr. Moore, had said that that commitment will be kept, that the Ombudsman will continue to have jurisdiction. That kind of promise, made in 1981, has obviously been broken by Bill 29 that's before us unamended.

So, Mr. Chairman, I know, and I agree with the minister at second reading that we're trying to strike a balance amidst all this, that it's a very difficult issue and very complex and a lot of different irresolvable dilemmas. But I would certainly think, given these representations from experts in the field and people who are delivering hands-on care day to day and who have real concern in terms of the care and treatment for people with mental disorders, that the minister could well have taken more of their advice or suggestions for what needs to be amended and have brought forth more of a substance of that than the drafting errors and things that we've got in the government amendments before us.

But I'll leave any further discussion on that now, saying that we will go along, certainly, with the amendments but talk about these more substantive concerns in the amendments that we would propose.

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

MRS. HEWES: Thank you, Mr. Chairman. This Bill is quite different from the Bill that we saw last year. I appreciate that a lot of work has been done. I, like others, looked forward to the government's amendments to it. Having made this Bill public some many weeks ago, it seemed to me there was ample opportunity for input from those in the public interested. I had it, and I expect the minister heard from a great many people in regard to what was being proposed. I had hoped that the amendments would reflect more of the kinds of things that people were telling me needed to be incorporated in this particular Bill.

There are a few things in the Bill that are not included in the amendments that trouble me greatly, Mr. Chairman. I'd just like to point out two of them. The Bill in no way speaks to the continuity of care that I think we have all accepted as a primary principle of treating the mentally ill. It does not speak to the designation of other facilities in our province that are needed so that people may receive early opportunities for care within their own communities. It doesn't speak to community supports to allow for the discharge that is occurring with increasing frequency. The hospital stays are shorter and shorter and more people are able to be stabilized in their communities, with new technology and new treatment methods.

Somehow the Bill -- I think its title tells a story, Mr. Chairman. It is wrongly titled, in my view, and I had expected that that might be changed too. This Bill deals with mental illness. If that's what it's to be, and if it's to be restricted to dealing with mental illness, then I think we should really describe it in that

way. Because to describe it as a Mental Health Act really is misleading to the public and to those who must use it and apply it. It deals, really, only with two institutions in our province, the Alberta Hospital Edmonton and the Alberta Hospital Ponoka. I believe it should be quite clear that if those are the limitations on the Bill, the title of it should be the mental disorders treatment Act, because that in fact is what it is and that, then, will give a clear message to the public of what it is intended to cover and what it does not cover.

As I say, I have my own regrets that it doesn't reach out to the kind of preventive community care that everyone else in the world seems to have accepted as being necessary. I regret that; I think it's a grave oversight.

One of the major flaws, of course, is in the certification process and the absence of a requirement for treatment. Most of us, hopefully, have never endured the pain of severe mental illness, severe mental disorder. But it's hard to imagine the intense agony and pain of that disorder and having to be committed for treatment, having to be certified as a formal patient, having to be taken to an institution without your consent, under duress, resisting all the way and then having to be kept and controlled in that institution without benefit of treatment. Mr. Chairman, I simply can't accept that, that we may have long waits until a review panel sees the patient and makes some judgments on it, the patient can resist, and the Act itself doesn't spell out in any way how this is going to be monitored, how this is going to be judged.

We have created here, in writing the Bill, an adversarial approach between the patient and the treatment team, and I don't think that's in anyone's best interests. The Alberta Association of Social Workers have picked this up immediately and have indicated their grave concern with this section of the Act. The AMA likewise, because it puts many medical professionals in an almost untenable position. I don't know why the minister didn't see fit to redraft that section or place some amendments in the section to accommodate what needs to happen.

But as it stands now, if a formal patient objects to treatment and the appeal panel upholds that objection, if the appeal panel says, "Yes, formal patient, you're quite right; you shouldn't have this treatment," then we've got a situation where the person is certified and has to be kept under control in the hospital and can't be treated. Now, I submit, Mr. Chairman, that if that occurs, if the review panel upholds the patient's objection to treatment, then the patient should be discharged. There's no way that we should be certifying people and keeping them in hospital and denying them treatment. I believe that is totally wrong and is not within anyone's context in North American medical practice as to what we anticipate of doctors and their colleagues in providing medical care. It's like asking somebody in a coma if you want something done. I mean, we do find ourselves in a number of situations where the person is incapable of making a serious judgment and where they can object to treatment and therefore a panel has to hear and, in the meantime . . . We're getting to the regressive stage with this Bill where people are going to be kept in solitary and in confined rooms, without access to modern treatment methods that could render them back in this world so that they could make a reasoned and reasonable decision.

I think it is doing a great disservice to medical practitioners. Mr. Chairman, hospitals are not jails. I don't know how we can write this kind of legislation without putting them in that position. In fact what we may be doing here is getting to the point where we're sort of criminalizing patients. We're forcing them into aberrant behavior that cannot be treated by medical professions. I see it as being very, very narrow and very regressive, and I'm disturbed that the minister didn't see fit to make any adjustments when he brought in the government's amendments. I'm sure he's heard from many people in this regard.

A couple of comments, Mr. Chairman, about the absence of any substantive amendments regarding the advocacy function. I think we've muddled up here in the Bill advocate and Ombudsman. The advocate, I believe, needs to be on-site in all institutions and available to patients at all times, or to their families or, in fact to the staff of the institution. In fact if I were writing the Bill, I would have the advocate reach out into the community to provide support to former patients as long as they believe they need such support and to be able to advocate on their behalf. Those of us who have never suffered this kind of illness really, I'm sure, find it hard to imagine what it's like to be in the community without friends, without connections, and often without housing, certainly without a job and with great difficulty in getting yourself re-established. An advocate should be available to reach out.

But once again, we are missing in this Bill the sort of continuity of care that I had hoped would be in a contemporary Bill speaking to the treatment of mental illness and to mental health in our communities.

Finally, Mr. Chairman, the Ombudsman's jurisdiction I had hoped would now be put back in. I think Mr. Trawick's letters to Mr. Stewart and copied to the minister were quite clear about what needs to happen, about the difficulties that can ensue if his jurisdiction is removed. I had hoped that the minister would have reviewed that material by now and would have acted in accord with it because I believe the Ombudsman really needs to have his jurisdiction made available to mental institutions. I think that's an absolutely essential part of his work and that it should be extended to this. I would hope the minister will reconsider that as well as some other things.

Thank you, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Member for Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Chairman. First of all, I'd like to say to the minister that I appreciate him at least tabling these draft regulations. I know that on a number of occasions when Bills come before us that refer to regulations -- key areas of those Bills -- we often request them but they're not always provided to us. So I'd first of all like to thank him for at least indicating to us what he considers these terms of reference of the patient advocate to be.

But I'm just I guess, concerned to take a look at the procedure here that is outlined for the patient advocate. What the person can do is first of all tell the patient what his rights are under the Mental Health Act -- how he can get a lawyer to represent him and how he might go through the process of making application to the review panel or to the Court of Queen's Bench. That seems to be a very limited mandate. As well, there is an opportunity for the patient advocate in doing an investigation to report to the board -- I presume the board of the hospital, the designated facilities -- with recommendations on that matter which affects a formal patient and give reasons for his recommendations; then, if there's no action taken on those recommendations, may send a copy of the report and the board's response, if any, to the minister. Now, that's as far as it goes, according to these regulations.

On the other hand, Mr. Chairman, if we look at the law governing the powers of the Ombudsman, first of all, there's greater scope in order to launch an investigation, but once the Ombudsman has investigated a complaint and finds that there was some basis for the complaint, that something wrong was undertaken or that something happened that was contrary to law or there was some improper purpose in which discretionary power was exercised, then the Ombudsman can make any recommendation. If he wishes, he

> shall report his opinion and his reasons for it to the appropriate Minister and to the department or agency concerned, and may make any recommendations he thinks fit and in that case he may request the department or agency to notify him

as to what they propose to do to give effect to his recommendations.

That's not the end of it. If the Ombudsman's not satisfied, at his discretion he can send a copy of his report and recommendations to the cabinet, the Lieutenant Governor in Council. So if he feels that the minister or the department is not acting on these recommendations, he can first appeal to cabinet and thereafter he may "make any report to the Legislature on the matter that he thinks fit." So there's an element there; if he feels that there's a strong case or strong evidence that something is going on in the administration of an Act or the practice of some authority that really requires the notification of others, he can make that known first to cabinet and then to the Legislature. It's a very, very broad power, and it has not, in my experience, ever been abused. It has happened in cases where the Ombudsman thinks that an important matter is being overlooked or ignored by an administrative authority, and so the Act gives him broad scope to report that.

Now, you compare that, Mr. Chairman, to the regulations outlining the mandate of the patient advocate, and all that the patient advocate can do if he feels that no action is being taken on recommendations is to take that to the minister, and there it sits. It just strikes me, having reviewed this regulation put in front of us this afternoon, that it's a very much limited mandate that's been given to the patient advocate in comparison to the mandate that the Ombudsman has, and I wonder why it is with this category of person in our province that there is this feeling on the part of the minister that this advocate should have a very much more narrow mandate than that which the Ombudsman already enjoys.

MR. M. MOORE: Mr. Chairman, a couple of comments with respect to matters that have been raised by the three hon. members who spoke, and because they covered some of the same ground, I will try to cover it all in the order that I have it here.

First of all, with respect to the issue of designation of facilities and the comments by the hon. Member for Edmonton-Gold Bar that the Act deals only with two mental health institutions. In fact, if members will look at the top of page 3 of the Bill, you will see the definition of facility under section 1(c): "'Facility' means a place or part of a place designated in the regulations as a facility." In fact, over the course of the last few weeks we have designated three active treatment hospitals in Calgary and three in Edmonton as facilities where involuntary patients can be taken to with respect to this legislation. Those will all come into effect -- the ones in Calgary are already in effect, and the three hospitals in Edmonton will begin receiving involuntary patients on July 15 under the old legislation.

It's our intention, as well, to designate facilities in other parts of the province. We would be moving fairly soon to designating facilities in other regional hospitals such as Grande Prairie, Red Deer, Lethbridge, Fort McMurray, and Medicine Hat. Beyond that I don't know, but certainly the Act would allow us to designate practically every hospital in the province as a facility. So members need to be aware that there will be a good number of institutions that this legislation applies to.

With respect to the issue of mental health advisory councils, they are not provided for in the legislation, speaking directly to them, but the legislation does provide that the minister may appoint such advisory councils as is considered necessary. The Legislature. Mr. Chairman, has the commitment of the hon. Minister of Community and Occupational Health, who will be responsible for the advisory councils, as he is now, and my commitment that the advisory councils will continue much as they have in the past. Discussions have been held with them and the Alberta branch of the Canadian Mental Health Association, and I believe they're satisfied that it's our full intention to continue the system of mental health advisory councils.

Now, there's two other issues I wanted to deal with. The hon. Member for Edmonton-Gold Bar talked about the continuity of care and also talked about the title of the Act and what it meant. The facts of the matter are that this legislation deals with how we treat and handle involuntary patients. It is not designed or meant to be all encompassing in terms of treating mental illness. Perhaps it does have the wrong title, but we did consider that, and the existing Mental Health Act is called the Mental Health Act, and it's called that in other provinces. It's a pretty commonly defined term, the Mental Health Act, for the legislation that's required to treat involuntary patients.

Quite frankly, we don't need legislation to treat other patients. We have a hospital system, the treatment system in this province that's governed by the Hospitals Act and other pieces of legislation, and I don't think we should be sorting out people with mental illness and saying, "You come under a different Act," except to the extent that it's absolutely necessary, and it's absolutely necessary when they are being involuntarily treated. So, Mr. Chairman, that's the reason why we didn't change the title to the Act and the reason why the Act doesn't deal with such things as continuity of care.

We recognized very, very strongly that there needs to be some additional hard work in the area of mental health. That the hon. Minister of Community and Occupational Health, myself, and others are working very hard on now. In fact, we hope to have in the near future a discussion paper on mental health that will provide us a better direction in terms of the whole area of continuity of care.

One of the most misunderstood parts of this legislation has to do with section 30, which says:

> The authority to control a person under this Act is authority to control the person without his consent to the extent necessary to prevent serious bodily harm to the person or to another person . . .

A lot of psychiatrists and hospitals and others have interpreted that to mean that you must first of all show that the person might be in such a state as to do serious bodily harm to himself or someone else. The section doesn't say that. The section says that:

> The authority to control a person under this Act is authority to control the person without his consent to the extent necessary to prevent serious bodily harm . . .

It doesn't say anything about having to show that the person is in such a state of mind. I keep saying over and over again, in letters and in other ways, to the psychiatrists and others who are so worried about their inability to control someone who has objected to treatment that the Act provides some limited ability to

control a person, to prevent serious bodily harm to that person or another person. So the only thing that's restricted, really, is such things as psychosurgery, where we say, you know, surely you don't need to use that while you're waiting seven days for a review panel. So I'm hopeful that there will be a better understanding of the actual wording of the legislation, and I think there will be in that regard.

[Mr. Gogo in the Chair]

If could deal, then, with the role of the Ombudsman. The Ombudsman presently has jurisdiction over only the two mental health hospitals. He doesn't have jurisdiction over the six other major facilities in Edmonton or Calgary that have been designated under the Mental Health Act. We either had to enlarge the role of the Ombudsman substantially to provide for the Ombudsman's jurisdiction over all of the other facilities or we had to put in a patient advocate or do both. It was my view, and it continues to be my view, that the area of . . .

MR. CHAIRMAN: Thirty seconds, minister; 30 seconds.

MR. M. MOORE: Okay.

The area of ensuring that people are able to be protected under this Act should be in the hands of the patient advocate, and that's why we put that forth in the regulations.

SOME HON. MEMBERS: Question, question.

MR. YOUNG: Question or . . . [interjection] All right.

Mr. Chairman, I move that the committee rise and report.

[Motion carried]

[Mr. Speaker in the Chair]

MR. GOGO: Mr. Speaker, the Committee of the Whole has had under consideration the following Bills and reports the following: Bill 55, with some amendments, and reports progress on Bill 29.

MR. SPEAKER: Does the House concur with the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

Government House Leader.

MR. YOUNG: Mr. Speaker, it is the intention of the House to sit this evening and to commence at 8 o'clock in Committee of the Whole. If it would be appropriate, I would move that when the House convenes this evening at 8 o'clock, it convene as Committee of the Whole.

MR. SPEAKER: Oh, yes, it's appropriate.

[Motion carried]

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