

## Legislative Assembly of Alberta

Title: **Wednesday, December 12, 1990 2:30 p.m.**

Date: 90/12/12

[Mr. Speaker in the Chair]

### Prayers

MR. SPEAKER: Let us pray.

We, Thine unworthy servants here gathered together in Thy name, do humbly beseech Thee to send down Thy heavenly wisdom from above to direct and guide us in all our considerations.

Amen.

### head: Notices of Motions

MR. SPEAKER: The Member for Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. Under the provisions of Standing Order 40 I'd like to move this motion for unanimous consent:

That the Legislative Assembly of Alberta make known to the Liberal government in Quebec that we strongly oppose that government's recent call for the federal government's withdrawal from health care transfer payments to the provinces and the abandonment of national standards outlined in the Canada Health Act.

### head: Introduction of Bills

MR. SPEAKER: The Member for Vegreville.

### Bill 295

#### An Act to Prevent Discrimination against Married Couples Seeking Farm Financial Support

MR. FOX: Thank you, Mr. Speaker. I request leave to introduce Bill 295, An Act to Prevent Discrimination against Married Couples Seeking Farm Financial Support.

The intent of this Bill, Mr. Speaker, is to provide legislative remedy for a situation that discriminates against couples who are married seeking farm lending assistance making it possible for a farmer and her daughter to obtain assistance but not a farmer and her husband.

[Leave granted; Bill 295 read a first time]

MR. SPEAKER: Banff-Cochrane.

### Bill 268

#### Children's Access Rights Enforcement Act

MR. EVANS: Thank you, Mr. Speaker. I request leave to introduce Bill 268, the Children's Access Rights Enforcement Act.

Children are frequently the emotional victims when a marriage breaks up, and the Bill I am presenting today offers our courts in Alberta a means of enforcing a noncustodial parent's rights to have access to his or her child when such access has been granted by the courts. Mr. Speaker, we have a very effective system in this province to enforce maintenance orders, and this Bill offers a complementary process to enforce access rights.

[Leave granted; Bill 268 read a first time]

MR. SPEAKER: Edmonton-Meadowlark.

### Bill 293

#### Environmental Bill of Rights Act

MR. MITCHELL: Thank you, Mr. Speaker. I beg leave to introduce Bill 293, the Environmental Bill of Rights Act.

This Bill recognizes the right of the people of Alberta to a healthy and sustainable environment and provides them with recourse through the courts to securing a healthy environment for present and future generations.

[Leave granted; Bill 293 read a first time]

MR. SPEAKER: The Member for Edmonton-Centre.

### Bill 294

#### Alberta Seniors Advisory Council Act

REV. ROBERTS: Thank you, Mr. Speaker. I beg leave to introduce for first reading Bill 294, Alberta Seniors Advisory Council Act.

This Act would establish a separate arm's length from government council comprised of and chaired by Alberta seniors themselves, to function in much the same way as the Advisory Council on the Status of Women does in the province. The seniors themselves have called for this legislation, Mr. Speaker, which would better enable them to identify issues, make recommendations, promote awareness, and conduct research into matters that would improve the lives of seniors in Alberta.

[Leave granted; Bill 294 read a first time]

### head: Tabling Returns and Reports

MR. MARTIN: Mr. Speaker, I'd like to file with the Assembly communiqués from the western New Democratic Party leaders' meeting in Regina yesterday. One has to do with the western NDP leaders' rejecting the dismantling of medicare. The second has to do with demanding a change in monetary policies, and finally, the third reaffirms support for western farmers.

MR. STEWART: Mr. Speaker, it's my pleasure to table the 17th annual report for the Alberta Educational Communications Corporation.

MR. ROSTAD: Mr. Speaker, I'd like to table the 17th annual report, 1990, of the Alberta Law Foundation.

MR. DINNING: Mr. Speaker, I'm pleased to file with the Assembly the annual report of the Premier's Council on the Status of Persons with Disabilities for the year ended March 31, 1990.

MR. GOGO: Mr. Speaker, I am pleased to table the 1989 annual report for the Northern Alberta Institute of Technology, the Southern Alberta Institute of Technology, and as well I'm tabling the 1989-90 annual report of the University of Calgary.

MR. SPEAKER: The Member for Banff-Cochrane, followed by Edmonton-Meadowlark.

MR. EVANS: Thank you, Mr. Speaker. On behalf of my colleagues the Minister of Tourism and the Member for Red Deer-North, the former chairman of the Alberta Tourism Education Council, I'm pleased to table the annual report for

the Alberta Tourism Education Council for the year ended March 31, 1990.

MR. MITCHELL: Mr. Speaker, I would like to table copies of two letters I wrote on March 20, 1990, one to the Minister of Recreation and Parks for the government of Alberta and one to the Minister of the Environment of the federal government, requesting that they step in and stop logging in Wood Buffalo national park by Canfor on behalf of Daishowa. I also table the responses I received, in which the Minister of Recreation and Parks from Alberta absolves himself of all responsibility for that particular issue.

MR. SPEAKER: The Member for Calgary-North West. This is a filing, a tabling?

MRS. GAGNON: Calgary-McKnight.

MR. SPEAKER: Yes, I'm sorry. Thank you very much. Somewhere over on the north side of Calgary.

MRS. GAGNON: Thank you.

Mr. Speaker, I would like to table a number of letters from concerned Albertans who oppose the minister's plan for financial equity in the education system, better known as corporate pooling.

#### head: Introduction of Special Guests

MR. GIBEAULT: Mr. Speaker, I am pleased to make two introductions today. The first is two representatives of the Farabundo Marti Liberation Front of El Salvador. They are Mr. Luis Carrillos and Mr. Leonel Viscarra. They are in the gallery, and I'd ask them to stand and receive our warm welcome.

Secondly, Mr. Speaker, I'm very pleased to introduce to you and the members of the Assembly this afternoon some 73 students from Holy Trinity high school in Mill Woods. It's not actually in the Edmonton-Mill Woods constituency; it's actually in Edmonton-Avonmore, but the students come from both Edmonton-Avonmore and Edmonton-Mill Woods constituencies. They're accompanied today by their teachers Mr. Robert Poole, Joan Hunt, as well as student teachers Alvin Acosta and James Friesen. I'd ask them all to stand now and receive our very warm welcome.

MR. DROBOT: Mr. Speaker, on behalf of Premier Don Getty, the Minister of Agriculture, and the Associate Minister of Agriculture today it is my pleasure to introduce to you and to members of the Assembly the Premier's 4-H Award winner Miss Jennifer Babiuk. Accompanying Miss Babiuk are her brother Kevin and her parents, Dennis and Andrea Babiuk. Because of her outstanding achievement in 4-H, Jennifer was chosen to receive this award. They are from the great constituency of St. Paul and are seated in the members' gallery. I would ask Jennifer and her family to rise and receive the warm welcome of this Assembly.

2:40

MR. SPEAKER: Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. I'm very pleased to have 16 grades 5 and 6 students here from Grandin school in my constituency of Edmonton-Centre, Grandin school being one of the oldest schools in the city. It's a pleasure to have my own children attending there in the French immersion and many

other quality programs. With their teacher Madame Gagné, je demanderais aux élèves de se lever pour que la législature leur souhaite la bienvenue.

MR. SPEAKER: The Minister of Advanced Education.

MR. GOGO: Thank you, Mr. Speaker. I have a special guest in the members' gallery today. I'll read a ministerial statement in a moment, but I would like to draw members' attention to a man who has served the people of Alberta very well in this International Literacy Year. He has become known as Mr. Literacy in Alberta because he's developed a literacy policy, which I'll announce in a moment. I would ask Mr. John Fisher, the director for special programming with the Department of Advanced Education, to rise in the members' gallery and have you and the members of the Assembly welcome him.

#### head: Ministerial Statements

##### Literacy Policy

MR. GOGO: Mr. Speaker, this government has always recognized that Alberta's greatest resource is its people. This is reflected in educational policies which are innovative and responsive and in educational programs which meet the changing needs of Albertans. This year the provincial government is committing over \$90 million for adult literacy through the departments of Advanced Education, Education, and Career Development and Employment. Of the total, \$50 million is being used to provide adult basic education, academic upgrading, and literacy programs, and \$40 million is being used to support adult learners.

The key to meeting the challenges of global economic competition and changing demographics is found in the comprehensiveness of our educational policies. In particular, we must ensure that we provide programs which meet the special needs of adults with low basic skills. This is essential if we are to develop Alberta's human resource potential to the fullest. The 1990 Statistics Canada literacy survey showed that while Alberta ranks first in the country in numeracy and second in reading skills, there is still a significant number of Albertans whose basic skills put themselves, their families, and their employers at risk.

Mr. Speaker, UNESCO has issued a worldwide call to action by designating the 1990s as the Decade for Literacy and 1990 as International Literacy Year. In Alberta we are seeing an awakening of public interest in an issue which has been a major focus of this government's educational efforts for the past quarter century. International Literacy Year has focused attention on the tremendous work being done in Alberta to tackle the literacy issue. It has seen a coming together of individuals, the community, educators, and government both to deliver programs and to share ideas.

I was honoured, Mr. Speaker, to lead the Canadian delegation to the 42nd session of the UNESCO International Conference on Education in Geneva and to address the plenary session on Canadian perspectives on literacy.

Mr. Speaker, it is a great pleasure for me during International Literacy Year to be able to release the government's new literacy policy for public discussion. The foundations for the adult learning and development policy are the work of an interdepartmental committee made up of representatives of 15 government departments and agencies. Briefs received from over 70 individuals, associations, institutions, and departments formed the basis of this policy. On behalf of the government of

Alberta I would like to express my thanks to everyone who participated in the policy development process.

The foundations for adult learning and development policy will guide our future decision-making. It provides clear and consistent direction for meeting the learning and development needs of individual adults with low basic skills and for meeting social and economic demands for informed and involved citizens. The policy provides a framework under which the current basic skills program and services provided by several government departments can be reviewed and co-ordinated. It also addresses the need to co-ordinate program initiatives by government, postsecondary institutions, community organizations, business, and labour.

Mr. Speaker, the new policy recognizes that we need a broader understanding of the meaning of the word "literacy." Strictly speaking, literacy means the ability to read and write, but in today's fast-changing world, literacy is a dynamic concept. Literacy changes with societal changes, economic demands, and educational expectations. It is no longer a one-time event. Instead, literacy must be seen as a continuum.

Mr. Speaker, the draft policy rests on three key principles. First, it recognizes and accommodates the cultural, social, and economic environments of individuals as they pursue the acquisition of skills to function more effectively within their workplaces, communities, and everyday lives. Secondly, the policy recognizes that the learning needs of individuals change throughout their lives in response to personal development or social and economic factors. Thirdly, and perhaps one of the most important, the policy recognizes that learning is a voluntary and responsible action. Those individuals who are willing to make the commitment necessary to improve their basic skills and are prepared to act require reasonable access to programs, counseling, and appropriate financial assistance.

In view of this focus, the policy states that individuals, communities, the voluntary and private sectors, and government all share responsibility for adult development. The foundations for adult learning and development policy commit government to providing opportunities that will give adult learners in need of training the access to a learning environment they need to change and improve their lives. As well, it addresses the issue of student support.

Public awareness is an essential component of the new policy. We will provide information to explain the concept underlying the new policy and the programs and services available for adult Albertans.

Mr. Speaker, I'm pleased today to be able to submit this policy for public comment. It is essential that groups and individuals most affected have a chance to review the document before it is adopted. I'm asking people, therefore, to respond by next March 1.

In closing, Mr. Speaker, the development of a new literacy policy has been a primary focus of my ministry. I want to thank all members for their support of activities throughout International Literacy Year and to remind them that while we have made a great number of strides, there is still much to be done.

Thank you, Mr. Speaker.

MR. MARTIN: Mr. Speaker, let me first of all thank the minister for advance notice of his policy statement. We in the Official Opposition are glad to finally hear that the government has articulated a policy relating to adult basic education. An interdepartmental committee has worked for many months on this, and we were beginning to wonder if the government would ever announce just what it's going to do.

Mr. Speaker, it is important that this government finally recognize that we have to equip our adults to participate fully in the Alberta economy and society. Illiteracy and trying to get skills for jobs have been a real problem for many Alberta workers. I would also remind the minister that the greatest single indicator of the likelihood of illiteracy is poverty, and this problem cannot be ignored. I would say that with the figure of one in six of our children living below the poverty level, we may be creating an even greater problem if we don't deal with the root causes of poverty.

A research report conducted by Southam News in 1987 titled *Literacy in Canada* estimated that there were 360,000 illiterates in Alberta, give or take 60,000. According to the report, we are second only to British Columbia. Frankly, and I think the minister agrees, that's shameful. Illiteracy affects every ethnic group, every socioeconomic class, every community in our province. It affects productivity at the workplace, and it may affect the cost and financing of some of our social programs. But imagine, if you can, how it affects the individual.

The Cedar Glen Statement on Literacy in Canada in 1987 stated, and I quote, that: literacy is essential for full and successful participation in Canadian society; we believe that equity of access to basic education constitutes a fundamental human right; we believe that this right, the right to learn, should be deemed a priority in public policy at all levels.

2:50

Some staggering figures, Mr. Speaker: the Business Task Force on Literacy released a report that estimated that illiteracy costs employers \$4 billion annually from lost productivity due to mistakes and other indicators. If you add the cost of social assistance and lost earning power, the total cost of illiteracy to society is estimated at \$10 billion. Right now there are thousands of adults waiting for English as a Second Language education. Many of them are workers who are sitting on assistance because there aren't enough programs to train them. All they need is a short course in English to come into their own as skilled contributors to Alberta society.

Let me say in conclusion, Mr. Speaker, that the policy discussion paper is an important first step, but I would say, let's hurry and get on with what remains to be done to make Alberta fully literate.

#### head: Oral Question Period

#### Federal/Provincial Fiscal Relations

MR. MARTIN: Mr. Speaker, to the Premier. Since the Mulroney Conservatives were elected, Albertans, indeed all Canadians have witnessed a continuous assault on this nation's institutions, on the very symbols that constitute our vision of Canada. Albertans have watched Conservatives take the trains out of our communities, the post offices out of our communities, the CBC out of communities, dismantle our social programs, and at the same time off-load more and more responsibilities onto the provinces while refusing to provide enough money for the provinces to handle this. What has been the response of this Conservative government and other Conservative governments in the west, Mr. Speaker? Capitulation, shameless capitulation. Instead of fighting the federal Conservatives, they're trying to talk about disentanglement and about letting the feds off the hook for a few tax points. My question is simply this: will the Premier explain to Albertans why his government is looking for ways to cover up their federal cousins' abdication and off-loading

instead of sticking up for Alberta and fighting these damaging policies?

MR. JOHNSTON: Well, Mr. Speaker, I know the Member for Edmonton-Norwood was in Ottawa last week getting direction from Audrey McLaughlin because he had wavered from his socialist program. And now, this past day, he was in Regina getting more socialist propaganda, and we see it here today. Their discussion of monetary policy must have been a brief eclipse, because that centralized government knows full well that the policies they've supported in a variety of areas have caused exactly what he's talking about: an unloading of costs back onto the province, a difficult situation which has been supported by them in terms of such policies as the national energy program in particular.

We have done our best, Mr. Speaker, to deal with this issue. We have dealt with the ways in which governments can monitor and deal with expenditures. We have put forward a paper which deals with some of the problems of off-loading, which has been tabled, showing that the off-loading has in fact cost the western provinces \$2.2 billion. Well, what kind of response do we get from the gentleman across the way? Nothing but hollers and hoots about the fact that we're trying to move programs, reduce the size of our commitment, the very fine commitment to education and health.

The western Premiers' meeting in Lloydminster has directed the finance ministers to get on with dealing with some of these issues. We have now drawn together the finance ministers across Canada. We're going to take the message about this off-loading program to Mr. Wilson and have called upon Mr. Wilson in particular to convene a two-day meeting in January of 1991 to deal with these particular issues. We have a plan, we have an outline of strategies, and we're going to take on this issue, Mr. Speaker.

MR. SPEAKER: Thank you.

The supplementary question.

MR. MARTIN: Oh boy. Mr. Speaker, let us make it clear that I'd rather take leadership from Audrey McLaughlin than Brian Mulroney. Let's put it that way.

Now, Mr. Speaker, let's look at one of the specifics when we get beyond the rhetoric. Poll after poll has indicated that Canadians feel that the medicare system is one of the strongest links that binds our country together and makes us Canadian. Now we have the Quebec Liberals wanting to scrap the health care system; we have this group of Conservatives talking about disentanglement. They know exactly what disentanglement means. It will mean the scrapping of the medicare system.

MR. SPEAKER: The question.

MR. MARTIN: My question, then, to either gentleman, whoever's acting as Premier today over there: instead of giving silent approval to the Mulroney Conservatives and the Quebec Liberals in their attack on our country and specifically the medicare system, why isn't this government sending the strongest possible message that Alberta will not tolerate any attack on our country's world-class national medicare system?

MR. JOHNSTON: Well, Mr. Speaker, you'll have to address that question to the Quebec party. Our position has been very clear. We have maintained a very high priority on the area of medicare. There's no doubt that we support strongly access to

the medicare system, equal opportunity to get into the system itself, and that's been our position.

However, Mr. Speaker, there are major problems looming in a variety of government expenditure areas. That's what this government is focusing on, because I think all Albertans believe that the size of government is too large, that there needs to be a focus on reducing the deficit and reducing the debt. In those three areas the province of Alberta has taken leadership. We'll continue to monitor our expenditures, we'll continue to balance our budget, and then we'll get on with reducing the debt. That's what we're doing, and that's the kind of message we're taking to Ottawa.

MR. MARTIN: Mr. Speaker, that's precisely the point. That's how you want to balance the budget: by attacking medicare and all the other symbols of this country. Why don't you talk about interest rates and the other things that matter, instead of disentanglement?

I want to ask one specific question to either the Premier or his associate Premier today. There's no greater symbol of this country, if I may say so, than the RCMP, Mr. Speaker. Now we see that Premier Filmon in Manitoba favours the western provinces' operating a regional police force. I want to ask the Premier; I don't think this is in the Treasurer's realm. Will the Premier say no to Mr. Filmon and no to Mr. Mulroney and that we want to keep the RCMP here in Alberta?

MR. GETTY: Mr. Speaker, I'm not familiar with Premier Filmon's initiatives or discussions regarding a western Canadian police force. The RCMP contract is currently under negotiation. Our Solicitor General is involved in those negotiations, and we believe, as normally happens, that they will conclude successfully. We feel very strongly about the RCMP. We believe they perform a tremendous service to our province as our provincial police force.

I also want to say, Mr. Speaker, in commenting further on the hon. leader's words about medicare, that this government is unequivocally committed to the principles of medicare.

MR. MARTIN: Why are you talking about disentanglement then, Mr. Speaker? You can't have it both ways.

My second question is also to the Premier, if he feels like answering it today. Mr. Speaker, this government's refusal to take on . . .

#### **Speaker's Ruling Replies to Oral Questions**

MR. SPEAKER: Hon. leader, that comment about answering the question is inappropriate. I know the member is familiar with 418, that says: "The Government decides who will answer." Comments are really not necessary.

#### **Goods and Services Tax**

MR. MARTIN: Thank you, Mr. Speaker.

My question, then, is to the Premier. This government's refusal to take on its federal friends is becoming legendary, but its capitulation that we talked about last time, as obvious as it is, is nothing compared to its hypocrisy. The government says that it's against the GST, but let's look at the real record. During the election especially, the Treasurer went around helping out Tory candidates even though they knew they were bringing in the GST. You had the Premier walking around holding hands with Brian Mulroney, saying he was good for

Alberta. Finally, you've had the refusal of this government to take on Conservative MPs in Alberta. Now it says it's going to go to court. Big deal, Mr. Speaker. But here's the catch: it says it will start collecting the tax for Mr. Mulroney. What hypocrisy. My question then: why doesn't this government quit betraying Albertans and start taking a real leadership role and tell Mr. Mulroney in no uncertain terms that this province will not collect the tax until its court case is heard?

3:00

MR. GETTY: Mr. Speaker, discussing the election briefly, since the hon. leader wanted to raise it, as he knows, his federal leader made free trade the number one issue in that election. It was so important to the people of Alberta that we insisted on making free trade an issue and supporting it strongly, and we did. As all of us now know, the federal leader of that party is no longer there, an institution that has been removed, I guess.

Mr. Speaker, the Provincial Treasurer, of course, has certain responsibilities under the law that he must meet when the GST comes into place, and he is trying to fulfill those legal responsibilities. As far as details on where the tax will be collected and so on, the Provincial Treasurer may want to add more information.

MR. MARTIN: Mr. Speaker, this Premier knew full well that the GST was coming. It was part and parcel of the free trade agreement. Don't hand us that now, you know, walk away from any responsibility.

This is to the Premier. I've seen the Provincial Treasurer saying that he expects to win the court case. I think it's window dressing because they were afraid and wanted to jump on the bandwagon after the fact. This is a political fight, not a legal fight, and I want to ask the Premier again: why is the government going to collect the tax if they're so sure they're going to win the court case? [interjections]

MR. FOX: Tell him it's in the courts.

MR. SPEAKER: Order, Vegreville. Thank you.

MR. JOHNSTON: Mr. Speaker, let me say that I've never seen a more spurious connection between free trade and GST, unless it's the same connection between the high value of the Canadian dollar and the Canadian free trade arrangement.

MR. McEACHERN: Come on; it's part of the deal, and you know it.

MR. JOHNSTON: That's just absolutely not right, Mr. Speaker.

Now, let me just trace the steps of Alberta's position on the GST since, in fact, there's been some misstatement of the way in which the process has evolved. Let me indicate that we in the province of Alberta have opposed this tax going back at least to the inception of its idea and that we have taken the lead right across Canada: the Premier at various first ministers' conferences and at the finance level certainly. We have convinced Albertans certainly that this is a wrong-headed tax. The poll speaks for itself: 75 percent of Albertans oppose the tax. We also published a publication called *Protecting Alberta's Future* on the . . . [interjections]

MR. SPEAKER: Thank you. The Chair will allow the Treasurer to continue but with less noise in the background,

hon. members. Thank you. [interjections] Question period can be radically shortened.

Treasurer.

MR. JOHNSTON: The publication, Mr. Speaker, outlined the macroeconomic impact of the GST not only in Alberta but in Canada. I must say that as of now, more and more academic research and reasonable people have come to Alberta's position. In fact, across Canada this tax is generally opposed.

However, it does remain that if the tax is going to be proceeded with and if the Senate does pass the legislation, as we expect it will, we have to obey the rule of law. We as legislators and as government certainly must obey the rule of law. If the tax is going to be imposed, we have to collect it. We're not going to violate that trust, that constitutional position, but we are fighting that in court. Our arguments will be heard by the Court of Appeal in March. The fundamental questions that are being asked – whether or not we have to collect the tax, whether the broad tax is applicable, and whether or not the taxing of government assets is fair under the Constitution – those arguments are now before the court, Mr. Speaker.

We have outlined for you the process: one, communication; secondly, attempting the political process at all first ministers' conferences, and you saw the Premier's response to that; and thirdly, that did not work, so we are now taking the legal process. We believe in the legal system; we believe in the Constitution. We're pursuing it in a just and fair way.

MR. MARTIN: Mr. Speaker, the point is that it could have been in court a long time ago. The point is that you're going to start collecting the tax and make it legitimate before you even get to court. That's the reality. You ignore the laws on the Oldman dam when it suits you. You're very selective.

I want to come back to this minister. Again, if you're so sure – and he said it – that you're going to win the court case, why are you aiding them? Why not say that we will wait to collect those taxes until after the court case, Mr. Speaker, and continue the political fight?

MR. JOHNSTON: First of all, Mr. Speaker, I'm sure that one of my colleagues, perhaps the Attorney General, may wish to raise a point of order, because we're not ignoring the law with respect to the Oldman.

I can say, Mr. Speaker, that we do not condone breaking the law. We have made that a principle. We believe in the rule of law, we believe in the constitutional arrangements. We are fighting this with all the vigour we can, and the next step is in the courts. We believe that's the way in which the Canadian Constitution has expected governments to operate, and we will not break the law, unlike the Member for Edmonton-Norwood.

MR. SPEAKER: The leader of the Liberal Party.

### Women's Shelters

MR. DECORE: I never thought we'd get there, Mr. Speaker.

Mr. Speaker, my questions are to the minister responsible for women's shelters. Women's shelters are overtaxed all through Alberta. As part of . . .

### Speaker's Ruling Decorum

MR. SPEAKER: Excuse me, hon. leader.

Two persons in this Assembly are at it again today. Yesterday there was sufficient warning given to this quarter of the House. If it continues, I'll ask both of you to leave. [interjection] Thank you. Just be quiet. [interjection] Thank you, hon. member.

Leader of the Liberals, I'm dying with anticipation to hear what you have to say.

MR. TAYLOR: Make them listen to a Dick Johnston speech. [interjections]

MR. SPEAKER: Thank you, Westlock-Sturgeon.

### **Women's Shelters**

*(continued)*

MR. DECORE: Mr. Speaker, women's shelters in Alberta are overtaxed, and it is the case that the overflow often goes to other facilities or no facilities. One of the other facilities in the city of Edmonton is the centre known as the Lurana centre, run by the Sisters of Atonement. This centre is taking a huge number of people who can't get into the so-called frontline, government-supported centres. Funding for this temporary centre is grossly less than the so-called frontline centres. My first question to the minister is this: given that the Lurana centre is full out, will the minister agree to reclassify this centre from the temporary category to frontline, full-service government support?

MR. OLDRING: I would want to, first of all, acknowledge the good work that the Lurana centre is providing to the citizens of Edmonton and Alberta and would only say to the leader of the Liberal Party that we meet with them on an ongoing basis. Their contract is evaluated each and every year, and I'd be happy to sit down at the end of this year and review their circumstances once again, as we always do, Mr. Speaker.

MR. DECORE: Well, given that this particular centre turned away 209 families in the last eight months and given that one of your own officials indicated to the nuns who run this centre that this particular facility was not considered to be a necessity by the department, I'd like to know what criteria, what guidelines the minister and his department use to keep classifying this centre as a temporary centre and not a full-service centre.

MR. OLDRING: Again, Mr. Speaker, as I just said to the leader of the Liberal Party, we evaluate this on an ongoing basis. We sit down with them and decide together what the appropriate level of service is going to be. We negotiate a contract in a fair and reasonable manner. As I say, we very much appreciate the work and the service that they're providing, and we'll continue to work with them in good faith.

MR. DECORE: Mr. Speaker, the minister is not well informed on this issue at all.

Now, given that there was a shortfall in the running of this centre by the Sisters of Atonement of some \$60,000 in their last fiscal year and given that the nuns took the moneys needed for that shortfall out of their own pension plan, meagre as it is, is this the way the minister wants women's shelters funded in Alberta?

3:10

MR. OLDRING: Well, Mr. Speaker, we've discussed the level of funding and the level of this government's commitment to women's shelters in Alberta on numerous occasions, and again I can only reiterate our commitment there. The member has now raised it on a provincewide basis, and I would point out to the leader of the Liberal Party, when he wants to talk about being misinformed, the occupancy rate on a provincewide basis is 67 percent. Yes, it fluctuates. At times it's as low as 28 percent in some centres, and at others it's as high as 100 percent. So it varies from community to community. [interjections]

MR. DECORE: Answer the question.

MR. OLDRING: They sit there yelling, "Answer the question." Maybe if you'd listen, you'd hear the answer, and then he wouldn't have to keep repeating it time and time and time again.

I'm saying again to the leader of the Liberal Party: this government stands behind its commitment to addressing family violence; this government stands behind its commitment to funding. Again I remind him: last year a 9 percent increase, the year before that a 24 percent increase, the year before that a 10 percent increase.

We recognize that there's more to be done. We haven't closed the door on funding at this point. We haven't closed the door on the communities. What we've said is that we have a role to play, and we're going to continue to meet that. Again I remind the member that Albertans are picking up the challenge with us, and as I said earlier in this Assembly, just last week alone a law firm, something that this member knows something about, provided . . .

MR. SPEAKER: Thank you, hon. member. [interjection]

Smoky River, thank you, not the rest of the Liberal caucus.

### **Waste Recycling**

MR. PASZKOWSKI: Thank you, Mr. Speaker. Environmental issues are in the forefront of many people's minds, and certainly associated with that is the whole concept and aspect of recycling. To the Minister of the Environment: can the minister outline his plans for the regional waste collection depots in order for municipalities such as in the Peace River country, where we have sparse population, to become part of this process and part of this program?

MR. KLEIN: Well, Mr. Speaker, certainly under the resource recovery program and the regional waste management program there are government funds available to help municipal jurisdictions establish regional waste authorities and, at the same time, to fund community-based recycling programs. Soon we will be bringing forward a comprehensive waste minimization and recycling program. As you know, there are some budget considerations. Nonetheless, the program is in the mill. Certainly there has been approval in principle for it, and when the funds become available, it will be expanded throughout the province and I think will be one of the finest programs of its kind in Canada.

MR. SPEAKER: Smoky River.

MR. PASZKOWSKI: Yes. Thank you, Mr. Minister. Further to the preceding question, would the minister share with us: do you have any time frame as to when you foresee that this can be done, and are you prepared to become personally involved in this process, and can I go back to the people in the Peace River country and assure them that indeed there will be some process put in place?

MR. KLEIN: With respect to the Peace River country generally, it's a sparsely populated area, and it will deserve some kind of special consideration, but I see no reason why we can't incorporate into the resource recovery program a special program to fit the needs of those communities in that particular area and also to accommodate a regional waste management program. I'll be returning to that area in February. I met with people there last week, and I'll be returning to that area in February to discuss how this program can be put into effect.

### Day Care Standards

MS MJOLSNESS: Mr. Speaker, several municipalities have had to implement their own standards and funding to ensure quality of care for children in day cares because this government has failed to do so. The Minister of Family and Social Services in his recent reforms has lowered the standards in areas such as child/staff ratios and drop-in care. He's failed to ban corporal punishment. He has not addressed the low wages of child care workers and has introduced inadequate training standards. To the minister: in view of the fact that a child can spend five years in this province in a day care and never come in contact with a trained child care worker, will the minister make a commitment to increase the training standard to guarantee that every child in a day care will benefit from the care of a trained worker?

MR. OLDRING: Mr. Speaker, some very misinformed comments. I would remind the Member for Edmonton-Calder again that this government has just gone through a very exhaustive consultative process with Albertans. I listened to some 3,000 parents, day care advocates, day care operators, all of whom provided me with some very helpful information. One of the things that I got back through that process was just how good the day care really is in this province.

Now, Mr. Speaker, I understand where that member is coming from. They seem to feel that it's up to government to legislate everything, that it's up to government to dictate everything, and that parents don't have a responsibility in this process. I happen to believe that parents in this province feel very good about their day care. I happen to believe that parents in this province know what's best for their children, and I happen to believe that parents in this province are quite able to make sure that the appropriate standards are there. We set in place reasonable minimal standards, and if parents want more than that, that opportunity is there for them as well.

MS MJOLSNESS: Mr. Speaker, I recognize that the minister has met with groups, but I don't think any of them agreed with what he has done with this.

We're talking about quality of care, and we're talking about trained workers. Given that the few trained child care workers that we do have in Alberta are leaving the field because of their low wages and that good quality child care depends on qualified staff who are paid decent wages, will the minister agree to immediately implement a wage enhancement program for child care workers to ensure quality of care for children in day care?

MR. OLDRING: Again, Mr. Speaker, I would remind the Member for Edmonton-Calder that salaries are negotiated between employers and employees. They're not negotiated or established by this government. I would say that, again, our commitment to day care in this province is very substantive, some \$75 million-plus. It's had reasonable increases even during a time of restraint. Again I remind the member that we have implemented some very high standards as it relates to training requirements. They're balanced because we recognize that it's important that we set standards that are attainable, that are reasonable, that are achievable. Again, if parents want more than that, they're entitled to that.

MR. SPEAKER: Thank you, hon. minister.  
Calgary-McKnight, followed by Calgary-Bow.

### Advanced Education Programs

MRS. GAGNON: Thank you, Mr. Speaker. This provincial government's attitude towards advanced education is looking more like the federal government's plan for Via Rail and CBC. The Minister of Advanced Ed continues to push his irrational plan called rationalization, which includes eliminating programs where more than one exists in Alberta universities. The minister has even dared to suggest that consolidation of the faculties of Law and Medicine at the University of Alberta and University of Calgary should occur, although it is well known that each is unique, with different programs, areas of expertise, research initiatives, and objectives. My question to the minister is: will the minister acknowledge the uniqueness of these programs and quit pushing the superficial argument that law and medicine programs are being duplicated in this province?

MR. GOGO: Mr. Speaker, I'm somewhat puzzled by the question by the hon. Member for Calgary-McKnight. Opposition benches just two days ago were pressing the Minister of Education for not being efficient enough. Now I'm hearing it essentially the other way. I believe that we're very well served by the postsecondary institutions, particularly the University of Alberta and the University of Calgary. I would offer as proof the other 26 institutions that have done a fine job in Alberta.

3:20

MRS. GAGNON: Mr. Speaker, this is not a joke. If you take the minister's logic to its extreme, he would argue for one medical or law program for the entire country, maybe centred in Toronto. Since almost all of Alberta's advanced education programs are also offered elsewhere in Canada, has the minister suggested dismantling all of Alberta's colleges and universities? [interjections]

MR. GOGO: Mr. Speaker, it's not often that I tend to agree with the Leader of the Official Opposition, but judging by the appearance he's making, my understanding of the question is very similar to his.

Mr. Speaker, I would simply reiterate that testimony outside of this Assembly and this province attests to the very high quality of the programs in this province. I think the people we have graduated, both men and women, who have gone on to great things in both Canada and the world are great testaments to the two institutions in Edmonton and Calgary.

MR. SPEAKER: Calgary-Bow.

### Native Land Claims

MRS. B. LAING: Thank you, Mr. Speaker. My question is to the hon. Premier. Mr. Premier, aside from the Metis settlement concluded by the government last summer, recent events would seem to indicate that the settlement of native land claims has hit a stalemate. Would you please let us know what the current status is for native land claims in Alberta? [interjections]

MR. SPEAKER: Order please. Order please.

MR. TAYLOR: A ministerial statement.

MR. SPEAKER: The same thing for you, Westlock-Sturgeon.

MR. GETTY: Mr. Speaker, the whole area of land claims is often frustrating and complex. It takes a great deal of time, yet our government considers them to be very important and a high priority. We work at them very hard because we care about our native people. It's because of that priority that I've accepted, as a matter of fact, the invitation of the chief of the Whitefish band and will be traveling to Atikameg tomorrow to sign a land settlement agreement with the federal government and with the Whitefish band. This is an agreement that has been worked on for some time by our government. It's an important one for the people of Alberta and the people of the Whitefish band, and we'll be traveling there to sign it tomorrow.

MR. SPEAKER: Calgary-Bow. [interjections]

MRS. GAGNON: Tough question.

MR. SPEAKER: Hon. member, after your question . . .

MRS. B. LAING: Mr. Premier, I understand that there are several Treaty 7 and Treaty 8 land claims still outstanding in Saskatchewan, B.C., and the Northwest Territories. How does Alberta's record compare to these other provinces?

MR. GETTY: Mr. Speaker, there are certainly indications of problems that other provincial governments are having in negotiating with their native people, but I should point out that because of the high priority our government places on this matter and the fact that you can build upon a feeling of trust and fairness, we have been able to sign an agreement with the Fort Chip band, and we have come to an agreement with the Sturgeon Lake band. All members know about the agreement which we have been able to work out, the Metis settlement agreement, which is unmatched anywhere in Canada. Of course, tomorrow we'll be signing with the Whitefish band. We are negotiating, and I think it's coming to a successful conclusion, with the Woodland Cree band.

Mr. Speaker, I also . . . [interjections] I guess the hon. Member for Edmonton-Glenarry thinks that treating native people fairly and honestly is something funny, and that's typical. It was his party in federal power when there was such terrible treatment of native people.

MR. SPEAKER: Thank you, hon. Premier.  
The Member for Edmonton-Belmont.

### Contract Tender Policy

MR. SIGURDSON: Thank you, Mr. Speaker. Alberta taxpayers are reminded too often that Tory patronage is alive and

well, so well in fact that it's very difficult at times to find out whether the taxpayers' dollars are being properly spent. It wasn't all that long ago that NAIT awarded an untendered contract to a consortium made up of Transition Management and Kinnaid Planning & Research. Total cost: 180,000 bucks. It's not the first time, though, that Transition Management and Kinnaid were in the right place at the right time to take advantage of a lucrative opportunity without having to compete for it. So I'd ask either the Minister of Forestry, Lands and Wildlife or the Minister of Career Development and Employment to confirm that their departments have paid out more than \$70,000 to Transition Management and Kinnaid Planning & Research for an extensive labour shortage study in northern Alberta called Alberta Resource Developments in the 1990s: A Response to Potential Skill Shortages and that the project was untendered.

MR. WEISS: Well, Mr. Speaker, I believe the question properly should be put on the Order Paper because of the detail, but I'd be prepared to look into it, and I will report accordingly.

MR. SPEAKER: Thank you.  
Supplementary.

MR. SIGURDSON: Well, thank you, Mr. Speaker. I understand that when a study is contracted, there's usually some form of competition, an invitation sent out to a limited number of individuals or contractors for a proposal. So I'd ask the ministers of the departments: what are the guidelines for contracting for the departments of Career Development and Employment and Forestry, Lands and Wildlife, and do they differ from other government departments?

MR. WEISS: Well, it's very irregular and improper to answer. It should be on the Order Paper. In fairness, Mr. Speaker, I think it should be noted that all departments work within the parameters laid out by the provincial government and in particular are all subject to the Auditor General's review. In some cases, I also might add, it may be on an invitational tender basis, and requirements are specified by a terms of reference. As I indicated earlier, I'm prepared to look into it and will report accordingly to the member.

MR. SPEAKER: Stony Plain, followed by Edmonton-Meadowlark.

### Education Funding

MR. WOLOSHYN: Thank you, Mr. Speaker. Over the last two years school equity grants have fallen probably \$25 million short of what the schools are entitled to under the formula, indicating the government's failure to support needy school boards through the General Revenue Fund. In addition, many factors contribute to the decision about what the tax rate for the school foundation program will be. So it's very clear that the amount of money in the fund is governed by political need, not by educational need. In view of the fact that education funding is subject to political decision-making, is the minister prepared to expand his so-called trust fund to include the school foundation program levy and the general revenue contribution to education?

MR. DINNING: Mr. Speaker, I'm a little puzzled by the nature of the question. It isn't entirely clear. When the hon. member



suggests that decisions about taxation and spending are related to politics, I would suggest to him this: that they are related to the taxpayers' ability and willingness to pay. What I have put on the table is a proposal that helps school boards across this province have access to a tax base to ensure that they are able to live up to their responsibilities to provide all children, not just children in wealthy communities, not just children in urban or rural or north or south communities but school boards with children all across this province, an education that meets their needs.

MR. WOLOSHYN: Ah, Mr. Speaker, political expediency is still more important than proper educational funding.

The Minister of Education has said that his corporate pooling scheme will enhance equity in education, but yesterday he admitted that it will be necessary to provide transitional funding to some boards which will be adversely affected. If the so-called trust scheme is so great, why do boards need transitional funding? Isn't the minister really admitting that the criticisms of all the constituent groups are valid and this is really a tax grab, another encroachment into the local tax jurisdiction?

3:30

MR. DINNING: Because, Mr. Speaker, what we're proposing here is change, and change is difficult for all boards, all citizens, to take. I am willing and this government is willing to put on the table a transition program. But I would put to the hon. member that he is doing absolutely nothing to contribute to this debate. He is not proposing a solution. All he is doing is, in his typical way, opposing and criticizing. We have a . . . [interjections]

MR. SPEAKER: Edmonton-Meadowlark.

#### **Logging In Wood Buffalo National Park**

MR. MITCHELL: Thank you, Mr. Speaker. In March I wrote to the Minister of Recreation and Parks asking him to exert pressure on his federal counterpart to stop Canfor from logging in Wood Buffalo national park on behalf of Daishowa. Nothing has happened. He did nothing in response to that letter except try to absolve himself of his responsibility, and now it seems that trees are being cut which are excluded under the Canfor lease. In fact, the cut block sizes exceed those permitted on provincial lands, and there is no reforestation requirement. To the Minister of Recreation and Parks: has he proposed to the federal government that they buy out the Canfor lease with cash or tax credits, or at the very least has he undertaken himself to provide substitute timber on Alberta Crown lands elsewhere?

DR. WEST: Well, Mr. Speaker, this is a federal jurisdiction, and that question would be better directed to that House. With all due respect, there are about 13 million acres of federal parks in the province of Alberta, and there have been certain contracts put out over the years by the federal government in these parks. I will certainly carry forward the hon. member's queries to the federal minister if he doesn't think that he can do that himself.

MR. MITCHELL: In fact, it's interesting that he says it's not his responsibility, because this government certainly takes positions on Via Rail, CBC, Sunshine Developments, which apparently would otherwise be considered federal responsibilities.

To the Minister of Forestry, Lands and Wildlife: given that Canfor is doing this for Daishowa, has the minister at least had

the presence of mind to approach Daishowa and Canfor to demand that they stop this atrocity on their own accord, or is he simply going to sit idly by while Daishowa proceeds unimpeded?

MR. FJORDBOTTEN: With all respect, Mr. Speaker, the Minister of Recreation and Parks has answered that question in the fact that it is federal jurisdiction. It is activity that's been going on there for some time. Of course, the hon. member has every right in the world to make those representations on his own. We would of course be very happy to help the federal government make sure that the reforestation standards are up to the high standards that we have in Alberta.

DR. WEST: Supplementary.

MR. SPEAKER: Okay, very quickly.

DR. WEST: Very quickly, just to point out to the House for information: the federal Liberals when they were in power signed the agreement that is in place.

MR. SPEAKER: Clover Bar.

#### **Health Care Services**

MR. GESELL: Thank you, Mr. Speaker. My questions are related to some health concerns in the city of Fort Saskatchewan. The minister in response to earlier questions in the House, and I refer to *Hansard* page 2493, indicated that her department would meet with the Fort Saskatchewan hospital board to explore alternatives to balance their budget. The board is nearing the end of their fiscal year. When will the Minister of Health undertake such consultation, such co-operative discussion?

MS BETKOWSKI: They're under way, Mr. Speaker.

MR. GESELL: Well, Mr. Speaker, there are some other concerns. The residents of Rivercrest care centre have voiced concerns about the care they receive. Will the minister investigate these health concerns in an expeditious manner?

MS BETKOWSKI: Yes, Mr. Speaker. The Health Facilities Review Committee has done a review of the centre which the hon. member refers to. I'm expecting that report within a very short period of time, and I will be happy to report back to him then.

MR. SPEAKER: Edmonton-Kingsway.

#### **Free Trade**

MR. McEACHERN: Thank you, Mr. Speaker. My questions are to the Minister of Federal and Intergovernmental Affairs. The more that Canadians see of the free trade deal, the more they dislike it and the more they want out of it. Instead, we're getting in deeper and deeper. In fact, the Americans have asked us to join the talks with the U.S. and Mexico for a free trade arrangement there; of course, as long as we keep quiet and don't slow down the fast track, the process. Would this minister acknowledge that by supporting the Mulroney trade deal, he has led Canada and Alberta in a disastrous policy direction, including the GST?

MR. HORSMAN: No, Mr. Speaker.

MR. McEACHERN: The answer was?

SOME HON. MEMBERS: No.

MR. McEACHERN: No. So he isn't going to acknowledge it. The GST, of course, is tied to the free trade deal. We had to get rid of the manufacturers sales tax and bring in a consumer tax. This government knew that; very hypocritical on that point.

Mr. Speaker, I wanted to ask the minister: now that the free trade deal between Mexico and the United States will turn the whole of Mexico into a Maquiladoras strip allowing foreign firms to set up in Mexico, use cheap labour, rape the environment, and basically export their goods without any tariffs into the United States, will he acknowledge that those same goods can come into Canada and that the people of Canada – the farmers, the workers, the small businesses – are powerless to do anything to stop that policy direction that this government help set in motion?

MR. HORSMAN: I don't know what kind of world this hon. member is living in, but it's a dream world, Mr. Speaker, if he thinks that it's going to be possible for Canada as an exporting nation to continue to find its way in the world without allies, particularly allies in the Americas, in view of what has just taken place in the GATT. The hon. member should come to life and come awake to realities about the international trade world in which we're living. If he thinks for a moment that Canadians can produce solely for domestic consumption, he would drive us back to pre-18th century standards of living.

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

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried. Thank you.  
Edmonton-Kingsway, followed by the Attorney General.

**head: Introduction of Special Guests**  
(reversion)

MR. McEACHERN: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to the members of the Assembly 17 people from the Winnifred Stewart campus of the Alberta Vocational Centre. They are accompanied by their teacher Wendy Uncles. I would request that they all stand and receive the warm welcome of the Assembly.

MR. ROSTAD: Mr. Speaker, it's my pleasure to introduce to you and through you to the Assembly 21 students from Camrose high school. They're seated in the members' gallery, and they're accompanied by their teacher Charlene Barva. I would ask that they stand and receive the cordial welcome of the House, and I thank them for their patience.

REV. ROBERTS: Mr. Speaker, in the public gallery are 24 students from the Alberta Vocational Centre just up the street here, downtown. They're with their teacher Michelle Tracy and Cesar Mejia. I'd ask that they please rise and receive the welcome from the members here this afternoon.

**head: Motions under Standing Order 40**

MR. SPEAKER: Edmonton-Centre, Standing Order 40 request.

**Health Care System**

Rev. Roberts:

Be it resolved that the Legislative Assembly of Alberta make known to the Liberal government in Quebec that we strongly oppose that government's recent call for the federal government's withdrawal from health care transfers to the provinces and the abandonment of the national standards outlined in the Canada Health Act.

Que rAssemblée législative de l'Alberta apprenne au gouvernement libéral du Québec que nous sommes vigoureusement opposés à leur demande récente que le gouvernement fédéral retire ses transferts pour soins de santé aux provinces et abandonne les standards nationaux contenus dans la Loi de santé du Canada.

REV. ROBERTS: Thank you, Mr. Speaker. I'm pleased that the Legislature might hear me out under Standing Order 40 for unanimous consent to consider this urgent motion. In speaking to the urgency of this motion, members will know that on Monday of this week in the National Assembly in Quebec the Liberal minister of health, Marc-Yvan Côté, introduced amendments to their health Act that would make for sweeping changes in the health services including the imposition of user fees, which is in clear violation of the Canada Health Act. Yesterday, in fact, the Liberal intergovernmental affairs minister, Gil Remillard, said that the federal government should scrap the Canada Health Act and allow provinces to finance the health system with user fees, extra billing in any manner that they see fit.

3:40

Well, Mr. Speaker, this motion is not to deny those ministers in that government the right to their own legislation, to speak their own mind, but I think it's an urgent matter that all of us who do support the Canada Health Act and its principles speak out loudly and with leadership here in Canada about the concern that we have to advocate the need to promote the Canada Health Act, not to dismantle it.

Now, I know government members will support this motion primarily because their own Minister of Health said on July 27 that the principles outlined in the Canada Health Act, including the principle of the public administration of the system, are ones that we can be proud of. So said the Minister of Health of this government. I know that under her leadership the government members will support this motion, because we need to work from within to reform the system, not to fight to dismantle from outside.

Mr. Speaker, it's also very urgent that the Liberal caucus in this House especially support this motion. It may well be difficult for them at some times to know just how other Liberal members throughout the country might interpret certain federal legislation, but I think that because of the support of the Premier, the Minister of Health, the Liberal caucus, and ourselves together we need to send the message that we really want this government to show its concern that the Canada Health Act be preserved throughout Canada.

Thank you, Mr. Speaker.

MR. SPEAKER: Under Standing Order 40, those in favour of a request for unanimous consent, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The matter fails.

### Orders of the Day

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

#### head: Government Bills and Orders Committee of the Whole

[Mr. Schumacher in the Chair]

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

#### Bill 57 Electoral Boundaries Commission Act

MR. CHAIRMAN: When the committee rose last evening, the committee was still engaged in the discussion of the amendment proposed by the Member for Edmonton-Belmont to Bill 57. Are there any further questions or comments regarding that amendment?

The hon. Member for Edmonton-Jasper Place.

MR. McINNIS: Thank you, Mr. Chairman. I would like to make a few comments on the amendment that's presently before the committee. Monday evening in committee the Member for Red Deer-North, while he refused to answer questions, quoted from the decision of Madam Justice McLachlin in defense of the provisions of section 17(2) in particular. I don't believe that he attempted to ascribe subsection (3) to the justice at all, for pretty good reason. He didn't give a page number, but exhaustive reading of the decision indicates that he was quoting from page 31, in which the learned justice indicated:

Only those deviations should be admitted which can be justified on the ground that they contribute to better government of the populace as a whole, giving due weight to regional issues within the populace and geographic factors within the territory governed.

Now, that was presented as if it were some type of a blanket justification to cover any amount of deviation from the average. I think that quote is taken entirely out of context. In fact, if you look at the preceding page, I think it makes clear what the justice was talking about and what the law of the land is. I'd like to put the quote that proceeds that on the record so that anyone reading these debates can understand what it was that Madam Justice McLachlin was trying to get out. She said:

Because equality of voting power is so important, it is appropriate to set limits beyond which it cannot be eroded by giving preference to other factors and considerations, such as the 25% limit applied in Canada to federal electoral districts or the 10% limit established recently in Australia.

If I may underscore, again using the words of the justice: "the dominant consideration in drawing electoral boundaries must be population." These are very powerful words, and I believe that the justice was indicating the type of criteria you would use to justify deviation but only within the framework of the fact that population is the dominant consideration. She's not saying that anything goes under the guise of regional considerations or geographic considerations, only that those factors can be used to

stretch the population rule within a defined limit. What we're struggling with in this Assembly is how big that limit should go.

You can read Madam Justice McLachlin from beginning to end, and you won't find any reference to 50 percent deviation within the population because it's not there. I think that means among other things that Madam Justice McLachlin would not consider 50 percent to fall within the framework of acceptable limits, and she is clearly sending a signal to Canadian legislators, in a case which is the law of the land, that the courts will set limits beyond which you cannot go. That's what we're struggling with in this debate today. I really think the member took the learned justice out of context, perhaps inadvertently, but nonetheless gave it a complexion that just isn't there.

The dominant consideration has to be population. Why? Well, because we in this Assembly represent members of the population. Now, traditionally that has been considered to be citizens, voting citizens at that. The government is adopting an entirely different basis for representation. That's not the issue before us today, but nonetheless population has to be the dominant factor in the consideration.

Now, when we look at the provisions of section 17(2), we see a whole list of factors that the government wants to impose on the commission as grounds or criteria for moving beyond the 25 percent, forgetting conveniently about the idea that the first 25 percent is there for a reason. There are no criteria for that. Instead, what we have is a dictate, an edict from the government to the commission saying, "That 25 percent you have to play with in certain ways," and those certain ways are enumerated elsewhere in the legislation under sections 14 and 15, where we go through the quota that's assigned to the city of Calgary, the quota that's assigned to the city of Edmonton, and similarly Lethbridge, Medicine Hat, Red Deer, St. Albert, Fort McMurray, and the hamlet of Sherwood Park. Then there's further dictate, edict, and mandate given to the commission dealing with Red Deer and Medicine Hat, St. Albert, Grande Prairie, within the frame of section 15. That's how the government treats that 25 percent which the learned justice says is there to provide for those regional and geographic considerations.

What is the government saying when they do that? Well, they're saying, "We want the commission to look at regional factors and geography not in dealing with the first 25 percent but with the second 25 percent." To this very day no one has come forward with even a stab at explaining why the second 25 percent. We know that they reserve unto themselves the right to use that first 25 percent for political reasons, because it's written right in the Act. It's not there for the commission to use to balance considerations of geography and regional considerations; it's there to draw a government-mandated electoral map of the province. No member of the commission can deny that, because it's there in black and white. The quotas are there.

#### 3:50

That has some interesting consequences. You look at, for example, the way people in Grande Prairie view this situation. They're not being treated as a municipality entitled to a seat under this legislation, not at all. They're being carved in half and hived off into these so-called multimunicipality electoral divisions' multimunicipality being in this case a code word for nonurban. I don't believe this code nonsense is going to stand up in court, not for 30 seconds. You'll be defending urban and nonurban before you know it whether you call it single municipality or multimunicipality. But what the good folks in Grande Prairie have noticed: when they get divided in half and half goes into one rural riding and another half goes into another rural

riding, it doesn't mean they get two MLAs; it means they may very well end up with no MLAs.

MR. CHAIRMAN: Order in the committee, please. Can the committee try to keep the background noise down. Thank you.

MR. McINNIS: I was saying that the city of Grande Prairie is concerned that they will end up with no MLAs rather than two MLAs out of the mix. Again this isn't something that the commission has any discretion over. We're not saying to the commission, "Go and find out what people in Grande Prairie want, what their best interest is in terms of representation or the representation they may be entitled to." No. The government is saying to them that within that first 25 percent, which is supposed to be there for the commission to balance the regional and geographic fashions, you've got to do it this way: you've got to divide the city in two, and you've got to put part of it in one rural seat and part of it in another rural seat. That's the general flavour of this legislation, and it's a flavour that doesn't taste very good, Mr. Chairman. It's not a palatable flavour at all. In fact, it's a flavour which is offensive not just from a political perspective, because that's what we're dealing with here, but I believe it's offensive to the Charter of Rights and Freedoms, and I plan to deal with that in some detail a little later on.

So what we're dealing with in section 17 is not that 25 percent which is supposed to be there either way to balance considerations of geography and the regional considerations, the very criteria which the Member for Red Deer-North put forth in his rather feeble defence of this section when he quoted the words of Madam Justice McLachlin saying that you have to give "due weight to regional issues within the populace and geographic factors within the territory governed." She was referring to that first 25 percent, not the next 25 percent. So when the court says the "geographic considerations affecting the servicing of a riding and regional interests meriting representation may fall in this category and hence be justifiable," the court is talking about that 25 percent which has already been spent by the committee, that was the conduit for the government's thinking on the political allocation of seats to the various municipalities of the province.

Now, I think that's the fundamental category mistake that the government is making in this legislation. They're saying, "Oh, well, the courts say that you can have some deviation based on these factors, so we'll use those for our own political purposes, and then we'll give them another 25 percent that they can use to do the job that was supposed to be done by the first 25 percent." That's the fundamental category mistake that's being made by the government, and it's the reason we have to get that out of here. We have to get it out of here, because somebody's going to look at this and say, "This resembles a rotten borough." You know, we've got these four districts that we're going to give to some political appointees to create within the province which have totally different rules than all of the others. For those members who may not be familiar with the term, "rotten borough" refers to a depopulated electoral district that retains original representation. The term was first applied by English parliamentary reformers in the early 19th century to such constituencies maintained by the Crown or a patron to control seats in the House of Commons.

I believe the Deputy Premier in question period today referred to a member of my party who wanted to bring us back to a pre-18th century standard of living. Well, it seems to me that it's this government that's trying to turn the clock back to the 18th century by bringing back the pocket boroughs, the rotten boroughs, the ones that supported a certain type of representa-

tion in the House of Commons. What happened to the rotten boroughs was that reform came along. In the reform Acts of 1832 and 1867 more than 140 of those rotten boroughs were eliminated or at least brought down to a much smaller number. We had situations back in those days, for example, where the county of Cornwall, which was sparsely populated, returned 44 members, while the city of London, which had more than 100,000 people, returned only 4 members. It was a philosophy that gave much greater weight in certain key areas to rural areas of the countryside vis-à-vis the larger urban centres. Unless and until somebody can explain the public policy rationale behind this, what public policy the government is attempting to serve, I believe the government will have very little chance of getting this by a Charter test let alone getting it through the Legislative Assembly.

You know, I think we as members of this Assembly have to take our responsibility vis-à-vis the Constitution of the country very carefully. We all take an oath of office under which we state that we will uphold the laws of the nation and the province. Surely there is no more basic law than the Constitution, of which the Charter of Rights and Freedoms is a part. I question why it is that we have to accept a certain amount of faith, which is what we're being asked to do on the part of the government, as to whether this section is legal or not before we're asked to vote on it. It seems to me that the government is itself in at least some doubt as to whether the section is constitutional. If there were no doubt, why would they be referring it to the courts for a ruling? My understanding is that the Attorney General has stated that there will be a reference of this legislation to the court at some date. I don't know that he has said or that the government has said to this date exactly when that would happen. That will be an interesting proceeding, and some of the arguments that are being made in this Chamber will probably be made then.

Well, if the government's not sure of its legal position on this, why is it insisting that the Assembly pass this section right now? I submit that the sensible thing to do would be to pass the legislation without the questionable sections, and if the questionable sections are found to be constitutional, then the government can come back with that question answered, with that ruling in hand before it asks the Assembly to go out and create the four or however many of these pocket boroughs it wants to create. But in the absence of that ruling it's asking the Assembly to make a pretty big leap over a canyon, and I think the Assembly, or at least some members therein, may look a little bit foolish if they've approved legislation and then it's struck down by the courts. I think there will be at least a very strong argument.

I made reference the other day to tests which are applied to the constitutionality of certain provisions, especially those dealing with the Charter. The Charter does state that governments have the right to override the Charter, that our fundamental equality rights, the equality of people under the law, can be compromised by governments but not any old government any day of the week. There are some tests which have been applied – three of them, as a matter of fact – the first test being that the measures adopted have to be carefully designed to achieve the objectives in question. I think that's where the problem begins. I reviewed very carefully the remarks of the Member for Taber-Warner last evening when he went through the various criteria in section 17(2) and offered an explanation. I do have to say that at least he tried. At least he stood up and offered some explanation, unlike the Member for Red Deer-North, who gave an indication

of how he treats questions that are raised by the members of the Assembly by not even trying to address the criteria one by each.

4:00

If you go through, you can find some indication of what the government's thinking is and perhaps where they came from. For example, he states that these criteria are a reflection of what the committee members heard from Albertans across the province. Well, it's true that the committee may have heard some suggestion along these lines, and they may have heard other suggestions as well. I doubt very much that they had a consistent view on this across the board. In fact, I could probably name some of the witnesses who spoke otherwise. I'm not certain that that really constitutes an objective. It may indicate the source of the ideas, but indicating the source of the ideas does not give us the public policy objective that the government is trying to meet.

He went on to deal with each of the criteria. For example, he said that the 20,00 square kilometres, which is one of the criteria, is not a magic number. He said that the number could just as easily be 25,000 or 18,000. "The point," he says, "is that the committee looked at the statistics available and made a recommendation." Well, there's no public policy objective there. That some members of the committee looked at some numbers and picked one over another does not indicate a policy objective. Similarly, item (b): "total surveyed area . . . exceeds 15 000 square kilometres." Well, he made some reference to the fact that some of the areas of the province have large areas that are unsurveyed, referring to Dunvegan and Peace River. I take it his point is that those two would not qualify because they don't have the requisite amount of surveyed area. But again the policy objective is elusive in terms of the member's comments. You know, I'm at a loss to understand what the policy objective is in that.

He went further to talk about the length of primary and secondary highways. Now, I think we came a little bit closer when he said that the number of primary and secondary roads or the distance on those roads have something to do with the population, that primary and secondary roads only exist where there are people. I think that's perhaps a good point. But what's the policy objective behind inserting that criteria? If there is population there to justify a member, then you don't need to put in any additional criteria regarding roads. So the policy objective isn't there.

Now, when we get to the next criteria of 150 kilometres distance from the Legislative Assembly, he in fact stated that it's not just the MLA who has to travel but every member of the constituency. Well, what we're talking about here is the relationship between the number of people in the district and the number of MLAs they have. I mean, the fact that all of the people in that district, if they choose to travel to Edmonton, have to travel more than 150 kilometres really says nothing about the numerical relationship between their MLA and themselves. It certainly doesn't justify a 2 and a half to 1 spread in population, or at least that link hasn't been made, and the policy objective isn't there.

Now, I think he came a little bit closer when he talked about the next criteria, which is not having a town greater than 4,000 population. The member said that an MLA has to deal with the concerns of every community, by which I take it he means community council, and that takes time. That takes the time of a member. So I think the policy objective in that case would be that an MLA should have as few as possible local government councils to deal with. Now, if that's the policy objective, let's

come out and say it. And that may be the closest that we have to having one.

Then we go on to the criteria (f) dealing with a significant loss of population due to economic factors. He gave the example of a mining town where the mine closes down and the population leaves: it's important not to make a change in distribution of seats on account of that drop in population. Well, it seems to me that if there is a public policy perspective there, it's that there should be no change, at least not within a relatively short period of time; the representation should remain stable over a period of time regardless of what happens in the population. Well, if that is the public policy objective, I don't think there's any question but that it would be struck down under the Charter of Rights and Freedoms, because the fear of change does not constitute a reason to violate the Charter of Rights and Freedoms. I can't see any government lawyer standing up to argue that point.

Then he deals with item (g), which is

to impose a higher population requirement would significantly and negatively affect the community of interests of the inhabitants of the proposed electoral division.

Now, I think there are some key words in that clause, those words being "to impose a higher population requirement." Who's imposing what, Mr. Chairman? Let's get that out on the table. It's not a case of somebody imposing on a rural riding a higher population requirement; it's rather imposing on the rest of the province that a particular area should have significantly less population. That's the imposition. It's asking my constituents to accept that their vote is worth considerably less than the vote of that rural person, that the vote of any group of five people in my district should be worth the same as two people in that smaller district. That's where the imposition is, and that's what this whole section is: an imposition upon the commission and an imposition on the province. It's the politicians imposing on the whole system the idea that there should be these four districts. So the imposition doesn't run that way; it runs the other way around.

So while I appreciate the effort that was made by the Member for Taber-Warner, I don't believe he's really articulated a clear policy objective that is behind this, certainly not one that couldn't be accommodated within the 25 percent. I go back to Madam Justice McLachlin, who says that that's what the 25 percent is there for: it's for dealing with regional and geographic concerns. So if that's the policy objective, surely that can be dealt with within the discretion of the commission rather than creating this new category of pocket borough. Because the next test will be – it's actually the same test – whether the measures chosen to make sure that they're not arbitrary, unfair, or based on irrational considerations are connected directly to that policy objective. Until we get the policy objective, it will be very difficult to say whether that rational connection has been made.

Secondly, it's a question of impairing as little as possible the right or freedom in question. Well, the right or freedom in question is our fundamental equality as citizens in this country and in this province. We are impinging upon that right to a very great extent, to the extent of some 250 percent – that's a pretty great extent – whereas I think Madam Justice McLachlin makes it clear that there has to be a limit on it. The only limits she talks about, Mr. Chairman, are 10 percent and 25 percent, never the 50 percent and never a 2 and a half to 1 spread in population. So I think it will be difficult, even if they do come forth with a policy consideration, to show that they've impaired as little as possible the right or freedom in question.

4:10

Finally, there's the question of proportionality: whether the measures which are responsible for limiting the Charter are of sufficient importance to justify a limitation. Well, I've said and my party has said consistently that geographic considerations, regional considerations, community of interests, all of these things are legitimate, and they are sufficiently important to justify a limitation. We're into a question of degree, and I think the degree is completely out of whack.

The problem is that the government spent the 25 percent that was there to deal with those problems that they pretend to be concerned about. They spent it crassly and politically by assigning arbitrary, unfair quotas to municipalities throughout the province. That's where they spent the 25 percent, and now they're coming here asking for another 25 percent to deal with the problem that they ignored in that first element. Therefore, I think it's very difficult to say that there's proportionality when they took what should have been there to deal with that and spent it on some other purpose. They're into a whole other area. They're into deficit financing: they're spending a deviation that they don't have. For that, I think we should strike this section out. If the court says that it's onside, then I think the committee and the Assembly could look at it.

Thank you, Mr. Chairman.

MR. CHAIRMAN: The hon. Member for Vegreville.

MR. FOX: Thank you, Mr. Chairman. I, too, wanted to speak briefly on this amendment as proposed by the Member for Edmonton-Belmont, because I think it's a very thoughtful amendment that is attempting to make this piece of legislation better. I did have the opportunity to speak at some length about what I think we should be doing as a committee of the Legislative Assembly of the province of Alberta to empower the Electoral Boundaries Commission, once appointed, to do a proper, fair, and reasonable job of drawing the electoral boundaries in the divisions in our province. I think those comments stand today. None of the arguments that I've heard in the interim from government members trying to justify this gerrymander have convinced me otherwise.

I think that regardless of who we represent or which riding we represent or what we think the eventual outcome of elections next year or 10 years or 15 years from now may be, we should be able to agree that Albertans now and in the future are best served by an electoral process that is fair and just. No matter where they live, people should be able to have faith in a system that ensures that their vote will have relatively equal impact in terms of making the very important decision about who is going to form the government and which set of policies or lack thereof would be put in place to guide the province in the years to come.

I think we already dealt extensively with an amendment that we proposed and the government members rejected with respect to section 17(1). Now we're dealing with an amendment that deals with section 17(2) and (3). Now, I've heard all of the questions that have been asked by members on our side of the House – very good questions, I might add – asking why the government felt it necessary to include in legislation the kind of parameters, the kind of guidelines, that exist under section 17(2), where it says that in spite of what we're saying in subsection (1), electoral divisions must not be more than 25 percent above or below the provincial average according to the most recent census figures. Notwithstanding that minimum level of fairness, they're proposing that up to 5 percent of the proposed electoral

divisions can exist with less than 50 percent of the average population of electoral divisions, which means in practical terms, Mr. Chairman, that instead of having the kind of spread that we have currently in our situation, where the riding of Edmonton-Mill Woods is the largest in the province of Alberta with over 50,000 population and Pincher Creek-Crowsnest is the smallest with just over 14,000, we would have a situation where the largest riding would not be above 35,000 in population but the smallest one could still be 14,000. There wouldn't be any movement on the bottom end of the scale, and you could have some ridings that are as much as two and a half times as large as others in the province and without any justification. No fair-minded and reasonable person could come to the conclusion that this was a necessary inclusion in the Bill, and that's why we're proposing to eliminate it.

The government members often refer to other jurisdictions, using other provinces for examples, and point out that there are areas in the northern parts of these provinces that are sparsely settled, where travel is a problem, and that are primarily devoted to resource extraction, and you can look at the province of Manitoba or the province of Saskatchewan or the provinces of Quebec and Ontario as good examples of that. But that's not the case in Alberta. We do have two very large northern ridings, the two largest ridings in terms of area, geographically, in the province, but they're not small ridings in terms of population. I remind hon. members that the riding of Fort McMurray is more than 25 percent larger than the average currently, where there are some 38,000 population as of the last available census figures. The riding of Peace River is as well larger than the average, Mr. Chairman.

So I don't think we have a situation in Alberta where we have northern ridings that are small and sparsely populated. There are some major population centres up in those areas, and what we have is a situation where these ridings will likely have to be made smaller to accommodate the population averages that we're trying to achieve through this Bill, Mr. Chairman. I submit that the position we have in Alberta is different from Saskatchewan, different from Manitoba, and different from the province of Ontario. I think we're in a different situation.

I would just like to challenge some of the criteria, in spite of the answers or attempted answers provided by the Member for Taber-Warner. The government has come up with seven criteria, seven variables, that the commission could use to choose which four ridings out of the 83 in the province would be permitted to be 50 percent smaller than the average. I submit that when they came up with these criteria, they didn't look at the province as a whole; what they did was say, "Now, which ridings do we want to keep 50 percent smaller than the average?" or "Which ridings that we currently have do we not want to change?" They chose very arbitrary figures, like the area of the proposed electoral division must exceed 20,000 square kilometres or that the total surveyed area must exceed 15,000 square kilometres. I've got the information for the benefit of the Member for Calgary-Foothills. I have the information provided to the committee that shows which constituencies fall into those various categories, which ones have more than 20,000 square kilometres of total area. They're dealing with the number of kilometres of primary and secondary highways as if that's relevant to the electoral rights of citizens in the province of Alberta. Somehow the electoral rights of the citizens of Alberta is linked to the number of kilometres that they are away from the capital building, and in this case they chose 150 kilometres.

I suspect — I know, in fact, the reason they chose 150 kilometres. I might remind members that it takes an hour and a half to drive 150 kilometres. The Member for Vegreville does it frequently in his travels to and from his constituency. They chose 150 kilometres because that meant that the riding of Athabasca-Lac La Biche could qualify as one of the ridings that they want to see 50 percent smaller than the average. Why else would 150 kilometres from the capital qualify electors in a certain division to have more impact, perhaps two and a half times as much impact, on the outcome of elections as citizens in other jurisdictions?

MR. MAIN: What about Edson? What about Red Deer?

MR. FOX: The Member for Edmonton-Parkallen is asking me, "What about Edson?" I'll tell the member what about Edson. Edson doesn't qualify on several of the other categories here. Edson is a town with 8,000 people. Hinton is a town almost ready to become a city with nearly 10,000 people. In fact, the riding overall, if the member wants to talk about the riding of West Yellowhead, contains the average number of citizens. We're talking about 27,000 citizens in West Yellowhead. Certainly nobody is suggesting that the government wants to make West Yellowhead 14,000.

4:20

No, these criteria are very artificial, very phony, very manipulative, chosen for one reason and one reason only; that is, so that the government members can instruct the people they appoint to the commission to make sure that there are four ridings currently held by Conservative members that will not change very much so that they, hopefully, can continue to be represented by Conservative members. And that's false logic. That's not going to happen. Given the current popularity of the Conservative government, where we have a situation where there are more people in the province of Alberta who believe that Elvis is still alive than agree that the Conservative government's doing a good job running the province, I suggest that there aren't very many safe seats for the Conservatives in the province of Alberta. They should not use their vision of electoral success as a guideline in drawing electoral boundaries.

They should try and do what we're doing, and that is: be fair and reasonable in the development of these guidelines. I submit that the way to do that is to instruct the commission, once appointed, to go out and find 83 electoral divisions in the province of Alberta and make sure that they do as fair and reasonable a job as possible and not provide them with a whole bunch of namby-pamby guidelines that are designed to do nothing more than influence the outcome of the decisions that they make. To suggest that in the province of Alberta — that is relatively well settled throughout, that has economic development in relative terms from one end to the other — we need to have four ridings where the citizens have two and a half times the electoral impact as citizens in other parts of the province of Alberta is unacceptable and impossible to justify in my view.

I want to remind members: if the average number of citizens in a riding is going to be 28,000, we're likely to have, when these guys finish drawing the boundaries, several ridings that are 25 percent larger. That puts them at 35,000 citizens. If you're going to take the four ridings that they'll draw with 14,000 citizens, those people will have two and a half times the electoral clout as the people in the larger ridings. We're not just talking about electing individual, local MLAs; we're talking about setting direction for the province of Alberta for the years to

come. Their impact on that decision is two and a half times as large as the citizens living in large ridings, some of them rural. Fort McMurray is an example. Even though it's an urban area, these guys classed it as rural under the last guidelines established. They would have two and a half times the impact of citizens living in some of the larger ridings, and that is not fair. It's not only not fair; it's not necessary.

All of this nonsense in section 17(2) and section 17(3) is excess baggage that is there for no reason other than to give the commission the chance to do some favours for the ruling Conservative Party, and I find it a distasteful process to be part of creating legislation that is designed for such a narrow political purpose, Mr. Chairman. I remind members that Albertans, regardless of who you are or where you live, are best served by a government that is fairly elected in a way that represents the wishes of the majority of the people in the province of Alberta regardless of who that government is. Even if it's a Conservative government, if a majority of people choose it, then they have the right to govern, not like they do now with 44 percent of the popular vote as of the 1989 election with the opposition getting 56 percent.

Section 17(3) is a very curious little addition to a piece of legislation. It tells the people in the municipality of Crowsnest Pass that they don't live in a town. The reason they don't want to call it a town for the purpose of this Act is because there are more than 4,000 people living in the Crowsnest Pass. They want to instruct the commission not to be fair and reasonable when they look at the people who live in the area of Crowsnest Pass. They want to tell the commission that even though it's been established by an Act of this Legislature as a municipality, for the purposes of this Act, because it contains more than 4,000 citizens, it shall not be considered a town. Without the inclusion of 17(3) the Conservatives wouldn't be able to gerrymander the electoral boundaries in such a way that Pincher Creek-Crowsnest, or whatever the riding will be called in the future, is 50 percent smaller than the average.

When I look at the riding of Pincher Creek-Crowsnest, I see a riding that is not very large in physical terms, that on average is smaller geographically than a number of jurisdictions in the province. I don't know; perhaps the Conservative member has trouble representing a riding that size, but I know that a New Democrat member elected from that constituency would not have trouble representing a riding that size. I don't think there's any justification, Mr. Chairman, for us rigging the process by allowing section 17(3) to remain in the Act, whereby the commission will be able to look at all of these weird guidelines up here that the government is using to justify some ridings being 50 percent too small, like they don't have towns exceeding 4,000 in population, like they're more than 150 kilometres from the Legislature Building — not the city of Edmonton; the Legislature Building. That's interesting — that they have to have more than 1,000 kilometres of primary and secondary highways. They don't mention if those roads have to be paved, by the way. I don't know how the Premier's plan to have all these roads paved by 1999 is coming, but that's not mentioned in there. I guess they can be unpaved.

If it suited the government's purpose with this legislation in section 17(2)(c) — if they found that there was a riding that they could draw somewhere in the province of Alberta that they wanted to keep 50 percent smaller than the average, if they wanted to do that but found that it didn't meet four of the seven of these proposed criteria listed, then the Minister of Transportation and Utilities could decide that some road in the middle of nowhere was all of a sudden a secondary highway so it

exceeded the 1,000 kilometre guideline. I mean, I'm not suggesting that would be done, but that's how foolish this inclusion is.

Let's say that the proposed electoral division had no municipality greater than 4,000 people, and let's say that it was more than 150 kilometres from the Legislature Building and that it didn't meet any of the other criteria except that it had more than 15,000 square kilometres of total surveyed area, so it only met three of the proposed seven guidelines, and it had 985 kilometres of primary and secondary highway. Well, the government could look at that and say: "Well, gee. We need another 16 kilometres of secondary highway to add to that area so that we can gerrymander that constituency and ensure that those electors, whoever they may be, have two and a half times as much influence on the outcome of an election as the electors in the city of Fort McMurray." Well, I don't think that's fair. I don't think that's fair at all, and it's really, really sloppy legislation.

I know my learned friend in the Chair, who is a stickler for language and precision, would not want to see legislation like this pass because it is so loose, it is so poorly drafted that we've got to make it right. The way to make it right is to strike section 17(2) and (3) from Bill 57, the Electoral Boundaries Commission Act.

SOME HON. MEMBERS: Question.

MR. CHAIRMAN: Is the committee ready for the question? All those in favour of the amendment proposed by the hon. Member for Edmonton-Belmont, please say aye.

SOME HON. MEMBERS: Aye.

MR. CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

MR. CHAIRMAN: The amendment's defeated.

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

[Eight minutes having elapsed, the Assembly divided]

4:30

For the motion:

Barrett	Gibeault	McInnis
Bruseker	Hewes	Mitchell
Doyle	Laing, M.	Roberts
Ewasiuk	Martin	Sigurdson
Fox	McEachern	Woloshyn

Against the motion:

Ady	Fjordbotten	Mirosh
Betkowski	Gesell	Moore
Black	Getty	Nelson
Bogle	Gogo	Paszkowski
Bradley	Horsman	Severson
Calahasen	Hyland	Shrake
Cherry	Isley	Speaker, R.
Clegg	Johnston	Stewart
Day	Jonson	Tannas
Dinning	Kowalski	Thurber
Drobot	Laing, B.	Trynchy
Elliott	Lund	Weiss

Elzinga	Main	West
Evans	McClellan	Zarusky
Fischer		

Totals:	Ayes – 15	Noes – 43
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[Motion on amendment lost]

MR. CHAIRMAN: The hon. Member for Vegreville.

MR. FOX: Thank you, Mr. Chairman. I believe another amendment as proposed by the Member for Vegreville was circulated in the House the other day. [interjection] It was circulated. Perhaps if the Member for Barrhead would like an additional copy, I can arrange for that, but I wish he'd keep his information.

The amendment deals specifically . . . [interjection] The Member for Barrhead appears to want to have me eliminated. I'm not sure if he'd like to reconsider that. Put a motion on the Order Paper.

4:40

MR. KOWALSKI: You've got the reflection off your head. You don't need any more illumination.

MR. CHAIRMAN: Order please. Order in the committee.

MR. FOX: I said "eliminated," not "illuminated."

The amendment proposes that we deal with the time lines with regard to the commission process, Mr. Chairman, and I think they're very important amendments. In section 6(1) it says:

The Commission shall, after considering any representations to it and within 9 months of the date on which the Commission is appointed, submit to the Speaker of the Legislative Assembly a report, which shall set out the area, boundaries and names of the proposed electoral divisions.

This in a sense is giving the commission nine months to do its initial, preliminary work, pointing out to members, if I may, that with Royal Assent being given to this Bill, the commission is established and would have to issue its interim report nine months hence. That would see the interim report coming to the Speaker sometime in September, I would estimate.

Perhaps in explaining my desire to amend this, I need to link that to the subsequent provision of 8(1), where it says:

The Commission may, after considering any further representations made to it and within 6 months of the date it submitted its report, submit to the Speaker any amendments to its report it considers advisable.

What this means, Mr. Chairman, is that we are essentially working with a 15-month time line with this electoral boundaries process. The commission would have nine months to do its work in the first instance, present a report to the Speaker sometime in September, and then would have six months from that date to prepare its final report, which would include a process of public hearings and drafting and mapping that would put us into 1992, likely February or March. Again, the dates are not fixed in stone until this Bill is passed and the commission is appointed, but we're looking at sometime in February or March 1992 before the electoral boundaries are presented in their final form to the Legislature of the province of Alberta. Then I would assume that a Bill has to be introduced, debated, and passed in this Legislature to make those proposed 83 electoral divisions legal. So we are then looking at probably sometime in



March or April, perhaps even May, before a new law is passed in the province of Alberta establishing electoral boundaries.

The learned Member for Calgary-Foothills may wish to comment on time lines, because I know it's been an interest of hers through correspondence she's had with the Chief Electoral Officer. It is an important process.

Then the Chief Electoral Officer is charged with the responsibility of preparing the electoral machinery necessary to conduct an election. That includes, in the first instance, appointing returning officers. In the law that exists in the province of Alberta – that law could be amended, but as it currently exists, the Lieutenant Governor in Council, otherwise known as the Conservative cabinet, has to submit names to the Chief Electoral Officer so that by order in council these returning officers for each of the 83 electoral divisions can be appointed. It's not safe for us to assume that the 83 returning officers currently appointed to that position will become the 83 officers that are appointed to the position in the newly drawn electoral boundaries. That doesn't necessarily translate, because what you have according to law is that the returning officer has to be resident in the electoral division in which they're appointed to be returning officer. That is the case now, but when the boundaries are redrawn, you may have two or even three returning officers living in the same electoral division. So there's going to have to be that ongoing process, and that takes time. It takes time for the government to decide which people they want to reward with this appointment, for the appointments to come through, for the recommendations to come from Conservatives either sitting or defeated in various constituencies about who they want to sit . . .

MR. McINNIS: That's not how they do it.

MR. FOX: Well, that's what I was told, hon. Member for Edmonton-Jasper Place. I was told that's how they do it. Perhaps it's wrong for me to repeat what Conservatives in my constituency tell me.

MR. CHAIRMAN: Order please. Please confine your remarks to the amendment and not to a conversation in the House, hon. member.

MR. FOX: I'm sorry, Mr. Chairman. I'm not used to being heckled by members on our side of the House.

Anyway, the first thing that has to happen is that these returning officers have to be appointed. Then they have to be trained, and again we can't assume that all of them will have been trained because there may be some new ones. Mapping has to be done. The individual polling divisions have to be established by the returning officers for each electoral division, and they have to do that in a fair and reasonable way. I assume they try not to do it in a way that makes sure that some polling divisions have 50 percent fewer electors or citizens than the average in their constituency. I assume they're fair and reasonable, unlike the government proposes the overall process be. It's a cumbersome process, Mr. Chairman. They have to appoint these people. The mapping, the polling subdivisions have to be determined.

Then we get into the enumeration process. Mark my words, an enumeration on the new electoral boundaries will certainly have to be done before an election can be held on the new boundaries. Well, I submit that the guidelines as presented here, the nine months proposed in section 6 and the six months proposed in the follow-up section 8 in the Act, mean that we will not be able to have an enumeration on the new boundaries at

least until September 15 to 30, 1992, which would be in accordance with the existing Act. I would like to submit, Mr. Chairman, that that's too late. The history of this government coming to the end of its creaky reign in the province of Alberta is that they generally seek a renewed mandate from the people of Alberta within a three and a half year time frame. That's been the average.

AN HON. MEMBER: That's the record.

MR. FOX: That's the record, although that average was influenced somewhat by the untimely and ill-fated election call by the current Premier in March of 1989. Anyway, the average overall is about three and a half years.

So what we have is a situation where three and a half years after the last election, three and a half years after the March 20, 1989, election, we will only have established and will be starting to hold an enumeration on these proposed new electoral boundaries: very, very risky, I submit, Mr. Chairman, because we might already be into an election having been called without ever having the chance to have an enumeration on the new guidelines. Once the enumeration is held, that doesn't mean voters lists are prepared and ready, because there's a process of revision, a time for updating the lists and printing them and getting them out. It takes several weeks after that. So in the province of Alberta we would not be ready to hold an election on the new boundaries, I would submit, until between three and a half and four years after the March 1989 election.

Now, I know the Premier in his off-the-cuff public statements from time to time has said to Albertans that we will not have an election until 1994, which would make it five years, Mr. Chairman, after the last election, which would be near the very end of the electoral rope, I might say, because you can't go more than five years without having an election. Maybe he's trying to take a page out of the Grant Devine book of electoral politics in Saskatchewan, where he's now into his fifth year and running out of options. He's eventually going to have to call an election and welcome an NDP government in the province of Saskatchewan.

But the Premier has said we won't have an election before 1994 in the province of Alberta. Well, frankly, I don't believe him. I don't believe him. For that reason I think we need to look seriously at tightening up these time lines that we're proposing for the commission, giving them better guidance so that we as politicians, regardless of which party we represent or which area we come from, can be assured that the people in the province of Alberta will have a chance to express their views based on the new electoral boundaries ASAP, meaning as soon as possible or as soon as reasonable. I submit that not having that machinery in place at least until December 1992 is not soon enough. We're looking at a full two years from now before we're ready to hold an election with a property done enumeration on the new boundaries with the time lines the government is proposing. I hope one of the government members of the committee will get up, and if they think I'm out to lunch on this one, I'd like them to tell me why.

4:50

The other thing we're considering here, Mr. Chairman – and it has to be noted – is that as members of the Legislative Offices Committee, we are compelled to entertain a request from the Chief Electoral Officer to provide funds for that office to hold an enumeration as per the Act, as per the legislation in the province of Alberta, September 15 to 30, 1991. That's in the Act

and that's his responsibility. Now, it's going to cost about \$4 million to do that, and we have to decide: do we provide money to hold an enumeration on the old electoral boundaries at about the same time the commission, once established, is issuing its interim report proposing new boundaries for us? It puts us in a difficult position, but it puts the Chief Electoral Officer and the people working there in a worse position.

MR. BOGLE: What's the hon. member's recommendation?

MR. FOX: Now, the Member for Taber-Warner, the chairman of our Legislative Offices Committee, is asking me what my recommendation is. My recommendation to the Member for Taber-Warner is that we amend section 6(1) by striking out "9 months" and replacing it with "6 months," instructing this commission to come forward with their interim report six months from the date they're established. I believe they can do it. I believe a lot of the calculations have been done, a lot of the work has been done, a lot of the information-gathering that is part of this process has already been done, and I believe the commission can do its work within six months of its being established.

Then once that report's submitted, I'm suggesting that we amend section 8(1) by changing the six months they're given for subsequent consideration and preparation of the final report to four months, thereby shortening this process by five months overall, taking the process from a 15-month process and then having an enumeration sometime in September 1992, changing it so the commission would present its interim report to the Speaker of the Assembly and, I believe, MLAs assembled – I think we'll be in spring session – sometime in the month of June next year. Then they would have four months to submit their final report, which would make that sometime in October. I might remind the Member for Taber-Warner that we may well be in fall session in October of 1991.

If we could have the assurance from government members that they would agree to these time lines – interim report, June 1991, subsequent report, October 1991, with a commitment from them to hold an enumeration on the new boundaries as early as possible in 1992, let's say March 15 to 30 for lack of a better date – then we as the Official Opposition would agree not to push for an enumeration on the old boundaries in September 1991. We believe we would have an enumeration on the new boundaries before we've reached the third anniversary or in and around the third anniversary of the March 20, 1989, election. Further, we would agree to making a change in the Act to waive the need to have a subsequent enumeration in September of 1992, because we would have just had one in March of 1992. So what we would have in terms of enumerations is an enumeration based on the new boundaries in March of 1992 and then the next enumeration done on the new boundaries, if there hasn't been an election called in the interim, in September of 1993.

Otherwise, Mr. Chairman – and I hope someone's capable of defending the government's position on this – what we're faced with is a situation where we're compelled to approve money for the Chief Electoral Officer to hold an enumeration on the old boundaries in September of 1991. If we don't do that and if we don't adopt my amendment as proposed, nobody on the government side can assure me that we will not have an election in the province of Alberta before December of 1992. Nobody here can assure me of that. Nobody here can stand up and tell me what the electoral future of the hon. Premier is. There isn't anybody that can give me firm assurance that the hon. gentleman will be in his position wanting to carry on as he has beyond next

year or the year after that. There is nothing written in stone in politics. This is a very fluid kind of job we're involved in here; our responsibilities shift from time to time. So because there isn't anybody that can give me an assurance that the Conservatives won't be fighting a leadership convention next October, which would compel them to seek a mandate from Albertans sometime early in 1992, because there isn't anybody that can assure me of that, I think we need to pass this amendment.

I think the government needs to look seriously at giving the commission, once appointed, six months to submit their interim report, a four-month time period to submit the final report, and making a commitment to have an enumeration March 15 to 30, 1992. Let's waive the need, save the province of Alberta \$4 million, and not have an enumeration September 1991, not have an enumeration September 1992, and make sure that if the government is, as they say, committed to this new boundary process, they're willing to put it into action by coming up with fair and reasonable time lines.

I'm anxious to hear what some members of the government think tank might have to say with regard to the time lines I've proposed.

MRS. BLACK: Just very briefly, Mr. Chairman. Again, it's interesting to see the flip-flop, or I guess you can call it the "it seems to me I've heard that song before" routine, coming from the opposition, and I would remind hon. members that it's handy every so often to refer to *Hansard*. I would like to refer to *Hansard* committee proceedings of October 24. I would like to inform the hon. Member for Vegreville that in fact it was the hon. Member for Edmonton-Highlands that made a motion:

So what I'll move is – and I don't have it in writing, folks, so I'll speak slow and you can listen fast – that section 6(1) of the current Act, which reads, "the Commission shall, after considering any representations to it and within 12 months of that date," et cetera, be struck so that it is confined to a nine-month period during which it has time to create and present its interim report. That's a very minor amendment; it changes from 12 to nine months in the legislation. Section 8 would be unaffected by this motion. It would remain at six months.

Surprise, surprise. Flip over to page 955 on that same date.

The question is called and the Chairman says:

Okay. Let the record show that the motion was supported by Pam, Tom, Stock, Mike, and Pat, and opposed by Frank.

The date is October 24, 1990.

Now, some of your concerns, hon. member, I have to admit we discussed at great length. All members felt that it would be to all advantages to have this process proceed as quickly as possible. It wasn't to anyone's advantage to have it prolonged. However, on the advice of and in consultation with the Chief Electoral Officer, who had been through the process before, it was felt by the committee that he would require the minimum of nine months to prepare the interim report and the further six-month period to go out to the public for a public hearing. In fact, the detailed information from the Chief Electoral Officer was as complex as can be. He listed off the number of days it would take to draw maps, the number of days to print, the number of days to go out and put things into bindings, the number of mail-outs required, et cetera.

I would suggest that the hon. member read the *Hansard* and realize that the members on the committee from his caucus certainly supported this motion. In fact, they even made it.

Thank you.

MR. CHAIRMAN: The hon. Member for Edmonton-Highlands.

MS BARRETT: Thank you, Mr. Chairman. I think I should recognize the veracity of the statements made by the Member for Calgary-Foothills, but she should also recognize that I made an argument in committee just a couple of nights ago on this very subject. I said: if you ask people outside a certain context what rules they need, then they may answer differently than if you ask them inside another context. I think that's a critical factor here not to be ignored. It is absolutely true that while I was under the assumption that other components of the Bill would be advanced on the basis of a principle to which the commission could adhere – in other words, a principle of voter equality or something resembling that – I was more than willing to not only speak in favour of it but sponsor a motion that allowed a greater time line for the Chief Electoral Officer. Now, it is not wrong, it is not a lie, nor is it hypocritical, and I made the case right on the record that all things being equal, this is reasonable. On the other hand, I did not know what was going to happen later on down the road, that which did happen, which is represented in this Bill, and that is the absence of a principle to which the commission shall adhere in drawing new boundaries.

5:00

So while the Member for Calgary-Foothills is technically correct – and I do not retreat from my position with respect to the context in which that discussion occurred – she is not correct insofar as it can be safely assumed that it is hypocritical of me or any of my New Democrat colleagues to now want a change to the time lines governing the redrawing of the boundaries and the presentation of the interim and final reports.

Now I'll explain why it is so important that we hurry that process up. The reason we hurry that process up is simply because the Bill lacks the focus we had asked for, and that was the pursuit and statement of the pursuit of voter equality. One cannot assume at any point, given the parameters of this legislation, that any such goal will be met, although it is theoretically possible, I suppose, in some circumstances that it may be met or could be met. In view of that, it seems to us that the quicker the enumeration occurs, the better off Albertans are, and I stand by the position I've now just uttered.

Thank you, Mr. Chairman.

MRS. BLACK: Mr. Chairman, just on a clarification. The motion for the main thrust of the Bill relating to distribution, with regard to the 25 percent variance, the definition of multi-municipality and single-municipality ridings, the criteria, et cetera, was made on October 23, the day prior to this motion that was made on October 24.

MS BARRETT: We discussed it before, Pat.

MR. CHAIRMAN: Order please.

The hon. Member for Edmonton-Jasper Place.

MR. McINNIS: Apparently the hon. members agree that they had discussed it prior to the point of the meeting.

My remarks are in support of the amendment put forward by the Member for Vegreville, who is attempting to bring this whole process to a timely conclusion. Now, I admit and I'm sure he would admit that we're playing catch-up here. This is not an ideal situation. You know, let's talk reality for a moment. The Member for Cardston says they're going to go 10 years before the next election. I doubt it very much, because we have a Constitution in this country, and there is a section in the

Constitution which states that the House of Commons or provincial Legislature does not last more than five years.

No House of Commons and no legislative assembly shall continue for longer than five years from the date Fixed for the return of the writs at a general election of its members.

Section 4 of the Canadian Charter of Rights and Freedoms.

Now, the member pointed out quite correctly that the average length of time between general elections in Alberta has been shrinking and is settled to a point of about three and a half years. Where we sit today, Mr. Chairman, we are very close to halfway through that three-and-a-half-year period. The government has spent almost half of a traditional mandate writing these bizarre and interesting rules that are contained within the body of Bill 57. Having spent half of the time between elections figuring out what process they want to put in place and how to doctor the rules so they get the outcome they want, they then leave very little time to get the job done. That's the problem. It's no wonder we have a deficit in this province. You can't spend half the time you've got and then have all the time remaining. You don't.

[Mr. Jonson in the Chair]

So I think the member has come forward with a reasonable compromise, given that this is a world in which we have compromises. He's saying that given that they've blown half the time, we're going to have to compress the time frame for the rest of it to try to get it all done in time for a general election. So he's taking the time down from what might be optimum to do the work, from the point of view of a commission, to try and get it done in sufficient time that the enumeration can proceed.

Now, the enumeration cannot happen until you have poll names, because how do you tell an enumerator where they're going to enumerate unless you give them poll boundaries? You can't have poll boundaries until you have riding boundaries or constituency boundaries or electoral division boundaries, because you can't subdivide a division until that electoral district exists in legislation, which means that the Assembly has to act. Then tracing it all back, as the member has, we have to have this process done in reasonably short order.

It's not the fault of anybody other than the architects of this process we're involved in that we are short of time. I learned as a young person growing up in Edmonton-Jasper Place that my allowance was 50 cents a week and that if I spent more than half the amount on treats, I wouldn't get to go to the movie on Saturday because the movie cost 25 cents. You got no end of cartoons, and you got a full feature. That's a lesson the government has yet to learn. You can't spend more than half your allowance or half the time available fiddling around figuring out the rules of the game and then still have sufficient time to play the game properly.

MR. WEISS: Can we quote you about fiddling around and wasting time?

MR. McINNIS: Hon. members, and through you, Mr. Chairman, to the member opposite, the point about not wasting time is exactly what I'm on about. One year and nine months virtually have gone by since the last provincial election, and we in this Assembly are attempting to lay down the rules which will establish the commission and which will give that commission the ability to do the job.

Now, the member has pointed out that there is a financial factor involved. If we're going to have voters lists available in

time for the traditional three-and-a-half-year general election in Alberta, it's going to cost money, it's going to cost \$4 million to do that. If we're going to have new boundaries shortly thereafter, why spend \$4 million to do the job then? The government might say, "Well, okay; we won't do that." That means we won't have proper lists available in the event that an election is called. I understand the government is not prepared to guarantee in writing that it will not call an election before this process is over. If they were, then we'd be in a different situation. But what applies to a limited resource like time applies to a limited resource like money. It makes very little sense to have to go through an enumeration under the old boundaries with new boundaries coming down the pipe, but that may in fact be what fairness dictates and, in fact, what the requirement dictates so you can have those things in place. It's just like section 17. You can't spend the 25 percent that's there for regional or geographic factors on political things and then still have it available to spend on something else.

So let's deal with the fact that enough time has gone by and we really have to pull this thing together so it will be done in time for an anticipated general election. I support the amendment put forward by the Member for Vegreville.

MR. SHRAKE: Mr. Chairman, just to speak briefly. The opposition have asked for some of the members to get up and speak again. I don't know if they didn't hear them the first round. There was a lot of debate and a lot of discussion, but on this amendment I did want to say a few words.

Mr. Chairman, I have, I guess, the eighth largest constituency in this province. Back in '86 I had 42,200 people. Since then I have added two communities to my constituency, which will put me up in the top four largest constituencies populationwise in this province. I represent an urban area. You know, if I thought there was some threat, some dire threat, from the rural people ganging up on us, taking advantage of us poor old urban guys, I'd stand up here and cry to the high heavens. I've only been here for just under one decade, but I've been an elected official either here or on the council of the city of Calgary for two decades at this point. During these two decades the rural MLAs have never ganged up and pressed their advantage or somehow overpowered the poor little urban MLAs and taken unfair, undue advantage. That hasn't been a threat; it hasn't been a problem.

In fact, in poor old Calgary it seems the worst threat, the worst problem we've ever had through all the last two decades has been Edmonton trying to gouge, getting extra. That's an urban area, of course, and they're always . . .

5:10

MR. DEPUTY CHAIRMAN: Hon. member . . .

MR. SHRAKE: Anyway I may be wandering . . .

MR. DEPUTY CHAIRMAN: Order please. I would remind the hon. member that we're dealing with a specific amendment, not the principle of the Bill.

MR. SHRAKE: Sorry, Mr. Chairman, I thought here in committee we had a little more leeway or whatever.

I'll close off basically. At this point, starting to push the 50,000 mark in population, which the next census will show Calgary-Millican has, I would not trade the work of having to go and look after Fort McMurray with their 44,000 square miles or Peace River with 39,000. I've got 29 and a half square miles.

I can cross the constituency in half an hour. I know the opposition have their views on this. They've expressed them very loud and very clear and so on, but I have watched some of these members through the last few years, and I know that in their hearts they do want to be fair. I know the Member for Vegreville wants to be fair. I think if he really thinks about it, he will recognize and admit that one fact: there is not a fear or a threat anywhere, anyhow, throughout this whole province that the rural people are going to overpower the urban people and take unfair advantage and, you know, strip all the money out of the Treasury or do some dire and drastic things.

The only thing we do have to worry a little bit about is what? Those guys in Edmonton, because they always want more than their fair share, and they do take advantage of Calgary. If you don't believe it, we've raised our electrical rates and all kinds of things because of these Edmonton guys, and we didn't even complain. So if anything – maybe I'll just conclude on my little comments – maybe we should strip a few seats out of Edmonton for Calgary. That'd be fine, but as far as Calgary really needing more seats, we did have a reputation for a long time that if Calgary really needed something, somehow the MLAs in the Calgary caucus usually saw fit and got the things that Calgary needed. If you don't believe it, we went for LRT and a few things like that. We went out and did real well. The only times we've lost is when we had those guys in Edmonton take undue advantage of us, but never the rural guys. I just wanted to get that on the record there.

So thank you for being very lenient and patient, Mr. Chairman.

MR. DEPUTY CHAIRMAN: That's certainly the case.

The Member for Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Chairman. I certainly want to thank the previous speaker for keeping his remarks so closely aligned to the intent of the amendment. However, I also want to thank the Member for Calgary-Foothills for reminding us of what's gone on previously in committee. I thought she was an accountant, you know, not a historian. I want to thank the hon. member for her lesson in history. I'm just wondering if she could point out on which day the committee discussed the matter of Pincher Creek-Crowsnest not ever being a municipality, because I don't think that was in there. You know, let's deal with the profession of the member, that it's not a historian. It is that of an accountant. I have heard on numerous occasions that member stand up and talk about . . . [interjection] I agree.

I have heard on numerous occasions that member stand up and talk about fiscal restraint and fiscal responsibility and all those concerns that are not only expressed on the government side of the House but have been expressed . . . [interjection] I beg your pardon?

MRS. BLACK: You're starting to listen. I finally got through to you.

MR. SIGURDSON: I . . . [interjection] After the latitude that was extended previously, I get a little bit for laughter.

Okay.

MR. DEPUTY CHAIRMAN: Do you want time to compose yourself?

MR. SIGURDSON: I appreciate the concerns that have been expressed by the Member for Calgary-Foothills on a number of

occasions that deal with fiscal restraint and fiscal accountability, and that's partially the intent of this amendment. My colleague from Vegreville, who moved the amendment, spoke about enumeration and the process we go through. Now, both my colleague from Vegreville and I serve on the Legislative Offices Committee, and we know full well that the Chief Electoral Officer will be coming to that committee with a proposal to conduct an enumeration on the existing boundaries at a cost to the public purse of some 4 and a half million dollars.

MR. TRYNCHY: Well, turn it down.

MR. SIGURDSON: Well, hang on. The Minister for Occupational Health and Safety says that we should turn it down. With due respect, what we've got right now is that in the last Legislature, the 21st Legislature, we were elected here on May 8, 1986. An election was called in March 1989, two years and nine months following the return of the writs. Two years and nine months; one enumeration went through. If we were to go through two years and nine months following the return of the writs for the 22nd Legislature, what we would find is that we would probably not even have new boundaries. So we have to have some form of enumeration.

Now, the Election Act says that we will have to have an enumeration conducted in September of 1991. The amendment that has been moved by the hon. Member for Vegreville says let's move up the time dates. It also goes in tandem with a proposal to amend the Election Act. What we would propose is that you not have an enumeration in 1991. You move up the work of the commission so that it's completely concluded by, say, October or November of 1991. You have an enumeration on new boundaries in the spring of 1992, foregoing again an enumeration in September of 1992, but get back on track in September of 1993. A savings? A savings to the public purse of some 4 and a half million dollars, not a small amount of money in my books, I'm sure not a small amount of money in my colleague from Calgary-Foothills' books. So why don't we deal with that? Why don't we move up the work of the commission so that we don't have to expend funds unnecessarily? We could very easily accommodate this amendment and save the public purse some 4 and a half million dollars, 4 and a half million dollars that would be well expended perhaps in other places.

That's the proposal. It's there, for what it's worth, and I would hope committee members would support the amendment.

MR. DEPUTY CHAIRMAN: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. I, too, would like to join in debate on the amendment as proposed by the Member for Vegreville. I certainly do appreciate the intent behind the motion as proposed by the member. The concept of shortening the time lines certainly is, I believe, appropriate, and the concept of making the total time less than what is proposed in the current Act I think is right on the money. Speaking of money, I'm very pleased to hear the Member for Vegreville has agreed with the Liberal caucus' position about fiscal responsibility and has jumped on that bandwagon as well, just as he did earlier today with the introduction of the Bill that he pirated from one of my hon. colleagues. [interjection]

MR. DEPUTY CHAIRMAN: Order in the committee, please.

MR. BRUSEKER: With respect to the particular amendment substituting six months for the nine months proposed in section 6(1) and four months for the six months in section 8(1), I'm afraid I cannot support that as it's written. My reasons for that: really, the Member for Calgary-Foothills has already alluded to the committee meeting of October 24, and I, too, would like to refer to the *Hansard* minutes of that particular meeting because during the course of that meeting, Mr. Chairman, we did discuss time lines. We discussed the current time lines under the Bill we have in force, not Bill 57 but the current Electoral Boundaries Commission Act, and particular questions were directed to the Chief Electoral Officer with respect to time. In particular, we talked about, first of all, the interim report that would be produced and is referred to in section 6, which is proposed to be amended down to six months. I have no problem with that particular concept.

5:20

With respect to the second section, 8(1), that refers to the interim report being subsequently amended after a public hearings process, Mr. Ledgerwood, who is our Chief Electoral Officer, is questioned at this point by the Member for Calgary-Foothills on page 950, for your information, in the right-hand column, about halfway down. The Member for Calgary-Foothills, questioning the Chief Electoral Officer, says, "Did you not say that once the interim report is public, that's when the bulk of the hearings will be held?" The Chief Electoral Officer responds, yes, "After the interim report." Calgary-Foothills then says, "Now, would four months cut that shy?" Here's the key sentence, Mr. Chairman: Mr. Ledgerwood responds, "I think you'd have difficulty in completing the public hearings and bringing a report in four months." That's a direct quote from the Chief Electoral Officer.

I think one of the advantages our committee did have was that the Chief Electoral Officer did join us in our public hearings process, and although the public hearings process went on for a longer span of time than I would have preferred, it was important, I believe, from the standpoint of getting input from Albertans. I'm of the opinion that the second part of the process, wherein an interim report is then spread out to Albertans that are interested and Albertans have a chance to respond, is in many ways the more important part. Because then what can happen is that once the report is produced, individual Albertans or groups or municipalities or school boards or whoever is interested in the process of electoral boundary redistribution can look at that interim report, can see the proposals for their areas. Individuals that have expertise about their particular area can then refer to it.

I acknowledge the time constraints, and I think the Member for Vegreville is right on with respect to shortening the time down, and he talked about particular amendments. But while I can agree with half of what he's written, I can't agree with the other half. Therefore, I have to bow, if you will, to the guidelines and the knowledge given to us by the Chief Electoral Officer, and in his comments he makes it quite clear that four months is simply not a sufficient amount of time.

From that standpoint, Mr. Chairman, I respectfully will have to vote against this particular amendment proposed by the Member for Vegreville.

MR. FOX: Well, on the amendment that I've got before the House here, I would like to remind members who participated in the debate – and I thank them for their comments. The Member for Calgary-Foothills made reference to some debate

that occurred in the committee with respect to the drafting of the report.

AN HON. MEMBER: It's in *Hansard*.

MR. FOX: Yeah, it's recorded in *Hansard*, and I do want to refer to it.

I think that when a situation is ideal, under ideal circumstances, we can have an Electoral Boundaries Commission that's established, that does its work now and in the future based on certain ideal time lines. But we're under pressure here. In spite of what the Member for Whitecourt believes, I think the people of Alberta deserve to be enumerated. They deserve to be encouraged in the electoral process. We've not had an enumeration in this province since September 1988. Voters lists were revised somewhat in March of 1989. If we don't get on with it, if we don't pass this amendment of mine, and if we sit back and do what he suggested and not appropriate the money for the Chief Electoral Officer to hold an enumeration on the old boundaries in September 1991, what we'll be faced with is a four-year lapse between enumerations in the province of Alberta, the last one 1988, the next one September 1992.

MR. WEISS: Spend money, spend money.

MR. FOX: We're trying to save money, hon. Member for Fort McMurray, and if you'd pay attention, you'd understand.

We're agreeing to forego the enumeration of September 1991 if we get a commitment from this government to shorten the time lines for the commission process and have an enumeration in March of 1992. Because there isn't anybody over there, not the Member for Whitecourt certainly, that can assure me that this creaky old government is not going to be involved in a Conservative leadership race next October 1991, that we're going to be faced with going to the polls in 1992. There isn't anybody that can assure me of that. What we have to do is make sure that the electoral process is tuned up, ready, and fair, and I think that's what we're trying to do here.

With respect to the comments from the Member for Calgary-North West – and I appreciate him bringing the wisdom of the Chief Electoral Officer to the Assembly here – I think it's possible for these stages of the process to be stacked on top of one another. For example, they know they're going to appoint some people to this commission. Were I the government person responsible for that, I would have notified the people I'm going to appoint to make sure that their calendars are clear so that they can begin work on this very important job immediately – immediately. I think the member agrees with me.

Following that kind of reasoning here, we could have the commission charged with preparing an interim report within six months of the date it's established, and I don't think that's unreasonable. If it is, I'd like the Member for Taber-Warner to stand up and tell me why. At the same time, public hearings could be scheduled for dates immediately following the six-month process. We don't have to wait until the report is presented to the Speaker six months later, do a little consideration, schedule public hearings, and then hold them. They can be scheduled well in advance. They can be scheduled in key areas around the province to listen to people's concerns with respect to individual boundaries and where they ought to be moved. The process can be expedited because it needs to be. It needs to be, Mr. Chairman, otherwise we're faced with the situation, I think a very difficult and unacceptable situation, where we

likely won't have an enumeration in the province of Alberta for a full four years, looking at September 1992. I remind members: September 1992 is three and a half years, almost exactly, from the date of the March 1989 election, and that is the normal time frame within which Conservative governments traditionally have gone to the voters of Alberta to seek a mandate.

Now, there isn't anybody who's been able to stand up and tell me, other than the comment from the Member for Calgary-North West, why the commission cannot do the interim report in six months and why they cannot do the subsequent follow-up report in a four-month time frame. There isn't anybody who's told me that. I'd like to sit down, hoping someone will provide me with that information.

SOME HON. MEMBERS: Question.

MR. DEPUTY CHAIRMAN: Are you ready for the question?

MR. FOX: Well, no. I'd like to know, Mr. Chairman. If no one's going to answer the question, then perhaps I can phrase it a different way. I think . . .

MR. WEISS: The question has been asked.

MR. FOX: The question has been asked, hon. Member for Fort McMurray, but it has not been answered.

I would like someone to tell me, tell members of this Legislature, tell the people of the province of Alberta whether or not we're going to have an enumeration on the old boundaries in September 1991. It's a difficult decision to make, but we're going to have to make that decision, and we're going to have to make that decision based on what legislation – because these things run in tandem. The Election Act runs in tandem with the Act we're just debating now, Bill 57. They have to mesh with one another, Mr. Chairman. They have to be co-ordinated legislative efforts. I'm not talking solely about principle here. I'm talking about process. I'm talking about numbers and dates and elections and when things occur and when they're done. There isn't anybody who's been able to provide any sort of answer to that, and I think we need that kind of guidance. I'd like someone on the committee to be able to tell me, for example, how many public hearings are deemed necessary in the follow-up process, in the current six-month time period that they've allowed in this legislation, to prepare a final report after the interim report is presented. How many hearings are envisioned? Is it going to be a hearing process as lengthy as the one the Electoral Boundaries Committee engaged in?

MR. DEPUTY CHAIRMAN: Hon. member, as we are close to the time of adjournment, do you care to adjourn debate?

MR. FOX: I move that we adjourn debate, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Having heard the motion, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. DEPUTY CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. DEPUTY CHAIRMAN: The motion is lost.

MR. FOX: Well, okay. This is an interesting process, Mr. Chairman.

The information that I would like to get from somebody on the government side is what they envision in terms of the public hearing process. How many public hearings are likely going to be required in order for this process to be considered legitimate? Is the government envisioning a process where – because we're making changes and likely fairly substantial changes . . .

MR. DEPUTY CHAIRMAN: Hon. member, the committee must rise and report, and I declare that it will do so so that the Assembly may be properly adjourned.

[Mr. Speaker in the Chair]

MR. JONSON: Mr. Speaker, the Committee of the Whole has

had under consideration certain Bills and reports progress on Bill 57.

I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

MR. SPEAKER: Thank you.

Having heard the motion, does the committee concur with the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.

[At 5:30 p.m. the Assembly adjourned to Thursday at 2:30 p.m.]

