

## Legislative Assembly of Alberta

Title: **Friday, November 30, 1990 10:00 a.m.**

Date: 90/11/30

[Mr. Speaker in the Chair]

### Prayers

MR. SPEAKER: Let us pray.

We give thanks to God for the rich heritage of this province as found in our people.

We pray that native-born Albertans and those who have come from other places may continue to work together to preserve and enlarge the precious heritage called Alberta.

Amen.

### head: Introduction of Visitors

MR. ELZINGA: Mr. Speaker, it's my pleasure, sir, to introduce to you and to Members of the Legislative Assembly an individual who has honoured us with a visit to the province of Alberta. We are looking to avenues whereby we can increase our relationships with the country he represents as the ambassador. He is the ambassador of Chile. He is in your gallery, sir: His Excellency Francis Rivas. I would ask him to rise and receive the warm welcome of this Legislative Assembly.

### head: Reading and Receiving Petitions

MR. HAWKESWORTH: Mr. Speaker, I'd like to ask the Clerk to read the petition I tabled two days previously, please.

CLERK:

To the Legislative Assembly of Alberta:

The undersigned request legislation to delay all proposed pulp and other forestry developments in the province of Alberta until such time as:

1. a class environmental assessment that reports the cumulative impact of all existing and proposed forestry developments has been completed, and
2. full and complete environmental impact assessments, equivalent to the federal Environmental Assessment Review Process (SOR/84-467) including public hearings, have been completed for each proposed forestry development.

### head: Notices of Motions

MR. SPEAKER: The Member for Edmonton-Gold Bar.

MRS. HEWES: Thank you, Mr. Speaker. It's my intent today under Standing Order 40 to request leave for unanimous consent for the Assembly to acknowledge December 1 as World AIDS Day.

### head: Introduction of Bills

#### Bill 279

#### An Act to Amend the Builders' Lien Act

MR. TAYLOR: Mr. Speaker, I request leave to introduce Bill 279, An Act to Amend the Builders' Lien Act.

This Bill would amend the Builders' Lien Act to extend the period of time, particularly on energy projects, in which sub-

contractors could lay a mechanic's lien if the bill is delayed in being paid.

[Leave granted; Bill 279 read a first time]

### head: Introduction of Special Guests

MR. SPEAKER: The Member for Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Speaker. I have the great pleasure of introducing a group of grade 6 students from the wonderful school of Mayfield in the constituency of Edmonton-Jasper Place. They are accompanied by their teacher, Mr. Rob Kramar, who is the son of Irene Kramar, a longtime and valued employee in the government caucus; and Mrs. Steenstra, one of the parents. I wonder if they could rise, please, and receive the welcome of the Assembly.

MR. SPEAKER: Edmonton-Mill Woods.

MR. GIBEAULT: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to the other members of the Assembly a dynamic group of young students from Ellerslie elementary-junior high school in the constituency of Edmonton-Mill Woods. They're accompanied today by their teacher, Mrs. Phyllis Olson, as well as parents Mrs. Carolyn Townsend, Mrs. Amar Brar, and Mrs. Michelle Anselmo. I'd ask them all to stand now in the gallery and receive our very warm welcome.

MR. R. SPEAKER: Mr. Speaker, on behalf my colleagues from Grande Prairie, Redwater-Andrew, and Fort McMurray I would like to introduce to you and through you to the members of the Assembly the 1990 winners of the Municipal Involvement Week. These students submitted the top entries in the student essay and poster contests for Involved '90. The winners are, and I'd like them to stand: Bobby Miller, Tina Szabo, Carissa Anderson, and Jason Svekla. I'd like their parents to stand also. The parents are accompanied by René Gagné from my department.

MR. ADY: Mr. Speaker, I would like to introduce three members of the Magrath hospital board who are accompanied by their administrator. The members are James Anderson, the vice-chairman; Connie Boodry, member of the board; Debbie Robinson, also a member of the board; and their administrator, Stuart Norton. They're seated in the members' gallery, and I would ask the Assembly to give them the traditional warm welcome.

REV. ROBERTS: Mr. Speaker, I'm pleased to introduce 80 students from Grandin school who are here visiting with us. It's a bit of an odd situation insofar as half the group is, I believe, here with us and the other half is watching in the audiovisual room. So I want to greet them, wherever they are, and ask the group that is here to stand and receive the welcome of the members of the Assembly.

MR. SPEAKER: The Solicitor General.

MR. FOWLER: Thank you, Mr. Speaker. Our galleries are graced this morning with the presence of 52 students from Bertha Kennedy community school in beautiful St. Albert. They are accompanied by teachers Mr. Sowinski, Ms McKay, and parents, Mrs. Fletcher and Mrs. Perpeluk and also Bruce. I

would ask them to rise in the galleries and receive the usual welcome of the House.

#### head: Ministerial Statements

##### Oldman River Dam

MR. SPEAKER: The Minister of the Environment. [some applause]

MR. KLEIN: I hope I didn't disappoint you.

Mr. Speaker, I wish to advise Members of the Legislative Assembly that repairs to the dike at the Lethbridge Northern irrigation district headworks near Bocket, Alberta, have commenced this morning. As members of the Assembly are aware, in August of this year a group of individuals who refer to themselves as Lonefighters attempted to divert the waters of the Oldman River around the headworks of the LNID irrigation system. In fact, the dike which comprises part of the headworks was breached. It must be remembered that the dike and the associated right-of-way are on provincial land. Access rights were acquired in 1981 for \$4 million. In addition, the province has paid an annual fee to the Peigan band, which this year will be in excess of \$468,000. Since 1981 these annual fees total \$7.8 million.

It will be of interest to the Assembly to note that in September of this year, Mr. Justice Egbert ruled: the province has title to the right-of-way in which the canal, headworks, and main dike owned by the province are situated.

Mr. Speaker, it is absolutely necessary that the government make these repairs now. If the breach in the dike is not repaired before spring flooding conditions, the water supply to tens of thousands of Albertans would be in jeopardy. It will not be possible to do the work over the course of the winter because of severe freeze-up, nor would it be possible in the spring with high-water conditions. Therefore, a contractor accompanied by Alberta Environment officials is on the site this morning. All repairs are being conducted on provincial lands within the right-of-way.

I would also advise the Assembly that due to previous opposition by the Lonefighters to such an activity, RCMP are on the site to ensure the safety of the work crew.

Mr. Speaker, I would assure the Assembly that in dealing with this situation over the course of the last four months, the government has been patient and reasonable. Various members of the government have met on numerous occasions with the Peigan chief and council, and at their request we have entered into discussions on a broad range of issues. It is our hope that with the dike repaired and these discussions ongoing, we can maintain a good relationship between the government and the Peigan band.

Thank you, Mr. Speaker.

10:10

MR. MARTIN: Mr. Speaker, I rise to reply to the ministerial statement and say again, if I may: another example of the bungling of this government. If they had done this right to begin with and had a proper environmental impact assessment right from the start before they got into building it, something that we talked about on this side of the House going back many years, they wouldn't be into this situation. A proper environmental impact assessment certainly would have included the situation with the Peigans, and there would have been some common sense prevailing there.

The minister alludes to the Peigans, Mr. Speaker. He makes no reference to support for the minister's action by the band council. Indeed, the chief previously had said he would not allow the province onto the property. So I'd be interested in his analysis of that. The minister is also well aware that there is some doubt about ownership rights to the riverbed flowing through the Peigan reserve. That certainly hasn't been clarified by the Constitution, and before we jump into this, we should at least know that.

Mr. Speaker, it's interesting from this government's dealing with this situation. When the federal government withdrew the permit for construction, they just disobeyed that and went ahead with the construction, but when the Lonefighters are out criticizing and doing things, then all of a sudden they become the great defenders of law and order. Hypocritical; you can't have it both ways. I hope this doesn't lead to confrontation. We all hope that, but surely it's time the minister and other members of the government sat down with the Peigan people, including the Lonefighters, and tried to resolve this, because it's certainly in jeopardy.

#### head: Oral Question Period

##### Telus Corporation

MR. SPEAKER: The Leader of the Opposition.

MR. MARTIN: Thank you, Mr. Speaker. I'd like to direct my first set of questions to the Minister of Technology, Research and Telecommunications. Yesterday we saw the minister trying to jump around and tell us what a great deal they'd made in terms of the AGT prospectus on telecommunications. They said we're not going to lose money, but frankly nobody believes them. This is the biggest privatization made by this government in the history of the province, and the Conservatives couldn't even do this right. Bungle, bungle, bungle. Now, the simple reality is this: Alberta taxpayers are now going to buy back a company that they owned three months ago, almost certainly for more money than they received for it. That's a reality. My question to the minister: can the minister give us the assurance, then, that once Alberta taxpayers fork over \$150 million or more to reacquire this company – can the minister guarantee in the Assembly here that there will be no net loss for taxpayers on this deal?

MR. STEWART: Mr. Speaker, the situation with respect to the option which Telus has in respect to the assets of NovAtel is one that they can exercise at any time between now and December 31, 1991. In the meantime, however, Telus has indicated that they will be pursuing the opportunity to dispose of NovAtel to other strategic partners in order to replace Bosch. This is the direction they're going, and this is the direction that has no impact at that point in time upon the government. If indeed that option were ever exercised down the road, the net budget implications to the province of Alberta, looking at the Telus privatization in total, are very, very encouraging for the taxpayer, and I'd be glad to elaborate on that in supplementaries.

MR. MARTIN: In other words, Mr. Speaker, the minister is saying that this is great news that Bosch dropped out. That's taking optimism to the extreme.

But he didn't answer the question. I take it he won't guarantee that there won't be a big loss to the taxpayers. What has happened is that this government was so in need of quick cash

that they again used taxpayers' dollars to backstop a shaky deal. I want to come back to this question to the minister, flowing from his first answer. Can the minister explain: if this was a bad deal for Bosch, how can it be a good deal for the taxpayers of Alberta?

MR. STEWART: I'd just like to enlighten the Leader of the Opposition with respect to what the privatization of Telus has meant for the people of Alberta, and particularly the taxpayers. Firstly, Mr. Speaker, the taxpayers of Alberta are still a substantial shareholder of Telus: 44 percent. That 44 percent interest has appreciated \$70 million in less than two months. Yesterday a dividend was declared. The taxpayers receive \$13 million by way of a dividend this time and in every quarter so long as they hold shares.

Mr. Speaker, the net effect of the entire Telus privatization will have a budgetary impact of close to \$300 million to apply against the accumulated debt of our province. Six hundred million dollars has come in to the Heritage Savings Trust Fund for reinvestment. We – "we" being the taxpayers, all of us – are no longer required to fund the capital investment of this company in the future, \$2 billion required in the next three to five years. We're no longer on the hook for all of the previous debt of AGT. This is a viable company that will operate in a global context to the benefit of all Albertans, and in particular the taxpayers.

MR. MARTIN: Boy, those people in Bosch are pretty silly. They're not nearly as smart as the minister, are they? Mr. Speaker, the reality is that we're going to have reduced service and higher rates, and it's costing us a heck of a lot more than we expected.

Right here in the second prospectus the government agreed to buy back NovAtel from Telus for market value plus \$50 million should Bosch pull out of the deal. Even with that \$50 million Bosch doesn't think it's a good idea. I again want to ask the minister: will he finally be honest and straightforward with the people of Alberta and stop putting on his rose-coloured glasses and admit frankly to the people of Alberta that taxpayers are going to suffer a loss in this?

MR. STEWART: Well, Mr. Speaker, there is no doubt, and it's set forward in the prospectus, as the hon. member indicates, that under those circumstances \$150 million would have to be the amount that would be paid. But at the same time, in return certain assets come back to the government; namely, NovAtel, which has net assets of \$90 million to \$100 million. It's unfair for the hon. member to say that this is a \$150 million cost when indeed assets come back. The net effect on the taxpayer is what we're talking about, the net cost to the taxpayer, and to say it's \$150 million is clearly wrong.

MR. MARTIN: Well, clearly then, we're going to lose something. He won't say how much, Mr. Speaker. Bungle, bungle, bungle.

10:20

#### Midwifery

MR. MARTIN: My question is to the Minister of Health, Mr. Speaker. We have seen the minister, as I said yesterday, in her Maggie Thatcher routine, stand by her threat to hospitals to balance their budgets or else, even though she seems totally disinterested in the actual effect this will have on health care delivery in this province. I don't know who she's going to get to

balance her books. Surely it won't be the Provincial Treasurer; he's the last example here. This is the worst possible example of a government that can balance its books. The minister has spoken also of the need for health care delivery to be more efficient. I couldn't agree more. One example I can use that could lead to health care savings while maintaining quality care is allowing midwives to deliver babies, as happens in most parts of the western world. My question is this: as the minister is in charge of the health care system, does she agree that midwifery should be made legal in this province?

MS BETKOWSKI: Mr. Speaker, let's look at the issue of midwifery; it's an excellent one upon which we can focus. Right now we have a request for midwifery to become a separate and distinct professional occupation in this province. That request is before our Health Disciplines Board, which is the professions and occupations wing when it comes to health. I believe it's an important process to follow, because I don't believe that a political judgment should be made on the status of a profession. But once that board makes a recommendation to government, which hopefully will be before the end of the year, we will then look at where midwifery fits within that health spectrum. The role of the institution, the role of the community in bringing midwifery in once that decision is made by that Health Disciplines Board is an excellent example of how we can look at better delivering health services.

MR. MARTIN: Mr. Speaker, waffle, waffle, waffle. The public is sick of waffling politicians; they want leadership. She is the minister. Don't hide behind a board.

My question to the minister then: could she at least look at this? This government has made criminals out of our nurses, our social workers, and now midwives. If the minister is truly interested in saving health dollars, could she explain why her government is currently proceeding with prosecution of midwives in this province?

MS BETKOWSKI: Mr. Speaker, I'll refer the question to the Attorney General.

MR. ROSTAD: Mr. Speaker, I must admit that I was conversing with my neighbour and didn't hear.

MR. MARTIN: Well, Mr. Speaker, it's typical of this government, falling asleep on the job.

Let me ask my last question to the Minister of Health, who should be the leader in this matter. As she alluded to the Health Disciplines Board, let me ask her a very simple question. At the very least, will she make representation to the Solicitor General that the Health Disciplines Board should hold open, public hearings, rather than behind closed doors, where this decision might be made? Will she at least make that representation, be open and aboveboard?

MS BETKOWSKI: Well, Mr. Speaker, let's remember what is at stake here: a decision is attempted to be made on a profession to give it separate, legal, distinct status. The issues are ones of safety. The issues are ones that have to be made a recommendation to government. So what we have said is that we are anxious to hear the results of the Health Disciplines Board study, which is having representation made by the Alberta Medical Association, the Alberta Association of Registered Nurses, midwifery groups, and the Department of Health. As soon as that decision comes to government, then it is a process

that is defined in legislation and a process that is defined in professions and occupations policy.

If the hon. member would like to bring forward recommendations as to how we might amend the process of dealing with professions, go right ahead and do it. But right now we have a process. We have a lot of public input going into that process, and we are all anxiously awaiting the recommendations to this government of the role of that profession in health.

MR. SPEAKER: The leader of the Liberal Party.

#### **Pension Liability**

MR. DECORE: Thank you, Mr. Speaker. For two years now the Liberal opposition has been addressing the issue of the unfunded pension liability that teachers and municipal officials, government officials, employees of the government, employees of all these agencies are facing. This miscalculation on the government's part is now a \$9 billion tragedy and catastrophe, and in sheer desperation the Alberta Teachers' Association has started to publish pamphlets and documents and arrange for teachers to meet so that this issue can be resolved. Now, yesterday or the day before the hon. Minister of Education indicated that he was prepared to meet with the teachers and attempt to resolve these problems. My first question to the minister is this: given that a previous minister of the Crown has indicated that actuarial and review data would be made available to the stakeholders, is the minister prepared to make available to the teachers and all others who are involved in this issue of unfunded pension liability all data that exists so that they know exactly what the situation is?

MR. DINNING: Mr. Speaker, the Teachers' Retirement Fund is administered by a board of six individuals, three appointed by the Alberta Teachers' Association and three appointed by the government, so the teachers have access through the Teachers' Retirement Fund board to all of the information the hon. member is talking about.

MR. DECORE: That's patently incorrect, Mr. Speaker. On a number of occasions data has been requested. I'm just asking the minister to consider this. Will he look at this issue and report back to this House the data that's not available? There's a very big discrepancy between what the Auditor General says is the unfunded pension liability as to the teachers' portion and what the teachers themselves believe that unfunded portion to be. Will he provide anything that is in the government's possession in that regard to clear up this issue of information?

MR. DINNING: Mr. Speaker, if there is any doubt about the availability of information, that will be cleared up at a meeting between the minister and the Teachers' Retirement Fund board which will take place on December 11.

MR. SPEAKER: Final supplementary.

MR. DECORE: My final question is to the Premier, Mr. Speaker. Given that we have an accumulated debt of \$14.5 billion, given that we now have this unfunded pension liability of \$9 billion, and given that all other provinces in Canada have looked after unfunded pension liability, I'd like to know from the Premier where we're going to get moneys, where money is going to come from, to pay this \$9 billion debt down.

MR. GETTY: Mr. Speaker, I'm sure the hon. Provincial Treasurer will want to go into the question in more detail with the Member for Edmonton-Glengarry, who has raised it before and had answers from the Provincial Treasurer on many occasions. I might say that one of the fallacies of anybody who has ever been in business is to only line up their liabilities when they are assessing something, as this member has. He lines up liabilities and has absolutely no sense of assets, which normally you would balance against liabilities. When you look at the tremendous assets of the government and people of Alberta, you come to one conclusion: the province is in the strongest financial position of any government in Canada.

MR. SPEAKER: Clover Bar.

#### **Highway 14 Water Line**

MR. GESELL: Thank you, Mr. Speaker. My question is addressed to the Minister of Transportation and Utilities. It's related to the proposed Highway 14 water line, which is proposed to bring potable water to the residents of the county of Strathcona, the county of Beaver, and the towns of Tofield, Ryley, and Holden. Will the minister assure my constituents, the residents of Strathcona and Beaver, and Alberta taxpayers that provincial funding that may be provided for this water line to the water commission will not be turned over to private corporations who may be ineligible for such funding?

MR. ADAIR: Well, Mr. Speaker, two things. We've been working on the Highway 14 project for quite a number of months with the county of Strathcona and the other municipalities in that particular region to develop a water line that would be owned and operated by a commission. That commission has the autonomy to enter into an agreement, a joint agreement or whatever it may be, with either a company or a number of companies to put a water line in place. Funds under our program are only eligible to the municipalities, and if they should enter into an agreement, it would be my understanding – and I want to check this – that any of the assets would remain with the commission to the amount equal to our grants. Now, they have received notification that we have provided, I believe, \$4.9 million and that that we will hold till the end of this year – I can't guarantee it beyond that – to assist in the provision of a water line to Ardrossan, Tofield, and Ryley.

10:30

MR. SPEAKER: Supplementary.

MR. GESELL: Thank you, Mr. Speaker. I appreciate the answer, but will the minister assure that as part of this turnover there will be conditions attached to any provincial funding to require that farms, acreages, and hamlets that are along that 700-kilometre water line route will be able to connect to that water line and actually receive the benefits of that provincial funding?

MR. ADAIR: That's a very good question, and I appreciate it as well. Two things come out of that. Any resident along those lines, the acreage owners or the like, can in fact utilize that service and be attached to that line at their cost. Our program does not apply to farm users or to acreage owners; they would have to apply, in fact, and their costs would be attached to that directly.

### NAIT Audit Report

MS BARRETT: Mr. Speaker, a few months ago I raised publicly concerns about conflict of interest and possible rule-breaking at NAIT; that is, with respect to the board of governors at NAIT. Now, I've since received public records that show that one of the board members is still a co-owner of the travel agency that got contracts from the board, even though it's now under the name of a numbered company. I know that the Auditor General looked at this along with other matters just a few months ago. The problem he faces is that he can't release details about this whole mess until he releases his annual report, which isn't scheduled for some months. But the minister has a copy of a letter that was sent by the Auditor General to the board of governors at NAIT which details his analysis and recommendations, and the minister has the authority to release a copy of that letter. Will the minister now move to clear up this whole mess and table a copy of that letter so that the public of Alberta can know what's really going on over there?

MR. GOGO: As hon. members may be aware, it was as a result of various allegations about various members at NAIT, both on the board and in the administration, that I requested the Auditor General to look into several specific areas. The Auditor General, Mr. Speaker, does not report to me, sir, but to you. He did send a management letter to the president of NAIT that is in the possession of NAIT, and I as minister am not at liberty to disclose the contents of that letter.

MS BARRETT: Mr. Speaker, the Auditor General advised me that he sent a copy of that letter to the minister. Now, I believe that if you live by patronage, you get hung by patronage, and the same might apply to secrecy. Will the minister tell us why he won't? What is he covering up?

MR. TAYLOR: "There are 28 institutions . . ."

MR. GOGO: Yes, indeed there are.

Mr. Speaker, I'm somewhat surprised at the hon. Member for Edmonton-Highlands. I just explained: although I've received a copy of that, I am not at liberty . . .

MS BARRETT: Yes, you are.

MR. GOGO: Well, Mr. Speaker, I gave the hon. member the courtesy of putting the question; I wonder if the hon. member would accept the courtesy of receiving the answer.

The Auditor General, Mr. Speaker, an officer of this House, tables his report in this House, and under the Technical Institutes Act the duties of the board are very clear; the duties of this minister are very clear. I have taken appropriate action. We have a new chairman at NAIT. I'm very confident that with the president, the chairman, and the new spirit at NAIT, we're going to see not only a turnaround in terms of positive programs continuing but a spirit of goodwill and a spirit of co-operation by all members of faculty.

MR. SPEAKER: If hon. members would like to refer to *Beauchesne* 411(2), it deals with this whole series of questions. Edmonton-Meadowlark.

### Alberta-Pacific Project

MR. MITCHELL: Thank you, Mr. Speaker. Unless the Member for Athabasca-Lac La Biche was wrong in his recent

statement, the government has in fact made a decision to proceed with the Al-Pac mill but for some curious reason is delaying making a public, formal announcement to that effect. My question is to the Minister of the Environment. How can the minister even contemplate allowing the Al-Pac mill to proceed when not one of the environmental review mechanisms established by his own government – not the original review board, not the Jaakko Pöyry consultants, and most recently not even his scientific review panel – has ever said that that project is environmentally acceptable?

MR. KLEIN: Well, Mr. Speaker, first of all, the government has not made a decision, and when a decision is made one way or another, it will be announced in a very, very public way.

Secondly, I'm surprised that the hon. member would make the statement relative to comments at least in the original Al-Pac review panel report, where in fact Mr. DeSorcy and the panel concluded that the mill as it was originally proposed would be unto itself probably the cleanest mill in Canada, if not in the world. What we're doing right now relative to the revised proposal is conducting a thorough review. There are a number of parties involved in this situation, including the company, including four departments at least of government, including the federal government. What we want to do is pull all this information together and, on the basis of that information, make a sound and reasonable decision, a decision that will be announced publicly.

MR. MITCHELL: The fact is that the Alberta-Pacific review panel said that further study had to be done before they would ever say that mill was environmentally acceptable.

Will the minister admit that in fact his government has made the decision to proceed and that he is delaying the announcement to proceed with that pulp mill until after the Edmonton-Strathcona by-election for one reason and one reason alone: because he knows full well what the political consequences of that announcement will be for his government in places like Edmonton-Strathcona?

MR. KLEIN: Well, I can tell the hon. member that the issue of the election in Edmonton-Strathcona has never entered into this scenario at all. I can tell him that for sure, Mr. Speaker, absolutely. This is a decision that will be made on the basis of all the information being brought together, being thoroughly assessed, and at that time we will be making an announcement. This will be a government decision.

MR. SPEAKER: The Member for Drayton Valley.

### Farm Credit Stability Program

MR. THURBER: Thank you, Mr. Speaker. The farm credit stability program, which has been in place for some years now and which allowed farmers and people in agriculture to borrow money at 9 percent for debt consolidation and stabilization of their own particular farms, has been a very good program. It's been a great help in times of stress on the farms. My question to the Minister of Agriculture. It seems that this has been in limbo for the last few months, and people in my area are very concerned as to whether this program is going to continue or not. Could you give us some indication, Mr. Minister?

MR. ISLEY: Mr. Speaker, as the hon. member mentioned, the farm credit stability program has been a very successful program

in this province. It was initially announced with a cap of \$2 billion, 9 percent money, and a term of 20 years. The cap was then increased to 2 and a half billion dollars. As of July 6, 1990, the lending under that program reached the \$2.5 billion cap. When I add to our farm lending under the farm credit stability program that under the Ag Development Corporation approximately \$3.6 billion of our farm debt, or roughly two-thirds of it, is protected at 9 percent or under, in direct response to the question, I would say that the farm credit stability program has done the job it was designed to do. The commitment of government has been fulfilled, the 2 and a half billion dollars, and there will be no further lending under the program. The program continues in the sense that the interest protection is still there for the people that are under the program until the term of their loan runs out, but the commitment is fulfilled. The assessment is that it's done the job it was designed to do, and there's no further lending.

MR. SPEAKER: Supplementary, Drayton Valley.

MR. THURBER: Yes, supplementary, Mr. Speaker. I'm sure that's not real good news for the agriculture people in the province because of these days of low grain prices and not good agriculture conditions in some parts of the province where they've suffered from drought for many years. Can you give me an idea to what extent we're going to have other programs in place to replace this? Because certainly there is a need for that kind of money out there.

10:40

MR. ISLEY: Mr. Speaker, I could point out that 30,000 loans were issued under the farm credit stability program. I would also share with the Assembly that the current problems facing the industry I don't think can be resolved by simply an extension of that program. We still have in place our farm fuel distribution allowance; we still have in place our farm fertilizer price protection plan and a number of other programs. But I can assure the hon. member that the scene in agriculture is changing very quickly. We will be monitoring closely what interest rates do over the winter; what the outcome of the GATT negotiations are and what impact they will have on our number one industry; watching grain prices and, as importantly, watching grain movements; assessing the availability of operating credit. If there is a need to respond with any further programs, I think I can stand in my place and say that this government under the leadership of Premier Getty has an excellent track record in responding to its number one industry.

MR. SPEAKER: Edmonton-Beverly. Edmonton-Beverly, let's go, please.

### **Mortgage and Housing Corporation**

MR. EWASIUK: Thank you, Mr. Speaker. This government's decision to wind down the operations of the Alberta Mortgage and Housing Corporation has reached a day of reckoning. Albertans know that this government's mismanagement of this Crown corporation is going to result in layoffs and the loss of some 150 jobs; 150 employees are going to lose their jobs. Yet even after the sale of profitable assets by the corporation, this corporation still owes \$2.2 billion to the heritage trust fund. In addition, the corporation is still carrying an unfunded operating deficit of some \$600 million. My question is to the Minister of Municipal Affairs and housing. Given that most of the AMHC's remaining assets are either in the social housing area or are in

serious arrears, what is the bottom line? How much is this government's mismanagement of the AMHC going to end up costing the people of the province of Alberta?

MR. R. SPEAKER: Mr. Speaker, in November of 1989 the government initiated a very major review of the Alberta Mortgage and Housing Corporation to look at the various responsibilities it had. The decision at that time was to set up two objectives. The first one was to set up a social housing objective and pursue that to meet the needs of the needy, those that need housing in the province of Alberta, those with various kinds of disabilities, the seniors. We have very adequately provided accommodation of something like 14,000 to 20,000 units in the province for individuals, to assist them in affordable accommodation. The other objective was to look at the real estate or the development-type part of the portfolio, which had in it the CHIP/MAP, which is the core housing incentive program and modest apartment program, as well as land and foreclosed housing units, and determine what to do with that.

The other portion of the program, a very major portion of the program, was the mortgage portfolio program, and the decision was made to sell those mortgages into the private market because there were private lending institutions that were lending mortgages at the very same rate as government, and why should government be in the business? Government should not be in the business. We have sold some \$742 million in mortgages, and that money is now with the Heritage Savings Trust Fund earning a higher interest rate than it did in the mortgage portfolio. That money can be used in the general revenue to help health, education, and other objectives of government. It was a good transfer.

Now, Mr. Speaker, addressing the question . . .

MR. SPEAKER: You're not going to; no. I know the hon. minister would forgive me for saying that I hear echoes of his previous existence.

Supplementary.

MR. EWASIUK: Thank you, Mr. Speaker. Of course, the question really was 150 employees that are going to be laid off as a result of mismanagement by this government.

Now, Mr. Speaker, given that over 70 percent of the mortgages in the multi-unit rental portfolio are in arrears and given that the minister is planning to set up a new entity to dispose of this portfolio, what assurance is the minister prepared to give to the tenants that they will not be forced out of these reasonably priced accommodations that were provided for them through CHIP and MAP?

MR. R. SPEAKER: Mr. Speaker, in terms of the 150 employees, to conclude my answer to the first question, it was made very clear to every one of these employees that we would assist them in other job opportunities in every way possible to the best of our ability, and we have done that in a very reasonable, compassionate way. But we must recognize that when the portfolio was sold, that meant there was no need for those employees. I think you have to run the government operation as efficiently as you would a private-enterprise one, so the job opportunity was not there.

With regards to the other question, those persons that are in the core housing incentive program facilities and the MAP facilities, I must indicate, Mr. Speaker, that those are some 20,000 rental units that are available in this province so that people can have rental accommodation. If those units weren't

there, we would have a tighter rental market than we have at the present time. It is our intent to deal with those in need. If there's a person in the CHIP or MAP project that cannot afford a high rent, we are prepared to use the rent supplement program to assist them, so they will be treated in a very compassionate and responsible way.

MR. SPEAKER: Calgary-Mountain View, followed by Calgary-McKnight.

### Oldman River Dam

MR. HAWKESWORTH: Thank you, Mr. Speaker. The Minister of the Environment's statement this morning studiously avoided mentioning whether his action was undertaken with the support of chief and council of the Peigan Nation. I'd like to ask the minister: did the government receive the support and endorsement for this action today from the Peigan chief and council? Are they on the reserve at the invitation or with the permission of the Peigan chief and council?

MR. KLEIN: Mr. Speaker, we are on the reserve to exercise our responsibility to maintain the integrity of those headworks. That's what we're on the site to do. There was a clearly illegal action undertaken that resulted in a breach in the dike that causes some risk to tens of thousands of Albertans, particularly in southern Alberta. We're on the reserve to effect those repairs. We have had discussions with the chief and council, and we have indicated to the chief and council on a number of occasions that it is absolutely essential that we get on that site as soon as possible. It's going to be impossible in the spring with high waters, and there's a tremendous danger of floods. It's going to be impossible if we leave it for another couple of weeks because the ground will be so darn frozen we won't be able to do a thing with it. So it's not a matter of getting permission; it's a matter of getting on the reserve and fulfilling our responsibility to maintain the integrity of those headworks.

MR. HAWKESWORTH: Well, it sounds like the minister is forcibly entering and occupying Peigan lands without the permission of chief and council. It escapes me what right the province has to do that, so I'd like to ask the minister: was the government given approval for these actions by the Conservative minister of Indian affairs in Ottawa, or are they simply bullying their way onto the reserve without permission and regardless of what the consequences might be, tragic or not?

MR. KLEIN: Mr. Speaker, I thought that maybe the hon. member had learned to listen since he left Calgary city council but obviously not. I think I mentioned earlier that we have paid the Peigan Indians nearly \$8 million since 1981 to exercise free and unencumbered access to those headworks. That was an honourably signed agreement between the government and the Peigan band. All we're doing is exercising our right to maintain, as I said before, the integrity of those headworks.

10:50

MR. SPEAKER: Thank you.  
Calgary-McKnight.

### Education Funding

MRS. GAGNON: Thank you, Mr. Speaker. The Minister of Education is awaiting a response from school boards to his proposal, described in this House on Tuesday, for achieving

equity in education in the province. This proposal is nothing more than that old, thoroughly rejected plan called corporate pooling. It redistributes dollars, achieving equity on the revenue side, but it does nothing about providing equality of opportunity or access because it doesn't look at the expenditure side. We all know that a dollar spent in Edmonton will provide more educational service than a dollar spent in Berry Creek or, conversely, that providing special ed in Berry Creek costs more than providing it in Edmonton. My question to the minister is: will he admit that his proposal for what he calls educational equity is a sham because it will do nothing to improve the quality of education in smaller centres in Alberta? It's a tax grab.

MR. DINNING: Mr. Speaker, if the hon. member would do her homework and read *Hansard* on page 2455, she will see that the plan I have laid on the table before school trustees includes the recognition of existing costs and expenditures as legitimate minimum costs of delivering education in each of those school jurisdictions.

MRS. GAGNON: Mr. Speaker, the minister has set a response deadline of December 15, which is simply not enough time for school boards to respond. Instead of shoving this plan down school boards' throats, why didn't he establish a broadly based task force to look at all the issues involved in providing equality of opportunity?

MR. DINNING: Mr. Speaker, again the hon. member is lacking in homework, and I'd suggest she go and even speak with the Alberta School Trustees' Association, from where she is getting her information, supposedly. The next meeting of the Alberta School Trustees' Association task force on school funding equity will take place on December 13, and that is the next step in the process. Prior to that the Local Government Financing Review Committee, including the ASTA, the municipal districts and counties, the IDs, and the Alberta Urban Municipalities Association, will also sit down and address this issue. This very afternoon I am joining the Member for Banff-Cochrane and going to meet with four school boards in the Bow corridor as well as a number of municipal government authorities.

Those kinds of meetings are ongoing, Mr. Speaker. The proposal is on the table, and our objective is to make sure that every single student in this province has access to the right of education that they rightfully have and must have. The hon. member knows it but won't come to grips with the problem and help come up with a solution.

MR. SPEAKER: Red Deer-North.

### Whistle Blower Protection

MR. DAY: Thank you, Mr. Speaker. My question's to the Associate Minister of Family and Social Services. Michener Centre in Red Deer is one of a number of facilities in the province which provides care to residents of all ages who have a wide degree of capabilities. While we believe that our care givers in Alberta are the best, probably in Canada, we do know there is always an opportunity where abuse or neglect may come up. I wonder what assurance the minister can give to care givers in Alberta that should any of them, any employee, reporting a situation of potential abuse or neglect in any facility would not have to fear any reprisals from employers.

MR. BRASSARD: Yes, Mr. Speaker. First, I would certainly hope that anyone knowing of any inappropriate treatment or behaviour or neglect, for that matter, would indeed bring it to the attention of his or her superior. I'd like to assure the member that such action is protected under our laws. In fact, the government of Alberta provides indemnity protection for such action. This has been further acknowledged by the recent amendments to the Individual's Rights Protection Act.

MR. DAY: Well, Mr. Speaker, a supplementary to the Minister of Labour. It's my understanding that the minister has been reviewing labour legislation to see if there is protection for employees who report incidents of this nature. I wonder today what assurance the minister can give us that employees are protected when they report incidents like this, or do we need draft legislation?

MS McCOY: Mr. Speaker, the Associate Minister of Family and Social Services has just answered that question essentially. Let me repeat: we've been in communication and correspondence with the hon. member's constituent who raised this matter, who is an employee, and have given him assurances that any government employee who is threatened or harassed by a coworker for any reason should immediately report it to a supervisor, who will take appropriate steps to stop such harassment. In the event there are any lawsuits, the government will in fact provide indemnity for the employee. So we would encourage and protect any employee of the government who has reported coworkers for abuse, and we would welcome that information coming forward, because abuse is not tolerated in any way, shape, or form in our workplaces.

AN HON. MEMBER: We can't hear.

MR. SPEAKER: The hon. member is right; one can't hear. Part of the difficulty is that in the last four days there has been too much noise, but members have been very good today in terms of the noise level. Thank you. The other problem here is that the minister needs to speak towards the mike, and that's what the Chair was attempting to signal. I know it's difficult from your part of the Chamber.

Edmonton-Kingsway.

#### **Alberta-Pacific Terminals Ltd.**

MR. McEACHERN: Thank you, Mr. Speaker. My questions are to the Minister of Economic Development and Trade. Before, during, and after the 1989 election the minister promised that the government was going to get out of involvement in the economy of Alberta. Yet the cabinet ad hoc funding – I hesitate to call it a program, but it has resulted over recent years in a \$250 million loss to the taxpayers of this province. That doesn't include financial institutions that have failed or some of the debt carried on the books of some of the Crown corporations. Can the minister tell me why he gave a \$3 million loan in August to Alberta-Pacific Terminals, on top of a \$9 million loan guarantee earlier, when it goes right against the stated policy?

MR. ELZINGA: Mr. Speaker, I appreciate the twist that the hon. member has put on my statements in that I had indicated we were going to pull back from our involvement. We're proud of the involvement of the past because we've got the most

dynamic growth province of any in Canada. We're proud of that involvement. Recognizing that we are the leading province as it relates to economic growth, we are pulling back. I can go through a list of millions of dollars that have been declined by this government since I have assumed this responsibility. I'm also happy to share with the hon. member that we're not going to pull back totally, because we have an obligation to certain infrastructures within the province with which we're going to continue our involvement. Alberta-Pacific Terminals is one of those areas, a port facility that we consider crucial to the development of export markets to the province of Alberta.

MR. DECORE: What a botch-up that is.

MR. SPEAKER: Order.

MR. ELZINGA: We also put a considerable amount of money into the Prince Rupert port so that we would have access to markets other than our own for agricultural producers.

Mr. Speaker, I indicate to the hon. member opposite that if we examine our involvement – and they indicate to us that we shouldn't be quite so involved. Is the hon. member suggesting that we not involve ourselves with the farm credit stability program, which is a loan guarantee program for the farming population, in which the Minister of Agriculture just indicated we have some 30,000 loans? Is he . . .

MR. SPEAKER: Thank you, thank you.

Question period is basically at an end, so could we quickly have the supplementary and a brief answer, please.

MR. McEACHERN: Yes, thank you, Mr. Speaker. Well, it looks to me like Alberta-Pacific Terminals is going to be like another GSR, another Gainers, another Myrias, and the taxpayers are getting tired of that kind of thing. The question I ask: some programs are good and may go ahead and maybe our government would too, but will this minister commit himself to killing the cabinet ad hoc program for bailing out failed companies? That's what I'm asking him.

MR. ELZINGA: Mr. Speaker, we as a government have an obligation to do our level best to assure that we do have a strong economy in the province of Alberta. We've directed our initiatives toward ensuring that, and we have been successful. When one looks at the rate of growth that we are experiencing, we are one of the few provinces that are going to have actual growth in this province. If the hon. member is suggesting certain things, I'm happy to take his suggestions under advisement. But if we review our involvement, our success rate has been extraordinary. Under a number of programs that we do have, our success rate is in excess of 90 percent, some as high as 99 percent, under various programs that we do have.

MR. TAYLOR: Not the ad hoc program.

MR. SPEAKER: Order.

MR. ELZINGA: Mr. Speaker, I acknowledge that there are going to be areas that I am also discouraged with, whereby we have had involvements that are not quite up to the standards we had hoped. But to suggest and to zero in on just those odd specific cases is totally unfair of the hon. member.



11:00

MR. SPEAKER: Before we deal with the Standing Order 40 request, might we revert briefly to Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.

#### head: **Introduction of Special Guests**

(reversion)

MR. SPEAKER: First, the Minister of Agriculture, then the Member for Stony Plain twice.

MR. ISLEY: Mr. Speaker, on behalf of my colleague the Minister of Public Works, Supply and Services and MLA for Barrhead, it gives me great pleasure to introduce to you and through you to members of the Assembly 52 students from the Onoway elementary school in the Barrhead constituency. They're accompanied today by two teachers, Mrs. Colleen Wournell and Mrs. Pat White, and bus driver Mrs. Maureen Medori. I'd ask that they stand from where they're seated, I believe in both the members' and public galleries, and receive the warm welcome of the Assembly.

MR. SPEAKER: Stony Plain.

MR. WOLOSHYN: Thank you, Mr. Speaker. It gives me pleasure to introduce 48 grade 8 students from the John Paul II school in Stony Plain. They are seated in the public gallery, and they're accompanied by their two teachers, Janet de Klerk and Duane Hagen. Also accompanying them are parents Sharon Hildebrand, Daniel Fyculak, and Joan Friedland. I'd ask them to rise and receive the warm welcome of this Assembly.

Mr. Speaker, I also have the additional pleasure of introducing 21 students from the St. Matthew Lutheran school seated in the members' gallery. They are accompanied by their teacher Mr. Ladoski; also three parents, Mrs. Miller – a very special parent; I taught her in high school – Mrs. Boles and Mr. Bouvier. I'd ask them to rise and receive the welcome of the Assembly.

#### head: **Motions under Standing Order 40**

MR. SPEAKER: A Standing Order 40 request, the hon. Member for Edmonton-Gold Bar, asking for unanimity first.

#### **World AIDS Day**

Mrs. Hewes:

Be it resolved that the Legislative Assembly acknowledge December 1, 1990, as being World AIDS Day and acknowledge the pain and suffering of many Albertans and that this government be encouraged to provide for our citizens education about the treatment and prevention of AIDS and to encourage our researchers in their continued efforts in finding an effective cure for this tragic worldwide disease.

MRS. HEWES: Thank you, Mr. Speaker. I rise to request unanimous consent to deal with the motion, which has been circulated. In speaking to this, this is a World Health Organization initiative that I believe is incumbent upon this Legislature to support.

MR. SPEAKER: The request has been made. 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.

SOME HON. MEMBERS: Shame.

MR. SPEAKER: Orders of the . . . [interjections] Order in the House, please.

#### **Speaker's Ruling Cries of "Shame"**

MR. SPEAKER: Excuse me. *Erskine May*, page 392, cries of "shame":

a gross form of interruption by loud cries of 'shame', has been strongly condemned by the Speaker, who declared his intention to take notice of the committal of the offence.

This is from the House at Westminster. To hold one's nose, hon. Member for Edmonton-Gold Bar, is also inappropriate.

MR. DECORE: Tragic, tragic.

MR. SPEAKER: And that also is inappropriate.

#### **Orders of the Day**

#### head: **Government Bills and Orders Second Reading**

#### **Bill 57**

#### **Electoral Boundaries Commission Act**

MR. ROSTAD: Mr. Speaker, it's my pleasure to be able to move second reading of Bill 57, the Electoral Boundaries Commission Act.

The Act is the formalization of the recommendations of the select committee report that has been under debate for the last few days. The Bill does introduce change, and of course change is often difficult, but I believe it's vital that such change be made in order to provide a fair and equitable electoral system that will serve all Albertans in the decades in the future.

The Electoral Boundaries Commission is changed in terms of numbers and format. We will have at least two members who are residents of a city, two members who are residents outside a city, and chaired by a judge or retired judge. The function of this commission would be to make proposals as to the area, boundaries, and names of the electoral divisions. The commission is appointed after every second general election but not less than every eight years.

Once the commission has made its deliberations, it is to report to the Speaker within nine months setting out the proposed boundaries that they have determined from their deliberations. They may hold hearings before they make that report, but they must hold public hearings after the report has been public. They may then make amendments, but any amendments that are made must be made within six months, and you in your office of Speaker would publish the final results in the *Alberta Gazette*.

The report of the commission would then be submitted to the Legislative Assembly, if sitting, and, if not sitting, submitted within seven days after the start of the next sitting. If the Assembly agreed with the commission proposals, a Bill would be introduced, and the Bill would come into force on proclamation.

Probably the portion of the Bill that will engender the greatest debate, because it is of course the most significant change, is the redistribution rules. The Bill sets out that there will be 83 electoral divisions, as we presently have, and that they be divided into 43 single-municipality electoral divisions and 40 multiple-municipality electoral divisions. I think even the change of name from rural or urban designations is of significance, because I think we have to get away from trying to cast members sitting here as urban members or rural members.

I reflect on my own riding. I believe that prior to 1986 Camrose constituency was called an urban constituency. It contains the city of Camrose, which at that time was somewhere around 10,000 and now has 13,000, but I have a very large, significant number of towns, villages, hamlets, and farm or acreage population. But I don't look at myself as being a rural member, only representing or trying to understand rural issues, or trying to be an urban member and only trying to understand urban issues that may relate significantly to Camrose but not to the people outside. I am a multiple-municipality riding. I have five counties; I have a number of hospital boards, a number of school districts. I try to represent each of my constituents, no matter where they happen to live, whether it's within the urban boundary of Camrose or the rural boundary of some county. The debate has gone on to try and depict a constituency that may be formulated that has part of an urban centre and part of a rural component – that that makes that member different or less knowledgeable or less able than somebody that's purely urban or somebody that's purely rural. I don't agree with that, but I do agree with the principle of the report, which is now a principle of this Bill.

In determination of these boundaries the Bill sets out five factors that the commission should consider:

1. Sparsity and density of population
2. Community interests including Indian reservations, Metis settlements, special areas and improvement districts
3. Number of municipalities, school boards, hospital boards and other configurations that may be present
4. Geographical features including existing road systems
5. [To make] understandable, clear boundaries.

11:10

The population of the electoral divisions, of course, is germane to formulation of the new boundaries. The Bill recommends that the population of at least 95 percent of the 83 electoral divisions shall meet, at plus or minus 25 percent, the criterion of variation from the average. "The population" means the most recent federal data at the time the commission is appointed, and I think it's significant that the Bill is using population rather than enumeration so that we can be sure the configuration of these boundaries includes all the residents and not just those of voting age. Up to 5 percent of these 83 electoral divisions may be given special consideration, with a variance to minus 50 percent if four of seven criteria are met.

It's significant, when you listen to the criteria, what is given to the commission to ensure that a particular boundary can be construed or structured such that the people will have continuity and will have the opportunity to be represented by a member who will not be unduly burdened in comparison to other people in the ability to represent these people:

1. Total area of electoral division over 20,000 square kilometres

That's one consideration.

2. Total settled [or] surveyed area over 15,000 square kilometres
3. Communication and transportation: at least 1,000 kilometres of primary and secondary [roads be a consideration]
4. Community and diversity of interests of the inhabitants
5. Distance from capital at least 150 kilometres [or greater]
6. No population centre over 4,000
7. Sudden and dramatic loss of population, due to economic factors, as indicated by comparing the previous and current Federal Census.

If four of these seven characteristics are present, the commission can then give consideration to a variance from the plus/minus 25 variation from the mean.

Mr. Speaker, I think the Bill enshrines principles that will, yes, result in change but will bring fairness and equity to the population of the province.

Thank you.

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

MR. MARTIN: Thank you, Mr. Speaker. I'd like to make a few comments about Bill 57, the Electoral Boundaries Commission Act. The Attorney General has just finished saying that it enshrines principles. I guess the bottom line when you look at a Bill that deals with electoral boundaries is that it deals with the very basis of democracy. One must ask a couple of questions. First of all, is it fair? Secondly, is it democratic? I have to say to you that, as far as I'm concerned, the answer to both in terms of this Bill is no. It is not fair and it is not democratic.

Mr. Speaker, I would remind this government – and I will come to this in a little more detail – that one of the considerations, at least the paramount one that seems to go through in terms of their arguments, is that the rural MLAs will have a fair amount of distance to travel in representing their constituents. I for one accept that as a reasonable argument for that side of the position. However, it's not just the work. When we have elections, it is not just the work of the MLAs in the ridings. We are electing or defeating governments to sit here. If you follow and enshrine the principle of this Bill, it would be very easy for a minority of the voters to control the Legislature of the province of Alberta. I ask you: is that fair; is that reasonable; is that democratic? I say that clearly it is not.

Let's just take a look at Bill 57 and what it really means. Just look at the two major cities, Edmonton and Calgary. As of this time right now – and we're looking at least eight years in advance with this Bill – 51 percent of the population resides in those two major cities. It will probably get worse. Even the Tories admit that with the rural depopulation, even in their documents, and in eight years that will be worse. But even now that means that they have, under this Bill, 43 percent of the seats. To put it in a different perspective, taking the same figures, if the urban ridings were all somehow made totally equal in population, the ones in Calgary and Edmonton, they would be 17 percent above the average, while the rural ridings would be close to 20 percent below the norm. I say to you that that is going far too far in terms of worrying about the distances MLAs have to travel. Again I say that it is undemocratic and unfair to the urban dwellers, especially in our two major cities.

Now I can try to sum up the government's arguments, at least as I understand them, Mr. Speaker. I heard the Deputy Premier talking about the American system: you know, that if you moved towards representation by population, or in other words your vote and my vote are relatively equal, somehow that was un-Canadian; it was somehow following the American system. Well, what absolute nonsense. That's absolute nonsense. One

of the prime considerations in Canada has been representation by population. Otherwise, why even have elections? Just have a few oligarchies that run the country. That's very much part of Canadian history. There's no doubt about that. There are other principles, and I'll come to that, but representation by population is probably the most fundamental principle we have in democracy not only in this country but any other country that calls itself a democracy.

Also, the Attorney General talked about: gee, we shouldn't be having rural/urban splits, and we shouldn't look at it that way. Well, I agree with him, but who is creating it when we do this? It's this government, and it's Bill 57. If you don't want to get into that rural/urban split, just say to your commission: "There's 83 seats in the province. Using rep by pop as one of the considerations, you go and decide the boundaries." When they start to say that there's 19 seats in Calgary and there's 17 in Edmonton and lay it out the way they do, they're the ones that are creating the rural/urban split. That's the reality of it. Why not just say 83 ridings and go on from there?

Now, as I said, the only valid argument I've heard for moving away from rep by pop is the distances that rural MLAs might have to travel in representing their constituents. I recognize that as a difficulty, Mr. Speaker, but it certainly is not as important as rep by pop. So we have taken a position here. We can look at this. There can be slight leeway, if you like, but not when you're getting the differences that we're talking about of almost a half in one riding to another. With this Bill it could even be worse. That's the reality. That's going beyond concern for the distances of the rural MLAs. What about the concerns of the majority of Albertans who happen to live in urban areas, Mr. Speaker? Again I say that if they're worried about rural/urban splits, say there are 83 seats there and let the commission figure it out. That's the way to do it.

11:20

Now, Mr. Speaker, the reason we had this particular group go around the province was that there was apparently concern, rightfully so, about the McLachlin decision in British Columbia. Now, they've taken, frankly, a very narrow view of the McLachlin decision to come with what they're saying about Bill 57, the Electoral Boundaries Commission Act. The McLachlin decision did say that there could be up to a 25 percent variance, but she never indicated that this should necessarily be the rule. What is very clear if you read through that is that that should be the exception.

MR. DAY: You didn't read it, Ray. Read it.

MR. MARTIN: I read it, and I can read, unlike the Member for Red Deer-North, Mr. Speaker.

MR. SPEAKER: Hon. members, the issue is of sufficient import. We don't need the heckling back and forth. Hon. Member for Red Deer-North, you yourself rise to the occasion when other people are busy heckling you, so please be good enough to listen in silence.

The Hon. Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. I should not have said that he can't read. I know full well he can. It's how he interprets his reading that I worry about.

But the point . . .

MR. DAY: Mr. Speaker, will the member entertain a question?

MR. SPEAKER: Leader of the Opposition, do you wish to entertain a question?

MR. MARTIN: Mr. Speaker, I'll entertain questions when I'm finished what I have to say, if he'll wait.

The intent of the McLachlin decision was not to say that the two extremes between rural and urban should be close to the 25 percent variance. What is clearly meant by it is that that is the outer limits, and I can accept that. But what we have done in this Bill is enshrine that it will be close to those limits between rural and urban, and that's what's wrong with it.

Give credit where credit's due: it was sent as a suggestion from the Liberal leader to the Deputy Premier. We are at least going to have, I understand, the court rule on this. That's why we wouldn't want to prolong this: because we want the court to rule on it. But I for one will be surprised if they say it's acceptable that rural ridings can be half or even less in terms of population than urban ridings and that doesn't affect the Charter. I'd be very surprised.

But let me move from there to what I believe is the reality of Bill 57. Let's call a spade a spade. What would happen if we moved closer to rep by pop is that a number of Conservative MLAs would lose their seats because those seats would no longer be there. That's the reality, and I don't think anybody can deny that. So I say that the philosophy going into this Bill 57 is partly a desperate attempt to hold onto those ridings, and I would also say that somehow the government believes at this stage of their development that they're somehow more popular in the rural areas than they are in the urban areas. I would just say to them, Mr. Speaker, they're not popular anywhere, so it doesn't matter. If they think this is the only answer to holding the rural areas, that somehow we attempt to move in with an unfair Bill. . . . Rural people are not foolish; they will understand this for what it is. I say to you that this is more political than it has to do with the reality of finding fair and democratic boundaries.

If we want to worry about rural Alberta, which we definitely should, and there's no doubt about that, let's look at our agriculture policies. Let's look at the fact that the government's own records indicate that between 1981 and 2001 – and it's probably been accelerating lately – there'll be 93,000 people . . . Let's worry about policies that affect rural Alberta. Let's put in good representation. Today we had an example of that. One of the rural members asked the Minister of Agriculture about the farm credit stability program that he says worked very well. He was making representation. The minister said that's the end of it, Mr. Speaker. So how is this going to help rural Alberta, have a bunch of rural backbenchers when the minister won't even listen to his own government? So the reality of dealing with rural Alberta has to do with policies here, and it has to do with listening. It does not have to do with setting up more seats. That's not going to solve the question.

Now, Mr. Speaker, I say to you and through you to the Legislature that this is an unfair, undemocratic Bill that does not deserve to be passed. I can tell the members here – the Minister of Education isn't here, but I'm sure the Liberal leader will back me up – that when we were at a forum in Calgary yesterday this very matter was raised. I think I can say that, universally, people in Calgary saw this as unfair and undemocratic, and they're going to send a message about this. They don't like this Bill. It's not only going to be the government; all sorts of other people are going to be in court. It's going to be messy. We're going to deal with the Charter of Rights. Instead

of doing it right here to begin with and bringing in a fair and democratic Bill, that's where it's going to end up. That's the tragedy: in the courts. As a result, instead of us making the decision, it's going to be the courts that make the decision, and that's, I say, unfortunate. If it had been done right the first time, that probably wouldn't be the case.

In conclusion, along with the people in Calgary the voters in Edmonton-Strathcona, I can tell you, are very interested in this. They're very interested in the fact that they are going to be considered second-class citizens, and their vote isn't going to be the same as somebody else's that lives somewhere in other parts of the province. They're very interested in that, Mr. Speaker, and I think you'll find this government will get a message about that on December 17.

Thank you very much.

MR. SPEAKER: The Member for Edmonton-Glengarry, the leader of the Liberal Party, has a commitment in another . . .

MR. DAY: My question?

MR. SPEAKER: The question now?

MR. DAY: Yeah.

MR. SPEAKER: Thank you. Red Deer North.

MR. DAY: I wish to thank the member of the Official Opposition for entertaining the question. It's based on his remark where he said Justice McLachlin said that 25 percent would be an exception, where it clearly says in the court ruling that 25 percent in fact is reasonable and a tolerable limit. My question is: has the member of the Official Opposition read the entire McLachlin report, all 63 pages, the entire report? Because it's near the end of the report that she says that.

MR. MARTIN: I've read precisely the point that he was talking about in the McLachlin decision. If I may say so, what I am suggesting she did say – I'm not denying the 25 percent in there nor did I – but she did not indicate through the spirit of that decision that it should be at the extreme limits. That was the outer limit, Mr. Speaker, and that was my point.

MR. DAY: Thank you.

MR. SPEAKER: Thank you.

The Leader of the Liberal Party.

MR. DECORE: Thank you, sir. Mr. Speaker, the Liberal opposition does not support this particular legislation, Bill 57, the Electoral Boundaries Commission Act.

Before I start, I wish to give credit where credit is due, and that is to acknowledge that the Leader of the Opposition and I met with the Government House Leader, and the suggestion was put forward that the government consider a reference to the Court of Appeal of our province. Now, a lot of Albertans, I think, don't understand that process. The process is one whereby the government and only the government, under the rules of . . . [interjections]

MR. SPEAKER: Order in the whole group. Clover Bar, thank you.

MR. TAYLOR: He hates knowledge.

MR. SPEAKER: Thank you too, Westlock-Sturgeon.

MR. DECORE: Mr. Speaker, I think it's important to put on the record this initiative that the Government House Leader has taken, and that is to have this matter referred to the Court of Appeal on a reference. I was about to say that perhaps many Albertans don't know how that procedure works, and perhaps just a moment to explain it so the record, when it's checked, will give some explanation.

11:30

The reference is a method whereby the government and only the government – the Leader of the Opposition or the leader of the Liberal Party or a private citizen doesn't have the ability under the judicial proceedings of our province to put a reference to the Court of Appeal. A reference is simply a series of questions that is sent to the highest court of our province that not only says "What do you think about this situation?" but "What principles are you telling us, court, that should be included in legislation?" Now, I said I'd give credit where credit is due. I'm delighted that the House leader and the government have agreed to send this legislation up for that reference. As I understand it from the Government House Leader, he has invited the Leader of the Opposition and the leader of the Liberal Party to make suggestions, to participate in the questions that will be put to the Court of Appeal.

I wish this initiative had been taken earlier. I wish the chairman of this select committee had immediately come to this Legislative Assembly and said, "Look; I think we can move this process along very quickly, and I would like to suggest that instead of wasting a lot of time, we get the reference in very quickly to the Court of Appeal and find out exactly what the principles are that need to be embodied in the legislation." That didn't happen and wouldn't happen because of the very rigid nature of the party discipline that was imposed in the operation of this particular committee.

Mr. Speaker, the experience that the Leader of the Opposition and I and the hon. Minister of Education had yesterday in Calgary at a town hall meeting I think bears some discussion. The issue of electoral boundary reform came up at a meeting of some 300 Calgarians, and the Leader of the Opposition is quite correct when he said, at least the way I saw it and the way the Leader of the Opposition saw it, that there was very overwhelming opposition to what this legislation contains. I'm surprised at the comments that were made by the hon. Member for Calgary-Foothills in condemning the Liberal representative on the select committee, personally condemning him, and trying to justify, as that hon. member did, how this could be fair and reasonable to Calgarians when the fury of what we heard last night from Calgarians clearly indicates that they do not like this legislation, they do not consider it to be fair and equitable. I think the hon. Member for Calgary-Foothills is going to have to do some explaining to Calgarians and particularly her constituents, who I think fall into the same category of being very angry, sharing that fury against this legislation which is not fair and not equitable.

Mr. Speaker, last night the hon. Minister of Education made an extraordinary comment at this town hall meeting. He said that it was unfortunate that the courts had to get involved at any stage, as I interpreted the comment, in somehow setting the record straight as to what should be done on electoral boundary reform. If we didn't have the courts, if we didn't have Madam Justice McLachlin deciding this particular case, this gerrymandering that's clearly part of this Bill 57 would be even worse

than it is. It is only the Charter of Rights and Freedoms that was used in that B.C. case to protect British Columbians from the kind of gerrymandering Premier Vander Zalm was engaging in and, I think, this government would like to engage in and to a degree is engaging in. An extraordinary comment, when it is the Charter of Rights and Freedoms that says that a vote of one individual should as near as practicable be equal to the vote of another individual. That's basic to our parliamentary system. People go into revolutions. The Americans went into a revolution over this very principle of representation by population. A vote should equal the importance of another vote. There shouldn't be elitism. There shouldn't be somebody more equal than others in a country or province or city or school board or anything. So you start with the basic principle that there must be representation by population. The Charter of Rights and Freedoms, which was enshrined in our Constitution in 1982, says that a vote is equal to another vote.

Now, Madam Justice McLachlin's decision – by the way, she's an Albertan, as I understand it, a gold medalist from our university, who became the highest justice of the Court of Appeal of British Columbia. The reason this court case is so strong, so significant, besides the fact that she's highly regarded by jurists in Canada, is the fact that she has gone on to the Supreme Court of Canada. So she's one of nine jurists of our country regarded by the legal profession, those who observe things that happen in the judicial circles of Canada, as being one of the top legal people of our country. This is a powerful decision that came out of British Columbia. That justice had to grapple with the problem of representation by population and the issue of geography. It's difficult to get to people and it's important that MLAs have the opportunity to spend time and be accountable to their constituents, so she determined, insofar as British Columbia was concerned, that this plus or minus 25 ratio was a good way to go.

My fear is that in this rigid, party disciplined committee system that has brought forward the principles that have been the basis of Bill 57, we're going to get some very interesting skewing, and I think the skewing is going to be to the detriment of the urban communities and to the advantage of the rural communities. I think you'll see it is more likely that the majority of urban seats will be at the high rate, the plus 25 percent over and above the mean, and the rural communities will be at the minus 25 level. I think that starts to tinker in a very bad way, a very profound way, with the principle of representation by population. It's a skewing; it's a gerrymandering; it's not the right way to go.

To accomplish the scheme or the plan of the government we have this idea of fingers – somebody's called it the Getty fingers – coming into urban communities of Edmonton and Calgary. I think this is the worst part of this legislation. When the hon. Attorney General talked about how an MLA would be regarded less able – I mean, I've never heard that debated anywhere, never heard somebody say that somebody would be less able. That's not the issue here. The issue is that you mix apples and oranges. The issue is that somebody from this particular city representing Edmontonians deals with issues that are very different from the issues that are dealt with in rural Alberta. I think part of the strength of accountability in the democratic process is that the MLA understands those local issues, relates to those local issues, relates to the people that are concerned about those local issues, and properly represents them. That's why this is unfair.

11:40

Mr. Speaker, I'm not and our party is not pleased with the suggestion as to the composition of the commission. It is our belief that the commission should have been struck very independently, totally independently, perhaps by having the Chief Justice of our province pick the people involved. That's the way it's done in other places. But no, here we have the Premier of the province picking two people, and I'll bet you a dollar to a doughnut that those two people end up having great sensitivity to the Progressive Conservative Party. I'll bet you a dollar to a doughnut it's probably going to be skewed another way as well. Then it says that the Leader of the Opposition and the leader of the Liberal Party must confer on the last person. This is not fair. This is not equitable. This is not the kind of fairness the hon. Attorney General was talking about when he said this legislation was fair. It is not fair in that regard.

Urban communities that have these Getty fingers or Conservative fingers going into them is not fair. It is not fair that 1986 as the datum mark for population determination is used. It's my understanding that the major cities and major towns of our province have good population statistics on a yearly basis. They need to have those population statistics so they can deal with the provincial government and get the kinds of grants and advantages from the provincial government that come on a per person basis. So it's in the best interest of communities to have a clear knowledge about how many people are in their communities. I can tell you, Mr. Speaker, that Edmonton-Glengarry has undergone some substantial growth since 1986, and we should be able to use the statistics of the city of Edmonton or Calgary or Medicine Hat or Lethbridge or Grande Prairie or Vegreville and get these population figures more tightly put into place.

Mr. Speaker, the data that is sort of loose on population is not acceptable. Our party does not accept this legislation, cannot vote for this legislation, will make amendments to attempt to fix it up, to make it fair and equitable, and I guess in the long run hopes for the best and knows that the courts of our province will have to clean up the mess the select committee couldn't do.

Thank you.

MRS. BLACK: Mr. Speaker, I was wondering if the leader of the Liberal Party would entertain a question.

MR. DECORE: Sure; why not?

MRS. BLACK: Mr. Speaker, I'd like to inquire as to whether the Liberal Party still agrees or ever did agree with the concept of triple E Senate.

MR. DECORE: Yes.

SOME HON. MEMBERS: Out of order.

MR. SPEAKER: Hon. members, it's not for you to decide whether it's in order or not. Got that straight? Thank you.

MR. DECORE: The answer was yes.

MR. SPEAKER: Thank you, leader of the Liberal Party.

Now, those who wish to participate in debate. Calgary-Foothills.

MRS. BLACK: Thank you, Mr. Speaker. I'm pleased to participate in the debate on Bill 57. I agree with the leader of the opposition party. I think some of the questions you have to ask are: is it fair and is it democratic? I disagree with his answer, because I do feel it is fair and democratic. In fact, it's not only fair; it's more than fair. When you look at this Bill and you deal with Alberta, you realize that there are S3 constituencies in this province and every one of them is unique and distinct by nature. Both opposition leaders have recognized that. You cannot compare a Calgary-Foothills to a Calgary-Millican, to an Athabasca-Lac La Biche, to an Edmonton-Avonmore, because each constituency is in fact unique because of the very makeup of the people within the constituency. Therefore you have to determine what is fair. So unfortunately, or fortunately, because of the distinctness and uniqueness within our province we don't live in a plastic environment where you can plunk down little plastic cubicles and place people in those plastic cubicles and that would be absolute.

I believe we have moved in a direction that is positive for all. When you look at other jurisdictions within Canada, you can see that we were out of sync. We were using enumerated voters to be the basis of our redistribution. Most other jurisdictions, other provinces, and even the federal government had moved long ago to using full population, because we do represent all people in Alberta whether they are eligible voters or they have chosen not to be enumerated or are ineligible voters or new immigrants to this country. It is our obligation to serve them all. So I think that's a very positive move for Alberta, to move to using full population numbers.

I don't disagree with the leader of the Liberal Party that there is some concern over 1986 census numbers. I have a concern about that because I come from a large metropolitan area, but unfortunately reality had to enter into the situation. Those are the only numbers we have available to us. To suggest that we wait for the 1991 federal census to take place is not realistic because those numbers would not be available to us in Alberta until 1992, which would not allow us to have our electoral boundaries in place prior to the next general election in this province. So it was the committee's recommendation, and consensus had been reached at one point, that we would use the best available information of the day, and that was the 1986 census numbers. But also, as we talked in the report the other night, we put in a proviso that we instruct the Chief Electoral Officer to report any major variations to the Legislature. We do have the ability in this Legislature to amend and update legislation; that's what we're here for. I think it's important to remember that.

When we looked at the commission – and in this legislation I think it's very good. I was a little surprised a moment ago to hear the leader of the Liberal Party suggest that his party supported the concept of the Chief Justice selecting the membership of the commission. Well, if anyone wants to refer back to the report filed in this House this week, page 66 identifies the options that were brought forward to make up the commission. Surely if he felt that strongly, he would have given that information to his member on the committee and that could have come forward, but it's not one of the suggestions here. So I think he thought about that this morning.

MR. BOGLE: Liberal inconsistency.

MRS. BLACK: You're right. The Member for Taber-Warner has reported the inconsistency again, and he's absolutely correct.

Certainly there was ample time to bring that information forward, but it did not come forward. I think there were six options that were presented and debated, and the best were selected. I don't know how you could feel that a commission that is made up of a judge or a retired judge, the Chief Electoral Officer, and three citizens at large, two of which must be from the cities and two of which must be from outside the cities, is not fair to all. Surely no one questions the integrity of the judicial system in this province, surely no one questions the integrity of the Chief Electoral Officer in this province, and surely to goodness the leaders of the parties will select the best people for the job.

I think it's important to look at the commission having a time frame in which to report back to this Assembly. That used to be 12 months. I think everyone is anxious for this process to be completed, and it has been reduced to 9 months for an interim report. I think it's equally important that instructions have been given to the commission to conduct public hearings at least after the interim report has been filed, because this affects people. It not only affects us in this Assembly but affects the people back home, and they have to have the opportunity to be heard before the commission when drastic changes are anticipated.

11:50

I'd like to skip over to the redistribution side, Mr. Speaker. Throughout the process of having the privilege of being a member of this committee and having the privilege of touring Alberta and educating myself on Alberta, I found I was confused at many of the hearings because I left them feeling: what is representation? It wasn't defined anywhere. I thought I had an idea, but until I got out to those hearings I wasn't quite sure what representation really is. Why are we here and what are we supposed to be doing? Nothing is defined in our legislation or in our Constitution. But I found that I looked at it and listened to the people. I thought they were saying that we have to have access to our MLA – that's important – because we have to be able to see our MLA, communicate with our MLA, and give our MLA our thoughts and ideas. But then I left there and thought: that's only half the equation; the other half is that if you're going to represent people, then the MLA had better be able to access people back home as well, the MLA had better be able to go back to the people and have consultation and advisory groups and sit down and chat with people because they have to represent those people in this Legislature. If they don't do that, then they shouldn't be here. So I think that became a philosophical concept I had to sort out. What really is representation?

Well, then reality hit again. I looked at the province and looked at areas such as Athabasca-Lac La Biche. It doesn't have the large population base Calgary-Foothills has. In fact, I should probably be screaming because I have such a large population base. But I can get into Calgary-Foothills and get to my people, and my people can get to me. When I looked at Athabasca-Lac La Biche – and one of our colleagues was on the committee – reality hit again. He deals with five councils. He has 26 schools. He has five Indian reservations and settlements. You know, to get around his riding is almost impossible in a week. He can't do it because of the lay of the land, the roads, the weather conditions, et cetera. I also found that when I looked at my own riding, I realized I was very fortunate and the people of Calgary-Foothills have been very fortunate because we do live in a large metropolitan centre. I have to be honest. Many a time when I came back from hearings in the outlying areas, I stopped my car at 64th Avenue in Calgary and said,

"Thank God I live in the riding I live in and the city I live in," because I had benefits and opportunities for my people that could not realistically be provided in the outlying areas; they did not exist.

I looked at Calgary and thought: "What's fair to Calgary? How do I go back to Calgary and say we only require 19 MLAs"? I thought about that. We have 18 MLAs now and we service one municipal council – a very large one and we have a very large responsibility there, but we presently have 18 of us doing it and we will have 19. That gave me some concern if we went any further than that, because we only have 14 aldermen serving the exact same population base as 19 MLAs now. We have two school boards. How many MLAs do you require to service two school boards? The comment was made that Calgary could be shortchanged. Well, I know from experience in this House that when an issue in Calgary arises, the representatives from Calgary certainly consult together and work together to represent the interests of Calgary. I would imagine the same happens with the representatives from Edmonton, that they work very hard together. But my friend from Athabasca-Lac La Biche works all by himself. He then has to be the lone soldier to come and gain support from the rest of the caucus and this Legislature. The concept of saying that urban Alberta is being shunted for rural Alberta is quite clearly nonsense, because in the public hearing process rural Alberta felt they were being shunted by the urban people. That led the committee's recommendation to the concept of eliminating urban and rural in this province, because each felt that the grass was greener on the other side of the fence when clearly we as representatives know that it is not. All MLAs work equally hard and have as many burdens as one another. They may be in different directions or different areas, but no one is immune to the workload of an MLA in this House.

When we separated out the concept of urban and rural, which actually came as an initial recommendation from the Liberal member of the committee, we were trying to determine, Mr. Speaker, what would be a reasonable classification for legislation. We decided multimunicipal electoral districts and single municipal electoral districts would be a connotation that would not be urban and would not be rural.

I was interested to hear today that the Liberal leader and the Leader of the Official Opposition had already determined where the boundaries are going to be. I didn't know they had been appointed to the commission. I was a little surprised at that. They've determined that this boundary will be drawn here and this boundary will be drawn . . . In fact, they did it long before the report ever came out. Anyway, I was a little surprised that they were determining where the boundaries are going to be shown. I find that absolutely amazing. They've come up with numbers and said that Calgary will be 17 percent above the mean. Gosh, I didn't know that. I don't know that that's accurate. I was under the impression the boundaries had not been drawn yet. Today in Calgary, Calgary-Elbow is already 17 percent below the mean. Calgary-Foothills is about 28 percent above. So there are going to have to be some dramatic changes in Calgary and Edmonton. But I certainly haven't drawn the lines, and I don't know how they could have drawn the lines.

They felt that the results of the McLachlin case in British Columbia were not fair. Justice McLachlin clearly stated that democracy is not pure. It's not plastic; reality has to come into it. She clearly said that the position of allowing for 25 percent variance was "because equality of voting power is so important, it is appropriate to set limits beyond which it cannot be eroded . . . such as the 25 percent limit applied in Canada." She

goes on to say: I reject the petitioner's submission of section 3 of the Charter because it requires absolute or as near as practical to absolute equality within electoral districts. She emphasizes that that is not what the Charter says.

[Mr. Jonson in the Chair]

In fact, the Charter, section 1, says:

The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

I have been looking through this. In fact, the pages of my copy of the Charter are really bent out of shape. I have been looking for the terms rep by pop in this Charter since I started on this process and they are not in the Charter of Rights and Freedoms for Canada.

Section 15, Equality Rights, guarantees – and it's important to remember this – "equal protection and equal benefit of the law without discrimination." Now, how can you sit back and realistically say there is equal benefit *in* this province when you can drive into some communities where the roads are dirt, the school bus can't go down the road if it's been raining, it can't go down the road if it's been snowing, and then you can drive through Edmonton and there are paved roads all the way through it? Where's the equal benefit? There is no equal benefit to the children trying to get to school; there's no equal benefit to the man trying to get his wife to the doctor or trying to get to the marketplace. How can you say there's equal benefit? That's why I think we have to look at something that is realistic, realistic from the sense that all people in this province must have fair representation.

12:00

I also go back to the concept of the other provinces, and I go through them: in British Columbia, plus/minus 25 percent with exceptions made; Manitoba, plus/minus 25 percent north of the 53rd parallel; Nova Scotia, plus/minus 33 percent; Newfoundland, plus/minus 25 percent except Labrador. All of the jurisdictions are gearing towards plus/minus 25 percent, and that's reasonable. I don't think it is unreasonable to expect that Alberta should recognize what other jurisdictions have done and stick with it.

I think it's important that the legislation specify and give pure direction to the commission. I think that's fair to the commission and a responsibility we as legislators have to assume. That's what we're sent here for. So I think the specific instructions of 43 single-municipality electoral districts is imperative, that it stay in the legislation. I think it's important that we don't leave the commission making the rules. As the Leader of the Official Opposition indicated, we quite often have left the courts to make the decisions. The decisions should be made in the Legislature. We have to assume that responsibility, not leave it up to an appointed body.

I think it's also important that when you look at a variance such as plus or minus 25 percent – and the opposition parties may be surprised that the variance could be quite a bit smaller than they're viewing it to be once the commission has drawn the boundaries. If in fact it takes in the spirit of the committee's report of trying to eliminate the urban/rural split, you may see that variance quite a bit smaller. I think it was important in this legislation to have some criteria listed, some criteria that would allow the commission some guidance in determining those boundaries, such as "sparsity and density of population," such things as "desirability of understandable and clear boundaries."

That's important, because I think all too often lines get drawn and they aren't realistic lines. I think we have to have those.

I think it's important also to recognize that, again because of the uniqueness and distinctions and disparities within this province, there are going to be some ridings that will not, through geography, population base, sparsities, et cetera, be able to fit into even the 25 percent area yet still require representation. I think it was important that we allow, as most jurisdictions have, in fact all of them, a variance from that 25 percent range.

We went a little further than they did in British Columbia. We talked about putting a number on it, 5 percent. Now, that means that the commission may or could or has the option to allow – I stress: may allow or can consider – that four ridings could fall outside the plus/minus 25 percent range and go up to as much as 50 percent. But if they do, and it's important to remember this, there are seven criteria listed in the legislation, and any riding that falls beyond the 25 percent range must have met at least four of the seven criteria. In other jurisdictions it's at the whim of the commission. In this legislation it's tight. I think that tightens up the ruling from Justice McLachlin, because she allowed four to have a 25 percent variation and, in certain circumstances or special circumstances, the commission could go beyond that, and it was not justified. I think it's important that that be justified and clearly justified. That's why this legislation shows seven criteria and four must be met if the commission deems that any should fall outside the 50 percent range.

Mr. Speaker, I think this legislation is fair. It's based on a report that the special select committee put together. We talked about objectives and themes within Alberta, and we talked about how to proceed. If you look at Alberta, we've had a funny history. We've had people that have run for election in two ridings and won in both; we've had dual membership ridings; we've had people that have been at war and held their seats. We've had a tremendous change in our historical pattern in Alberta. If you look at Alberta historically, and again we get back to Calgary and Edmonton, in 1971 Calgary and Edmonton held 51 percent of the population in this province. Today, in 1990, Calgary and Edmonton still have 51 percent of the population in this province. The only difference there is that Calgary is now larger than Edmonton. We've seen a shift again in representation, where at one time, way back, Calgary had two members at large and Edmonton had two members at large; they didn't even have a riding. Back in 1971 they had 51 percent of the population and 38 percent of the MLAs in this Legislature. Today they will have almost 44 percent with 51 percent of the population. I think it's important that people recognize the shift in Alberta clearly, from where we had, way back, two members at large to now, when Calgary and Edmonton have almost 44 percent of the representation in this Legislature.

I think it's also important to recognize that there have been other shifts that have taken place. In the past we had other parties in this Legislature, and when the Conservatives took power in the early '70s, we saw the people back and fall behind the Conservatives for support. That really hasn't changed. We hear a lot of talk from the opposition parties that we're a party of rural Alberta. Well, that's nonsense, absolute nonsense. Of the 16 urban centres in this province the Progressive Conservatives hold 15, and that's fair. Really, Mr. Speaker, the only place that we don't hold the power base is in Edmonton, but quite frankly in the other urban centres the Conservatives are elected time and time again because they represent the people, and that's important to remember. The other parties are not out in

those centres, so they don't represent those people's interests. The Conservatives do, and the Conservatives do it time and time again.

I think it's also important to say that this has to be legislation that will deal with the province as a whole. We have to look at what is reality in this province. We have to recognize that there are very distinct regional interests within this province, and we have to recognize that all of us have to be on a learning curve to recognize those regional interests. I know I certainly have. I had that benefit on this committee.

I think it's important that we also say that in Alberta we have been taking the brunt of not having regional representation in this country for many years. I can remember on a federal election night sitting at the television set after working 62 days in an election, pounding the pavement to elect a Conservative member, and turning on the TV set only to see that the election ended at the Ontario border. It really didn't matter how many Conservatives we sent down from Alberta, because the decision was made at the Ontario/Manitoba border. In fact, they didn't even record the results from Saskatchewan and Alberta that same evening.

As a result, Albertans stood up and said: "We're not going to stand for that. We want to have some equity and fairness and regional representation in our federal government." I can remember my grandfather and everyone else yelling about this, so I don't know how many years ago it started, but I don't remember it not being there. Bert Brown led the troops with the triple E Senate concept, which led to a lot of uprising in Alberta and western Canada for regional representation. The triple E Senate concept came out.

12:10

I would say to anyone that does not recognize the importance of regional representation in Ottawa and in this province that maybe they do not believe in the triple E Senate concept. Certainly that triple E Senate concept is clearly reflected in this legislation and in this Bill, because it gives opportunity for representation from all regions in this province. That is something we believe in. In fact, we even elected our first Senator last year. Anyone that does not believe in that I think maybe should have been silent in the past. I would be surprised if anyone in Alberta who is an Albertan, who's been in Alberta for a number of years, or even people that are new to Alberta, could honestly stand up and say that they do not believe in triple E Senate, because if they do, then this Bill is right.

You can't have it both ways. You've got to have both triple E Senate and regional representation. For those that say one thing on one side of the fence and one thing on the other side of the fence: go home tonight and look in mirror. I learned something very early in life, and it was, "To thine own self be true." If you can't be true to a concept and a belief, then maybe you shouldn't be here.

Thank you very much.

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

MS BARRETT: Thank you, Mr. Speaker. To listen to the last speaker on the principle and contents of Bill 57, one would think that what we're doing here is talking about a fight between urban and rural MLAs. I believe that does not exist. I would ask all members of the Assembly to notify me – and they can interrupt me if they wish to do so – of the last time they were aware that an issue was fought and determined on the basis of



the electoral division from which the member comes. In other words, I must declare that I know of no instance where urban voters stood up on one side of the issue and rural voters stood up on another side of the issue, and I am talking right here in this House.

I believe that the argument that has just been posed to us is fiction, and I believe that the principle of equality is being consigned if not to the bottom of the barrel at least to a remote position on the basis of that fiction. So let's clear up this issue right away. If there is a member who is aware of a vote that saw the majority of people on one side of the issue coming from a rural riding and the majority of the people standing on the other side of the issue from an urban riding, will that person or those persons please advise me? Like I say, I welcome interruption.

Mr. Speaker, I note that I am not being interrupted.

MR. TAYLOR: I've got some.

MS BARRETT: You can think of one?

MR. TAYLOR: Hunting.

MS BARRETT: Would you like to give the example? This has been a very interesting debate, and it has involved a lot of questions. I for one posed a question; I will concede the floor.

MR. ACTING DEPUTY SPEAKER: Order please. Member for Westlock-Sturgeon, please address remarks to the Chair when your turn comes.

Please proceed, Edmonton-Highlands.

MS BARRETT: Mr. Speaker, could I point out a procedural?

MR. GESELL: Mr. Speaker, could I address a question to the member under 482?

MS BARRETT: Mr. Speaker, could I just make a reference to procedure here? Ordinarily, the rule is this: if someone interrupts a speaker and says, "May I have a question?" or something like that, that theoretically gives the questioner the right to the floor for the full time allocation per member. What's gone on here today has been an exercise, I think, of very responsible attitude; that is, when a member had a question and asked the speaker if they would sit for a moment so the question could be posed, that's happened. In the spirit of that goodwill I would suggest that I did invite members to advise me if there was a case, and I would ask that the Member for Westlock-Sturgeon be able to answer that.

MR. TAYLOR: May I ask a question of the member?

MR. ACTING DEPUTY SPEAKER: Order please. The hon. Member for Westlock-Sturgeon . . .

MR. TAYLOR: The question I wanted to ask . . .

#### **Speaker's Ruling Questioning a Member**

MR. ACTING DEPUTY CHAIRMAN: Order please. I would just like to point out to the members of the House, particularly the Member for Westlock-Sturgeon, that he did not stand in his place to indicate that he wanted to ask a question, and I think that's very important. It was merely an interruption of the

debate of the other hon. member. In terms of following the proper procedure, the Member for Clover Bar did stand in his place to make that request, so I would recognize him to make that statement.

#### **Debate Continued**

MR. GESELL: Thank you, Mr. Speaker. Under *Beauchesne* 482 would like to ask the member a question. She has posed the situation of . . .

MR. ACTING DEPUTY SPEAKER: Order please. Does the member wish to accept or proceed with remarks?

MS BARRETT: Oh, certainly.

MR. ACTING DEPUTY SPEAKER: Please proceed.

MR. GESELL: Thank you, Mr. Speaker, and thank you to the member. She has posed the question of where a situation has arisen where the urban voters have been on one side and the rural on the other. I would ask the member to define for me what she understands to be the difference between urban and rural, because there is a large gray area there. It isn't quite as simple as she has put the question, that there is a true urban or rural representation. I would ask her to clarify that.

MS BARRETT: Mr. Speaker, if Westlock-Sturgeon knows of an instance that I was asking about, I'd still ask to hear from him before I carry on with my remarks and respond to the Member for Clover Bar.

MR. TAYLOR: I might have misunderstood the question. My impression was: were there any issues where there would be a distinct rural/urban split? I was going to ask the member if she thought there would not be a rural/urban split on two issues: hunting and wildlife preservation, and the other is the use of water. Now, those are two I'd be interested in comment on. I am on the member's side, but I do think there are rural/urban splits occasionally.

MS BARRETT: Mr. Speaker, I must say I really like the way this whole debate is proceeding today. I don't think I've ever seen . . .

#### **Speaker's Ruling Questioning a Member**

MR. ACTING DEPUTY SPEAKER: Order please. For all hon. members the Chair would just like to comment that since this particular matter of asking questions seems to be somewhat popular today, I would refer members to citation 482 in *Beauchesne* and just read it for the edification of all members. "If a Member desires to ask a question during debate, the consent of the Member who is speaking must first be obtained" and in the proper manner, of course, by rising to make that statement. Without reading the rest of it, I would just draw it to the attention of all hon. members.

Edmonton-Highlands.

#### **Debate Continued**

MS BARRETT: Mr. Speaker, that's my point. This is probably the most sophisticated approach we've had to a difficult debate since I've been a member of this Assembly or since I was a researcher watching from the galleries, and I for one like the way it's going.

I would like to respond to the question put by the Member for Clover Bar by saying this: I'm not so sure one could ever have made a distinction properly between rural and urban, and it is for that reason that I believe the electoral boundaries Act under which we have been operating is unconstitutional. I am quite certain that's one of the reasons the Government House Leader brought this matter to our attention and sponsored the motion. So I agree with the member, if that's what he's getting at.

In response to the Member for Westlock-Sturgeon, I suggest that there's probably a greater homogeneity of opinion about both of the matters he raised – one is hunting and the other is water management – than he was implying. My question really had to do with actual voting, though. I'd like to point out that I have never – and I've been in the galleries since the '82 election, so it's only eight years; it's not that much. In the course of my lifetime it's a lot of time, but, you know, it's not that much. In the course of my experience I have not seen votes conducted on the orientation regarding urban or rural membership. What I have seen consistently, although not exclusively, Mr. Speaker, is that when we rise for a standing vote in particular, we tend to rise with members of our own caucus. Now, there's been the odd time when I've voted with the government, for heaven's sake. There's been the odd time when I've even voted with the Liberals. But generally I vote with the New Democratic caucus. [interjection] Yeah, I even did so on a money Bill one time. I can't believe it, but there you go. It was one of those rare occasions when Dick Johnston was probably right.

MR. ACTING DEPUTY SPEAKER: Order please.

12:20

MS BARRETT: Thanks. Yeah.

Mr. Speaker, my point, I think, is well made.

The other point I'd like to make is this: when you elect an MLA, above all else, above constituency servicing, you are electing a decision-maker, currently one of 83. Now, if you have a riding with a relatively small population entitled to one vote expressed by that member compared to a relatively largely populated riding entitled to one vote expressed through that member, you can see how distortion occurs.

I was a member of the committee that was struck to review the whole matter and help draft recommendations and ultimately the legislation which was brought before us in draft form some several weeks ago. Even though it may surprise people to know this, there was a fair amount of consensus on some of the tricky aspects that we were dealing with. No one ever denied, for example, that if you are dealing with a riding that is geographically large, has several small centres, and is remote from the capital, the hours you're going to spend just driving are going to be enormous. No one ever denied, on the other side of the coin, that if you have a riding that has a very large population, the constituent demands on your time will be greater. So what really needed to be looked for, in my opinion, was a balance that adhered to a principle.

It's been said by the Member for Calgary-Foothills that voter equality is a distortion similar to the distortion that occurs because the population of Canada is dominated by the populations in Ontario and Quebec, but again I have to say that I am not aware of any votes in the House of Commons that completely or even partly broke caucus lines and expressed themselves in regional representation. I doubt that any standing vote will ever uncover such an instance, just as I have already doubted that any standing vote in Alberta would uncover such an instance.

[Mr. Speaker in the Chair]

The principle of voter equality is not one that has to be argued in such fine terms as are contained in American legislation in order to adhere to a principle. The principle can be expressed by words like "desirability." In other words, if you put into your report "... keeping in mind the desirability for," you can achieve a lot. You can have a guiding factor without having an ironclad rule. It is for that that my friend the Member for Edmonton-Belmont and I argued on the committee.

I've drafted legislation over the last eight years that included references like that, and the reason I did it is because what you want to do is keep in mind the importance of ... Whether it was gender parity, regional representation: I've written all of these factors into several Bills that I've sponsored over the years or several Bills that I helped draft for MLAs for whom I was a researcher before. No one ever said, "Gee; you know, you can't do that." I never heard criticism on the floor of this Assembly for expressing the desirability of adhering to a principle. If this Bill said in one section only, in its instructions to the commission, "keeping in mind the desirability of voter equality where achievable," I think I would not fight any other part of the Bill. It is an expression of principle that is critical to the direction we move.

We did everything we could on that committee to convince the majority of the committee that that was essential to the evolution of democracy. We did not want to bind the evolution of democracy to an ironclad rule which would be so unforgiving and unrelenting that it would not respect historical patterns, current patterns, and relevant factors, such as large geographic areas in which there are few and sparsely located people. That was never the intention. Let us make that very clear, Mr. Speaker. I mean, I really shouldn't have to repeat all this, but I'm not one who's going to assume that anybody here is going to read through what must be thousands of pages of *Hansard* from the committee. So I'm summing up basically what it was that we advanced and why we are opposed to this Bill. Like I say also, if there were that one principle expressed, I think I could live with the rest. I wouldn't like it, but I could live with it just because there was a principle enunciated, a principle that I think the advanced world and even the Third World upholds as one of the highest models to which we can aspire.

It's exactly the same sort of argument that women have faced over the years. You know, for a long time when women said, "We want equality," people said, "Ah, quit your griping." Then we achieved a phase where we had done it for long enough and loud enough that people suddenly realized, "Oh, gee, it wouldn't be nice to make a sexist joke," or "I'll control myself because it's not popular." Nowadays most people I think understand the importance of respecting the validity of women as equal partners in all aspects of life. We don't have to fight the principle anymore; we're just fighting the details. I wish it were the same case here, and I hope that a few years hence I won't be doing this; in other words, won't be forced to deal with the absence of a principle.

The problem with a Bill like this, Mr. Speaker, is this: if it does not pass by midnight December 31, 1990, the old rules come back into force. They are even worse. So we have no choice but to let this Bill pass ultimately. Worse yet, we are not able to use one of the two devices commonly used for amending a Bill at second reading. One device is the hoist, which is to substitute in the motion for concurrence that the Bill be not read now but read this day six months hence. That puts us well past December 31, so we can't deal with that amend-

ment. The reasoned amendment would nullify the entire Bill. We would be wiping out every word after the word "that" and saying that we reject this Bill because it fails to uphold a principle that is internationally recognized as fundamental to the meaning of democracy. Again, that would mean we throw the Bill out altogether, and by December 31 the old rules would be back in place.

So I'm not going to sponsor such an amendment, Mr. Speaker, but I'm also not going to allow a fight against a phantom to occur in the context of this debate. It is unfair and historically wrong, inaccurate, and misleading to suggest that in order to have equality, we must allow one group of people in society entitlement to a greater number of members of the Assembly than would otherwise be proportionately theirs if we had a move towards voter equality because votes have split on that basis. That is not true.

I'd like to add one more comment, Mr. Speaker, and that is this: when I hear the argument that a rural MLA, or now what is thinly disguised as a rural MLA under the new name "multimunicipal riding MLA," has to deal with X number of municipal councils and councillors, X number of school boards, et cetera, et cetera, I would point out that wherever you find an instance like this, the quid pro quo does exist from a single municipality riding MLA's perspective, and that is dealing with the number of, for example, community leagues or service agencies and so forth. It's again another phantom fight.

I suggest that people reflect about the principle that should be considered and upheld. I also suggest that members start considering now amendments for committee reading of this Bill and really consider the possibility of inclusion of one reference, and that is that the commission shall keep in mind the desirability of voter equality. All of the other problems would be mitigated if that were to become a successful amendment.

Thank you, Mr. Speaker.

12:30

MR. GESELL: I wonder, Mr. Speaker, if the member . . .

### **Speaker's Ruling Questioning a Member**

MR. SPEAKER: You know, hon. members, this time I think we're going to have some direction from the Chair. I listened outside to the comments being made here, and it's all very constructive. This is the second question being raised by Clover Bar to the member. I think one is probably enough so that we're not getting into trying to deliberately change the course of a member's thought and the delivery in the House.

The request has been made. I leave it up to Edmonton-Highlands to accept.

### **Debate Continued**

MS BARRETT: I would take questions from both of the members indicating a desire to do so. Could I have them in tandem and answer them together?

MR. SPEAKER: Thank you. As always, they will be brief questions, not comments.

MR. GESELL: Thank you, Mr. Speaker. To the member. The question I raised was at the invitation of the member. I would ask the member if she would give me an answer as to whether she believes in the principle of a triple E Senate?

MR. SPEAKER: Thank you. The record shows yes.

Next speaker, the hon. Solicitor General.

Thank you, hon. members.

MR. FOWLER: Thank you, Mr. Speaker. I have enjoyed the debate that has gone on on this Bill, and I have read the *Hansards* of the debate that has taken place while I have not been in the Assembly. My part of the debate will be comparatively short because I want to raise one main point, and that is a belief I have that calculator redistribution does not automatically mean that it is just or fair.

I know that today, Mr. Speaker, when the House adjourns at 1 o'clock, I can leave at the same time as one of our northern members; take any one you like or one that has driven for years. We can go down the same road, and 45 minutes after I leave the Legislature, I will be meeting with constituents at appointments. By the time I am finished with my appointments for the day, the MLA for Peace River will just be arriving home and will not have had the opportunity to meet with one of his constituents. If that MLA, in fact, has appointments in High Prairie, then he will have another three or four hours to drive in order to get to that point.

Surely when we look at representation, there is something beyond representation by population to look to. I refer to the quality of representation that is given. In doing so, I want to say right at the outset, Mr. Speaker, that I am not inferring, and I don't want it to be taken by anybody in this House or in this province, that I question the quality of representation given by any member of all parties in the House: government, Official Opposition, or the Liberal Party. I firmly believe that anyone that seeks elected office, irrespective of what party they come from, does so for the same altruistic reason, and that is a desire to serve the people that they have gone out to ask to vote for them. I believe that very, very much. I have always believed it. Even those that may have opposed me in any given election: I have never questioned their motives for going for election. I have congratulated them and feel fortunate that we live in a country where so many people have a desire to serve in public office, but I think that desire should to a degree permit a quality of representation which in fact brings about, in my view, an equality that is not dependent upon calculator redistribution.

I think of sad events that have gone on in Alberta because of the geography of this grand province, the wide expanses that we have from north to south and east to west. I think how fortunate I am to represent a constituency with a population of 30,000, all in the very tight little boundaries that are there. I can go across my constituency in less than 12 minutes, and that is a shorter time than many of our MLAs in the outreaches of Alberta take to get 10 miles down the road on a 400-mile journey and still be within their constituency. I am fortunate indeed.

Therefore, there is no question in my mind, none whatsoever, Mr. Speaker, that because of the density of the area which I represent, I am in a position where I can in fact represent more people as efficiently as somebody in the far reaches that has 10,000, 15,000, or 25,000 square kilometres in which they have to make representation. It is no different in many sections of southern Alberta. I can be through my appointments for the day or the night before that member, in fact, gets home to his own constituency and even starts his appointments the following day.

Mr. Speaker, there was a time when the Legislature did not meet as long as it meets today. At that time, that MLA had more time within his constituency. That is not the case today. The Legislature seems to meet longer and longer and longer, which takes the members out of their constituencies and again,

because of time, affects the quality of the representation that can be given. A constituent can phone my office, and I can in all probability get back to him or her within an hour, because I'm going to catch them at home or in their office, either in Edmonton or in my home constituency of St. Albert. What happens when persons in the agricultural field phone and can't get through to their MLA? Well in all probability, if the MLA isn't back to them fairly promptly, that phone call will have to wait the night or the weekend or some other time, unless, of course, that farmer may have a phone in his tractor, which may or may not be the case today. They're certainly available, but I don't know a lot of them that do. All in all, it just seems to me that quality of representation because of time must be a factor in representation.

As I indicated earlier, I'm saddened when I think of 1985, when the leader of the then opposition was on his flight back to his constituency, again a very large one. Very lousy weather conditions, a lousy plane ride, and an attempt at landing ended in tragedy. We lost the life of one of Alberta's fine legislators at that time with serious injury to one of our own cabinet ministers who was in the same airplane: a serious, serious loss to Alberta.

Mr. Speaker, that is not the only time that has occurred. The same cabinet minister I referred to was on his very long journey back to his constituency one other time and stopped to assist somebody's constituents – I don't know whose, but they were somebody's constituents – and in fact was mugged right there on the highway and was seriously injured again.

So to pretend that this should not be recognized is ludicrous in my view, and I would ask the opposition members: check with your members from West Yellowhead, from Stony Plain, from Vegreville, and ask them if in fact those constituencies are as easily represented as the ones in Edmonton or in Calgary. I would ask the Liberals to check with their hon. Member for Westlock-Sturgeon to see if that constituency is as easily represented, merely because of space and time.

I think, Mr. Speaker, that the select committee has done an outstanding job in bringing forward this recommendation, and I believe sincerely that they have considered all of these matters in bringing forward this particular report.

12:40

Finally, Mr. Speaker – I indicated that I would not be too long – reference has been made to the Charter of Rights. I would like to remind all members present that what the Charter of Rights is all about is protecting the minority against the tyranny of the majority. There is no other fundamental reason for the Charter of Rights than that, because if absolutely everything could be settled by the majority, then in all probability we would never have required a Charter of Rights. That is the reason it was brought about in the United States of America, and I suggest strongly that that is the reason we have it today: to protect the minority against the tyranny of the majority. I believe that Bill 57, in fact, recognizes that as well.

Thank you.

MR. SPEAKER: The Member for Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. I wanted to say a few words, particularly as I think the hon. Member for St. Albert, that constituency that hopes to divide itself into two overnight under the new system, did mention my name. I think one of the things that we're not hitting on and maybe overconcentrating on is – I noticed the members mentioned the triple

E Senate, and I think it's a good point. Many of the people that would have one person, one vote for Calgary and Edmonton are the same ones that don't want one person, one vote for Toronto and Montreal. And well they should.

There is on the other side, though, in a unicameral system an adjustment that has to be made. Under a bicameral system, where you have a House of Lords and a House of Commons – the U.S. calls it a Senate and a House of Representatives – you can have equality of regions in one House and equality of representation, one person, one vote, in the other House. We don't have that. We just have the one House. Although there is an elite around here, they don't sit in the Senate; they just get government grants. The fact of the matter, though, is that there has to be an adjustment of some sort to recognize that we're trying to put equality of regions and equality of representation into the same House, and I think the committee worked long and hard at that.

We seem to have accepted the 25 percent differential, because I believe Madam Justice McLachlin's report said that 25 percent was permissible. That does leave open whether 26, 29, 30, or 33 percent are permissible also. That may well come in some challenge in the future, but right now there seems to be a general wave across the land that 25 percent is for sure permissible, and maybe we're going further than that. I think to that extent we in the Liberal caucus would like to see us stick to that 25 percent. What this committee is doing, I think, has gone out in two areas, maybe where they shouldn't have, in my opinion. One is that they are making some exceptions, some 50 percent exceptions, I think it is. Secondly, although the Member for Calgary-North Hill mentioned that we've drawn the boundaries, I think that by taking away the part of the old Act that said that in effect Calgary's and Edmonton's constituencies had to be coterminous with the political boundary, you did leave it up for gerrymandering, if you want to call it that, between the rural and urban.

Now, as somebody who has quite a shock of urban people in my constituency – because once they make enough money in St. Albert, they think one of the highest joys of life is to go out and get out from under the Tory rule and buy a few acres in Westlock-Sturgeon, right next door. I welcome these refugees, as I call them. We try to give them good government. It's not a mass exodus, but I have noticed that there are more and more coming out there for those reasons. Nevertheless, I think it would be difficult to represent a riding that was half rural, half urban. I don't think we're moving in the right direction that way. I believe there are issues that are different. [interjections] The members in the back row are saying they do half rural, half urban, but that's the towns.

MR. DAY: Red Deer-North and Red Deer-South.

AN HON. MEMBER: Red Deer is a city.

MR. SPEAKER: Thank you, hon. members. Stop writing the member's speech, please.

MR. TAYLOR: Well, it's all right, Mr. Speaker. They did bring up Red Deer-North and Red Deer-South, but if anybody thinks those constituencies are well represented, they just haven't really checked the facts.

This mixture of the two ridings I don't think is a move in the right direction. I think we can keep in our 25 per cent category. As a rural person I would like to see somebody take it to court

all the way up to 35 per cent one of these days. I'm sitting here hoping.

The Member for Edmonton-Highlands mentioned that she'd never seen a rural/urban split in the House. Well, the reason for that, of course, is that the rural/urban split often takes place in the caucuses. Actually, in my caucus it's one versus seven, which is about equal odds. There is this rural/urban split that does occur in the caucuses, and what she's overlooked is that if you're going to one person, one vote and do away with even the one and seven or the two and 12 or whatever it is over here, then you're really in shape. You're not going to get that mixture of rural/urban thinking in the caucuses that later reflects in the House.

Personally, if I may digress for a minute, our leader has suggested a system where there'd be much more relaxation of party discipline in the House. Then I think you could see much more urban/rural split than we have. I think our party Whips are just a little too tough on the rural minority in many cases, and it wouldn't hurt to let them run roughshod, if you'll pardon the expression, occasionally.

There are urban differences. There is a city outlook on pipelines and highways versus a rural area; there's no question about it. City people look at pipelines as a method of bringing in the lifeblood: natural gas and oil and water, whatever it is. Rural people look at pipelines as something that goes hiking right across the middle of a quarter section and ruins farming on all sides, as well as the power lines. So there is a question of an altogether different approach to the issue.

Hunting and wildlife. Well, the city person figures that wildlife is made to go out and shoot with either a 35 millimetre camera or a 30.06. They're not sure which they'll take; sometimes they carry both when they go out and blow holes in our wildlife. The farmer and the rural people are expected to supply the flora and fauna and food and everything for them and occasionally repair the fences as they experiment with the four-wheel drive that they bought for \$1,000 down and \$29,000 to go at the GM dealership. They want to see whether indeed those four wheels can go crawling over the country. So there is a very different outlook.

Water use. Rural people look at water to come in, first of all, to drink and then to save money on their sewage problems. They want lots of water so they can flush it all down the river. Hopefully, it won't settle out until it's in Saskatchewan. Nevertheless, you look at water, and excess water is a way to get around sewage treatments rather than irrigating the land. So there are many rural/urban splits, but I think they're mostly settled in caucus.

I do think too much has been made about the fact that the rural MLA has many more areas to cover. I agree, but I think that can be handled by modern technology as well as budgeting. For instance, I have four offices in my constituency. That's small compared to the Member for Little Bow, who, I believe, has 10. Being in the government, he can get volunteers; being in the opposition, I might have to take up a few shekels.

MR. R. SPEAKER: I had 13 when in the opposition.

MR. TAYLOR: Thirteen: that's an unlucky number, Member for Little Bow. It might spell an ill portent in the future.

The fact of the matter is that if we had a better budget for rural MLAs as far as offices and travel are concerned – maybe even a chauffeur so that we don't have to drive tired and half asleep down the roads. After all, if army generals and bank

managers can have chauffeurs on the public account, maybe rural MLAs should have.

12:50

The fact of the matter is that I think there *is* technology, and this goes through phones. I think I'm allowed one fax; the other offices aren't allowed faxes. There are a number of areas where the city MLAs and the Members' Services Committee – and I won't say much more about it, because it might offend some people who are a little bit niggardly when it comes to rural aid and helping the rural MLA to cover those things. I have, I think, six school boards and I don't know how many councillors and so on and so forth. So there are a lot of technical aids.

Before the government gets too complacent, there's also the whole fact, Mr. Speaker, that the government itself could try to schedule their sittings. In their almost paranoid fear of question period and the press gallery up there, they've organized it into a few sittings, and when they do, they organize it into tight five-day weeks, sitting three evenings a week. I think a change *in* the rules of order, making this a more full-time type of thing where we'd meet maybe every three or four days every couple of weeks for the whole year . . .

#### Speaker's Ruling Relevance

MR. SPEAKER: Order please. The Chair is listening with some degree of amazement. Could we come back to Bill 57? I know that some of the ideas being put forward I would like to hear in the context of the Members' Services Committee and perhaps have the whole matter of sitting hours referred to the Assembly. But let's come back to the Bill.

#### Debate Continued

MR. TAYLOR: Well, Mr. Speaker, I thought I was. I knew that you might be touchy when I mentioned the rural constituencies not getting enough aid from the Members' Services Committee, but the fact of the matter is that what we're talking about is that the rural constituencies could put up with that 25 percent variation and a much heavier workload if they had the technical and financial aid in order to cover that. That's the point I was trying to get across. I think that's very closely associated with this Bill, because this Bill is talking about the difference between rural and urban representation more than anything else and the variation that can occur. I was just pointing out the opposite to the government. The government is fond of pointing out how much the rural MLA has to do. I agree, but a lot of that work could be lessened, as I mentioned, by technical and financial assistance. I mentioned something as simple as a fax, which we're allowed in the one office, which is fine for urban constituencies but not for rural, and I could go on.

The other area I wanted to talk about was the fact that a rural MLA's workload could be decreased with a change in the orders so that we met – and I'm just giving a suggestion – three days a week every second week. That would give the rural MLA time to be back in his constituency every second week and do all the meetings we were talking about. It would, of course, extend the long, water drip torture of question period for the government for the whole year. Now they try to concentrate it in a hotshot in the spring and a hotshot in the fall. That paranoid urge of the government to try to cut down question period and the embarrassment it brings to them indirectly results in the type of scheduling of hours for the Legislature that makes it difficult for the rural MLA. That, Mr. Speaker, was one of the main points I wanted to get across.

Finally, in summing up, I think I would point out that the 25 percent difference – and many people have forgotten – is the maximum that is permissible. Nobody has said what the real maximum is. There might be a challenge in court. It might go up to 30 or 35 percent. We know a 25 percent variation is in accordance with the Charter of Rights. We don't know whether 28, 30, or 35 percent is, because nobody's ever tried it. We know, I think, that 50 percent isn't. So it's somewhere in there. But let's accept the 25 percent. I think we could work within that, but we in the Liberal opposition do not like the idea of making it easier to mix up the constituencies, rural and urban. Also, we would like to strongly suggest that the rural overload, which everyone seems to agree exists now, can be compensated in a large amount by technical and budgetary changes.

Thank you.

MR. SPEAKER: The Member for Calgary-Glenmore.

MRS. MIROSH: Thank you, Mr. Speaker. I rise to speak on Bill 57, and I want to just make a few comments in commending the committee who traveled throughout the province listening to the people of Alberta with regards to electoral boundaries. I know how hard and the number of hours the committee worked and left their own families to travel around the province to make recommendations leading to Bill 57. I feel very strongly. I have gone back to my constituents and relayed to them that we are listening to the people of Alberta. I will certainly emphasize the fact that you have gone to 39 public hearings in 30 different locations, and that's mostly [inaudible]. Also, we distributed over 10,000 letters to various groups and communities and received responses on these matters. It really shows that the committee has responded, as a result of this Bill, to the people of Alberta. You've advertised widely, and my own constituents

commend you for that, and you have been to Calgary a few times.

Mr. Speaker, in view of the fact that I'm losing my voice and can't speak, I'm wondering if perhaps I could adjourn debate.

MR. SPEAKER: The Chair is prepared to put the motion, but members might be caught in a bind as to how they should vote on it I think for the reason offered.

Those in favour of the motion to adjourn debate, please say aye.

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

MR. McEACHERN: No. I wanted to speak. [interjections]

MR. SPEAKER: Order. Order.

The Chair would also point out to the Member for Westlock-Sturgeon that I'm sure the members of the Members' Services Committee miss him.

Earlier today the Chair brought to order the Member for Edmonton-Gold Bar for supposedly holding her nose. The Chair has since had a note saying that realty she was giving herself a smack on the forehead. The second gesture is acceptable; the first was not. The Chair erred, hon. member.

MR. GOGO: Mr. Speaker, the business for Monday afternoon will be Bill 38, a government Bill on loans and trust companies. Monday evening, tentatively, the House would return to debating Bill 57.

[At 12:57 p.m. the Assembly adjourned to Monday at 2:30 p.m.]