

Legislative Assembly of Alberta

Title: **Thursday, June 21, 1990 2:30 p.m.**

Date: 90/06/21

[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.

Mr. Gordon Wright Appointed Queen's Counsel

MR. HORSMAN: Mr. Speaker, I seek unanimous consent of the Assembly to engage in an unusual procedure.

MR. SPEAKER: Having heard the request, all those in favour, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Let the record show unanimous.

Would the Attorney General please come forward, and the Member for Edmonton-Strathcona, please.

MR. ROSTAD: Mr. Speaker, I appreciate the unanimous consent of the Assembly to make a special presentation to the hon. Member for Edmonton-Strathcona.

Mr. Speaker, everyone knows that the hon. member is battling an insidious disease. I know the hon. member has high spirits notwithstanding his struggle. And I'm having a little struggle. It's my strong belief that spirit is a great elixir against any disease, and I hope today with our consent and our recognition of the contributions to the House, to the constituency, to the public, and to the profession that we can raise your spirits, sir.

Mr. Speaker, the hon. member has been my portfolio critic since 1986, since our election, and although I can personally attest for the time elapsed, I'm sure it certainly applies for all time that there is no better parliamentarian, no better gentleman, and no one with more respect. Although we're opposites in our political philosophies we do share the same concerns for our fellow mankind, for this Assembly, and for our province.

The hon. Member for Edmonton-Strathcona has served his political party valiantly since the inception in '62, and he's run as a candidate in '67, '71, '75, '82, '86, and '89, being successful in '86 and '89. He has served his profession since his articles in the United Kingdom in '53, and since '55 in Alberta. He served in the Attorney General's department from '56 to '59, and since that time has been in private practice, a formidable barrister.

Mr. Speaker, a Queen's Counsel designation has a history since the 16th century, when the King's attorney and the King's solicitor could not handle business, and private solicitors or barristers were hired to cope with this business. They were called Queen's learned counsel, and they were seated, if I may quote, on the outside of the woosacks, next to the earls. The

first modern QC was to Sir Francis Bacon in 1604, and in Canada the first QCs were appointed in 1841.

Mr. Speaker, the February 5, 1859, edition of the *Upper Canada Law Journal* speaks of the necessary qualities of a Queen's Counsel, and if I may quote:

We trust that the day will never come when a member of the profession, to attain this or any other distinction, must either be a political partisan or a cringing parasite. If the day should come, then that which is now an honour will be a disgrace, worthy of the acceptance only of bad men.

I couldn't say with purity that we necessarily give all of our QCs based on that statement.

The 1863 edition of the same journal again spoke of the qualities of individuals worthy of appointment as Queen's Counsel, and I'll quote:

In no profession is true merit better appreciated by the public than that of the law. A deserving man, in spite of adverse circumstances, by dint of energy may raise himself as high as he pleases. If he has the true ring he is sure to be appreciated. The converse is also true. A man unfit for the profession of the law can not in general, be forced into greatness; or if so forced, soon falls to the level which nature designed for him; all the titles in the world will not make him a great lawyer, if nature has set upon him the stamp of mediocrity.

Further:

The qualifications of a successful barrister are many. He must be quick, courageous, decided, intelligent, well-informed. He must have good common-sense, versatility and ability to please. He must be able to express his ideas with clearness and appropriateness. He must be ready for any and every emergency, equal to any and every occasion.

A final quotation of interest, Mr. Speaker, is from the July 17, 1989, *Hansard*. The hon. Member for Edmonton-Strathcona asked

if the Attorney General would consider recommending to the Legislature a change of the designation [of Queen's Counsel] to something rather more current and self-explanatory, such as "successful older barrister."

A second hon. member noted – there was no name beside this – that this would result in the appellation of "Gordon Wright, SOB."

Mr. Speaker, it's my privilege and certainly my pleasure to recognize the hon. member's considerable merit in receiving the designation Queen's Counsel. Gordon, may your spirits soar, may the elixir work, and may we see you challenging the government in the fall session.

I'd like now to present you with your certificate. [applause]

MR. SPEAKER: The Chair recognizes the hon. Member for Edmonton-Strathcona.

MR. WRIGHT: Well, it's the first time you've done so without my making some overt motion to be recognized, Mr. Speaker, and I almost wonder whether I'm dreaming, to be truthful; this is such a surprise.

I acknowledge, however, the honour that a Queen's Counsel confers. I acknowledge also that I have been a little sarcastic in the past as to whether the criteria have always been lived up to. I don't wish to be churlish and expand that at all, and I will leave others to judge whether in this case the due merit is there, whether under the appellation of "successful older barrister" or, indeed, what the initials themselves might stand for.

If I'd had some time to search my brain, such as it is, Mr. Speaker, I'm sure I could be more eloquent and delay the business of the House still further, but can I say that I ap-

predate most of all the goodwill behind this presentation.
[applause]

head: **Introduction of Visitors**

MR. SPEAKER: The hon. Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. It's my special privilege on a very special occasion to introduce in your gallery, the Speaker's gallery, Gordon Wright's family, friends, and colleagues. I'd like them to stand as I call them out, and I'm sure they will get a warm welcome. First of all, his wife, Mary Wright, and their children: Jill Wright, Christopher Wright, Sarah Wright, Byron Collins, Catherine Collins; also Gordon's law partner, Frances McMenemy, an assistant for the last 13 years in his law office, Germaine St. Paul; his legislative assistant, Dianna Martin; and colleagues and long-time friends John Warton and Jean McBean. I'd ask the Assembly to give them a very warm welcome.

MR. HORSMAN: Mr. Speaker, I'm pleased to introduce to you and members of the Assembly a distinguished delegation from the Korean Women's Association. They are seated in the members' gallery. The chairman of the Korean Women's Association, Kum Soon Park, is accompanied by an additional seven members and by Dr. David Bai from the University of Alberta, a distinguished member of the Canadian and Alberta Korean association. They have met with the hon. minister responsible for women's affairs in our government, and they are here to observe the conduct of our Assembly today. They have risen now, and I would ask that they receive a warm welcome from members of the Assembly.

head: **Notices of Motions**

MR. HORSMAN: Mr. Speaker, I wish to give notice pursuant to Standing Order 21:

- (1) that when the adjourned debate on the motion for second reading of Bill 31 and Bill 37 is called for resumption, I intend to move in each instance, pursuant to Standing Order 21(1)(a), that the debate shall not be further adjourned;
- (2) that when Bill 31 and Bill 37 are before Committee of the Whole, I intend to move pursuant to Standing Order 21(1)(b) that all of the resolutions, clauses, sections, and titles relating to those two Bills shall be the first business of the committee and shall not be further postponed; and
- (3) that when Bill 31 and Bill 37 are called for resumption of a previously adjourned debate on the motion for third reading, I intend to move in each instance pursuant to Standing Order 21(1)(a) that the debate shall not be further adjourned.

MR. SPEAKER: Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. Under Standing Order 40, I'd like to bring forward this motion:

Be it resolved that this Assembly condemns the Conservative government of Alberta for its eleventh hour introduction of the Bill to sell off Alberta Government Telephones after having conducted a general election only 15 months ago without revealing its intention to do so, and also for its failure to allow due public input on the matter, and finally for its blatant contempt for the parliamentary democratic process by giving notice of closure on the enabling Bill.

head: **Introduction of Bills**

Bill 226
Open Taxation Act

MR. CHUMIR: Mr. Speaker, if I can find my Bill here, I'll introduce it. Oh, here it is.

I request leave to introduce the Bill that I just found miraculously, Bill 226, the Open Taxation Act.

The purpose is to require the amount of sales tax to be set out openly and separately on any invoice for the sale of goods and services.

[Leave granted; Bill 226 read a first time]

head: **Tabling Returns and Reports**

MR. STEWART: Mr. Speaker, it is my pleasure to table the 1988-89 annual report for the Department of Technology, Research and Telecommunications.

MR. GIBEAULT: Mr. Speaker, I'd like to file with the Assembly copies of resolution 627 passed this morning by the annual convention of the Alberta Federation of Labour, calling for the Occupational Health and Safety minister's resignation, as well as copies of resolution 625, calling for the Occupational Health and Safety minister's defeat in the next general election.

MRS. MIROSH: Mr. Speaker, it gives me a great deal of pleasure to table Principles and Policies Governing Professional Legislation in Alberta.

I'd like to take a moment to thank all the professions who've given a great deal of their time and input into these policies.

MR. SPEAKER: The Member for Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. As the Chair of the Edmonton caucus and as we debate the people's business now into the summer, I thought it would be helpful to table for all hon. members' information the calendar of events planned for our capital city, our festival city, Mr. Speaker, not only the seven major festivals which begin tomorrow but a number of other events such as the world baseball games, Mr. Speaker, which I'm sure you'd be interested in, the . . .

MR. SPEAKER: Thank you, hon. member. A tabling is a tabling. Thank you. [interjections] Order please. Order. [interjections] And the Speaker's golf cup is in September too.

The Minister of the Environment, on a tabling?

MR. KLEIN: Mr. Speaker, I would rather do this through a ministerial statement. Thank you.

head: **Introduction of Special Guests**

MR. SPEAKER: The Member for Drumheller.

MR. SCHUMACHER: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to all members of the Assembly four gentlemen from Strathmore and district, who are here to discuss recreational matters with the government. They're led by the mayor of Strathmore, Mr. Keith Schneider, and they include Jim Kay, Theo Owel, and

Eugene Helfrich. I'd ask them to rise in the members' gallery and receive the traditional welcome of the Assembly.

MR. SPEAKER: The Leader of the Opposition, followed by the Minister of Public Works, Supply and Services.

MR. MARTIN: Thank you, Mr. Speaker. It's my privilege today to introduce a constituent, Charles Boulet. Visiting with him is a visitor from Norway, Lene Tweit. She is here in our beautiful province for a month, and I understand will be visiting Jasper and then going on to the Calgary Stampede. I'd like them to rise in the public gallery and receive the warm welcome of the Assembly.

MR. SPEAKER: The Minister of Public Works, Supply and Services, followed by the Minister of Labour.

MR. KOWALSKI: Thank you very much, Mr. Speaker. Located in the public gallery today are 15 young grade 10 students from Neerlandia school. They're accompanied by teacher Mr. Bert van Niejenhuis and their bus driver Mrs. Irene Baker. Mr. Speaker, Neerlandia is located about 75 miles north of here. It's prime agricultural country. I'd ask all members of the Assembly to extend a warm greeting to my young constituents from Neerlandia.

MS McCOY: Mr. Speaker, it is my pleasure on behalf of my colleague the Hon. Roy Brassard, who is attending a ministerial conference out of province, to introduce to you and through you to the members of the Assembly 27 members from the Cremona Gold and Silver Club. I'm very pleased to have them with us today in the members' gallery. With them is their tour director Audrey Rigsby. I would ask all of the members of the club please to rise and receive the warm welcome that is traditional of our Assembly.

MR. SPEAKER: Edmonton-Belmont, followed by Edmonton-Gold Bar.

MR. SIGURDSON: Thank you, Mr. Speaker. On behalf of my colleague the Member for Stony Plain I'm pleased to introduce two people from Atlanta, Georgia, who are on their first visit to Edmonton. I believe, by the shock on their face, Mr. Speaker, they're now seated in the public gallery: Mr. and Mrs. Robert Wickham. If they would rise and receive the traditional welcome of the Assembly.

MR. SPEAKER: Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. I, too, am pleased to introduce to you and other members of the Assembly guests from overseas. We're joined today by Else and Gangolf Zeller from the republic of Germany and their Alberta hosts Helga Tucque and Ralph Haeckel. They're in the public gallery. I'd ask them to rise and be welcomed by the Assembly.

MR. SPEAKER: Edmonton-Whitemud, then Economic Development and Trade.

MR. WICKMAN: Thank you, Mr. Speaker. I would like to introduce to you and through you to members of the House four special guests that are involved with developing the Art Space Co-op, an integrated housing complex to allow more persons with disabilities to be independent productive members of our

society. The four individuals are Bill Miller, the president, accompanied by three members: Rhonda Calper, Louise Miller, and Ike Bryldt. They're seated in the public gallery. If the four of them would identify themselves, I would ask members of this House to give the traditional warm welcome.

MR. ELZINGA: Mr. Speaker, it's my pleasure, sir, to introduce to you and through you to Members of the Legislative Assembly a colleague from my former life. I served with this gentleman when he was a Member of Parliament in the House of Commons. He is seated in the members' gallery, and he also has some visitors to our province of Alberta with him. I would ask Mr. Bill Lesick and his visitors to rise and receive the warm welcome of this Legislative Assembly.

MR. ZARUSKY: Mr. Speaker, on behalf of my colleague the hon. Member for Dunvegan it's a pleasure for me to introduce to you and through you to the Assembly 20 fine, energetic students from the Rycroft school. They're accompanied by teachers Mr. Rehaume, Mrs. Pawa, Mrs. Sekulic, and parents Mrs. Milkovich, Mrs. Burake, and Mrs. Barbarich. They're seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

head: Ministerial Statements

Environmental Protection Legislation

MR. KLEIN: Mr. Speaker, it is with a great deal of pride that I rise today on behalf of Premier Getty and the government of the province of Alberta to present the draft Alberta environmental protection and enhancement Act. This discussion paper and draft legislation is the culmination of over a year of hard work and meets the commitment that this government made to Albertans to introduce sweeping new environmental legislation for this province.

As we said in January, when announcing that this new legislation would be coming forward, environmental concerns and values have changed remarkably since Alberta Environment was formed in 1971. There are greater pressures on the environment, more complex technologies, higher public awareness of environmental degradation, and the need for governments to take a more active role in environmental protection. All of these factors make this proposed legislation vitally important.

We introduce this discussion paper in draft form only because we have not yet completed the process of listening to Albertans. Thousands of Albertans responded in writing to the vision document released in January, and I tabled their responses in the Assembly on Tuesday. But we also want to hear from Albertans in person. To that end, Mr. Speaker, we are announcing today that an environmental legislation review panel will be formed to travel across Alberta this fall and hear from Albertans as to the specific principles contained in this draft legislation. Based on what we hear, this draft will be rewritten over the course of the winter and reintroduced for passage in the spring of 1991. This is in keeping with the 15-month timetable that was outlined in January.

Mr. Speaker, this environmental legislation is going to change the way Albertans live and work and respond to the environmental challenge. If I might briefly outline the major new and enhanced provisions, they include establishment of a legislated environmental impact assessment process incorporating the recommendations of the Environmental Impact Assessment Task

Force report; increased public participation in all aspects of environmental protection and enhancement; statutory requirements for waste reduction and recycling; dramatically increased penalty provisions, including fines of up to \$1 million and six months in jail for violators; the ability to ensure that corporations do not profit from environmental violations by imposing additional fines offsetting any monetary benefits accrued from an offence; 25-year owner/operator liability for site cleanup and reclamation costs; the expansion and redirecting of the former Natural Resources Co-ordinating Council into the sustainable development co-ordinating council; and liability of corporate officers and directors for environmental offences.

Mr. Speaker, I must acknowledge two groups of people without whose efforts I would not be making this announcement. Firstly, I must thank all of my colleagues in government for their comments and advice throughout this drafting process. This has been a new and interesting experience for me as a new minister. Now I know how camels were designed: they were originally horses designed by a committee. But it's been an interesting and a very rewarding exercise. Secondly, I must acknowledge with heartfelt thanks the men and women of Alberta Environment, whom I regard as this province's true environmentalists. They are in the members' gallery today.

Mr. Speaker, I will conclude by simply saying that this draft legislation is tough but fair. Let there be no illusions on anyone's part: this government is committed to environmental protection and will strictly enforce our legislative authority to meet that goal. Nothing is more indicative of the health and progress of a people than the style of their laws, the manner in which they are observed, and the manner in which they are enforced. By those yardsticks the people of this province can be assured that Alberta's air, land, and water will be protected for future generations.

In response to questions yesterday in the House as to how we intend to respond to the comments of over 4,000 Albertans, this, Mr. Speaker, is our answer.

I would now ask that this package be distributed to all members of the Assembly. Thank you, Mr. Speaker.

MR. SPEAKER: The Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. In replying to the ministerial statement, it's nice that we're going to have another environmental review panel. If I may say so, just glancing at the ministerial statement there's not a lot that I disagree with, Mr. Speaker, but I think some things have to be said to this minister and this government.

I notice that it will be absolutely impossible to have any new environmental laws until the spring of 1991, Mr. Speaker, perhaps a year from now, and I would also point out to this government that that is convenient, because all their major pulp projects will be on board by then. It's sort of like closing the barn door after the horses have gone out.

This minister talks in here about the "establishment of a legislated environmental impact assessment process incorporating the recommendations of the EIA Task Force report." He talks about "increased public participation." Well, Mr. Speaker, as we said yesterday, why not, then, have some public hearings on Daishowa, Weldwood, Procter & Gamble? They're going to be polluting right away. I say to this government: why not a guarantee on the Al-Pac project, Mr. Speaker, if we believe what we're saying in this ministerial announcement?

Mr. Speaker, he says, "Dramatically increased penalty provisions, including fines of up to one million dollars and six months

in jail." Well, we've had all sorts of laws on the books before that weren't enforced. You can put maximum figures if you're not going to enforce them, and that's been the record of this government, Mr. Speaker.

Now, as I say, I agree with many of the provisions. I especially agree with that statement where the minister says:

Nothing is more indicative of the health and progress of a people than the style of their laws, the manner in which they are observed, and the manner in which they are enforced.

Up to this present time, Mr. Speaker, this government has been an absolute failure in that, a failure in the environmental area,

Now, as I say, I'm not going to disagree with the ministerial statement as such, but we know where they're coming from. The problem is: will this be legislation? Will the antienvironmentalists in cabinet get to it before the minister does? As I pointed out, it'll be too late for many of the projects that are already on board that we should be dealing with, and I say that in the past enforcement by this government has been very poor, Mr. Speaker, and I don't see anything that will change just because we've written it down here in a ministerial statement.

The test of this government is not what they promise, Mr. Speaker, it's what they do. We've heard many promises before. The proof is not in their words but in their actions, and if they really believed in it they would go back and look at some of their environmental projects right now instead of waiting for a year. That's the reality of it.

head: Oral Question Period

MR. SPEAKER: The Leader of the Opposition.

Closure on AGT Bill

MR. MARTIN: Yes, Mr. Speaker. To the Deputy Premier, the Government House Leader. As the minister's well aware, New Democrats are totally opposed to this government's intention to shut down debate on one of the most important pieces of legislation this province has seen for years. Not only one of them, now we find out two of them, Mr. Speaker. But I want to concentrate on Alberta Government Telephones. This government's decision to sell off Alberta Government Telephones and in the process, I say, sell out Alberta families, especially rural families, surely deserves full and comprehensive debate, because it was not even talked about in the election and in some cases we were told the opposite, that it was going to be sacred in this province. Now, the Official Opposition is committed to carrying out its responsibilities and doing the job we are paid to do. Mr. Speaker, the other offensive part of this government's strategy is that they've waited until what they perceive is the tail end of the Legislature to bring this through when people were concentrating on Meech Lake and weren't even aware that this was going on. I say to you: that's offensive because this is an important Bill. My question to the Deputy Premier: can the Deputy Premier really explain to the people of Alberta why this government is so absolutely desperate to ram this legislation through the Legislature without full and vigorous debate?

MR. HORSMAN: Tomorrow, when the Bill is called, it will be the ninth day that matter has been before the Assembly. [interjections]

MR. SPEAKER: Order.

MR. MARTIN: Mr. Speaker, this is a Bill that was not even talked about in the election. It has major implications. And some of those days we debated for half an hour or an hour. Is this your idea of democracy? That's what I say to this government, Mr. Speaker. Now, I would remind this . . . [interjections]

MR. SPEAKER: Order please. [interjections] Order in the House so the leader can at least get his question out, and on both sides.

MR. MARTIN: Now, Mr. Speaker, the last time that this government – we remember it well – used this draconian and undemocratic tactic, we ended up with the worst labour law in Canada, and we're still paying the price for that. I want to ask the Deputy Premier this: how does the Deputy Premier justify the suspension of parliamentary democracy on such an important piece of legislation? Even he said it was only nine days.

MR. HORSMAN: The Standing Orders of this Assembly were arrived at in a democratic way, and the . . . [interjections]

MR. SPEAKER: Order.

MR. HORSMAN: Oh, my. Well, we can expect this kind of nonsense from the Member for Vegreville, who is supplementing his leader's efforts in this regard, and that's not surprising.

The fact of the matter is that it will be given further debate in three additional stages, and I expect that we'll hear a great deal more about it. Furthermore, the opposition said that they were going to use every tactic at their control to frustrate the will of the majority of this Assembly. So we're using the rules that are provided for by this Assembly and have been part of the democratic rules of this Assembly since I've been a member of this House.

MR. MARTIN: This government has a majority government. This was a Bill that had no public hearings at all, Mr. Speaker. I don't know what the hurry is. Maybe it's the golf courses; maybe the backbenchers' seats are warm. But there's no legitimate excuse to bring in closure of debate in this Legislature, and this minister knows it full well. It's a company that's been there since 1906, and in nine days you want to just sell it off without proper debate, and that is a shame. I ask the Deputy Premier: will the Deputy Premier, who knows better, who I thought believed in democracy, at least he talks about it, withdraw this notice to cut off debate and allow the members of the Assembly to do the job they're paid to do and expected to do? We're expected to debate these Bills.

MR. HORSMAN: The hon. member is quite correct that this is a democracy. The people democratically elected the majority government. The matter has been brought before the Assembly through the rules which have been established in this Assembly. The short answer to the hon. Leader of the Opposition's question is no.

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

MR. MARTIN: Thank you, Mr. Speaker. The tyranny of the majority. Albertans will remember this. This is the way this government operates.

Environmental Protection Legislation

MR. MARTIN: My second question is to the Minister of the Environment, Mr. Speaker. Apparently the minister finally got the message that Albertans were fed up with laughable laws and pathetic penalties when it comes to prosecuting polluters. There's no question, though, that the minister and this government will be taking bows every chance they get to talk about these tough new fines and sending polluters to jail. Of course, Albertans have heard a lot of talk and rhetoric and self-congratulations from this government before on environmental matters. You just have to go back earlier this year when the Premier said all those great things about the Al-Pac review board and then turned around and ordered a review of the review to undermine it. My question to the Minister of the Environment is this: what assurances can you give Albertans that these new maximum fines will actually be demanded of polluters in this province, that you will not just sit on the regulations and they will never be used?

MR. KLEIN: Well, first of all, it leaves that to the judgment of the courts but at least gives the courts the flexibility to impose fines of up to \$1 million. I think the environmental realities of today are that enforcement is required. It's mandatory; people expect it. The hon. Leader of the Opposition alluded to the thanks to Albertans document yesterday, where there was a strong expression that people want enforcement. I welcome his comment; that's precisely the kind of thing that we want. I would invite not only the hon. Leader of the Opposition but other members of the ND Party and members of the Liberal Party and all Albertans to phone the RITE number. Now, I don't have it right now, but I think it's a 1-800 number. I'll have it tomorrow, and I'll repeat it as many times as I possibly can, because this is precisely the kind of thing we want to have. I thank you for your comment. This is what we want.

MR. MARTIN: You're going to be thanking me a lot, because you're going to get a lot of comments in the future.

Mr. Speaker, I might point out to this minister that back in the election we advocated the things in this that he's still planning. If it had been our government, a lot of these things would have been in order right now.

Now, to get back to these fines that the minister is talking about, that we'll still study for a while, mind you, and that won't come in for another year, let's look at the government's political will when it comes to prosecution in other areas. The highest fine ever paid by an employer under Occupational Health and Safety laws for the death of a worker was \$10,000. That's what a worker was worth. I'd point out that the maximum they could have been fined is \$150,000. So my point is that upper limits don't mean much to this government. My question, then, a serious one because he wants to hear about it, is to the minister: why would or should Albertans believe this government will be any more serious about making polluters pay or go to jail for their crimes or actions than it is about prosecuting and punishing employers who are responsible for workers killed on the job?

MR. KLEIN: Well, the hon. minister of Occupational Health and Safety is not here, and he can't supplement my answer, but to respond to the lead-in to the question, I'm amazed. I didn't know the socialists were magicians, as well, that they could just snap their fingers and pull out of the air legislation that would accomplish all these things that we're trying to do through public consultation. I'm amazed. I didn't know you were magicians.

To answer the question as it relates to the environment, Mr. Speaker, this is a document for public discussion. This is a document to get the views of Albertans, not only to bring together nine existing environmental laws but to enhance those laws, to strengthen those laws, and to set an environmental agenda to take us through this decade and into the next century.

MR. MARTIN: Mr. Speaker, if I may to the minister: no, we're not magicians, just responsible politicians. He may want to learn about that. I would remind this minister that this is just a piece of paper at this particular time, and I've pointed out that most of the things that are occurring will have occurred by 1991. To the minister: I think that's irresponsible.

Mr. Speaker, I want to ask this minister. Going on the assumption that he does believe in this draft legislation and he knows Albertans want changes, my question is this: can the minister assure us that the rest of the government, the anti-environmentalists in cabinet, are committed to getting tough with polluters and that he won't be overruled by the Energy minister or the Premier when he's proceeding with this legislation? Can he give us those absolute guarantees that he has the support of the cabinet?

MR. KLEIN: Well, what's irresponsible, Mr. Speaker, is the attitude of the opposition, who say that we should have public hearings on this, we should have public hearings on that, and we should have public consultation on this and that and every other thing. Finally, we take something out, probably the most significant piece of environmental legislation, for public consultation, and they criticize it. Now, I know we can't use the word "hypocrisy" in the House, so I won't use it, but I can't find another word for it. That's all I can say.

MR. SPEAKER: Edmonton-Whitemud, on behalf of the Liberals.

Art Space Housing Co-operative

MR. WICKMAN: Thank you, Mr. Speaker. The action plan of the Premier's Council on the Status of Persons with Disabilities, the Brassard report, and The Rainbow Report all recognize the need for support services to enable persons with disabilities to be independent, productive members of our society. In view of the decision with the Porter family, I believe that the minister agrees. Yet the future residents of the Art Space Co-op have not received approval for a support services program similar to the one already in place in the Abbey Road co-op. Their letter of intent was submitted last September and followed up by a proposal more than three months ago. My question is to the Minister of Health: is the minister prepared to tell us today what decision has been taken in regard to the proposal submitted by the Art Space Co-op for support services systems?

MRS. BETKOWSKI: Mr. Speaker, I'm quite aware of the proposal for the Art Space housing co-operative, especially with respect to the members in the gallery who were introduced by the hon. member today. Certainly the proposal was made some time ago to the Department of Health for a co-operative housing project. There are currently not allocated resources within the 1990-91 budget for this project. However, within the context of the review of the Premier's Council on the Status of Persons with Disabilities, it would be my hope that I might be able to get the context of a response to the hon. members within the shortest possible time.

MR. WICKMAN: Mr. Speaker, it sounds to me as if the minister is saying that the decision is not a favourable one. At least that's the interpretation I have. That facility is due to be opened October 1, and there's planning that's required. In view of the apparent recognized need to enable persons with disabilities to be part of the community, what is the minister's rationale, her reason, for not being prepared to announce a positive decision, finding those funds that are required, and placing this as a priority item?

MRS. BETKOWSKI: Mr. Speaker, as yet we haven't made a full, comprehensive response to the report of the Premier's Council on the Status of Persons with Disabilities. Certainly the potential of this program being part of a response to that council's report is one that is part of the overall review and one which I will be pursuing with my colleague the hon. Minister of Education in his primary capacity for leading the discussion within government.

MR. WICKMAN: Mr. Speaker, may I remind the minister that the facility is well under construction. Without the support services the residents cannot move in. What will they do? To the minister: is the minister prepared to give this House an undertaking that she will meet with representatives of the Art Space Co-op in the next few days to resolve this matter in a positive fashion?

MRS. BETKOWSKI: Mr. Speaker, the hon. member may not be aware that within Health there are many, many worthy projects which come and are requested to be supported. It's not a matter of me simply saying, "Here's another one that I think is a very great idea." It's a matter of finding the resources within Health and ensuring that we are using those resources in the appropriate way.

If the expectation is that I could give a response to this group in the next several days and that would be the purpose of the meeting, I'm afraid I would have to decline the offer because it's not my view that the government response with respect to the persons with disabilities council report will be ready in that time frame. I am happy to meet with the group but within the overall framework of the discussion on this particular project being part of our overall response on the Premier's council.

It's a difficult decision, and I guess that's the nature of decisions in Health. We have to make those kinds of decisions, and I'll accept the responsibility for it. When people make decisions to proceed on building projects without confirmation with respect to the Health support that will flow, we all have to live with those kinds of consequences.

MR. SPEAKER: Lloydminster.

Drug Abuse Education

MR. CHERRY: Thank you, Mr. Speaker. AADAC is and has been a leader in this province, in Canada, and internationally in the prevention of and education on substance abuse. My question today is to the chairman of the Alcohol and Drug Abuse Commission. Can the chairman indicate to what extent AADAC is consulting with other jurisdictions and agencies in developing educational materials on the urgent issue of substance abuse?

MR. NELSON: Mr. Speaker, I should indicate that AADAC is consulting on a regular basis both nationally and internationally

with regards to all aspects of substance abuse. AADAC has been welcomed and recognized as a world leader in the development of educational, prevention, and treatment materials in such a way that they have been awarded an exceptional number of awards throughout the years. In fact, just recently the Markie awards, which are international awards presented for various addictions materials that are developed in North America – out of approximately 100 submissions and 38 awards AADAC received 15: four of them first place and seven of them second place, which is a commendable circumstance considering that AADAC, with the professional people that are working there, is able to develop with the support of this government exceptional materials for our citizens in Alberta.

MR. CHERRY: Supplementary, Mr. Speaker. That's most gratifying, what you've said, but are these materials used internationally in the field of drug abuse?

MR. NELSON: Mr. Speaker, each jurisdiction develops materials for their own themes. AADAC develops materials for themes and complete packages of these themes, and through the assessment and evaluation of the various themes that are developed for their educational and preventative values, it is determined they are very effective in Alberta. AADAC is committed, with the continuing support of Premier Getty and the government, to providing excellence and professionalism in their endeavour to assist all Alberta families.

MR. SPEAKER: Edmonton-Strathcona.

Health Units Funding

MR. WRIGHT: Thank you, Mr. Speaker. My question is to the Minister of Health and concerns the funding of health units. I'm sure she's aware that over the last five years there's been a real decrease – that's to say, a decrease in real terms of money – of some 8.8 percent in the funding of health units across the province. That includes, of course, this city, and the latest health unit itself to fall victim is the South Side Health Centre, in my own constituency. It has had to reduce its services some 50 percent. Those services comprise prenatal classes, child immunization, a well baby clinic, and parenting courses. I ask the minister, Mr. Speaker, to explain how such preventive medicine economy is not a false economy.

MRS. BETKOWSKI: Well, Mr. Speaker, in fact, the funding for health units has increased this year by 3 percent. If I look at the funding for the Edmonton board of health between last year and this, there has been a substantial increase in the funding of that health unit. Nonetheless, the health unit has had to review its programs and services, and my understanding is that the closure of the particular unit that the hon. member refers to will not result in a reduction in services by the health unit in total. It was for that reason that they were looking on the service side and made this decision with respect to the capital facility in order to be able to continue to deliver health services. I don't think in any way there has been a reduction with respect to support for preventive health measures through our health units.

In fact, as we look at the increase in funding which has gone into health in '90-91, an increase of over some hundred million dollars, basically to simply keep services at a similar level, I think we need to applaud the work being done by the Edmonton board of health to ensure that they're delivering the programs

and the services to the residents of their area in the city of Edmonton that they feel are appropriate.

MR. WRIGHT: Mr. Speaker, I'm of course talking about the excess of the rate of inflation over the increases provided. In the case of health units there's an additional thing this year considerably above the rate of inflation, and that is the expected increase in the cost of nursing services or of nurses themselves. So will the minister please commit herself to having a special look at the impact of the reduction in real terms on health units on the one hand and a special increase in the costs of these health units on the other?

MRS. BETKOWSKI: Yes, Mr. Speaker. As I've indicated on several occasions with respect to the extraordinary settlement that appears to be coming with respect to nurses – certainly we've seen it on the acute and the nursing home side and anticipate it on the health unit side – certainly I would review that nursing contract with a view to its extraordinary nature, and I would be responding to the health sector in that review. That's not just for the acute side, but certainly the health units would be continued in that. Frankly, continuing to look at appropriate levels of funding on the community side is something that I believe will be a high priority in Health throughout the '90s. Certainly if we look at the results of the several Premier's reports that have come with respect to health, we see those reports saying that in fact the resources within the health system are adequate. The question is: are we spending them where we should be spending them? That's something that the Member for Edmonton-Centre and I and many others have been discussing throughout the budgetary process. As a priority, clearly the community health side is one that I see as we move ahead, as new dollars become available in health.

MR. SPEAKER: Westlock-Sturgeon.

Lily Lake Road

MR. TAYLOR: Thank you, Mr. Speaker. My question is to the Minister of Forestry, Lands and Wildlife. About 30 minutes northeast of Edmonton lies Lily Lake and the famous Alberta game farm and zoo, through which the Sturgeon municipal council, by a narrow margin, wishes to build a road, despite strong environmental objectors. Now, the members on the Sturgeon council in favour of building the road through this beautiful lake apparently had a secret meeting chaired by the Minister of Forestry, Lands and Wildlife around June 6, at which the Minister of Tourism and others were also present. My question: can the minister explain why only those councillors in favour of putting a road through the middle of Lily Lake were there, but maybe more importantly why the Minister of the Environment wasn't at this meeting chaired by you?

MR. FJORDBOTTEN: Mr. Speaker, I recall the meeting well. It was a request of their council that they wanted to come in and talk to the minister of forestry and the Minister of Tourism. There was no intention to exclude anyone. They brought forward the concerns that they have as a council, as many councils do across this province. We met and we had a good discussion with them.

MR. TAYLOR: Surely, Mr. Speaker, it's not an accident that once again the minister's left the Minister of the Environment out of a very important decision. Maybe I could take it to the

Premier then: why does the Premier expect any credibility to be given to the new legislation and surveys across this province when he can't even get his own cabinet to include the Minister of the Environment in an important decision such as this?

MR. GETTY: Mr. Speaker, we've already got the Minister of Transportation and Utilities upset; he wanted to be there too. Obviously, the Minister of Forestry, Lands and Wildlife explained the reason for the meeting. I thought he handled the question well and gave a good answer.

MR. KLEIN: Well, just to supplement very briefly, I met with the county all by myself. I'm sorry, Mr. Premier, you weren't invited. I got their side of the story. I met all by myself with opponents to the Lily Lake Road. Very basically, we have done an environmental impact assessment on the project. Some deficiencies have been identified. The county has been asked to address those deficiencies, and once the department gets the response, we will decide what course of action to take.

MR. SPEAKER: Red Deer-North, followed by Edmonton-Beverly.

Meat Exports to the U.S.

MR. DAY: Thank you, Mr. Speaker. My question is to the Minister of Agriculture. The free trade agreement is proving to be beneficial to Alberta and to the agricultural sector, just as we had anticipated, but as with any relationship there are always disputes that arise that need to be worked through. One of those disputes is upon us with Fletcher's in Red Deer having freightliners full of their product turned back at the border. We've brought this to the attention of the Minister of Agriculture, a number of us in different sectors. I would like to ask the minister: has he done anything? Has he called Ottawa? Has he called Washington? What's being done to mitigate this difficulty?

MR. ISLEY: Mr. Speaker, the problem that was identified is not unique to Fletcher's. There have been some problems with meat inspection at the American border. The matter has been brought to the attention of the Hon. Don Mazankowski, Minister of Agriculture for Canada. I understand the problem is being addressed.

MR. DAY: Mr. Speaker, supplementary. This is a very expensive problem when you have let alone one freight load returned; I've seen the manifest over the last several months, and there's been a number. Can the minister give us any kind of comfort that this is being addressed with any kind of velocity so we can give a time limit to the people at Fletcher's to let them know in terms of a time frame how soon this thing's going to be resolved?

MR. ISLEY: It's my understanding, Mr. Speaker, that discussions have been held between the Minister of Agriculture for Canada and the minister of Agriculture for the United States. There has been a commitment from their end to implement the agreement with respect to meat inspection, which is basically that they would accept the other partner's, if you wish, meat inspection report.

MR. SPEAKER: The Member for Edmonton-Beverly.

Municipal Grants

MR. EWASIUK: Thank you, Mr. Speaker. My questions this afternoon are to the Minister of Public Works, Supply and Services. In this government's attempt to balance the budget no matter at what cost, the Minister of Public Works, Supply and Services has cut programs of grant in lieu of taxes to some 9.8 percent. This is of special concern to small towns, whose tax base is already small. For them a 6 percent reduction in their grant income represents a significant and unfair cut that would mean they will have no choice but to cut into vital programs or increase taxes of rural Albertans. My question to the minister is: will the minister admit that this move is simply an attempt to make the municipal councils the bad guys in this government's game of budget budgeting, the same that Michael Wilson has passed the buck on to the provinces?

MR. KOWALSKI: Mr. Speaker, it appears that the hon. member missed a previous occasion when this matter was raised in the Legislative Assembly, and in the event that he had, I would refer him to *Hansard* of several weeks ago when this matter was raised. In fact, the Member for Edmonton-Whitemud raised the question, and there are answers in *Hansard* with respect to that matter.

Mr. Speaker, a grant in lieu of tax is a grant that does not apply equally to all of the 325 to 340 municipalities throughout the province of Alberta. It is not a grant that goes on a per capita basis. It is not a grant that every community in this province would get. It's a grant that only those municipalities that were fortunate enough in previous decades to have had provincial buildings or provincial infrastructure located within the community would get. It's not a property tax; it is a discretionary grant.

In good times when the province had surpluses of dollars, the province created a program. As an example, some nearly 42 percent of this \$37 million a year grant comes to the municipality of Edmonton. The people of Alberta provide to the city of Edmonton nearly \$2.3 million per year for the privilege of having this Legislative Assembly building located in the city of Edmonton. In other words, the taxpayers of Alberta made a decision a long time ago that this building would be located in Edmonton, and now the city of Edmonton expects \$23 million a year for this particular infrastructure to be here. There's a vacant building less than a block away from this particular building, Mr. Speaker, called the federal building. A number of years ago the government of Alberta agreed to a response from the city of Edmonton to do something about development in the downtown city core. The province of Alberta agreed to buy, upon the recommendation of the city of Edmonton, the old federal building. Now the city of Edmonton wants a grant of \$450,000 a year from the taxpayers of Alberta for this vacant building.

Now, Mr. Speaker, we recognize that there's been a slight reduction in this annual grant, but we've also done two other things to allow municipalities to, in fact, deal with this matter. First of all, the grant flows through in a fiscal year. The fiscal year in the province of Alberta is April 1 to the following March. I have agreed to allow this grant to go early in the fiscal year so that the local municipal officers can take the grant, that we wouldn't necessarily have to provide until March of next year, to bank it; in other words, put it in a bank account and earn interest of 12 and 13 and 14 percent, which would more than overcome the minor adjustment reduction in this special grant that only applies to some municipalities in our province.

MR. EWASIUK: Mr. Speaker, well, Edmonton may be getting the kind of money they need. I think it's the smaller towns that we're concerned about rather than the larger municipalities.

Now, Mr. Speaker, the cut is ironic given that the minister's own office budget was increased by some 39 percent this year. Now, that kind of double standard proves that tax fairness is a conception which has no meaning for this Conservative, double-talking government. Will the minister now admit that a direct result of this grant cut will be to increase the tax burden on individual ratepayers across rural Alberta?

MR. KOWALSKI: Absolutely not, Mr. Speaker. That simply isn't the case, and I appreciate the political attempt made by the hon. member to say that the minister's office increased a bit. Of course it did, because a year ago when that budget was being debated, this particular minister and his office had only one department, the Department of Public Works, Supply and Services. Of course, after the election of 1989 there were additional responsibilities directed toward the Minister of Public Works, Supply and Services, which included responsibilities for the Public Affairs Bureau, Alberta Public Safety Services, the Wild Rose Foundation, lotteries, major exhibitions, and fairs. There are no dollars allocated to the minister in any of those department budgets, so it's a cheap shot from my hon. friend to make that particular statement.

Secondly, Mr. Speaker, let it not go unknown that in the province of Alberta this government has created such innovative additional availability of funds for all of our municipalities, such as the Alberta partnership transfer program that the Minister of Municipal Affairs administers and AMPLE, the Alberta municipal program for local employment, which is a multimillion dollar program which has been in effect for a number of years. My colleague the Minister of Transportation and Utilities provides incredible amounts of dollars to all municipalities in the province of Alberta . . .

MR. SPEAKER: Order, hon. member. Thank you.
Edmonton-Centre, followed by Edmonton-Gold Bar.

AIDS Programs

REV. ROBERTS: Thank you, Mr. Speaker. Currently in the city of San Francisco experts from around the world are meeting to mobilize their best efforts to meet the continuing health crisis of AIDS. Here in Alberta, 140 Albertans have died of AIDS. In calling the AIDS Network office this morning, I learned that the number of Albertans who are HIV-infected has continued to rise according to all projections. However, this government and this minister have continued to delay any new initiatives with respect to medical research into this area, have delayed dealing with any new drug treatments and the cost of new drugs such as aerosolized pentamidine, and they've delayed addressing the hospice, the care/accommodation side of people who are living with AIDS. In fact, Mr. Speaker, the Provincial AIDS Advisory Committee has not met for over a year. Now, given that the government is falling far behind the rest of the world in dealing with this vital health issue, will the Minister of Health at least call together the Provincial AIDS Advisory Committee and get together to announce a new strategy that will meet the needs of people living with AIDS and other Albertans for the next three years?

MRS. BETKOWSKI: Well, Mr. Speaker, I will take strong issue with the allegation that Alberta is falling far behind with respect to the treatment and prevention of AIDS in our province. I think we can put the work that's going on in Alberta up against most other provinces', certainly up against the work being done with respect to a national strategy and our participation in the development of that strategy and our work generally with respect to the prevention side as well as the treatment side.

The question the hon. member raises with respect to hospice is one that he and I have discussed for some time. We are currently looking at the whole issue of palliative care in its broadest context, but certainly it is my view - and I'm hoping we will be able to reflect that back into the policy - that the existing health system must deal with issues of palliative care, including the issue of AIDS. I'm very pleased to see the steps that have been taken by some of the long-term care institutions in our province with respect to bringing people into our long-term care system with respect to AIDS. I'm proud of the work being done by our province. Certainly I'm an advocate for ensuring that the advisory council is an effective advisory council and policy development council in our province, and I will undertake for the hon. member to get a meeting of the council in the nearest possible time frame.

REV. ROBERTS: Well, Mr. Speaker, I appreciate that, but the fact remains that the council has not met, that many community groups keep wondering what their budget's going to be each year, that there's been no provincial co-ordinated strategy to deal with AIDS in this province since the previous minister of community health had one three years ago that's now elapsed. I'm asking this new minister: when will she sit down with care providers, with the provincial AIDS council, with people living with AIDS, and announce in this House this summer a new three-year plan for dealing with AIDS in this province, as it's so vitally necessary?

MRS. BETKOWSKI: Well, Mr. Speaker, I'm certainly one who's an advocate for ensuring that we're using our health resources in an appropriate way, and clearly AIDS is one of the health challenges which is before us. Ensuring that our strategy plan is appropriate is one of the high priorities within the Health portfolio. As well, I'm going to take the opportunity to advise that Alberta is not participating in the boycott of the international AIDS conference in San Francisco. In fact, people from the Department of Health as well as people from other community support groups, including the board of health, are participating in that AIDS conference to ensure that in the best interests of the health of Albertans we are very much contemporary in the information base that we have and the approaches that we're taking, and I will continue on that thrust for our province.

MR. SPEAKER: Edmonton-Gold Bar.

Biomedical Waste Disposal

MRS. HEWES: Thank you, Mr. Speaker. One of the very dangerous and incipient kinds of pollution is the disposal of pathological and biomedical wastes, and a valid concern has been expressed for months now throughout Alberta. We urgently need a provincial analysis, an audit, and plans for

management and control. We understand there's been an interdepartmental committee working on this that was supposed to have reported in January. We know these wastes are being dumped in landfill sites. This is creating a serious if not dangerous situation, and it's not unique to urban areas; it's happening every place in the province. I'd like to ask the Minister of Health: when and where will we get a comprehensive plan to deal with this very serious problem?

MRS. BETKOWSKI: Mr. Speaker, I welcome the question because the issue of biomedical waste and its appropriate disposal in our province is one that the ministers of the Environment, Public Works, Supply and Services, and Health have been working on for some time.

Just to give members of the House a sense of the magnitude of the problem, within our health care system we create about nine tonnes of specialty waste each day with respect to the hospital sector. That is about 17 percent of the total waste in health. So 17 percent is a specialty waste; the remainder is like household waste that can be disposed of in a very regular way.

It's our view as ministers that there should be a very comprehensive response to disposal of biomedical waste, including that which is generated through veterinary and public health and medical offices. We aren't ready with that comprehensive plan. Certainly we've been working with agencies like the Alberta Hospital Association with respect to training employees with respect to segregating waste. It's clearly a problem that isn't going to go away. I appreciate the hon. Member for Edmonton-Gold Bar being anxious about a response. We are, too, and it will be a response that addresses the disposal of waste from the public, private, and hospital sectors.

MRS. HEWES: Mr. Speaker, I'm grateful to know there is something happening in it, but in fact these wastes are in landfill sites and elsewhere, and it's the elsewhere, perhaps, that's the greater worry. Will the minister then please tell us what interim controls are in place throughout the province in the meantime, until we get a plan, and how is the situation being monitored?

MRS. BETKOWSKI: Well, Mr. Speaker, this isn't something that has occurred in the last couple of months. The disposal of the waste is something we are obviously conscious of, and the appropriate disposal is something we are all concerned about and looking for solutions on. We are working with hospitals and other groups across the province to try and get a sense of how we might respond to the regional waste disposal capability within our health system, how we might use the facilities of the Swan Hills plant in an appropriate way, and how we might complement private initiatives with respect to waste disposal. I cannot tell the hon. member that I know exactly the way all of the facilities are disposing of the waste at this point, but we have a pretty good idea of it, and our comprehensive plan for the appropriate disposal in the future along with monitoring by the Department of the Environment will be something we will push for.

In the city of Edmonton the hon. member may well know that a couple of the incinerators have been closed down because they weren't capable of meeting environmental control standards, and in the meantime there are contingency plans for those incinerators that are not being used to have that shipped to others that can be used. That's how we are proceeding at this point, but certainly we are working very hard to come forward with a very comprehensive plan on the issue.

MR. SPEAKER: Calgary-Millican.

Contractor Surety Bonds

MR. SHRAKE: Thank you, Mr. Speaker. Previously in the province the small contractors were required to obtain a \$5,000 surety bond. This was an expense to them, but recently we've increased this to a \$25,000 surety bond for the small contractors throughout the province. Could the Minister of Consumer and Corporate Affairs please advise the Assembly if he's aware that this has created a great, great hardship for a lot of small contractors because they cannot get a \$25,000 surety bond?

MR. ANDERSON: Mr. Speaker, with respect to the issues of surety bonds for a variety of those organizations or professions – occupational groups – that we in fact license under our department, the amount has been increased for the first time since 1980 because of the fact that settlements in that area have surpassed the bond limits. The hon. member indicated \$5,000 to \$25,000. In a few cases that is true; others have not been so dramatic. We have made sure that the businesses involved can phase into this particular program starting June 1 of this year and going to June 1 of next year, depending on when their current bond is up, so that they indeed aren't faced with that cost in terms of the time period they have to deal with it. I believe the increases in most circumstances are in fact not significant; they are increases that would range in the dollar or perhaps the hundred-dollar ranges rather than the thousands or more than that. I would be willing to take a look at any specific circumstance that the member might have where he says it's causing terrible hardship. However, we must have a bond system which does protect the consumer, which allows for individuals to claim an appropriate amount, and when we say there is protection by that, we have to make sure we mean it.

MR. SHRAKE: Supplementary question, Mr. Speaker. If we are going to stand by this \$25,000 requirement, I don't think the hon. minister or anybody in this government wants to put these people out of business. Could the minister give a commitment that he will try to find either a way for the ones who are having the difficulties to get the surety bonds or else consider for the smaller contractors a lesser amount?

MR. ANDERSON: Mr. Speaker, I would be pleased to deal with the hon. member on any specific circumstance where he feels that there is a potential for putting somebody out of business. As I say, from what I know, increases in the cost to individual companies should be from \$25 to perhaps, at a maximum, a couple of hundred dollars in a year. In terms of that increase, I don't know of contractors it would put out of business.

Whatever we do in reviewing it, we must ensure that the bond amount is in keeping with the settlements that are there so that for any claims that are made, people do indeed have that safeguard. That is what the process is for, and we must ensure that's the case. Having said that, I'd be pleased to talk with the hon. member about any particular circumstance that he's run across and any options which may meet the need outlined that he might be able to suggest.

MR. SPEAKER: Thank you.

head: **Motions under Standing Order 40**

MR. SPEAKER: Under Standing Order 40, the Leader of the Opposition.

Mr. Martin:

Be it resolved that this Assembly condemns the Conservative government of Alberta for its eleventh hour introduction of the Bill to sell off Alberta Government Telephones after having conducted a general election only 15 months ago without revealing its intention to do so, and also for its failure to allow due public input on the matter, and finally for its blatant contempt for the parliamentary democratic process by giving notice of closure on the enabling Bill.

MR. MARTIN: Thank you, Mr. Speaker. Standing Order 40, as I've mentioned already, really has three components. It's "be it resolved that this Assembly," at least those people that still believe in democracy . . . "For its eleventh hour introduction of the Bill to sell off Alberta Government Telephones": a major political initiative not even mentioned. In fact, in cases people were praising Alberta Government Telephones and said it would be here. No public hearings, and now finally, for the last source we might have of public hearings, to debate it here in the Legislature: "for its blatant contempt" of parliamentary democracy "by giving notice of closure on the enabling Bill."

Mr. Speaker, I point out to you the urgency of this is simply that, as you are well aware, a motion for closure is not debatable; therefore, this is the only time we can debate the process which has led to this particular crisis. This government said itself in the ministerial announcement from the Premier that this was a valued company doing good work in the province. We believe it has major implications for this province and after failing to debate it in the election, failing to have public hearings, then surely we have to take adequate time here for what we're paid to do: to debate this Bill. For the government to say they've had adequate time – we've checked on it. There have been 18 New Democrats who have talked on this Bill; five Tories, but four of them just to adjourn debate; and two Liberals. I guess they're not sure where they stand on it. To say that something as important, as fundamental, as your own telephone system and your move into telecommunications has been adequately debated in this Legislature is nonsense.

Now, Mr. Speaker, I know that the government with the tyranny of the majority can do this. It used to be that closure of debate in Canadian parliamentary history was something that people went on very lightly. Governments were overturned on it. But now every time the government wants to get away early, they bring it in. I mean, it's complete contempt for the parliamentary process. I say to you that people in Alberta now . . . We're getting calls from people that are realizing: "Hey, something's going on; we're just not sure. We hear the government saying privatization is good, and you're saying it's bad. We want to know more about it." Well, we're not even going to be able to debate it in the House now. It will be done, over right away without debate, without public hearings, and people are going to be angry about this after. They're going to say: "Where were you people? What were you doing here? We wanted a full debate on something as major as this."

I would say to this government: that has special significance for rural Albertans. I say it is just unnecessary. For those people who think, "Well, this has gone on long enough, nine days," I say, frankly, big deal. This is what we are paid to do, to take major legislation and debate it. To those people saying,

"Well, we're tired and we want to go home," I say too bad. Too bad. I can't imagine a more major Bill that we should be spending our time with. I wish they hadn't brought it in, and I frankly find that the whole process was offensive. They knew Meech Lake was coming. "Let's slide it in just before then, when people's attention is elsewhere, and let's go at it at the end of the session and if necessary bring in closure before people know what hit them": that's the strategy of this government, Mr. Speaker, and it's unacceptable. It's unacceptable in a democratic society, and I would hope that regardless of your political persuasion, when you bring in a major Bill like this – I think the Deputy Premier knows better than this – you would take the time to debate it. You should have held public hearings, at least talked about it in the election, but at least take the time here to debate it. I find it absolutely irresponsible that two Liberals and five Tories, four of them just to adjourn debate – that's all they've got to say about a major Bill, Mr. Speaker. To say that that's enough, that we have to bring closure of debate in, I think is shameful, and I would hope that even at this late date they would give us at least unanimous consent to debate this Bill.

MR. SPEAKER: Under Standing Order 40 the request for unanimous consent. Those willing to give unanimous consent, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The matter fails.

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

MR. SPEAKER: Indeed, it was a bit of a practice. Because unanimous consent was denied, there is no allowance to have a division. Therefore, we're back to the rest of the business of the afternoon. The Chair invites the members of the New Democrat caucus to go back and enjoy their party very much.

Orders of the Day

head: **Written Questions**

MR. GOGO: Mr. Speaker, I move that all written questions appearing on the Order Paper except 337 stand and retain their places.

MR. BRUSEKER: Well, Mr. Speaker, as I look at the Order Paper and see the written questions we have before us today, I note that all the questions are from the Liberal caucus and we're only getting one of them answered, or at least addressed; I'm not even sure if it will be answered, of course. But one of the questions will be addressed today, and presumably we will get a response. Now, hopefully we will get a positive response, and the matter will, in fact, be dealt with. But in light of the motion made by the Deputy Premier earlier today, it seems that we are rapidly winding down this session, and if we only get one of our written questions dealt with today, that would leave another half-dozen remaining on the Order Paper.

I am disappointed that the minister – whatever his title is over there at this point – the Minister of Advanced Education

would decline to at least even respond or deal with the other ones. Only one of them at this point is mine, Written Question 358, and it seems to me that that particular question has been on the Order Paper for some three weeks now. It's a fairly straightforward type of question and, I believe, could be dealt with fairly expeditiously. So I'm at a loss to understand why it is that the government seems reluctant to deal with the questions that are before the House.

When I look at other questions we have here, Mr. Speaker, they are questions that are of impact upon the province, a good number of them dealing with the financial aspect. Of course, our party has advocated a position of fiscal responsibility – we are seeking information regarding expenditures and different aspects – and again we're getting a stonewalling approach here. A good number of them have been dealt with in the past, and I give credit to the government for dealing with a good number of questions. Unfortunately, a great many have been declined and we've seen "reject" an awful lot of times in Votes the next day when this has been brought before the House. But if we are rapidly coming to the close of this session, I hope that if these questions are not dealt with today at any rate, at least the government will make a commitment to deal with them before we do come to the end of this session. So from that standpoint, Mr. Speaker, I would oppose the motion that the balance of questions remain on the Order Paper.

MR. CHUMIR: Mr. Speaker, I share the concern of the Member for Calgary-North West. I find it hard to believe that the government is now moving again to delay a decision on answering these questions. I think it's important to note that the delay is not in answering per se. That might be understandable. Some of the questions require the collection of some information. But the reality of the situation is that the delay is in the decision even to accept the question to attempt to answer the question later. That's the nature of the delay. Now, that unfortunately has been the name of the game for this government since I came into this Legislature some four years ago: delay, delay, delay. This government is indeed a worthy successor of that great Tory parliamentarian Sir John A. Macdonald, who was known as and well earned the nomenclature Old Tomorrow, because his philosophy in respect of governing was: delay and the problem will probably go away. Well, he was right from time to time. Everybody's going to be right occasionally, even this government. But in this instance, Mr. Speaker, we're not going away. We're going to persist. We're going to press for answers. We're going to demand that the government be responsive to this House and to their constituents and to the people of this province.

I'm particularly concerned with respect to several questions I have placed on the Order Paper, questions 391 and 392. We often ask questions in the Legislature. We often send letters to ministers. The response we get is, "Put it on the Order Paper," the implication being that we're going to get an answer. Well, I put a couple of questions on here, 391 and 392, requesting information with respect to the Kananaskis Country golf course. These are very simple, basic, straightforward questions, the types of things I think any sensible person, certainly any voter, would say the government should be answering and answering promptly, and I find it very difficult to see why it is and how it is that the government can indicate they are not going to accept their responsibility for answering these questions promptly.

Mr. Speaker, I could speak to express my outrage and my indignity for the full allotment of time provided for under the rules, but I see that the members of the Official Opposition wish

to get into this debate. They're champing at the bit, and far be it from me to dominate the time of this House, so I will cede the floor.

MR. GOGO: Mr. Speaker, the hon. Member for Calgary-Buffalo has perhaps achieved his objective. I could have told him the hon. members from the New Democrats would have been back in three and a half minutes. He didn't have to speak as long as he did.

Mr. Speaker, in all fairness, if members look at the Order Paper, they will find there are seven questions in terms of Written Questions. I think the government has been extremely good in responding. It has responded to over 50 written questions already since March 8. The member clearly knows that the Minister of Recreation and Parks is on government business. He can't answer the two questions the hon. member's proposed. He knows that. And the government has proposed that 337 is probably going to be responded to in just a moment, as soon as this moves.

So, Mr. Speaker, I think the government's been very fair with regard to written questions, and I would certainly ask hon. members to support the motion I made a moment or two ago with regard to all these motions, with the exception of 337, standing and retaining their places on the Order Paper.

[Motion carried]

337. Mr. Mitchell asked the government the following question:
As of May 1, 1990, what percentage of government vehicles and equipment use unleaded gasoline?

MR. KOWALSKI: Mr. Speaker, I presume someone is moving or asking this question.

MR. CHUMIR: They don't have to move it. Wake up.

MR. KOWALSKI: Oh. I wanted to have some fun. Okay. Well, Mr. Speaker, I want the opposition to know we gladly accept this question. They should know I'll even give an interim answer, that it's about 99 percent right now, but we'll write it down on a piece of paper and accept it.

head: **Motions for Returns**

MR. GOGO: Mr. Speaker, I move that all motions for returns appearing on today's Order Paper, except 183,331,332, and 334, stand and retain their places.

MR. BRUSEKER: Mr. Speaker, the motion . . .

MR. SPEAKER: Just a minute, thank you. The Chair hasn't recognized anyone. A question, Deputy Government House Leader. There was some other noise going on. The following stand: 183, 331, 332, 334. Is that correct?

MR. GOGO: Except those, Mr. Speaker.

MR. SPEAKER: Except. Thank you.

On this procedural motion, the Chair now recognizes Calgary-North West, followed by Edmonton-Mill Woods.

MR. BRUSEKER: Thank you, Mr. Speaker. I again voice the concern that I have in the past. I note that the Member for Edmonton-Jasper Place must have some satisfaction in finding

that his motion for a return at least will be dealt with today. Whether or not he gets the answer he would appreciate having, I guess we'll have to wait and see.

However, realizing that it seems if we keep on the same tack we can perhaps finally motivate the government to respond, I must take exception to the motion before the House at this moment. Mr. Speaker, the reason I do so is in part in response to the notice of motion given to the House earlier today by the Deputy Premier whereby the intent of the government will be to invoke closure upon Bill 37, which is the Alberta Government Telephones Reorganization Act. All members of this House are aware of how important a Bill that is and how large the potential ramifications are upon this province. Now, when the Bill was introduced, both the Official Opposition and the Liberal opposition were invited to place written questions and motions for returns on the Order Paper. That invitation was extended by the Premier. That invitation was extended by the Provincial Treasurer. That invitation was extended by the Minister of Technology, Research and Telecommunications. So I have taken them up on their invitation and placed a number of motions for returns and a number of written questions on the Order Paper dealing in particular with Alberta Government Telephones and, of course, the potential privatization of that important company.

Now, Mr. Speaker, under my name there are currently 26 motions for returns dealing with the privatization of AGT. Yet if we were to extrapolate for half a moment here, if the Deputy Premier's motion is passed tomorrow and if AGT is on the Order Paper tomorrow, as it has been for quite some time, we could have closure on second reading tomorrow, we could have closure on committee Monday, we could have closure on third reading by Monday evening, and all the motions for returns I have written on the Order Paper will become redundant because the Bill is passed, done, gone, buried, never more to be brought before this Legislature. So here we are perhaps at the eleventh hour – and of course eleventh hour tactics seem to be a trademark of Progressive Conservative government officials. Meech Lake is certainly an example of that.

Here we have what I believe are very serious written questions and motions for returns that are not being addressed. Mr. Speaker, I would suggest that is an irresponsible position for this government to take. The last time we dealt with motions for returns, a good number of the motions were in fact denied. Some of them were accepted, and we had – I believe it's now considered parliamentary to use the word "spurious" – spurious reasons given for why some of them could not be accepted. There are a number of motions for returns which are very serious in nature and, I believe, should be dealt with. The information should be provided to this Legislature, to all members of this Legislature, not just to government members. Therefore, I placed the motions for returns on the Order Paper. I expect that the government will provide that information to me as a member of this Legislature, as an Albertan who has a vested interest in Alberta Government Telephones because it's something I use on a daily basis, and therefore indirectly to anyone who would wish to have the information.

There are a number of motions for returns that deal specifically with the economic impact, and the economic impact, Mr. Speaker, will be felt almost immediately upon passage of the privatization Bill we have before us. Now, Bill 37 has tremendous ramifications. There are questions on motions for returns that deal specifically with those economic impacts. What is it that is going to happen to Alberta and to Albertans, in terms of the quality of service, in terms of the rates that are going to be applied? What is it really that we are selling off? There are

motions for returns that talk about: what are the assets that are available? We're going to be selling something off, and we haven't really had a clear indication from this government what it is they're planning on selling to Albertans. So if we are to support Bill 37, if Albertans are to support Bill 37, as they claim all Albertans are eager to do, then the information should be provided. If I go to a store and someone wants to sell me something, whether it's a suit or a new vehicle, there's a salesman there actively telling me what the benefits are of purchasing whatever that object or item is. Well, here we have a government that is saying, "We want you to buy into AGT, we you to buy shares; be an owner." It almost sounds like co-op shares. But they're not willing to tell us what it is they're selling, how much they're selling it for, what parts of it they're selling, and those are the things I have asked information for regarding the motions for returns.

I have some 26 motions for returns dealing with that particular variety of issues, a motion for a return asking for the studies that will tell us what the economic impact will be, the analysis prepared regarding the privatization. So this Bill could be before the House ready for Royal Assent before we ever get back to a day wherein under our Standing Orders we can deal with these questions. Now that the government has imposed closure and appears eager to depart from the Legislature, these motions for returns will therefore become redundant. The Bill will become a *fait accompli* and the information will become redundant. I can just imagine the Deputy Government House Leader rising and saying: "Well, Mr. Speaker, we don't need to deal with these because we've sold it. It's gone, we don't own it anymore, so we don't need to worry about it." I can just imagine the motion that would say: I move that all motions for returns blah, blah, blah, and they're gone because there's no need to deal with them.

[Mr. Schumacher in the Chair]

Well, Mr. Speaker, I would argue there is a need to deal with them. There is a need for those motions for returns I have on the Order Paper to be dealt with, and given the notice of motion we had today from the Deputy Premier, I would suggest that those motions for returns need to be dealt with today. The Minister of Technology, Research and Telecommunications was in the House today in question period. We know that he's around. He's been a regular attender in the last little while when we've had debates before this House. The last few days we've had debates virtually every evening when we've had an evening sitting. So I know the minister is around. I know he's available to answer questions. I know he's around to deal with motions for returns. These motions for returns have been on the Order Paper for three or four weeks, ever since Bill 37 was presented to this Legislature and presented, therefore, to Albertans. Clearly, if he has a department that is at all interested in really providing information, in telling us what is going to happen to this company, then these motions for returns need to be dealt with and need to be dealt with today.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

MR. GIBEAULT: Yes, Mr. Speaker. I also want to argue against the Deputy Government House Leader's motion, because we're proposing to deal with only four of the 33 motions for returns on the agenda, and we don't even know if they will accept any of those four. They might accept none or one, which

is their usual style, especially when it comes to motions for returns I put on the Order Paper to the minister of Occupational Health and Safety responsible for the Workers' Compensation Board. Over this entire session, out of all the questions and all the motions for returns I've asked so that I as a legislator can make some evaluation of what this government's doing in that area – or not doing in that area, which is more often the case – this minister has steadfastly refused to provide a single bit of information. It's one excuse after another. Either it's confidential or, if it's not confidential, it's up to us to find the information, even though he's got a department that does that. He's simply refusing to provide due respect to elected legislators in this Assembly. That's insulting, it's contemptuous, and it's not worthy of a member of this cabinet and this government.

Motion for a Return 386 asks for a copy of the report into the investigation of the death of Mr. Bourden at the Daishowa construction site on February 23, and that is only one example of the disastrous health and safety situation we've had in this province. I've asked for other information related to the lead poisoning incidents, the gassings at Hinton, the other atrocious health and safety situations in the province, and we haven't got a single response. Is it any surprise then, Mr. Speaker, that the largest workers' organization in this province, 110,000 strong, the Alberta Federation of Labour, has passed resolutions just today condemning that minister of Occupational Health and Safety for contemptuous treatment of legislators of this Assembly and workers of this province⁹ I just want to tell the government that if they continue this approach, they can be sure that the resources of labour and workers across this province will be brought to bear to defeat the minister of Occupational Health and Safety and the rest of the front bench of that cabinet.

MR. GOGO: Mr. Speaker, if I may close debate on this motion, I'm somewhat disturbed by the hon. Member for Calgary-North West's comments, not to mention the hon. Member for Edmonton-Mill Woods'. The Standing Orders of this House under Standing Order 8 are very clear that Tuesdays and Thursdays are dedicated not to the government but to members of the Assembly. It's private members' day, and if hon. members think they can put 25 motions for returns on the Order Paper and capitalize and monopolize the whole afternoon for one member, where's their consideration for other members? We have on business today in this House – hon. members have been waiting for some time to deal with Motions Other than Government Motions. I don't hear anybody asking the hon. Member for Pincher Creek-Crowsnest to stand aside while the government debates some 25 motions for returns by one member from Calgary-North West. To the hon. Member for Edmonton-Mill Woods: the other day the hon. minister for Occupational Health and Safety responded. Now, I don't know what other members possibly expect. Today the government is proposing to respond to four motions for returns. I think that's pretty significant. [interjections] I think that's pretty significant. I'll wait and see the judgment they make after they hear the responses ministers of the Crown have.

So with that, Mr. Speaker, I certainly would hope hon. members would support the motion I made earlier.

[Motion carried]

183. Mr. McInnis moved that an order of the Assembly do issue for a return showing a copy of all laboratory reports and analyses submitted to the government on tests for dioxins

and furans in fish from Alberta rivers during the period May 18, 1988, through March 8, 1990.

MR. McINNIS: Mr. Speaker, this motion was filed with the Assembly on March 15 and, for the information of the Chair, 28 Tuesdays and Thursdays have passed in that interim period and this motion has stood in its place or been moved to stand in its place on 28 occasions. It is certainly a well-aged motion for a return. During that time governments have fallen, the events of the western world have progressed mightily, but in the province of Alberta permits to dump dioxin and furan in Alberta rivers have been issued to Daishowa Canada Co. Ltd., Weldwood, and Procter & Gamble, very important policy decisions made by the government in the absence of this very important information. There are, of course, crucial decisions relating to the licensing of pulp mills yet to be made over the course of the months ahead, so I hope that the government not only will support the motion but will provide the information forthwith.

MR. GOGO: Mr. Speaker, if I may on behalf of the hon. Minister of the Environment, who has asked me to respond to Motion for a Return 183: he's been seriously, seriously considering obtaining the information, much of which has to come from the government of Canada. He's requested that I respond to the hon. Member for Edmonton-Jasper Place in an affirmative way, and he'll accept the motion for a return.

MR. DEPUTY SPEAKER: Having heard the motion . . .

MR. McINNIS: Just a second, before you close debate. The response is a little bit startling – certainly not the part about accepting it; of course, I assumed that this motion would be accepted all along, did the Assembly have the opportunity to do so. But I want to point out to the acting Government House Leader that the motion asks for material "submitted to the government" during a fixed period of time which has lapsed, so there should be nothing to be waiting for unless you have a time machine and you travel back and forth in time. This is material received during the precise period May 18, 1988, to March 8, 1990, which is the period between which the first samples were submitted over the limit, and the opening of this session.

[Motion carried]

331. Rev. Roberts moved that an order of the Assembly do issue for a return showing copies of all studies undertaken in the last 18 months by the Department of Health to determine the health status of Albertans relating to
- (1) physical and mental health indicators,
 - (2) children, adults, and the elderly,
 - (3) various geographical areas of the province, and
 - (4) the setting of targets for improvement of health status.

REV. ROBERTS: Mr. Speaker, Motion for a Return 331 is a very important motion, which asks the Department of Health to come clean and show Albertans the kind of monitoring done on the health status of Albertans in the province, a very, very important measure of the health of Albertans. We have 18 months here. I believe that is almost the time of the current Minister of Health's reign in her portfolio, so we're hoping that might explain that part.

The motion becomes even more serious, Mr. Speaker, insofar as even yesterday we read how there are serious gaps in the data collection of the federal government, particularly with respect to health status surveys. Health and Welfare used to do a lot more

in this regard. Now we're reading that they're doing much less, and people really don't have any idea of where we are in terms of improved health status and the rest. So it becomes even more urgent, and I know the Minister of Health is going to come forward with the answers to these; at least we're so hoping.

MRS. BETKOWSKI: Mr. Speaker, we have not undertaken the specific studies to determine health status as outlined by the hon. member in this motion. There is certainly in the conduct of compiling and annualizing information that goes on in the Department of Health a good deal of information which shows some indications of health status. However, there have not been studies undertaken to specifically determine health status as the member has requested at the present.

I believe, though, that as we look to the future, and certainly in our comprehensive response to the Premier's Commission on Future Health Care for Albertans, which I hope to be able to share with members in the fall period, this is an area where we will have to make moves to ensure that we are building into our health delivery a measurement of accountability within the system. I say that, Mr. Speaker, because the whole issue of ensuring within Health that we are dedicating our resources in the most appropriate way is a key item. As we look to the future in health, even some of the issues we discussed today in the question period, we have to look at: are we getting the best value out of the resources we dedicate to health?

I believe that if we were to set in place some health status indicators – taking indicators such as a simple one like teenage pregnancy status in our province, I don't think any of us are proud of the fact that the level of teenage pregnancy in Alberta is very, very high compared to the rest of Canada. If we were to direct our efforts, for example, toward bringing down that teenage pregnancy rate by a certain degree or amount in the next 10 years, I think we might be able to level in at particular health issues in our province and in fact be able to say at the end of that decade that we had improved the health status of Albertans in these particular areas.

The choice of those health status indicators and the particular detail of which ones we go after in the targets is something that I hope will engender a good deal of discussion when the government response on the Premier's report is tabled. However, I must tell the hon. member that at this point we do not have the detailed health status. I don't think that's unique to Alberta. Therefore I will have to reject Motion for a Return 331 at this time.

MR. DEPUTY SPEAKER: The Chair hesitates to interrupt the hon. Member for Edmonton-Centre, who no doubt wishes to respond, but Standing Order 8(3) requires the Chair to interrupt proceedings at this time to move on to the next order of business.

head: **Public Bills and Orders**
Other than
Government Bills and Orders
Second Reading

Bill 214
Non-Smokers Health Act

[Adjourned debate June 14: Mr. Pashak]

MR. DEPUTY SPEAKER: The hon. Member for Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Speaker. Despite what may have been a degree of levity that might have entered into this debate when this Bill was last discussed in the Assembly, I just wish to assure all hon. members of the Assembly that I do take the matter of smoking very, very seriously. I think it creates problems not only for the individual who happens to smoke, but it creates problems for all members of society collectively. From the point of view of the individual, it's very painful to watch a person get up in the morning and hack and cough his way through the first half hour of his wakening. It's even more painful to see someone with emphysema hooked up, possibly, to an oxygen supply, and then lung cancer isn't a particularly pleasant consequence of an advanced stage of smoking either, Mr. Speaker.

From the point of view of society, Mr. Speaker, there are enormous costs associated with smoking, including the costs of treating those illnesses that I've just mentioned, emphysema and lung cancer. They do put an extra burden on our health care system, and we know how short of dollars we are in that area of public expenditure. Also, smoking can cause, as we're all aware, an unnecessary risk for other people who are not smokers. The number of fires that are caused by people who go to bed, smoke in bed, and then fall asleep is a well-known problem.

So for those and many, many other reasons, Mr. Speaker, I would encourage all members of this Assembly to support this Bill.

MR. DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo.

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

MR. DEPUTY SPEAKER: A point of order.

MR. BRADLEY: If you recognize the hon. member, I understand that closes debate.

MR. DEPUTY SPEAKER: Yes, it does. The hon. Member for Calgary-Buffalo will conclude debate as the proponent of the Bill.

MR. CHUMIR: I understand that, Mr. Speaker. On the point of order, the only reason I'm speaking – I would like to see a robust debate, but I've been led to believe through exchange of notes with the Deputy House Leader that the government is going to continue with the policy that they had last time of having their speakers adjourn debate, thereby denying myself as the presenter of this Bill the opportunity to speak on it. If I were under assurances that that would not be the case, that they would allow a full debate, then that would be fine. Is that an admission of guilt and embarrassment?

MS CALAHASEN: You weren't here to do it last time.

MR. CHUMIR: That's out of order.

But besides that, the policy of the government has obviously been to adjourn debate and not allow debate on these Bills. In any event, I will proceed then. I assume we're through the point of order, Mr. Speaker, and now into the substance of my Bill, which is the Non-Smokers Health Act.

I would open by stating what a hard act the Member for Calgary-Forest Lawn is to follow. I suppose that I'm expected to get up here and confess about getting together with other young hoodlums in the corners of poolhalls or other seedy places in order to light up as a youth. Well, all right. All right, I will

confess: there was an incident midst a grove of trees, but say no more, say no more; wink, wink; nod, nod. I don't intend to say any more.

All kidding aside, Mr. Speaker, this is a serious subject, a deadly serious subject, and I don't have to catalogue the statistics, the data, the reality of what we all know. The only people who deny the serious impact of smoking on health are the cigarette companies, who manage to blithely deny all of the statistics and the data and what we see on a day-to-day basis, or those who are ignorant. I think the cigarette companies fit into both of those categories.

Smoking makes us ill, and it kills. It does this not only to those who smoke but to those who breathe secondary smoke. However, if nicotine were being introduced into society for the first time, I think we would all acknowledge that because of its danger and addictiveness, it would be predicted. But we've gone too far in our society for that, and smoking now has to be considered to be a matter of right and choice, and I agree with that. I don't think people can or should be prohibited from smoking. We have to deal with that problem as a matter of education primarily – and you, Mr. Speaker, will appreciate this, with your interest in this subject – and particularly deal with the means of figuring out how we can discourage young people from taking up smoking, because once they smoke, it remains with them, generally, for the rest of their lives. You have presented a Bill to that effect.

Now, my primary concern in this piece of legislation that I presented to the House, the Non-Smokers Health Act, concerns the people who don't smoke but are forced to breathe impure air at work at the risk of their health, subjecting them to discomfort as a result of allergies and otherwise. These individuals in effect have no choice. If they want to work, they in many instances have to spend hour upon hour upon hour on end forced to breathe harmful fumes. The harm to them, Mr. Speaker, is clearly out of all proportion to the interests of the smokers in workplaces. The reality is that for those who wish to smoke, there are many places where they can do so without imposing their fumes on others. Why should smokers who wish to be inconsiderate . . . And I must say that there are many, in increasing numbers, who are extremely considerate of others, but why should those who wish to be inconsiderate have the right to pollute the air of other people? As they say, Mr. Speaker, your freedom of movement stops at the tip of my nose, and it seems to me that your right to smoke has to stop at my lungs or the lungs of anyone else who doesn't wish to have the smoke imposed upon them.

Now, this principle, the common sense of that principle in the workplaces, has been recognized in many parts of the world. It's recognized in excellent federal government legislation, after which my Bill is modeled. It's recognized in Ontario with legislation that isn't quite as good, but it's still recognized. It's recognized in municipalities. It's recognized by many school boards and hospitals and many employers across the province. But it's not recognized by this government, and it's not recognized by many other employers in this province who, with impunity, allow their workplaces to be the subject of smoking and allow their employees to be subject to very unhealthy secondary smoke.

I find it very difficult to understand why the government is so slow to respond to this issue, why they have no overall policy, why they haven't legislated. It is true that some individual government departments have developed policies and they do protect their employees more or less. But many of them don't, and this building itself is a classic. I know of no restrictions other than in the Legislative Chamber itself, where it took

efforts of concerned members, including myself, three years to achieve a situation where we no longer allow smoking in the Chamber.

Now, I find it very difficult to see and to understand, as I mentioned, why it is that the government will not address this problem. There's no pioneering required; precedents have been set elsewhere in the world. There's no need for them to step out and break ground and trammel upon the principle that the least government is the best government, or, "As Conservatives we don't believe in change; we want to live with the status quo no matter how inappropriate it is." Those are really not viable principles in a situation like this.

One way of looking at it, of course, Mr. Speaker, is that it's a matter of occupational health. We have many rules in the workplaces protecting workers from the many types of noxious fumes but not from smoking. Why not? I would like to suggest to the minister of occupational health that he take this particular subject up as a cause and provide some leadership. Another dimension there. I know, fat chance; but we have to grasp at straws in this instance.

Another way of looking at this issue, aside from occupational health, is the area of preventive health. We're becoming more and more conscious of the need to direct a lot of our attention, our policies, our financing to preventive health measures. This matter was dealt with by the Hyndman commission report. They talked about preventive health. Some of the examples they gave with respect to preventive health relate to smoking. They're aware of it. Everybody's aware of this problem. Smoking leads to poor health, it leads to a clogging of our health system, and it leads to higher costs for all of us. It leads to economic problems, the difficulty of finding funds for other things, which the Minister of Health lamented about in a question in question period today. Again, why no action in this health area?

I would ask the Minister of Health to recognize the importance of this, to recognize that leadership is required within her caucus, and to take up that burden of leadership. I know that most members of her caucus would be supportive, because that seems to me to be the only thing that's lacking. And I see heads bobbing up and down. I've had members of her caucus and smokers – smokers – tell me how grateful they would be if some action were taken in this area, how strongly they agree with our efforts over here to get some action on this very important matter, an issue long after many other jurisdictions have acted.

This is not a partisan issue, Mr. Speaker. This is a matter which should be totally nonpartisan. It deals with the health of the community, and I would hope that the members would take it in that spirit and not allow it to be polarized simply because of sponsorship from this side of the House. Please provide some leadership, members of the government, Minister of Health, minister of occupational health. Those who have spoken to me, raise it in your caucus, and let's get some action, because it really affects many, many thousands of citizens in this province on a daily basis.

This Act itself is intended to address the issue. The legislation, the Non-Smokers Health Act, is modeled after excellent legislation at the federal level. In short, it provides for the right of employees to work in smoke-free workplaces. It provides a scheme to guarantee that and requires that employers provide such smoke-free workplaces. It takes into account the concerns of smokers by providing for smoking areas, with the very important requirement that these smoking areas in new buildings be subject to separate ventilation systems, because it's well known that in buildings smoke circulates throughout the building, and if ventilation isn't separate, you end up getting that smoke within the building. We hear of sick building

disease. It's becoming very, very well known that we really have to take into careful consideration the air that we have in our buildings.

So that is the essence. It's a very simple Bill; it's a very short Bill; it's a very sensible Bill. I would earnestly urge the members of the government, particularly the ministers responsible for these areas, to do the many people a turn who are afflicted with secondary smoke in the workplaces and to do our youth a turn by legislating on this area.

I now cede the floor. Do you want a call for a vote and . . . Call for the question?

SOME HON. MEMBERS: Question.

[Motion lost]

Bill 215 Public Accounts Committee Act

MR. PASHAK: It's my privilege this afternoon, Mr. Speaker, to move Bill 215, the Public Accounts Committee Act, for second reading.

Mr. Speaker, I felt it necessary to bring this Bill forward at this time because the public is getting increasingly alarmed about governments that seem to be out of control when it comes to public-sector spending. They're not only concerned about the additional tax dollars that they seem to be endlessly called upon to provide and in an increasing and enlarged way, but they're also very much concerned about how those dollars are actually spent.

[Mr. Jonson in the Chair]

For the past four years, as the Speaker is aware, I've had the privilege of chairing this Legislature's Standing Committee on Public Accounts. The members of the Assembly have been gracious enough on many occasions to permit me to attend a number of conferences that have taken place in other parts of Canada. I've attended conferences that have been sponsored by the Canadian Council of Public Accounts Committees, I've attended two conferences that were put on by the Canadian Comprehensive Auditing Foundation, and then just last spring I was fortunate enough to go to Ottawa to attend a conference that was put on by Kenneth Dye.

MR. FOX: Answered questions in question period?

MR. PASHAK: Yes, and I've even had the opportunity to answer questions in question period. As a matter of fact, I've had an opportunity to visit London, England, and to watch their Committee of Public Accounts in operation.

Out of that, it's becoming increasingly clear to me that there are serious reforms that we could propose for this Legislature, and some of those reforms are embedded in the Bill that I introduced today for second reading.

One of the more interesting experiences in this respect that I've had this year was at the SCAIN conference, where I managed to talk to a number of people from the United States: some Legislatures and then people who worked in the audit departments of a number of state Legislatures. The situation in the United States lends itself to greater public-sector accountability than does our system in Canada, because in the United States they have an executive branch; they have their legislative branch. Although the legislative branch will approve government expenditures, it's the executive branch that actually

spends that money. So the legislative branch – and often you have joint committees of Senators and House members who will sit down and review how that money is spent. They don't put the politicians on the spot, but they will look into various departments to see that the money that is being spent is spent in the way that the Legislature intended. So with those kinds of experiences it has encouraged me at least to submit this Bill for the consideration of the Legislature.

Mr. Speaker, I would say that it goes without saying – well, it does – that in the business sector keeping track of expenditures is fundamental to the operation of a company. A corporation that can't provide acceptable audits soon finds its shareholders investing elsewhere. But when it comes to government, the relationship between income, spending, and value for money is not so cut and dried. Accountability, as we all know, is a cornerstone of our democratic system, Mr. Speaker. It's something that we take for granted. The parliamentary system, free press, and regular elections all seem to serve the function of accountability, but few of us actually know the details of how our tax dollars are spent and that there are, in fact, safeguards to ensure that public dollars are spent in the most effective way possible.

The tradition of a Parliament approving a budget before any of the taxpayers' money can be spent goes back to 1215 at Runnymede, when the British Parliament succeeded in taking away the public purse from the Crown. But it wasn't until the 19th century that the idea of Public Accounts Committees and Auditors General began to emerge, enabling parliamentarians to hold governments accountable for the spending of tax dollars. In this country, Mr. Speaker, the responsibility for public-sector accountability is relatively short. Our first Auditor General was appointed in 1878, as a matter of fact, but the convention of appointing a member of the opposition as chairman of the Public Accounts Committee wasn't established until 1958. I might point out that the convention of appointing a Chair of the Public Accounts Committee from the opposition in this province was introduced by the first Premier of a Conservative government in this province, Peter Lougheed, in 1973. That was one of the commitments he made during the '71 election.

AN HON. MEMBER: It's going to be changed.

MR. PASHAK: I hear from one of the members *over* there in the government that it's going to be changed. Maybe the members of the government are going to be sitting in the opposition, so I suspect that there will be a change, and members who are currently in the government may be very much interested in ensuring that the Chair of the Public Accounts Committee is a member of the opposition. Situations do reverse themselves, Mr. Speaker. [interjections]

MR. ACTING DEPUTY SPEAKER: Order please.

MR. PASHAK: To this day what Parliament actually does with a committee in the Auditor's report is not laid down by statute. Customs and the government's economic priorities dictate the degree of effective accountability that cabinet has to Parliaments and to Legislatures, so what we have here is a process that's really quite left open to interpretation. This could not only be viewed as less than democratic; it really invites poor management of government funds.

Now, as I said, I chair the Public Accounts Committee here, and we're directed not by statute or legislation in this province but by a brief open-ended order in our Standing Orders. As a result, the review process we employ and the subsequent

effectiveness of the committee are minimal. Again, that's why I'm introducing this accounts Bill to the Legislature. Our powers need to be more clearly defined so we can do a better job of assuring the electorate that the government is being held accountable. I suppose, Mr. Speaker, that seen through the eyes of the average taxpayer, the process of accountability consists of the odd scandal followed by two weeks of public outcry, of proclamation of innocence by the government, and perhaps even an apology or a resignation. We always then get the Auditor General's report, accompanied sometimes by sensational headlines, a flurry of accusations by the opposition, indignant and eloquent defences by government. Then everything dies down, it's business as usual, and that's about as close as the electorate, in my view, ever gets to accountability.

Now, our sessions in this Legislature are noted for their shortness, and the Public Accounts Committee meets . . .

AN HON. MEMBER: Shortness?

MR. PASHAK: Well, in Ontario the Legislature meets for about nine months of the year. And when it comes to the Public Accounts Committee – well, there's lots more work that we could actually be doing in this Legislature to protect the public interest, but the Public Accounts Committee, as all members are aware, only meets during session. We don't meet out of session, so we don't have a chance to even bring all the ministers before the committee. And I think it's even a mistake to bring the cabinet ministers before the committee, because there's a real tendency for those sessions to become repetitions of what goes on in the estimates process or in the general budget debate or the throne speech. What happens . . .

AN HON. MEMBER: You're not interested.

MR. PASHAK: No, that's not true. What happens in the Public Accounts Committee – during the first session when I chaired that committee, what would happen is that the opposition members of course would try to attack the minister with a great deal of vigour, not with respect to how money was being spent in their department but with respect to policies of the government. Then the backbenchers on the government side would get up and ask some real puffball questions like, "Now, how can you justify spending \$5 million on improving roads and bridges in my constituency?" Then the minister of course would get up and give a long 20-minute speech explaining just how good that was for the citizens of his constituency, and then the member could package that all up and send it out to his constituency. But there was no review taking place of government spending.

Now, what happens at the moment is that the only really important function we perform – and I think it's sufficient to justify the existence of the Public Accounts Committee – is that in fact we do reinforce the recommendations that are in the Auditor General's report. I think that's valuable in and of itself, but we could go much beyond that. What I think we should do is get the cabinet ministers out of there. This is what they do, by the way, in the select Committee of Public Accounts of the House of Commons in London, England. It's a much smaller committee. Members of both government and opposition really want to get onto this committee because it does really effective work. They work very closely with their controller, who also happens to be their Auditor General. But instead of bringing cabinet ministers before the committee, they get the politics out of it by bringing before the committee department heads and people who have responsibility for spending dollars, and then

they can do some in-depth investigations to make sure that the dollars are being spent in the most effective and wisest way possible. So I'd like to see our Public Accounts Committee move in that direction.

I'd like to see the number of members on the committee reduced toll. I'd like to see members be allowed to complete a line of questioning through to conclusion on an issue. I think it's absolutely essential that there should be some resources provided for the Public Accounts Committee by way of people who could help draft reports, who could do investigative work for the committee, people who maybe had an accounting background who could meet with and co-operate with the Auditor General and bring some real scrutiny into the way that public dollars are spent.

MR. DINNING: Ask some intelligent questions. Don't bring officials.

MR. ACTING DEPUTY SPEAKER: Order.

MR. PASHAK: No, but the point I'm trying to make, hon. minister, is this. Just pay attention for a moment and listen to what I'm saying.

MR. DINNING: Ask the questions.

MR. ACTING DEPUTY SPEAKER: Order please. Order.

If the hon. member would address his remarks to the Chair, and if the hon. Minister of Education would give due listening attention to the debate.

MR. PASHAK: Thank you very much, Mr. Speaker. There are some really significant points being made here, and if the government doesn't want to listen to what's being said, that's their prerogative. But the whole province is beginning to become increasingly aware – in fact, I think they are aware – that this is a government that doesn't listen anymore to the people. It doesn't listen to the members of the Legislature, it listens only to itself, and that's why it's in the severe difficulties that it's in at the moment.

But with respect to that, as I've already pointed out, the kinds of questions that you are able to ask of a minister when he appears before the committee are really quite limited. The members of the government control the questioning process because they have a majority of members on the committee. They determined that only three questions can be asked by any one member, so you can't follow anything through in depth. They determined, in fact, that policy issues cannot be raised – that's their motion – so it's really impossible to do the kind of scrutiny that's really required. To do the kind of scrutiny of a department that is required, you'd have to have some really good backup support that only could be provided by accountants, generally, and accountants working in close co-operation with the Auditor General. And if we did that, I know that we could save the taxpayers of this province great sums of money.

Spending, as we all know, by the Alberta Mortgage and Housing Corporation is completely out of control. The government had to fire the top two people in that agency. What we should be doing as a Public Accounts Committee is bringing an agency like that before the Public Accounts Committee, where both government members and opposition members would have an opportunity to begin to really ask penetrating questions; do a report, an assessment of the way, say, an agency like the Alberta Mortgage and Housing Corporation is working; and render a report back to the Legislature itself so that the

Legislature would then be in a position to make recommendations with respect to making that operation more effective, efficient, economical, and in the best interests of the people of Alberta.

The Public Accounts Committee should also have the power, where they perceive areas of financial concern to lie as a result of reading the Auditor General's report, to call for value-for-money audits. Bring in outside auditors. Now, in saying that, I'm not making the claim that our Auditor General doesn't do a good job, but he's limited by the powers that are contained in our Auditor General Act. He can only do systems audits, and he can comment on efficiency, I agree, but there are on many occasions areas in which it would be in the public interest to call for in-depth evaluations of different departments of the government.

Look at the way that our hospital spending is completely out of control, for example, in this province. Why don't we do a value-for-money audit of our whole hospital system and the way in which hospital services are provided? Can you tell me that it's rational in this day and age when dollars are tight to put hospitals in every town and community and village and then close beds in those hospitals because we don't have the money to operate them? Can you tell me that it's rational to build all of the community colleges that we have in this province and then not to be able to afford effective programs? No, there are many areas of public expenditure that are completely out of control.

We've never had a significant cost/benefit analysis of half a billion dollars' worth of expenditure that's going into the Oldman River dam. That's something that a good, effective Public Accounts Committee could have scrutinized. I might point out that the Ontario Public Accounts Committee not only scrutinizes past expenditures by government but they also have the power to investigate future spendings by government, so the Ontario Public Accounts Committee was very much involved in looking at planned expenditures for the SkyDome before it was built. According to statements made by the chairman of that accounts committee, they saved the province of Ontario as much as \$100 million through making recommendations with respect to how the construction of the SkyDome could be improved.

Now, there are other areas of government expenditure that should be investigated as well by an effective Public Accounts Committee. Not only can we save money by doing value-for-money audits of significant areas of government like government departments, but from time to time there are strange expenditures, strange to say the least, by governments. At the federal level I can think of the Prime Minister of this country changing the location of a penitentiary, taking it out of an area where it was planned, locating it in his own riding, remote from where the husbands and wives of most of the inmates of this penitentiary would live, putting it in a relatively remote location of Quebec. The Auditor General of Canada couldn't probe that very far. The Auditor General of Canada wanted to probe Petro-Canada's acquisition of Petrofina, but they were blocked by the Supreme Court from getting at the records that would have allowed for effective public accountability of that particular takeover.

The fiscal history of Alberta's Conservative government has provided taxpayers with several good reasons for not trusting those who control the public purse. Guaranteed loans to private enterprise are done without the approval of the House. The most notorious example that I can think of is the giveaway of \$67 million to Peter Puck, for which we will see no return. We'll see no return for that \$67 million. The collapse of the Principal Group as well cost taxpayers millions of dollars in inquiry fees and paybacks to bilked investors. In the mid-1980s the govern-

ment wasted millions in a sweetheart deal with Olympia & York. You know, you just go on. One of the more odious examples of fiscal irresponsibility was the Treasury Branch loans of over one-half billion dollars in three years to North West Trust. All of that, as I understand it, left the people of this province some \$40 million poorer.

Well, for good or for bad, Mr. Speaker, government has expanded since the days when expenditures on goods and services were clear and straightforward. The auditing picture is now very complicated with transfer payments, tax expenditures, Crown corporations, extended bureaucracies. With strong, clear, effective accountability legislation a government could learn from its mistakes, improve its managerial practices, and save the taxpayers of this province great sums of money. In Alberta, where conservatism used to run deep, there's a general, I think unqualified, assumption that somehow Conservatives make good money managers. The idea of focused accountability and attention to fiscal detail seems particularly difficult to instill, and I would say that increasingly the image that Conservatives can provide good fiscal accountability is no longer there. This has changed rather dramatically because Conservatives both in this province, with their \$10 billion worth of debt, their inability to manage pension funds, their inability to manage natural resource revenue, and the obvious debt that the federal Conservatives have created for us give a pretty clear picture to most Canadians that Conservatives are not good fiscal managers.

Now, that's why I'm bringing this legislation forward, Mr. Speaker. Australia is the only jurisdiction in the British Commonwealth tradition that has public accounts legislation. There is a Public Accounts Committee Act in Australia that provides broad powers of investigation including examining all accounts of records and expenditures. They're empowered to inquire into any question regarding public money. They are able to summon witnesses to give evidence and produce documents under oath, and they're able to issue warrants where witnesses fail to appear. Now, there's protection for witnesses within their legislation with respect to confidentiality and the same privileges that would be extended to any witness in a court of law.

The public accounts Bill I'm bringing forward, Mr. Speaker, ensures a closer relationship with the Auditor General. It provides for full-time research and support staff. It empowers the committee to investigate areas where there's evidence of departmental mismanagement. This new Bill would allow committees to bring the management practices of senior civil servants under scrutiny. It will review the consequences of government spending. The one area of controversy in the Bill, and I would welcome some debate on it, is a proposal that Public Accounts Committees would be allowed not only to review past expenditures but also future expenditures as well. So the bottom line in this Bill that I'm bringing forward is that we should apply a rigorous value-for-money examination to all facets of government spending.

Now, unless a nonpartisan operation is assured and unless the committee addresses administration only and not policy – that's what I indicated before – this whole process just gets bogged down. That's why the committee should be kept to a manageable 11 members, the committee should meet on an ongoing basis, and to ensure that there's a nonpoliticization to this process, it's important that the committee not be empowered to call cabinet ministers as witnesses. It's fiscal management that's under scrutiny, Mr. Speaker, not a minister's political agenda. That's dealt with in the Legislative Assembly itself.

The advantages of such a nonpartisan Public Accounts Committee would be numerous. Taxpayers wonder year after year why it is that governments get away with squandering such

vast sums. As popular wisdom says: it doesn't matter much who's in power; all governments are equally culpable when it comes to waste. The answer is painfully obvious. There is no hard-and-fast system to safeguard the public purse, but with public accounts legislation the public would at least have more assurance that their tax dollars would be safeguarded. Savings could be achieved; government departments could learn from their mistakes. I think this is most critical of all, Mr. Speaker: if governments knew that there was going to be an effective watchdog in place, an effective Public Accounts Committee, then I think governments would be less inclined to make foolish financial commitments, like the loans to Peter Pocklington, if they knew that at some point later on in time these commitments would come under scrutiny.

So, Mr. Speaker, as a member of society and a taxpayer I'm concerned about how my tax money is spent. As a politician I hope to draw attention to this weak link in the democratic chain of fiscal accountability. The public purse belongs to all of us, and we should be sure that it's in caring, capable hands. In presenting my Bill, I know that there are some weaknesses in the drafting of it. I could draw attention to those. But, on the other hand, perhaps it would be more interesting to get some members of the opposition to comment on my remarks, and I would look forward to what they have to say.

MR. PAYNE: Well, first of all, Mr. Speaker, I'm assuming that that was a slip of the socialist's tongue over there when he extended an invitation to the members of the opposition to participate. I do hope he will not be chagrined if a member of the government participates in this discussion today.

Now, I, of course, have spent two or three terms on the Public Accounts Committee, and because of that experience and because of the considerable time and effort I've spent on Bill 215 as well as on Guidelines for Public Accounts Committees in Canada, to which publication the member has referred and which obviously is the conceptual source for much of the Bill's content – for all those reasons I feel it's really appropriate that I join in the debate today.

I do, in the interests of balanced discussion, want to point out that I think the Member for Calgary-Forest Lawn has been a very effective chairman of the Public Accounts Committee. I would have expressed that with even more enthusiastic language today were it not for some of the fallacious comments that he has just passed along to the Assembly, most notable of which was the suggestion that the government members of the Public Accounts Committee are not in the habit of using tough questions. I just have to correct the record, Mr. Speaker, and suggest to you and the members of the Assembly that from my experience in Public Accounts – and this is an objective comment of my own – some of the most effective, probing questions have in fact come from the government members. I've asked myself: why is that? Of course, the answer is simple. The motivation behind the government questions is an honest search for information, whereas the opposition motivation simply seems to be a very base attempt to discredit or embarrass the minister, and you never get good questions with that kind of motivation.

Now, Mr. Speaker, as I indicated earlier, I have read the Bill. I've read it carefully, and as a consequence of that reading, I have developed some generalized and some quite specific concerns. But before I speak to those, I would like to summarize the overriding concern that I have. Bill 215, it seems to me, is obviously designed to move us away from the traditional concept, the traditional role of the Public Accounts Committee, which is, of course, that the Legislature holds the government

responsible for the public policies and the government ensures the effectiveness of departmental administration.

Now, working from that umbrella notion, that underlying concern, I'd like to speak to just one or two specific concerns. First of all, Mr. Speaker, I'd like to remind the sponsoring member and the members in the Assembly this afternoon that we have here in Alberta a comprehensive framework of control and accountability in our legislation, notably the Financial Administration Act, the Auditor General Act, the Appropriation Act, our various departmental Acts, and finally, Treasury Board regulations and Treasury Board directives. Now, all of these Acts, regulations, and directives serve the purpose of providing control, direction, and accountability in the administration of our provincial resources. As you well know, the role of ministerial estimate examination, public accounts, and Auditor General reports all serve us well as part of the checks and balances evident in a British parliamentary system of government such as we enjoy here in Alberta. Mr. Speaker, that comprehensive framework serves the people of Alberta well, and I would be hard pressed to see it massively distorted by the legislative proposal that's before us today in the form of Bill 215.

The sponsoring member quite properly devoted some time in his remarks to the Auditor General, and I would like to pick up from there because it's in the area of the Auditor General that perhaps I have one of my greatest concerns with Bill 215. It's obvious to all members of the Assembly, of course, that the role and the authority of the Auditor General is contained and defined in the Auditor General Act. Now, Bill 215, it seems to me, will encroach, slowly at first and then inevitably more quickly as time goes on, into areas which are the clear duty and purview of the Auditor General here in our province, and the net result – and who will dispute this? – will be a costly duplication of duties and functions, ironically at a time when our government is working hard to identify and eliminate functional overlaps in government. Just as we are moving forward with this concerted effort to identify, reduce, and eliminate overlapping functions, here we have a private Bill which, if it became government legislation and were passed, would just bring in a whole new layer of duplication. What irony.

Consequently, Mr. Speaker, we could see in Alberta a Public Accounts Committee with a budget growing and growing until it matched or possibly even exceeded the Auditor General's – what? – \$11 million budget. Or, alternatively, it could result in a reduction of the functions, a reduction of the responsibilities in the office of the Auditor General and thus weaken the impact that office can have on the current checks and balances of a fiscal regime. Mr. Speaker, the sweeping powers and changes that this seemingly innocuous little Bill legislates would give the Alberta Public Accounts Committee just as much if not more authority and power than the Auditor General's office currently enjoys. Given the much-heralded competence of the Auditor General, why on earth would we want to erode or duplicate that good office? It's beyond me.

My final objection, Mr. Speaker, has to do with what I suspect is the primary motivation of the Bill, and it all has to do with power. Could I draw the attention of the members today to section 8 of Bill 215 and subsections (1), (2), and (3)? These all have to do with the powers of the committee to summons a person to appear before the committee, and that gives me immense concern. Do you realize, Mr. Speaker, section 8 gives the Public Accounts Committee the power to call private citizens as witnesses to testify and provide information and documents, presumably under oath? This section is certainly foreign to the Public Accounts Committee tradition and operation in this province, in Alberta, and, frankly, probably most Albertans

would find such a power grab by a committee of politicians somewhat offensive.

Can you picture it, Mr. Speaker? The issuance of a summons from this Legislature and the Public Accounts Committee's power to call for a Speaker's warrant for the refusal to appear is the action of a police state, not of a democratic and responsible legislator. [interjections] Well, for one thing, we at least have established the attentiveness today of all the members, and that is certainly appreciated by the speaker – small "s." Now, the granting of judicial or quasi-judicial powers to the Public Accounts Committee goes far beyond the concept of being the watchdogs of the Queen's exchequer in this province.

On the same theme, the theme of a power grab, I'd like to draw the members' attention to section 6(e). The loosely-worded section to which I've just referred will allow the Public Accounts Committee to audit, examine, and investigate – now listen – any organization, person, or company that receives any grants, loans, or guarantees from the government. This should be characterized here today as a dangerous intrusion into the privileges and rights of any private individual, company, or organization.

Earlier today I referred to this document, Guidelines for Public Accounts Committees in Canada, which, as I indicated earlier, I suspect is a conceptual source for the Bill that's before us. I felt a sense of obligation as a member of the Public Accounts Committee and as an informed participant in today's discussion to read this publication, and I have done so. I would like to summarize my overriding concern about this publication and this Bill by drawing the attention of the members to a little marginal title in the appendix entitled "Summary of Guidelines." Here in the marginal title are two little innocuous words. You know, if you're reading quickly, you'd go right by them. You know what those two words are? "Resources required." Not only is this a raid for power; it's a raid for dough.

May I for the record, Mr. Speaker, just cite three phrases alongside the title "Resources Required." First:

The Public Accounts Committee shall have funds budgeted to allow it to perform the task assigned to it.

Two:

The Public Accounts Committee shall have meeting space provided suitable for public hearings and meetings.

If that's not enough, here's the third one

Sufficient staff shall be provided to the Public Accounts Committee to assist its members to carry out their mandate in a productive effective manner.

I don't know about you, Mr. Speaker, but those phrases that I have just emphasized frighten me a lot, and they help me to crystallize what this Bill 215 is really all about. Baldly stated, it's a typical New Democrat grab for bureaucratic power, staff, and funds, ironically to do what is already being done completely adequately in Alberta. As a consequence, I have to ask all the members on both sides to reject this Bill.

MR. ACTING DEPUTY SPEAKER: The Member for Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. We've had a rather overwrought presentation by the Member for Calgary-Fish Creek, who sees this as expensive duplication. Well, isn't it strange that no other jurisdiction, none of the many jurisdictions, whether over in Great Britain or in the rest of Canada, that have more effective watchdog public accounts committees see their process as a matter of duplication?

I think this is a government that very clearly sees this Legislature as unnecessary duplication to the acts of the cabinet. Why shouldn't the cabinet make all of the decisions? Why shouldn't

all the expenditures be carried out in the same manner as lottery expenditures, where decisions are made in the back rooms of the Tory caucus? Dump, dump, dump. Dump the Legislature. Dump oversight. Dump overreview. Any form of review is obviously duplication to this member.

I mean, the member has been here so long that he's obviously trained in the philosophy of closed government that prevails here, a government where there's no freedom of information. Almost every other government in all of North America has freedom-of-information legislation: every state, the federal government in this country. We're surrounded by provinces with freedom-of-information legislation, but we don't need it. You can't get answers to any questions. "Put it on the Order Paper, and we'll tell you no later."

Lotteries. The lottery expenditures which I've mentioned: hundreds of millions of dollars of expenditures being made in the back rooms of the Tory caucus without public scrutiny. Briefcases to government members alone. Can you imagine that? The shame of it all. They're talking about it all over the province.

And legislation: complex pieces of legislation presented by this government with nary a word of explanation or assistance to members of the opposition. Shame. It's a scandal.

The need for this legislation is so obvious that it's absurd. There's clearly a need for an improved process. The current Public Accounts Committee is inept because of the system. It's a major waste of time, Mr. Speaker. It sits only while this House is in session, which is a clear inducement for longer and longer sessions. We're going to have to extend sessions throughout the year in order to be able to ensure an effective time frame for this Public Accounts Committee to work under the current structure. We have a system in which members who wish to ask questions can't follow up on a line of questioning. We have this silly rule of only three questions, no policy questions. There's no way one can ask effective questions in there. It's really a waste of time. [interjections] What it does, Mr. Speaker – the rules imposed by the government majority are effective. They know what they're doing. They want to hamper the review of government's . . .

MR. ACTING DEPUTY SPEAKER: Order please. Order, hon. member. The Chair has been listening to your introductory remarks, but perhaps there should be some reference to the Bill at second reading.

MR. CHUMIR: I am going to. I am talking about that. I'm talking about the principle of the Bill, Mr. Speaker. It's clear that there is a need for an effective review of the activities of the government. When you impose rules that impede an effective review of government's activities, you hurt the government itself because it hurts the effectiveness of government and it hurts the public interest. The system that we operate under is based on competition, and we are the competition being provided for a government which purportedly believes in the principle of competition. But what it does is establish rules that make it very difficult for the competition to operate effectively.

Now, what we suggest, Mr. Speaker, is that effective rules as proposed in this piece of legislation – and the proposals are and would be effective – would help this government to operate more effectively. Yes, we would probably find some more problems; there would probably be some embarrassments for the government. But that isn't a threat to the government; the odd embarrassment, the odd problem is no threat. Citizens recognize that mistakes will be made. The greatest threat to the government and the public interest is to allow the government

to proceed in a manner where its activities are not reviewed, where problems fester in the back rooms of the cabinet for year after year after year, and then finally when the problems become so serious, they cause serious problems to the government and to the province. I need only mention the Principal affair as being the classic example.

So we need some changes. We need changes so that this committee could sit outside session. We need provisions which would allow for members to pursue a full line of questioning. There is a need for some assistance for some staff, for some accounting people. Now, maybe one could work with the

Auditor General more closely. Maybe that's a methodology. We need to focus more effectively on fewer ministers and fewer areas. This is a good Bill, Mr. Speaker. There is no magic to the provisions that are in it. There are other ways of improving the effectiveness of the committee. But before we can do so, we have to recognize the need for improvement and change, and that's really what the Bill is directed towards. That's what the comments of the proposer are directed to.

[The House recessed at 5:28 p.m.]