

Legislative Assembly of AlbertaTitle: **Tuesday, April 16, 1991**

2:30 p.m.

Date: 91/04/16

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

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

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

Amen.

head: **Reading and Receiving Petitions**

MR. McEACHERN: Mr. Speaker, I ask that the petition presented to the Assembly on April 10 now be read and received.

CLERK:

We, the undersigned, are concerned about the Government's commitment to English as a Second Language programs. In light of the fact that immigrants rely on quality language training to enable them to more readily integrate into life in Alberta and make a contribution to our society, we petition the Legislative Assembly to urge the Government to make a long-range commitment to accountable and effective Adult E.S.L. programs.

head: **Tabling Returns and Reports**

MR. KLEIN: Mr. Speaker, I would like to table with the Assembly the Surface Reclamation Fund annual report.

MR. SPEAKER: Vegreville.

MR. FOX: Thank you, Mr. Speaker. I'd like to table for all members a letter signed by 19 Albertans in support of Motion 207, to be debated today.

head: **Introduction of Special Guests**

MR. GIBEAULT: Mr. Speaker, I'm pleased to introduce to you and the members of the Assembly this afternoon a dynamic group of young students from Sakaw elementary school in the constituency of Edmonton-Mill Woods. They're in the public gallery with their teachers Al Zelant and Lil Berglund. I'd ask them to stand now and receive our very warm welcome.

MR. SPEAKER: Edmonton-Centre.

REV. ROBERTS: Thank you, Mr. Speaker. Also in the public gallery from St. Joseph high school in Edmonton-Centre are 17 English as a Second Language students from grade 10 at St. Joe's. They represent students who have come from nine different countries and have been in Canada less than six months, so I'm very pleased that they're here to share question period with us today. I'd ask that they please rise and receive the welcome from the members of the Assembly.

MS McCOY: Mr. Speaker, I'm pleased to introduce to you and through you to the members of the Assembly today 17 visitors from the Calgary Christian school: 15 students accompanied by two teachers, John Dyck and Rudy DeGroot. All of us, I know,

are rooting greatly for the Calgary Flames. I'd ask them please to stand and receive the warm welcome of the Assembly.

MR. DAY: Mr. Speaker, I'm pleased to introduce to you today a keen, enthusiastic group of young people from Red Deer. They are accompanied by adults Blaine Olson, Janet Lundquist, and George Twidale. They're sponsored by the John Howard Society. Coming from Red Deer, they are split on the issue of the game tonight. But I'd ask that they rise and receive the warm welcome of the Assembly.

MR. SPEAKER: Wainwright.

MR. FISCHER: Thank you. It's my pleasure to introduce to you and through you to the members of the Assembly 21 grade 6 students from the Wainwright Blessed Sacrament school. Wainwright is the home of the great Canadian military base. They are accompanied by teachers Peter Innes and Len Kachuk. I ask them to stand and receive the warm welcome of this Assembly.

head: **Oral Question Period****Peace River Fertilizer Inc.**

MR. MARTIN: To the Minister of Economic Development and Trade. The loan guarantee mess created by this government continues. Mr. Speaker, it's bungling and incompetence frankly beyond belief. In February of 1987 this government handed out a \$6 million loan guarantee to Peace River Fertilizer Inc. We have learned that this plant has been closed for a year and that neither the owner who received the loan nor the present owner are making any of the loan payments. My question to the minister is simply this: will the minister admit right here, right now that the taxpayers are going to lose over \$6 million on this misadventure?

MR. ELZINGA: Mr. Speaker, this is one of the 30-odd companies that the hon. member listed in his press release that he issued some days ago. I'm more than happy to respond to him in dealing with these supposedly – and I stress the word "supposedly" – 30-odd failures that there are within our system. But what I would like to do is relate to him some of the 60,000-odd success stories, and I think it's important that we dwell on those success stories also. I recognize, though, that it's not within the temperament of the Leader of the Opposition to deal with success because he's so accustomed to dealing with failures himself. He likes to deal with that.

Just as it relates to that company, there is going to be new ownership in that company so that in the Peace area they still will have access to that facility. We are delighted that there have been indications of interest as it relates to that company. I know my colleague whose constituency it falls in is delighted that this company will continue.

MR. MARTIN: Well, Mr. Speaker, just because the minister says that's the case doesn't make it so.

Just to follow up on this particular case, it shows again the lunacy that this government has had with the taxpayers' money. Court documents reveal that this company was embroiled in an ownership dispute at the time that this government was guaranteeing a \$6 million loan. My question to the minister is simply this: why would this government provide loan guarantees to a company that was in the middle of an ownership dispute? Why would you do that?

MR. ELZINGA: Mr. Speaker, I'll have to go back and check the record, because the hon. member himself indicated it took place in February of 1987. As I indicated to him before, there were legitimate reasons for ourselves being involved in this company as it related to fertilizer facilities in northern Alberta, and that is why we were involved. As it relates to the specifics of it, I'll have to go back and check. As he indicated, it did take place in February of 1987. In other words, it's an old news story.

MR. MARTIN: It shows typically the policy of this government. It was this cabinet that signed the document. This minister was in there. He can't just slough off all the responsibility of this government. Somebody has to be in charge over there.

Given that the plant is closed and the indenture document states that there were not any personal guarantees even asked for – no personal guarantees at all, Mr. Speaker; a sweetheart deal – I want to ask the minister, then, to come back and explain in a little more detail how the government can possibly get their money back on this deal. Isn't it true that we're going to lose a bunch more money?

MR. ELZINGA: Mr. Speaker, let's deal with the record. The hon. member wishes to deal with the record on such a consistent basis. I indicated to him the necessity to have that facility in northern Alberta. I understand that a sale has taken place, and I would be more than willing to share with him the details as they relate to that sale. But he goes through a list of some 30 companies where there have been difficulties. We recognize that there have been difficulties, but we also say to the hon. member that of the 60,000-odd that we have been involved with as a government, most of them have proven successful, most of them have created jobs for Albertans. We're delighted that we can play a part in creating jobs for Albertans and making sure that Alberta is the number one economy in all of Canada.

2:40

MR. MARTIN: It was handed out; no personal guarantees. Come and see us; have we got a deal for you. I imagine they can get some more companies.

Senior Citizens Programs

MR. MARTIN: My question is to the Premier. I want to come back to where some people aren't getting money from the government. Over the past week the Premier and ministers of this government have tried to really downplay the insult they paid to the seniors of this province through budget cutbacks in grants and extended health benefits. Statements like paying their share and a hundred bucks doesn't seem like very much in the total income of seniors highlight, frankly, just how insensitive and out of touch this government is to the reality facing many of Alberta's seniors, many of whom are below the poverty level. Considering that the average income for seniors in Alberta is some \$19,000, how does this government justify these cuts to our senior citizens?

MR. GETTY: First of all, Mr. Speaker, the hon. member is wrong again, and he's consistently wrong when he talks about cuts to seniors. It is true that various ministers have dealt with programs, some of which were started when they were needed many, many years ago. In the course of an evaluation you say to yourself, "Do we need those dollars to help seniors somewhere else?" and therefore an adjustment is made. Or you go through a sharing program with seniors. When the hon. member

says "cuts," he does not know what he is talking about, and he consistently seems to be wrong in the House. The budget speech is very clear. It's before him. I suggest he look at it. Once again I point out to him: when it says "plus," those are increases; when it says "minus," those are cuts. You just have to work your way through it.

MR. MARTIN: Boy, that's coming from a guy that goes to the constitutional conferences and lets Vander Zalm give him the answers.

Mr. Speaker, the reality is that there is a cut in benefits to senior citizens. They're well aware of it all over this province – don't hand us that – and they don't like it. Let's look at dental care. The Minister of Health and the Premier have attempted to make it look acceptable that seniors now have to pay 20 percent of dental care. If he wants to get the facts straight, let's look at it. The Alberta Dental Association tells us that Alberta Health has not subsidized the full dental care costs for some time now. In fact, in 1990 it picked up only 55 percent. With the minister's 20 percent cut this will mean seniors will only have 44 percent of their dental costs covered. My question to the Premier is this: how does the Premier feel about forcing seniors into the position of having only 44 percent of their dental costs covered? Does he think that is acceptable?

MR. GETTY: Well, Mr. Speaker, two things. First of all, the hon. member again makes the point that there are cuts. There are not cuts in seniors spending in this province. As a matter of fact, the spending on programs for seniors will increase to \$1.2 billion this year. Now, he's getting into specifics that the Minister of Health is dealing with, and I will have her respond to him when she's in the House.

MR. MARTIN: Well, Mr. Speaker, I would have thought that the Premier was well aware of this. These are cuts in benefits. That's the point.

Let's get into policy then. Many dentists are advising us that with this reduction in Alberta Health coverage they will have no choice but for the first time to start extra billing seniors. My question is: given that all Albertans remember that this government attempted to introduce extra billing for medical services once before, will the Premier tell us how he feels about the possibility of seniors being extra billed for dental services? Is this what his government really wants?

MR. GETTY: Mr. Speaker, first of all, it's a hypothetical situation. Secondly, this member – and I don't know why he does it so often – has consistently expressed what he believes are facts to the House that are incorrect. Now, why would you take what he says and then try and say that that's what's going to happen? I mean, you're wrong so often. How could we possibly do that? Maybe it's that kind of thing that is the reason the NDP are over a half a million dollars in debt, for gosh sake, eh?

Drug Abuse Program

MR. DECORE: My questions are to the hon. Premier. Mr. Speaker, in 1987 the federal government established the national drug policy. Part of what they did was allocate federal moneys for drug prevention and drug rehabilitation. Those moneys could be accessed by provinces if they matched, to certain maximum levels, the federal funds. In the last three years the province of Alberta has left on the table – that is, it has not

taken moneys for drug prevention or drug rehabilitation – some \$3.2 million. Given that the Premier is the focal point for the establishment of a drug foundation that will cost some \$200 million in Alberta, a foundation that many experts say is not needed and will simply create another bureaucracy, I'd like the Premier to tell Albertans why his government has been negligent in leaving this \$3.2 million on the table when these moneys are sadly needed.

MR. GETTY: I would make sure that the minister responsible replies to the hon. member when she is in the House. There are often conditions which the federal government imposes on dollars which they make available to provinces that the province might well feel is unacceptable, and in those cases we will not access those dollars. We would rather, perhaps, not have an income-testing program, or we might feel that an income-testing program is necessary: those kinds of conditions.

Now, he did make a comment about the family life and drug abuse foundation which I want to straighten him out about. It does not cost \$200 million. It is being set up with a sum of money from the Heritage Savings Trust Fund, and it will provide income from those dollars out for years into the future. That's not a cost. It's a real shame that the hon. member would not understand the details of the drug abuse foundation. He also said that he doesn't think it's necessary. I happen to believe it's necessary, and the vast majority of Albertans believe it's necessary.

MR. DECORE: Mr. Speaker, if you examine the conditions that we need to comply with, these federal conditions, they're so broad that there would be no difficulty in complying. The Alberta government has a bad reputation, a tardy reputation in accessing federal funds. We didn't access funds for women's shelters when we could have, we still don't access moneys for civil legal aid, and now we have this shemuzzle of being tardy and not accessing for drug abuse and prevention. My question to the Premier is this: will the Premier set up some kind of a mechanism – and perhaps it's with the Minister of Federal and Intergovernmental Affairs – that will ensure that we don't leave moneys on the table that we're entitled to get for these programs that Albertans want and need to prevent some of these things from happening?

MR. GETTY: Mr. Speaker, the hon. member hasn't made the point that these things are happening. The government of Alberta accesses all the programs that the federal government makes available and where we agree to the conditions and terms under which they can be accessed. In some cases our programs are much superior to those, and we can't use them. We insist on much tougher guidelines ourselves.

It is true that the Department of Federal and Intergovernmental Affairs is constantly reviewing those programs. I can recall when the federal government, through their housing corporation, said, "We have money to provide for the government of Alberta to build low-income housing in Alberta," but then they put conditions on it that would suit housing in Ontario and said, "You've got to build them like they do in Ontario." We said, "Well, that's of no value to us; we want to build them so that they're effective and useful here in Alberta." Under those conditions we did not access that program. That happens in many cases with national programs that do not fit the specific needs of Albertans.

MR. DECORE: Mr. Speaker, I'm surprised that the hon. Premier would say that I haven't proven need or that something

isn't happening. The Cawsey report calls for action on substance abuse. The Northern Alberta Development Council calls for action on substance abuse. We're sending Albertans outside of the province for acute care. If that isn't a basis for need, I don't know what is.

AN HON. MEMBER: Question.

MR. DECORE: If the seal beside you would stay quiet for just a moment.

Mr. Premier, my question is this: will you assure Albertans that from this day on no moneys will be left on the table, that we'll access all moneys in this national drug policy, and that Albertans will be getting the prevention and rehabilitation that they need?

2:50

MR. GETTY: Mr. Speaker, we'll have to review *Hansard*, but it now appears that in the same three questions the hon. member has made the argument against a foundation and work on substance abuse and then in his third question is now trying to make the argument for a drug abuse program. Now, he's going to have to pick his side and try and understand what's happening in this province.

I will tell him this: we will make sure that we access all the programs that we feel fit the needs of Albertans, but we won't have them dictated to us by some centralized line of thinking, as is the hon. Liberal leader's view, that somehow you have Ottawa whip the provinces into shape. That is rejected by this government and rejected by the people of Alberta. It's the kind of centralization he believes in and the people of Alberta do not and this government does not.

MR. SPEAKER: Athabasca-Lac La Biche.

Forest Management

MR. CARDINAL: Thank you, Mr. Speaker. My question today is to the Minister of Forestry, Lands and Wildlife. Although we have the best forest ministry in North America . . . [interjections] You can't listen to the minister of rotten woods over here.

Mr. Speaker, there seems to be some concern that our forestry division is inadequately staffed in Alberta. Lac La Biche forestry division alone has 40 positions: four ranger districts, a 16-person initial attack crew, two water bombers with eight staff, and we just recently recruited a forestry officer and a new forester for that area. Will the minister assure the Assembly that we are adequately staffed to deal with the expanding forest industries in the north and also protect our forests and environment?

MR. FJORDBOTTEN: Mr. Speaker, the answer is an absolute yes.

MR. CARDINAL: Mr. Speaker, is the hon. minister putting pressure also on private industry to participate in protecting our forests in the north and also the environment?

MR. FJORDBOTTEN: That's an important question, because I think the taxpayers shouldn't have to pick up all of the costs that they have historically picked up. We put more pressure on the companies to pay more of the cost. For example, as of March 1 the new reforestation standards, the Free to Grow standards, were put into place, which means that the companies have a lot of pressure put on them. They're not overly happy with it, but it will guarantee a good sound forest in the future

for our children. In addition to that, Mr. Speaker, anyone that would like to can look at a forest management agreement, and in that forest management agreement it states clearly time after time after time, over and over again, to make absolutely sure that there is more pressure put on the forestry companies to provide the cost of doing some of the work: the company shall, the company shall, the company shall.

MR. SPEAKER: Edmonton Jasper-Place, followed by Calgary-North West.

MR. McINNIS: We now return to our regular programming.

Appointment to the cabinet is quite clearly a public trust. It carries a vast amount of authority, but it also carries a vast amount of responsibility. When the minister responsible for forests is told by the Alberta Forest Service that he is in breach of that trust, in violation of the legislative mandate, and in clear danger of large-scale environmental damage, it's time for responsibility. The minister is now in a position of evading that responsibility. He's attempting to characterize the most serious possible warning from the Forest Service as a case of greedy public servants seeking to spend more money. It's shameful, because he shrugs off the same grave warning that comes from the Al-Pac EIA Review Board, the Dancik report, the ECA, the Concord report, just to name a few. I'd like the minister to tell us why the government has no money to support environmental protection, reforestation, or public involvement in forest research when it has hundreds of millions of dollars in grants and loan guarantees to give to the forest companies that put the forests in danger?

MR. FJORDBOTTEN: As the Member for Edmonton-Jasper Place stated, back to regular programming. The regular programming is not telling all of the facts and putting them on the table. This province has standards of forest management, and the practices in this province are second to none. With all respect to the report the hon. member refers to, it was a report done internally by the Forest Service to make a pitch for more staff. I mean, that's normal. It's done throughout many departments. We look at it. I looked at it carefully to make sure that all the bases were covered, and I'm satisfied that the budget that is there for the department is more than adequate.

MR. McINNIS: Mr. Speaker, I know what's in the Forests Act. I know what's in an FMA. The question is: who's going to make sure those rules are lived by? I'll tell you what's happening here. It's called sympathetic administration. What it is is that the Forest Service takes a dive so that these fledgling pulp operations can get off the ground, and they hope that it'll all come out in the wash.

On behalf of all Albertans, I would like to call for a stop to the clear-cut operations in Alberta until such time as the Forest Service has the legislation, the policy, and the tools to do the job. [Mr. McInnis held up a sign]

MR. FJORDBOTTEN: Mr. Speaker, typical of this member: if there's no substance to your arguments, come up with some kind of a goofy sign.

Mr. Speaker, the tone of the member's arguments . . . [interjection]

MR. SPEAKER: Order. You've asked the question.

MR. FJORDBOTTEN: Mr. Speaker, they continually tried to stop the economic diversification initiatives we started in this

province with the forestry expansion, and now he's harping on something else. I just say basically that there isn't any substance to his comments.

MR. SPEAKER: Thank you, hon. member. Keep that sign down.

Calgary-North West.

Safety Code

MR. BRUSEKER: Thank you, Mr. Speaker. Earlier when I raised the issue of the safety codes Act, the Minister of Labour assured the House that all members that would be affected by this proposed legislation had in fact been consulted. Yet the International Union of Elevator Constructors, representing over 200 workers, in fact have not been consulted and didn't know anything about this piece of legislation. When we look at the Department of Labour's annual reports for the last few years, we find that the inspections of elevators have dropped by 40 percent over the last five years and we've seen an increase in accidents by 30 percent. My question to the minister about this very serious issue is this: will the minister admit to the Legislature that in fact she was misinformed and that her department did not consult with all the groups who will be affected by this change in legislation?

MS McCOY: Mr. Speaker, let me say again that we have a stakeholder group on an implementation committee with over 50 people representing all sectors of the industry that are affected. I will not say that we have discussed it at that level, with the implementation committee, with every Albertan who might be impacted. There are thousands and thousands and thousands of them. I do know that the interests of the elevator inspectors have been addressed. So I would say again that it is with the assistance of the Member for Rocky Mountain House, who chairs that committee, and many, many other Albertans that we have indeed taken a consultative approach, and we are indeed putting together a code which will be workable in the field.

MR. BRUSEKER: Well, Mr. Speaker, this is group number 51, then, and they haven't been consulted.

If the minister is truly satisfied that enough people have been consulted, will she at least listen to the valid protests of the people that I am hearing and drop the Bill until all groups can be consulted and appropriate changes made?

MS McCOY: Mr. Speaker, I invited the member opposite to in fact share with me the details of who he has been speaking with. He did share with me some broad description of some of the people he has discussed it with, but I have not, even following my invitation to him, had any further details. Let me again say that it would be perhaps useful if he were to spend some time in discussing the issues as I have invited him to do before.

MR. SPEAKER: Red Deer-North.

Pork Processing Industry

MR. DAY: Mr. Speaker, my question is to the Minister of Agriculture relating to Fletcher's in Red Deer. The recent resolution of the ownership problem of Fletcher's, or at least moving to see that resolved, with the pork marketing board deciding to pass ownership to the producers, seems to be moving along. In the past that seems to have been somewhat of an irritant in the possible sale of Gainers. I wonder if the minister

can indicate today if it's too early yet to tell if this resolution of the Fletcher's ownership problem has had a positive effect yet on the possible sale of Gainers.

3:00

MR. ISLEY: Mr. Speaker, just to put it in perspective, the Alberta Pork Producers' Development Corporation did conduct an opinion survey of their members and put forward two questions: one with respect to ownership, one with respect to control of Fletcher's. The results on the ownership question indicated that 55 percent of the producers would prefer to see it go as a shareholder company to the extra-levy producers who had actually paid for the company originally, and two-thirds of them indicated that the control of the company should be separate from the Alberta Pork Producers' Development Corporation, the sole seller of hogs in this province. That matter was discussed at their delegate meeting. Certain other resolutions were passed, but I think it's still too early to tell in which direction the Pork Producers' Development Corporation will be going, and until we know for certain in which direction they're going, I don't think it's having any impact on our ability to sell Gainers yet.

MR. DAY: Fletcher's has been experiencing some difficulty at the border regarding inspections on the States' side. I wonder if the minister has any indication yet if our intervention on behalf of Fletcher's is having any impact there in terms of resolving that problem.

MR. ISLEY: It is true that Fletcher's and other meat packers both in pork and in beef have been experiencing difficulty with the reinspection system along the U.S. border. We're still pressuring to have the United States honour the open border agreement that was struck between the Minister of Agriculture for Canada and the Secretary of Agriculture for the U.S.A. I think it would be fair to say that while the problem has not been totally resolved yet, my latest report would indicate that the problem is diminishing somewhat.

MR. SPEAKER: Edmonton-Calder.

Child Welfare

MS MJOLSNESS: Thank you, Mr. Speaker. In November last year the Minister of Family and Social Services announced new reforms to the foster care system, and a new initiative would be that the creation of four classifications of foster homes would come to be, one being therapeutic foster homes, which would care for severely disturbed children. The department recently contracted out for a number of therapeutic foster homes before the department had developed any standards for the training of such foster parents or for any accountability to the department or monitoring by the department. To the minister: how can the minister say that the interests of children are his number one priority when he has not set any departmental standards for these specialized homes before they begin to operate?

MR. OLDRING: Mr. Speaker, again let me make it very clear that yes, the interests of children will always be first and foremost. That has been the practice in the past, and that will continue to be the practice in the future. Also, let me make it very clear that every agreement, every contract that we enter into as a department and as a government receives very careful scrutiny, particularly when it comes to children. There is an exhaustive checklist that we go through before any contract is

awarded. There is every precaution taken to make sure that the kind of care that is being offered and provided is professional, is at the level that we expect, is meeting the needs of the children, is in the interests of those children. We've done that in the past. The member knows that it's a legislative requirement to make sure that we protect the interests of those children, and we're going to continue to do it in the future. I might add that we've had some very tremendous successes as a result of the contracting out of therapeutic foster homes in the past and that it is those successes that we want to continue to build upon.

MS MJOLSNESS: Mr. Speaker, no one has seen a checklist from this minister. We're talking about psychiatric illness in children, we're talking about substance abuse, and we're talking about psychotic behaviour: very severely disturbed children. Given that this contract began on April 1, and the first children will be placed in the homes by June 15, I would like to ask the minister how he can guarantee that these children will not be placed at risk when these foster parents will only have two months of so-called training.

MR. OLDRING: Well, again, Mr. Speaker, as I said earlier, we take every human precaution possible, and we always focus on the needs of the children.

Let's talk about some of the things that we use. She said that there hasn't been a list; let me share some of the information that went out to prospective tenderers. It is expected that qualifications, training, experience of the applicants are in place. It is expected that training, support, supervision, and maintenance are provided to all families. It is expected that hours of preservice training required are there prior to placement. It is expected that foster parents attend support group training meetings. It is expected that hours of in-service training required of foster parents are done on an annual basis. And the list goes on.

As the member did raise the foster care program here in the province of Alberta and is quite familiar, Mr. Speaker, with the announcements we made last fall as it relates to the training that we want to provide all foster parents across this province, I might also add that that process has begun. I might add that it's being done hand in hand with the Alberta Foster Parent Association. The training that is mandatory and is being provided right now is being provided jointly by a foster parent and a social worker working together. That's the kind of co-operation that we believe in. That's the kind of co-operation that's necessary to make sure that children in our care are receiving the kind of care they deserve.

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

Family and Community Support Services

MR. HAWKESWORTH: Thank you, Mr. Speaker. There don't seem to be any limits to what this government will do to try and fool Albertans about their so-called commitment to people services. More evidence of their smoke and mirrors can be found in the budget for the family and community support services budget. The Provincial Treasurer said that FCSS spending delivered through municipalities was going to be going up 8 percent. In fact, grants to municipalities are only going up 20 cents per person; that's more like a 1.5 percent increase. What they're doing is using estimates for this year to cover the

spending in programs that exceeded their estimates last year. So what I'd like to ask the Minister of Family and Social Services is this: how does he justify trying to palm off a phony-baloney bill of goods instead of giving Albertans the full and complete story about funding for this program in this year's budget?

MR. OLDRING: Mr. Speaker, the information is very clear; the information is very accurate. It's laid out in a very appropriate budget, a good budget, a budget that Albertans resoundingly support.

I'd point out to the member: he references one portion in terms of increases to FCSS boards across this province, but he fails to understand and he fails to recognize that as a result of the successful diversification initiatives of this government, we have increased population. Now, we recognize that cities across this province experience growth, and because of that we've made a substantive adjustment to our budget to support a unique program, a program that's recognized as being one of the best in North America. Because of the population growth, we've had to adjust our year-to-year expenditures by 8 percent.

I recognize that it's not just population growth. There is also a commitment of this government to the provincial association to increase their funding. We've done that because we honour all of our commitments. We also recognize, Mr. Speaker, that last year some of the programs were new. They weren't on for the full year, and we had to annualize that for this year.

MR. HAWKESWORTH: Well, those kinds of reasons don't make the difference between 1.5 percent and 8 percent. What is so regrettable about this 20-cent government, Mr. Speaker, is that they haven't recognized the importance of FCSS, a program that's cost shared with other levels of government, based on local priorities, and emphasizes preventative services. So we see funding for FCSS falling dramatically behind inflation over the years, and we have 20 . . .

MR. SPEAKER: We now need a question, hon. member.

MR. HAWKESWORTH: We have 20 municipalities, Mr. Speaker, in this province wanting to get in, and the minister is not allowing them. So I'd like to ask the minister: will he now admit that this government has no real commitment to people services and local priorities . . .

MR. SPEAKER: Thank you. That's it. [interjection] That's long enough. You're cut off. [interjections] It was two minutes.

3:10

MR. OLDRING: Mr. Speaker, I know that the member asked a lot of questions, and I know it's not multiple choice, but allow me, for the member opposite, just to review our commitment to the family and community support services program across this province. Let me remind the member that in 1982-83 our funding commitment was some \$11 million, just over. Today it's almost 300 percent higher, representing some \$35 million. We recognize the merits and successes of this program, and we recognize that it's a program that has not only been appropriate for the '70s and the '80s, but it will be appropriate for the '90s.

What we're doing, Mr. Speaker, is positioning ourselves, again through a co-operative review, a co-operative assessment, a co-operative task force with representation from the cities of Edmonton and Calgary and Medicine Hat, representation from the provincial association of FCSS, chaired by a member here in the Legislative Assembly, the Member for Highwood. We're

working co-operatively with communities and community agencies to make sure that this program continues to lead the way, continues to offer the kind of support that we want to offer throughout this province, and we're going to do that. I might add . . .

MR. SPEAKER: No. A two-minute version of a supplementary question is not going to invite a two-minute response. Calgary-McKnight.

Advanced Education Tuition Fees

MRS. GAGNON: Thank you, Mr. Speaker. Many aspects of the new tuition policy, which was announced last week, are troublesome – actually they're terrible – the most serious being the variability that's allowed. For instance, fees for college transfer programs could be the same as fees for university undergrad programs, yet we all know that colleges do not have the same resources as universities, nor do they have PhD level instruction. My question to the minister is: how could you allow this double standard? Students will pay the same, and they won't get the same benefit. What is the rationale?

MR. GOGO: Mr. Speaker, we spent some 14, 15 months asking Albertans what we should be doing with regard to a new tuition fee policy, which was announced, as hon. members know, last Tuesday. It's coincidental that the hon. Member for Calgary-McKnight had advocated a policy on behalf of the Liberal Party which was almost identical to the one announced by government.

The tuition fees are determined by the institutions. We have board-governed institutions, which are responsible for the use of the dollars appropriated by this Legislature. Mr. Speaker, I have every confidence in the institutions administering their colleges and universities in accordance with the dollars allocated, and as long as they show that responsibility, this minister is quite prepared to let them continue.

MRS. GAGNON: Mr. Speaker, it's exactly this uneven system that's going to hurt students, because they won't be able to plan ahead. The variabilities are causing a lot of anxiety, as you saw in Calgary with 8,000 people lining up trying to get courses that they need. Another problem is that there's no ceiling announced on various programs, such as medicine and law. Does this mean that only the wealthy will be able to access these programs?

MR. GOGO: On the contrary. I'd ask the member to recall what the new tuition fee policy was. That was an increase of no more than \$200 on average in the universities in terms of tuition. That's \$25 a month, Mr. Speaker, for an 8-month year, for the benefit of members, or \$100 in the colleges. Institutions had the responsibility of allocating that tuition fee to achieve a \$200 average in terms of tuition fee increase. I don't believe there's any question that most people think those in professional programs – such as law, such as medicine, such as dentistry – should perhaps pay a little more in tuition fees. But that, with respect, is the responsibility of the institution, and that's the authority we allocate to them.

MR. SPEAKER: Highwood.

Advanced Education Institution Costs

MR. TANNAS: Thank you, Mr. Speaker. I, too, would like to ask questions today of the Minister of Advanced Education. I continue to hear from constituents, to have comments from

constituents that their children have great difficulty in getting places at the universities of Alberta and Calgary. I hear from these people that a very high percentage of the operating funds of universities goes to salaries and benefits for academic and support staff. My question, then, to the minister asks: where do our universities stand in the academic salary ranges?

MR. GOGO: Well, Mr. Speaker, on average 80 percent of the operating budgets of our institutions go to wages and salaries. I don't believe that's a surprise to anyone. The self-governed institutions determine, of course, how they will pay, which people. My information is that the salary ranges of our professors dealing with the professoriat are within perhaps the top 10 of similar institutions across Canada.

MR. SPEAKER: Supplementary.

MR. TANNAS: Thank you, Mr. Speaker. My supplemental question is again to the Minister of Advanced Education. Where, then, do our universities stand in terms of administrative and support salaries and benefits?

MR. GOGO: Well, that is perhaps somewhat difficult to answer. I would point out that there's a pretty high degree of competition across Canada in terms of faculty. In meeting with my colleagues across the nation, that's continually on our agenda.

As to the wages and salaries for support staff and others in the institutions, that of course is determined by, I think, prevailing settlements across the province, perhaps with the K-12 system, perhaps with those covered by the Labour Relations Code. I can't be specific, but the information I have, Mr. Speaker, is that those wages and salaries are not out of line with other public institutions throughout the system.

Workers' Compensation Board

MR. GIBEAULT: Mr. Speaker, my questions today are to the minister responsible for Occupational Health and Safety and the Workers' Compensation Board. The carnage of injuries and death at workplaces in Alberta continues unabated with some 60,000 new claims each and every year. Despite rhetoric from this minister to the contrary, there continues to be many, many injured workers in this province whose lives are virtually destroyed in their dealings with the Workers' Compensation Board. So I'd like to ask this minister: given the frustration that many of these injured workers have – and it manifests itself on the steps of the Legislature here with protests all the time and on a regular basis to the shame of all Albertans – will this minister give some commitment today to redress these long-standing grievances and to bring some measure of justice to the workers' compensation system in this province?

MR. TRYNCHY: Mr. Speaker, since I've taken the portfolio, which is just two years as of, I believe, yesterday, I've communicated with some 3,000-plus Alberta workers by one means or another. There isn't one worker in this province that I have not communicated with or who has asked to be seen by myself that I haven't seen. Now, it's difficult to respond to that question, because he talks in generalities. This morning I communicated with two injured workers, and we resolved the issue. Last night I phoned two others. Yesterday on my trip to Innisfail I communicated with two other workers, and we had that resolved. Now, if the hon. member would put to me the names of these

people – and I've met with the six that you and I had a discussion with, and I've asked them each to write me their concerns so I could respond to them and invite them to my office. To this date I have not received that.

It's difficult for me to respond to a question of generalities. If he could give me some specifics, the names of the people, I would invite them to my office. Certainly, they shouldn't be on the steps of the Legislature; they should be where we can help them.

MR. GIBEAULT: You don't have to go far. On the steps of the Legislature every day there are injured workers, if you had some concern.

Let me ask a supplementary question, Mr. Speaker, to this minister. Given that he's shirking his responsibility to protect the health and safety of the workers of this province by reducing the health and safety staff in his department 5 percent below what it already was – and it was inadequate at that – can the minister tell us how many injured workers have to bring their protests here to the steps of the Legislature before he gets serious about enforcing the health and safety regulations in Alberta?

3:20

MR. TRYNCHY: Mr. Speaker, if there's anyone shirking their responsibilities, I would say that it's the member across the way. I've said now for two years to bring their concerns to me. Let me give you some facts and figures. Inquiries to my office for the year of 1990: I've had from the Liberal Party four written requests, from the NDP 19 written requests, from the Liberal Party three phone calls, and from the NDP seven phone calls.

Now, if the hon. member wanted to help the injured, he would come to my office and invite those people with him, and we wouldn't have to have the kind of dialogue we have here. If he'd give me some names, some specifics, and if he wants to raise them with me, I'll look over their files, I'll invite them in, and we'll do what we can. There's a number of injured workers that have one more appeal available to them and have not taken it. Maybe they're the ones he's talking about. If there are some people out there that will not go to the Appeals Commission, which is available to them, I can't force them there. So, Mr. Speaker, I'm willing to help, but I would hope that the member across the way would want to help too.

head:

Orders of the Day

head:

Written Questions

MR. GOGO: Mr. Speaker, I move that the written questions appearing on today's Order Paper stand and retain their places on the Order Paper except for the following: 272, 273, 304, and 309.

[Motion carried]

Advanced Education Demand

272. Mrs. Gagnon asked the government the following question: What are the government's projections for the growth in demand for postsecondary education from 1991 to 2010?

MR. GOGO: The government rejects that question, Mr. Speaker. [interjections]

MR. SPEAKER: Order please, so the Chair can hear.

Students Finance

273. Mrs. Gagnon asked the government the following question: What was the average debt load for a graduating student in each of the last 10 years who utilized the Students Finance Board services?

MR. GOGO: The government rejects that question as well, Mr. Speaker.

Speaker's Ruling Decorum

MR. SPEAKER: Thank you, hon. members. This is not question period, this is not Committee of the Whole, nor is it Committee of Supply. So the whole House deserves the matter being heard with some quietude. The other thing is that from a procedural basis, the Table and the Chair need to hear exactly what's going on.

Thank you.

Technology Industry Support

304. Mr. Bruseker asked the government the following question: In the 1988-89 annual report of the Department of Technology, Research and Telecommunications, on page 5 there is a reference to 34 organizations assisted by the commercialization of technology programs to the amount of \$2 million. Which organizations received assistance, how much assistance in dollars was disbursed to each of these organizations, and for what purposes were the funds allocated?

MR. GOGO: The government will accept that question, Mr. Speaker.

Special Waste Management Brochure

309. Mr. Mitchell asked the government the following question:
- (1) How many copies of the special edition of the Alberta Special Waste Management Corporation brochure *In Our Backyard* were distributed in 1991,
 - (2) what was the total cost of printing and distributing this special edition, and what proportion of this cost was paid for by the government through its funding of the corporation, and
 - (3) how many copies of *In Our Backyard* are normally printed and distributed and at what cost to the government?

MR. GOGO: And the government will accept that question as well, Mr. Speaker.

head:

Motions for Returns

MR. GOGO: Mr. Speaker, I move that motions for returns appearing on today's Order Paper stand and retain their places except for Motion for a Return 192.

[Motion carried]

Government Air Transportation

192. Mr. Chumir moved that an order of the Assembly do issue for a return showing
- (1) the flight logs and passenger manifests for all fixed wing aircraft and helicopters owned by the government

for all flights conducted during the period June 1, 1988, to December 31, 1990, and

- (2) details of all flights and passenger lists for fixed wing aircraft and helicopters for all flights chartered by the government during the period June 1, 1988, to December 31, 1990.

MR. KOWALSKI: Mr. Speaker, it's the government's intent to reject Motion for a Return 192, but I'd like to explain why, because I think it is important that all members do have a good understanding with respect to this. The question itself has two parts to it, and the question is really an all-encompassing question. It deals with "flight logs and passenger manifests for all fixed wing aircraft and helicopters owned by the government," and then it goes on to a second part and requests "details of all flights and passenger lists for fixed wing aircraft and helicopters for all flights."

Mr. Speaker, I should point out that there are actually dispatch priorities that the province does have with respect to the utilization of aircraft in the province of Alberta. Of the dispatch priorities we do have for the fleet that does exist in the province of Alberta, the first dispatch priority deals with human life situations. Should there be a request made from a hospital or health unit, human tragedy throughout the province of Alberta, the aircraft would be made available to take an individual from the point of injury to a hospital facility or a health care facility throughout the province. The second priority for travel deals with environmental disasters that may occur throughout the province of Alberta. Essentially those environmental disasters would deal with forest fires, although there have been in recent years some cases dealing with floods. The third dispatch priority would deal with Executive Council travel, and the fourth priority would deal with departmental travel.

Mr. Speaker, when you look at the utilization, then, of the aircraft with respect to the manner in which these flights occur, some 70 percent plus of all these utilizations of aircraft are for these environment-related matters and are essentially conducted by the Department of Forestry, Lands and Wildlife. In fact, in one recent year nearly 70 percent of all travel was conducted by that particular department. Executive Council did about 16, 17 percent of the travel on government aircraft, and all other departments the remainder of 13 to 14 percent.

Mr. Speaker, I looked at this question a year ago when it was on the Order Paper. It didn't come up in the last session, but I did initiate some work with respect to the answer. I would like to point out *Beauchesne* 446(2)(g). Section 446(2)(g) refers to a situation in terms of what criteria should be utilized by the government in determining whether or not documents might be exempt from production. Section 446(2)(g) refers to "papers of a voluminous character or which would require an inordinate cost or length of time to prepare." In addition to that, I would refer all members to Standing Orders of the House, section 37(2), which in essence requires that there should be six copies in terms of an accepted motion for a return.

Now, in looking at just one segment when this question was on the Order Paper a year ago – and I repeat: it did not come up – I had started some work. I looked at the time frame, June 1, 1988, through to June 1, 1990, to see exactly what the volume of travel was, looking at the aircraft that are part of the government component and the aircraft that then would have been chartered. Please note, Mr. Speaker, that the question asks for all. It doesn't ask for one specific area; it asks for all. In essence, to look at the period of June 1, 1988, to June 1, 1990, and to respond to part (1) of the question, "the flight logs

and passenger manifests," took some 1,658 pages, legal-size pages, with four or five entries per page. That only accounted for 22 percent of the whole volume of this. So you're looking at presumably some 50,000 pages that would have been required for me to stand in this Assembly and table if the question were accepted.

Now, when I go back to *Beauchesne* and look at the voluminous nature and the cost associated with 50,000 pages – and I'm not sure what the market value is for a xerox machine to duplicate a page today, but it could very well be as high as 15 cents – we'd be looking at a minimum of \$7,500 just for the duplication of the paper, but more importantly, in addition to that, is the time required by administrators and bureaucrats in the assembling of all of this particular paper.

Mr. Speaker, that's the reason I'm asking the Assembly to reject this question. The question is so wide that in essence we're talking about a rather significant amount of dollars that would be required to put this paper together and to have it tabled here. I would like to suggest to the hon. member and to the House itself that if there is a specific day, a specific flight with respect to which the hon. member or any hon. member would wish to receive information or would like to inquire, then that would be much more conducive in terms of management, in terms of the paper. The government has no difficulty at all identifying that a particular aircraft was made available on a particular day on a request from AADAC or the Department of Forestry, Lands and Wildlife or Alberta Public Safety Services and/or the like.

Mr. Speaker, just by way of illustration of the volume, I said that there were some 1,658 legal-size pages that were required just to cover the volume from June 1, 1988, to June 1, 1990, covering only the first portion of the question. This is the pile of 1,658. I would be happy to show it to the hon. member to cover a particular thing, but to make six copies dealing with that and to look at a sheet of paper – and we had it identified. There were four entries on a particular day. Just as an example, on Wednesday, June 1, 1988, a King Air was chartered: itinerary, Edmonton to Grande Cache and Grande Cache back to Edmonton. The passengers were five individuals: P. Bailey, A. Bates, R. Capus, R. Rybchak, and R. Do, all employees of the Department of Public Works, Supply and Services who had to go to Grande Cache that day to undertake some work with respect to a public facility in Grande Cache. So we've got the aircraft, the itinerary, the passenger, the department. The second item: Wednesday, June 1, 1988, the second aircraft, a Navajo, from Edmonton to Manning, forestry personnel, the department of forestry, public lands and wildlife. We have, of course, a forestry office in Manning. A third item that day: Wednesday, June 1, 1988, a King Air, Edmonton to Red Deer, Executive Council purpose; travel included the Hon. J. Dinning, the hon. Dianne Mirosh, the hon. H. Alger, A. Wick, and J. Oldring to conduct business on behalf of Executive Council. Another item on Wednesday, June 1, 1988, was the Bell 206 helicopter that went to the Fort McMurray area with respect to the Department of Forestry, Lands and Wildlife.

3:30

Mr. Speaker, that's only four of that one day. Now, there are six more items on June 1, 1988. All six deal with Forestry, Lands and Wildlife. Nearly 80 percent of the activity – you remember that two-thirds of the province of Alberta is public land held in title by the Crown under the department of forestry, public lands and wildlife. Of course, every day, whatever the

inventory that has to be done or whatever the activity that has to be done, that can be undertaken.

Now, Mr. Speaker, I just want to repeat again: there's 1,658 legal size pages with entries on all of these. That is one copy to cover the time frame June 1, 1988, to June 1, 1990. If any member of the House would like to come to my office, they can look at this with no one looking over their shoulder. They're free to come to my office. I will put the papers on the desk. To make six copies, and only 20 percent of the whole inventory, just would create such an inordinate waste of money that you really wonder why we would want to do this. Surely we have a responsibility to protect this very, very important little thing that people walk around with in their pockets: it's called the purse. In this case we have to protect the public purse.

I would repeat again, Mr. Speaker, not to be redundant: should any member in the Assembly wish to see this work that's already been done, please, you're welcome to come to my office here in the Legislature Building, Room 132. You can sit down and take all the notes you want. Heck, if you want to xerox the page, you pay for it. I just don't think that the public of Alberta should have to be redundant about something that for all intents and purposes is: why?

The second point, Mr. Speaker. Should an hon. member wish to ask a question with respect to a particular flight on a particular day, I will attempt and endeavour to provide all the necessary required information that an hon. member would request with respect to it. That's the reason why I'm asking that the House reject the question. The government is not hiding anything. The government doesn't want to hide anything, but I'm very concerned about the wheelbarrow. It would take about six wheelbarrows just to wheel the paper someplace, and what purpose would it be for? It would cost a very significant amount of public money, and it seems to me that the people of Alberta would want us to make sure that public dollars are invested wisely on behalf of people.

There in a nutshell is the argument that I would like to advance in asking the Assembly to reject Motion for a Return 192.

MR. SPEAKER: Thank you.

Question?

Summation, the Member for Calgary-Buffalo.

MR. CHUMIR: Quite an answer, Mr. Speaker, quite a wheelbarrow. It's a wheelbarrow in itself.

I must say that I find some of the comments of the minister quite compelling. In fact, the question as asked was too broad. The information is too voluminous, and it's quite clear that we have no interest in at least the 70 percent of the documentation that relates to the environment and perhaps other areas. We're obviously interested in Executive Council flights. This matter has been on the Order Paper since well into last year. It's been ignored by the government up to this point of time. I'm wondering why if there was this problem, the minister didn't contact me and indicate that the question was of such a broad nature that the answer would be too voluminous and suggest that we narrow it down. We'd be happy to narrow the question down to the issue of flights by Executive Council.

Would it be appropriate for me to ask the minister a question, Mr. Speaker? Not since he's sat down?

MR. MITCHELL: You can ask, but you wouldn't get an answer anyway.

MR. CHUMIR: Obviously, we're going to have to put something on the Order Paper with respect to Executive Council information, which is what we particularly want.

I must say, Mr. Speaker, the information we have requested with respect to use of government aircraft, particularly by members of Executive Council, is the type of information that has been provided in other jurisdictions in this country without this kind of problem. Somehow they've managed to handle that. I know British Columbia has done so; the federal government has done so. It's the type of information that should be available as a matter of course. I want to make it clear that I think there are many instances where Executive Council properly uses aircraft. We're not attempting to deny that there are many occasions when this is so. On the other hand, the presence of a fleet of aircraft paid for by taxpayers is fraught with the potential for abuse of public money, and the whole concept of control of the purse is public scrutiny. That's our goal here: to ensure that there is the maximum degree of public scrutiny. Certainly there must be a way, as there has been in other jurisdictions, of ensuring the type of information that we obviously want, relating particularly to the Executive Council use, perhaps some departmental use. I'm not sure what the definition is. Perhaps the minister and I might consult. I'll attempt to consult and see whether or not we can phrase the question in a way which might be less expensive in terms of answering yet still open the government to the type of public scrutiny that I'm sure they feel is quite appropriate.

I will be contacting the minister, and in the meantime we'll probably take him up on his offer to review what is there and see if we can get something a little bit more precise with respect to the balance.

[Motion lost]

Speaker's Ruling Factual Accuracy

MR. SPEAKER: The Chair would point out that this particular motion for a return has only been on the Order Paper since the House convened.

MR. CHUMIR: It was on last year.

MR. SPEAKER: Thank you, hon. member. That's beside the point. We deal with the Order Paper this year. Just for clarification.

MR. CHUMIR: I'm not debating the Speaker.

MR. SPEAKER: Thank you, hon. member. I know you're not. [interjections] You will not. [interjections] You will not.

The Chair has every right to protect what really is on the Order Paper, not what you suspect is on the Order Paper. Thank you.

Let's continue.

head: Motions Other than Government Motions

Visitation Rights for Grandparents

207. Moved by Mr. Zarusky:

Be it resolved that the Legislative Assembly urge the government to introduce legislation which extends visitation rights to grandparents in cases where parent(s) without just and serious cause prevent reasonable visitation between a child and his or her grandparents.

MR. SPEAKER: The Member for Redwater-Andrew.

MR. ZARUSKY: Thank you. It's indeed a pleasure for me to bring forward Motion 207 to debate in this Legislature. Before I go any further, I think this is an important motion, and it shows by the people we have in the gallery today. Mr. Speaker, I'd like your permission to introduce the grandparents and, probably, parents that have come to hear the debate on this motion. So I ask that they rise in the members' gallery and receive the warm welcome of this Assembly.

[Mr. Deputy Speaker in the Chair]

Mr. Speaker, the issue of grandparents' rights is not a simple matter to deal with. I think the legal implications are complex. Emotions run high, and each situation brings with it a unique set of circumstances and considerations. One of the few certainties surrounding this issue is that the problems involving grandparents' rights to access and the need to visit their grandchildren will not go away. As the nuclear family continues to break down, the questions of grandparents' rights will persist.

Mr. Speaker, problems of denying access and visitation can develop in a number of different ways. I can tell you the issue was first brought to my attention by a senior couple in my constituency who unfortunately lost their son in a serious car accident. Following the death their daughter-in-law refused to allow any contact between her son and his grandparents. You can see the seriousness of something like this accident happening. Everything is going smoothly one day, and the next day a tragedy strikes. This indeed happens. All of a sudden a grandparent loses all contact with the grandchild or grandchildren. I think this is where the biggest blow comes: the tragedy of the loss of a loved one and then again the loss of seeing the grandchildren or grandchild, which would certainly help through trying times like this.

3:40

Another area is divorce, Mr. Speaker, the most common cause of separation between grandparents and grandchildren. Unfortunately, the bitterness and animosity involving marital breakdown is not only directed at spouses but at their extended family as well. In many cases the custodial parent's decision to not allow grandparents to visit the child is just one more blow in the continued battle between the spouses. Sometimes when the custodial parent remarries and a new set of grandparents comes on the scene, the original grandparents' chances of continuing contact between them becomes even more remote. You can see that the number of situations involving separation between grandparent and grandchild is significant.

According to the Grandparents' Rights Association of Alberta – and listen to this – 2,500 such cases are ongoing in this province today. This problem will grow in number and severity over the next decade. We can base this conclusion on several factors, which I'll try to outline, Mr. Speaker. The first has to do with the growing number of seniors in society. There are many more seniors in North America now than there have ever been before. This is largely because of an aging baby boom population, which many of us are part of, and partly due to advances in health care and improved standards of living. As one might expect, with the growing numbers of seniors there are more grandparents now than there ever were before, and they are living much longer, healthier lives. Nearly 70 percent of older persons are grandparents, and they usually have contact with at least one grandchild on a regular basis. The growing

grandparent population combined with the increasing rate of family breakup simply means more grandchildren being cut off from their grandparents.

Studies show that the rate of marital failure, divorce, or separation continues to rise. It is expected that over one in three marriages will fail, and that means that over 50 percent of those that fail involve children. In addition to this, the rate of remarriage is also increasing, and this creates further problems for grandparents who are separated from their grandchildren.

Mr. Speaker, I think the growing number of grandparents and grandchildren facing this issue is significant, but the support for amended legislation granting visitation rights to grandparents I think is also significant. The Alberta Grandparents' Rights Association has collected 2,170 signatures petitioning the government to adopt new legislation which would give grandparents more effective legal recourse. I know this concern has been expressed to many members of this Assembly through constituent letters and phone calls. I can tell you I've had many of these myself. This letter supporting it with some names signed to it was handed out to all the members.

In addition to the thousands of individuals who call for new legislation, organizations such as the Grandparents' Rights Association, the Orphaned Grandparents Association of Edmonton, the Catholic Women's League, the Alberta Women's Institutes, and the Retired Teachers' Association formally support amended legislation in favour of grandparents' rights.

In cases of custody and access our laws attempt to seek resolution and a settlement based on the best interest of the child. In the area of grandparents' rights our current legislation does not seem to bear this out. I think, Mr. Speaker and members of the Legislature, it's time we had a serious look at this and maybe brought some of these changes. I think we should not forget that it's not only grandparents, but the child out there probably is the one that's mistreated the most in this case, because the child doesn't know which avenues to go, probably wanting to visit and see his grandparents.

Before I move on to a brief examination of the legislation, I would like to take a moment to discuss the importance of the grandparent/grandchild relationship and why this should be represented and protected in legislation. Mr. Speaker, I myself am not a grandfather and hopefully someday will be. Some of my much older colleagues here are. I can look around here, and there are many of them. The Member for Dunvegan I think is a super example of a grandparent. Anyway, most of us recall the influence and the warmth of a special grandmother and grandfather in our lives. I'm sure every one of us has gone through this, and I know myself that these moments are treasured and their impact on our lives is permanent.

Mr. Speaker, some notable psychologists who have studied grandparent/grandchild relationships have made the following similar conclusions, and I'd like to read some of these conclusions to you.

A positive relationship with grandparents enhances the child's ability to be an effective grandparent two generations later. Grandparents see the grandchild in an idealized way and tend to provide the unrestricted, positive regard so much required by the child for healthy psychological reasons.

Also:

Grandparents have a mediating role in the continuance of family networks

which is so important to us these days.

I've got to revert back to one of our grandfathers here, the Member for Calgary-Fish Creek. He sent me a note. He's got 16 grandchildren. Congratulations to you.

Mr. Speaker, going on with the study of a certain psychologist:

The stronger the child's ties with the grandparents, the less likely the child will be to develop significant psychological problems later in life.

Another one:

Adults who have had a strong relationship with their grandparents tend to be much more positive to the value and importance of older citizens than those adults without such bonds to grandparents.

I'm sure every one of us can relate to years back when there was a close network and relationship between grandparents and grandchild. I can tell you that I was raised in a family where there was a grandmother and grandfather, mother and father, and the children. It went on very well. My grandmother lived to a ripe old age of 95 years. Three generations lived in one yard in a farm setup where we had daily communications. That certainly does work. I can relate back to the good times we had during all those years till the passing of my grandmother. I'm sure many others can relate to that. I think we have to go that way in the future to make sure that the family ties are there.

3:50

When considering the importance of the grandparent/grandchild relationship, I think we see that our current legislation which addresses custody and access doesn't do enough to provide grandparents with the extra legal recourse that they need to secure access and visitation rights. I know that some could say that our legislation has in fact areas that can be accessed by grandparents, but I can tell you, Mr. Speaker, that this all costs a lot of money, and in this time of restraint sometimes the money is not there to get the legal support you need. I think this is why the change has to come. I know that the federal and provincial statutes that currently deal with visitation rights also put the grandparents on the same footing as other interested third parties, and that just doesn't work at times.

In cases outside of divorce involving custody and access, grandparents cannot even make direct application to the courts for an access order and must do so on behalf of the child. Mr. Speaker, it's time this Assembly took a long, hard look at legislation that will assist grandparents in maintaining contact with their grandchildren. I think to this point the custodial parent has had very few obstacles when he or she refused to allow visitation despite the desire and best interest of the child.

Mr. Speaker, we would certainly not be the first Legislature to enact or amend legislation to deal with this issue. I can tell you that in the early 1970s Quebec incorporated section 659 into their Civil Code. Section 659 reads as follows:

In no case may father or mother, without serious cause, place obstacles to personal relations between the child and his [or her] grandparents. Failing agreement between parties the modalities of the relations are settled by the court.

A review of some of the court's decisions in the application of section 659 reveals that this legislation has been effective in upholding grandparents' rights in the best interests of the child as it was outlined as I have spoken. Mr. Speaker, in a 1984 case the new husband of a mother wanted to adopt his wife's child, who had been living with her grandparents for five years. The parents of the child objected to the continued personal relations between the child and the grandparents. The court concluded that there was no serious cause to place obstacles between the child and her grandparents and granted rights of access to the original grandparents.

In a 1985 case parental grandparents filed a petition to obtain rights to visit their grandson after their son had died. The mother contested the petition. The court concluded that even

though relations between the mother and grandmother were tense, it was not serious cause to place obstacles between the child and his grandparents, and the court granted access to the grandparents. This is similar to the case in my constituency.

Mr. Speaker, in the vast majority of other cases since 1982 involving section 659 of the Quebec Civil Code, access was granted to grandparents. However, on occasion the courts did not grant access because it would not have served the best interests of the child. I think our motion has that in place where needed. If there is some evidence that it wouldn't be to the best interests of the child, then access naturally shouldn't be granted. I think I can give you an example. In a 1986 case a maternal grandmother filed a petition for access to her two granddaughters. The parents filed a counterpetition for an order against visitation by the grandmother. Evidence came to light that the grandmother had exhibited a humiliating and insulting attitude towards the mother. The court rejected the grandmother's petition on the basis that her attitude would not be a positive impact on the children. So you can see, Mr. Speaker, that the court made the right decisions weighing out all the evidence.

I can tell you that the Quebec legislation has been effective and stands as an example for us. Through this legislation grandparents and grandchildren have been reunited, and a commitment to the best interests of the child has been maintained. This legislation appears to be working.

It is also interesting to note that Quebec is one of the few provinces which does not have any organization such as an orphaned grandparents' rights group, and it seems that section 659 is the reason why.

Mr. Speaker, Quebec is not the only jurisdiction where grandparents' rights are specifically set out in law. In fact, in our neighbouring country to the south 50 states now have laws dealing with the issue of grandparents and grandchildren and the right to visitation. You can see that this country has taken this upon themselves to work out.

I think it's very important that at this time we support this motion. I think we have the opportunity to take a step in the direction of protecting not only the bond or special link between the grandparents and grandchildren but also the family, as it is a very important step in these trying times in our society in this province, in this country, and indeed in the whole world. The transition of the family over the last two decades has brought about the need for innovative and progressive efforts on the part of judges, lawyers, and legislators to preserve the family and act in the best interests of the child. I think that should be underlined over and over. It's the child that suffers in many of these cases. The family unit is changing, and often this change means pain and disruption for the child. When children are going through this trauma, it does no good to tell them that they can't see their grandpa or grandma. Because they have come from a broken home, we need to provide positive self-images and positive approaches to these problems to protect the Canadian family and uphold the heritage and security of these principles. We need clear and concise laws to maintain the integrity and timeless value of the family and, I think, the grandparents' role within the family as it has been and as it will continue to be.

Mr. Speaker and members of the Legislature, this is what this motion is about. As we go on debating tonight, I know that many members are prepared to speak to this motion. I think we should leave it to these members to have their input, some that are grandparents, others that are going to be.

Mr. Speaker, for the sake of grandparents, grandchildren, and Alberta families, I ask members to support Motion 207.

4:00

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Avonmore.

MS M. LAING: Thank you, Mr. Speaker. I'd like to thank the member for bringing this motion before the House and bringing the information that he has and for his focus on the best interests of children, because I think that too often we see children as property or commodities or somebody to be done with in ways that serve the interests of adults. So I would like to thank the speaker for his concern.

Mr. Speaker, this is an extremely difficult and complex issue, and we can only be saddened by the reality that brings this motion to the Assembly today. That reality includes the heartbreak experienced by grandparents and grandchildren who are unable to continue in loving and supportive relationships with each other, often relationships that involved taking care of the grandchildren in a parenting way. That reality includes the fact that some grandparents believe, and I think rightfully so, that they have no other recourse than to bring the law to bear on these broken human relationships.

This motion raises many other questions. How do we come to this time and place in our society, that family relationships are so unvalued and so tenuous that they are sundered at will? How have we come to so undervalue children and their needs for continuity in loving relationships that we would sever these relationships without regard for the well-being and the needs of children? How do we come to value children only as property and to fail to value their humanity so that we treat children in ways that would be intolerable to adults? As adults we know the pain of loss through death or separation. Some people would deny children the capacity to experience that pain or dismiss that pain as something passing that they will forget, yet we know the trauma and the lifelong negative consequences of loss during childhood. We can know the loss of the loving touch of someone who has nurtured us. Some would have us believe that one set of grandparents is interchangeable with another set in the case where paternal grandparents may be substituted at the whim of someone else by a stepfather's parents. So we see and I believe are profoundly touched by the lack of understanding of the human need to love and to be loved.

But other questions arise. How much is the government willing to interfere in family life? How much will the government tell parents how they will raise their children? How much will the government impose its value system on family life? Another question: how do we safeguard the parental right to protect children from abusive grandparents, grandparents who were abusive with their own children and that abuse was never revealed, or grandparents who have negative feelings about the parents or a stepparent and want to make mischief?

In speaking to this motion I recall the heartbreaking stories told to me by grandparents who helped raise children and now are no longer allowed to see those children. I recall the grandmother who was undone by her feelings of love for her grandchild. She says, "Nobody ever prepared me for how I would feel about my grandchildren," and, Mr. Speaker, that is true for me also. I also recall the mother who was seriously abused by her father, who never allowed her father to be alone with her daughters, and who discovered from her adult sons that her father had sexually abused them throughout their childhood. I recall the lawyer who talked about the grandparents that interfered in the developing relationship between a grandson and a new stepfather.

Mr. Speaker, the question before us is: what is to be done? We have a government, I submit, that says it values family life but puts in place a decentralization policy that tears families apart and undermines family relationships. I think of the families in Winnipeg who were to relocate to Stettler. What of the grandparents of the children in those families? There are many ways to deny access. This government does not value families in this instance and continues a policy that I would hold has had some part to play in the weakening and devaluing of extended family ties. This mentality is that we have a marketplace economy that requires that people follow jobs. The policies in place are out of that marketplace during the 1960s and '70s that involved upward mobility in careers that often meant geographical mobility. So if we're going to be strengthening families, we need to see it in the wholeness of the problem. We need to see the tragedy that is being addressed today, and we must make sure that the government and the workplace also are sensitive to, recognize, and nurture the needs of families.

Mr. Speaker, this tragedy of denial of access comes about because children continue to be viewed as the property of parents: children are commodities and their needs are unrecognized; their need for continuity in human relationships, family and peers, is often ignored. We need to see children as human beings with rights and dignities. We need to give our consent to the UN convention on children's rights, because anyone who truly loves children will not arbitrarily and brutally deny a child the continuation of a loving relationship or loving relationships. We as a government and as a society and as parents and grandparents need to understand the need for continuity in human relationships, and we need to understand the best interests of children.

I would suggest that a parent who denies a child visits with grandparents who have cared for that child does not truly care for that child. As I said earlier, how would it be for an adult never again to be held by someone who loves them? Parents need to understand that that is the child's experience.

Mr. Speaker, we need to view children as human beings who have a right to be loved and cared for in ongoing relationships. They gain much from grandparents who see them in a larger context than the parents can. Parents are caught in the many demands of day-to-day life, often demanding, fast paced, many pulls. Grandparents have more time. They see things in context. I think about how I was with my own children and now with my granddaughter, and things that I would have gotten very upset about when my children were little, now I see as simply a phase of development: this too will pass.

4:10

MR. HYLAND: You send them home after you've spoiled them, Marie.

MS M. LAING: Uh uh, not me.

Mr. Speaker, grandparents give grandchildren a sense of history and a sense of continuity of life and of humanity. They often give them unconditional love that takes the edge off the struggle of growing up and often the edge off the struggle with parents. I've heard it said that grandparents and grandchildren have a common enemy; that is, their parents.

We must have concerns with legislation, because legislation and courts are not the best way to solve interpersonal conflicts. The courts are founded in an adversarial system that escalates struggle in conflict-ridden relationships unfortunately. We have to say: can the courts effectively solve these problems or will they make the suffering of children the centre of a protracted

court battle? Will children become alienated or further alienated from parents or grandparents? How much do we want the government interfering in family life when in child welfare we have a commitment to least intrusiveness? On the other hand, what will work when there is no goodwill, no concern for the well-being of children? When someone wants to bury a past in which she or he has no part, as in the case of a stepparent in relation to a dead or absent natural parent, when that person does not recognize that the natural parent or parents are an important part of the child's life history and psyche, what is to be done? How will we protect children from abusive, hostile, or destructive grandparents or from grandparents who cling to a lost child through that child's children?

Mr. Speaker, maybe we need to consider legislation. Perhaps there are other initiatives: mediation, courses on parenting and stepparenting, courses on child raising. At a societal level we must truly value, honour, and be responsive to the needs of children in all of their complexity. More importantly, we need to honour the role of grandparents and senior people. We have far too many images of long-distance grandparents – you see it advertised on TV all the time – and of the grandparents that have but a peripheral role to play in their children's and their grandchildren's lives. Let us honour grandparents and recognize that they have a central part to play. Let us honour the quality of their love and the importance of their presence in the lives of children and that healthy grandparent/grandchildren relationships are beneficial to the rest of us because they provide a model of continuity and lovingness in relationships that create healthy people that can partake in continuous, loving relationships.

Mr. Speaker, I believe we need remedies to this injustice. I consider the arbitrary severing of loving relationships between grandparents and their grandchildren merely to serve the ill-conceived needs of another person an injustice. How that injustice is to be remedied is not clear to me. However, I think this issue must be subject to ongoing scrutiny, dialogue, and search for just solutions.

Thank you.

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

MRS. HEWES: Thank you, Mr. Speaker. I'm going to support this motion, and I, too, want to thank the hon. Member for Redwater-Andrew for putting it before us. The member has described changing family demographics in the last three or four decades as we've experienced them, and certainly my family is no different than others. My husband and I are thankful grandparents of 11 grandchildren. [some applause] Yes, indeed we are, thank you.

MR. FOX: How many are Liberals?

MRS. HEWES: I'll ask.

Of one of those 11 I'm a surrogate grandmother. Of two of the grandchildren we are the third set of grandparents that they have known. So we are no strangers, Mr. Speaker, to the kind of thing the member has described. We are no strangers to the immense strain that happens when there is divorce or separation in our children's families. I am certainly no stranger to difficulties of access and even discomfort when I have access related to family holidays and special events and so on. I suspect that many people in this House know all too well the kinds of circumstances the hon. member describes.

Mr. Speaker, we've also heard in our constituency offices from many, many grandparents and parents who are suffering in these kinds of incidents. The increase in family breakup and divorce and in custody is all around us, and it is unfortunately increasing. On the other side, on the positive side, we've got grandparents, many of them seniors, who are better off, are living longer, are more aggressive, and are forming grandparents' groups and lobbying politically for many issues, and this is one of them. I was pleased that the member introduced the grandparents who are in the gallery today. I think it's excellent that they have come to support the motion.

Mr. Speaker, the main thing, as the Member for Edmonton-Avonmore has indicated, is that we must keep the child at the centre of our decisions: what is in the best interests of the child. We are all preoccupied these days with legislation regarding children's rights, and in this case we're talking about the right to a continuing relationship, how we provide that with the least possible disruption in the child's environment, in giving that child stability and consistence in their daily life, in reducing the problems of dislocation, in making it possible for the child to continue with those significant people in their relationship – grandparents and friends and neighbours and uncles and aunts – in the event of the extreme trauma of death or divorce or separation.

Mr. Speaker, I want to speak, too, to the very special relationship that I think develops between children and grandparents. Certainly as grandparents we're more relaxed. At my house my grandchildren laugh and say, "At Gramma's house one does not have to do anything." In fact, that is the rule: one does not have to do anything, but in spite of that, those grandchildren are usually far better behaved, according to their parents, than they are at home. I think many of us experience that kind of difference. The discipline is different. The relationship is different. It's loving and caring, and it is a more relaxed relationship.

Mr. Speaker, I consider grandparents to be the custodians of values of our communities and certainly the custodians of family values and also of family history. They're the ones who can tell the stories and can give to children that sense of their heritage, that sense of their background that can't possibly be transmitted in the same way by parents.

Still, Mr. Speaker, our culture seems to allow a sort of prevalent feeling that parents are entitled to control over children and to make decisions regarding the children. Unfortunately, in custody cases there is often great bitterness and vindictiveness and fear and emotional pain, and these influence the actions. How better to get back at one's errant spouse than to deny his or her parents the opportunity to see the grandchildren? Then the parent gets it from both ends, and it creates immense discomfort. But the child is the one who is hurt and deprived. The child is exploited; the child is used. The child is denied a closeness and a love and a caring of one who could mean so much.

4:20

Mr. Speaker, I've indicated that the incidence is increasing. I have in my possession an excellent paper from a student in sociology – I'm not sure of her age – at the University of Alberta. The name on the paper is Deborah Polny. It's an excellent paper, and I would be happy to share copies of it with other members. This paper attests that

the . . . rise in divorce rates increases the likelihood that . . . grandparents will encounter access difficulties. In 1968 the divorce rate was 54.8 per 100 000 population compared to 355.1 in 1987. Even more compelling are the statistics that indicate for 1000

marriages in 1987 [there are] 499.5 children. In fact, in 1985 one in two divorces involved child custody.

This information and this motion, then, speak to a very rarely discussed kind of anguish that affects a growing number of grandparents across our country. The surge in grandparents' being denied access is a by-product of divorce, family breakup, death, and also of the devaluation of the role of the elderly in society. Mr. Speaker, hundreds of grandparents are fearful of losing their perhaps already limited contact with grandchildren. They're facing legislation stacked against them and possess limited funds, in many cases, to try to fight for access. They rarely win. When grandparents are successful in the courts, the access order is difficult to enforce because of the very same factors that led them into court in the first place: personality conflicts with their own children, poor communication, and family breakdown.

Mr. Speaker, a professor by the name of Jim Gladstone at the University of Guelph conducted a study in '86 that reinforced the importance of grandparents to grandchildren. That report concluded that when marriages break down, grandmothers have more contact with their grandchildren than before the breakdown. Gladstone believes that this means that grandparents have an innate tendency to respond to the needs and emotional upheaval of their grandchildren. Previous research on children of divorce suggests that young children have very little opportunity to talk about the breakup. Gladstone believes that through the child's unique relationship with the grandparents, they can obtain the kind of counseling, comfort, reassurance that they need, provided they have access and continuous access. Therefore, there is a necessity for creative legislation that protects access for both grandparents and the noncustodial spouse.

I'm reminded, Mr. Speaker, that we'll have Bill 205 before us shortly, the Children's Access Rights Enforcement Act, introduced by the Member for Banff-Cochrane. This Bill attempts to do this for parents. I'm not sure why that Bill does not include the kind of access that the Member for Redwater-Andrew is speaking to here. I think it might well stretch out to accommodate the rights of grandparents as well as noncustodial parents. That Bill attempts to correct the lack of enforcement in the Domestic Relations Act by adding a new section. It provides for a court hearing, and if access is found to have been wrongfully denied, several remedies are open to the court, including compensatory time, reimbursement for expenses incurred, security for future performance, and referral for mediation. There are several differences in that Bill, and when it comes to second reading, I think there are some points in that Bill that perhaps could be discussed relative to the motion from Redwater-Andrew and could even be forwarded as amendments to the Bill.

Mr. Speaker, in access disputes the first matter that has to be proven is that access has in fact been improperly denied. The evidence of the parties is bound to be contradictory; that's what the courts invite. The grandparents may claim they have been wrongfully deprived of access; the mother may contend that her refusal was justified. Therefore, every order of access has the potential built right into it for disagreement. The challenge, then, for legislators is to provide a procedure which lessens rather than aggravates the bitterness and the controversy that are so often present in these instances. Resolving access disputes is one of the most difficult problems, I'm sure, that a court has to face. There certainly are no easy answers, and that's because the cases are overwrought with emotion. The issues, it seems to me, are more emotion than legal.

Mr. Speaker, the Liberal caucus would like to see a procedure where persons with access disputes are automatically referred for mediation counseling. The legal cost of pursuing a custody or access dispute through the courts can be enormous, often leaving parties more embittered than ever with what must be an imposed solution by the court. Our proposed mediation would strive to have the parties involved work on finding their own terms and agree to them, because an imposed solution is really no solution. It forces compliance on a family, and that does not solve the basic problems or make the order any more workable.

[Mr. Jonson in the Chair]

One has to ask, then: can the courts solve the problem? Well, I guess we have to try, and I am going to support the motion. I should caution that it's incumbent on Legislatures and courts both to lessen the bitterness to the extent that we possibly can, Mr. Speaker, and that at all times we must keep the child at the centre. I think, too, we can look to other cultures. We can look to our own aboriginal culture and cultures of other parts of the world that put more emphasis on the extended family and the interdependence between members of extended families and perhaps learn some lessons from those cultures as well.

Mr. Speaker, it's possible that the conflicts I've spoken of may never be fully resolved until the children are old enough to make independent choices for themselves, but we need to do everything we can to protect them from being the centre of the agony and of the bitterness. I find it tragic that we have to write laws in this regard. It's unfortunate to try to deal with this very sad social problem, but the reality of the circumstances we all see speak to the need.

I will support the motion.

MR. ACTING DEPUTY SPEAKER: The Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I'm delighted this afternoon to stand up in this House and support this motion. I want to declare, first of all, that I'm a grandparent. My wife and I greatly treasure our relationship with our granddaughter Mary.

I want to thank the Member for Redwater-Andrew for bringing this motion forward and to commend the previous speakers for their comments. I would suggest that these motions permit members to speak from their hearts on a matter of the heart such as Motion 207.

First, Mr. Speaker, I'd like to make some comments on current legislative provisions. First, the federal Divorce Act governs access and custody rights in cases of divorce. Under this legislation an application for access or visitation or indeed custody of a child of divorced parents may, with the leave of the court, be made by persons other than the child's parents. That would naturally of course include but not limit it to grandparents. Under this Act grandparents share the same legal recourse as any other interested third party; however, they can make direct application to apply for access.

In the matter of the Provincial Court Act and the Domestic Relations Act in the province, in situations which do not involve divorce, the Provincial Court Act and the Domestic Relations Act authorize the court to make orders respecting the right of access by any person having regards to the best interests of the child. However, an application for access or custody under both the provincial Acts can be made only by either parent of the child or the child, who may apply with or without a person

interested on his behalf. Although grandparents are permitted to seek access to their grandchildren under the Provincial Court Act and the Domestic Relations Act, they cannot do so directly and have to apply on behalf of the child, not on their status as a grandparent. In this way, then, our provincial legislation lags behind the federal Divorce Act, where a direct appeal can be made. Current provincial and federal legislation does not recognize the unique, special relationship that grandparents have with their grandchildren. Unfortunately, under the present legislation, which involves access and visitation, grandparents really share the same legal recourse and footing with the child's other relatives or even family friends. I would recommend that both Acts be amended – I'm sure this motion is inferring this kind of amendment – to allow the application by either the maternal or the paternal grandparents or both.

4:30

I'd like to suggest consideration, then, of some kind of grandparents' visitation rights Act, and I would make some suggestions as to what might be included in such an Act. The Act that I would propose would be in addition to the previously stated amendments to the Domestic Relations Act and the Provincial Court Act. This Act might address that, one, a parent without just and serious cause shall not prevent reasonable visitation between a child and his or her grandparents. Two, in the event that a grandparent is without just and serious cause prevented by a parent or guardian from reasonable visitation between their grandchild and that grandparent, that grandparent may apply to the court for an order for reasonable visitation on such terms and conditions as the court may impose. Third, such a proposed Act would involve considering the application of a grandparent pursuant to section two that I've just covered. The court shall have regard as to the best interests of the child. I think the Member for Edmonton-Gold Bar made that point so many times so effectively, that the court shall have regard for the best interests of the child in making an order for visitation.

It should also be noted, Mr. Speaker, that this proposed legislation would assume that the grandparent/grandchild relationship would be a healthy and beneficial one. Under this suggested legislation it would be the responsibility of the grandparent to convince the court that access was being prevented without serious cause. The responsibility would then shift to the parent or guardian to convince the court that continuance of the grandparent/grandchild relationship would not be in the best interests of the child. This would then alter grandparents' visitation rights significantly, considering that the current legislation requires the grandparents to prove that visitation is in the best interests of the child, or as some courts have interpreted the legislation, it requires persuasion that a separation between the grandparent and the child will cause the child emotional stress.

The enactment of a grandparents' visitation rights Act clearly would state that the grandparent/grandchild relationship be supported and protected unless it is not in the best interests of the child. A clear and concise law on this matter would work to keep cases out of court and to promote independent settlement if the parent realizes that they do not have valid legal grounds to keep their child away from his or her grandparents and thus end vindictive acts by which denial of access becomes a means for punishing the noncustodial parent.

Most court decisions in the area of grandparental visitation rights reach the determination that the custodial parent or parents, even in cases of remarriage – that's been addressed by previous speakers – when a stepmother or stepfather oppose

visitation, should retain complete control over visitation. In the light of these kinds of decisions, it seems that the courts err in protecting the best interests of the custodial parent rather than protecting the best rights of the child.

It seems to me, Mr. Speaker, that every child deserves to have a relationship with their grandparents because grandparents are a vital part of family life. Perhaps a more desirable approach would require an examination of the facts in each case to see if any of the child's psychological or physical needs could in any way be positively or negatively affected by grandparent visitation instead of simply a blind adherence to the strictly legal, doctrinal principle that the custodial parent has all the rights. It seems to me that each and every child of God has rights, and that would include a right extending to a proper, loving, nurturing, supportive relationship with that child's grandparents. Again I would commend the hon. Member for Edmonton-Gold Bar when she spoke about the importance of the role of grandparents in many societies as being the transmitter of the values of the society and of the family.

I want to just speak a little bit further, then, on the best interests of the child. Any new legislation should give judges the discretion in this issue. Factors that must be considered would include friction and animosity between the parents and the grandparents. It must also take into consideration the health of the child; perhaps even, with older children, the child's preference; the biological relationship with the grandparent; the health of the parent; perhaps even, as the hon. Member for Edmonton-Avonmore mentioned, prior residence with the grandparent; and previous parental agreement allowing visitation.

Mr. Speaker, I want to be on record in offering my congratulations to the Member for Redwater-Andrew for submitting Motion 207 for our consideration. Being a grandparent, as so many are here, is a trust, a trust not to be taken lightly. It's not to be taken lightly by separated parents. It should not be taken lightly by courts. Above all, it's not to be taken lightly by grandparents. This motion asks us to consider legislation which extends visitation rights of grandparents. The right of a grandparent is really a trust to be given to the grandparent. This trust does not include reopening the battles of the parents, nor does it include attempts to alienate the child from one or both of the parents. This type of interference would clearly be a breach of that trust. Grandparents desperately want the opportunity to share their love and their lives and to put somehow their familial touch on a new generation of their family.

I urge all hon. members to support Motion 207, as I will.

MR. CHIVERS: Mr. Speaker, I too would like to extend my congratulations to the Member for Redwater-Andrew for bringing forward this thoughtful proposal, and I want to note that it's not always in this Assembly that the Member for Redwater-Andrew receives the support from this side of the House that he has on this motion. I think it's particularly noteworthy.

I also support the principle that's expressed in this motion. It's an important issue. It's a serious problem, and it's one which unfortunately, in my view, must be addressed through the mechanisms of the law. There seems to be a general agreement around the House, the Assembly, this afternoon that there is a need, that there are wrongs in this area, and that there must be a remedy. Unfortunately, the only way of providing the remedy is through the legal mechanism because that's the only way that these wrongs can in the final analysis be remedied.

Now, the task of the Assembly at some point in the future is going to be to develop and fine-tune the type of law which is appropriate in these circumstances. That is going to be a much more difficult task than the task of discussing the principle that's espoused in the motion here. What we must do is fine-tune the ideas that have been developed here this afternoon in the debate. We must fine-tune not only the mechanism to implement this principle, but we must also fine-tune the type and nature of the remedies that we're proposing to introduce into a very complex and a very difficult problem. After all, we must remember that the law is not a panacea. By having adopted a law, it's not going to automatically settle the people problems that exist, some of them experienced by people who are present in the gallery this afternoon. There must be a means for a determination of whether a wrong exists in the particular circumstances of a case, and there must be a proper remedy. It's a difficult task developing the law which will meet those criteria.

4:40

Mr. Speaker, the member has spoken of the causes of the problem, and they are, as he has identified them, numerous. There are, of course, the circumstances where a parent dies, and as a result of that tragedy, the tragedy is compounded severalfold by the difficulty of continuing grandparental contact. There's also the problem that develops when a marriage relationship breaks down and either ends up in a separation or a divorce. There's also the problem of remarriage. But we must not lose sight of the other dimension to this problem; that is, the situation that can occur and has occurred where there is a conscious decision by one or both of the parents – perhaps in a situation where there has not been a development between a custodial parent and a noncustodial parent – to deny grandparental relationships with the children. That may be justified; it may be unjustified. The law must address this situation as well. There's no question in my mind of the positive advantages of good relationships between children and grandparents, and there's no question of the wrong or the harm done by the wrongful refusal of access. There's also no question that these matters must be addressed at all times in the best interests of the child.

There's one final point that I would like to make. It is my hope that if the law is carefully crafted and thoughtfully written, not only will it provide a mechanism for remedying wrongs when they occur, but it will also – I suspect that this is always the case with well-crafted and well-drafted laws – provide an element of deterrence to people who improperly and wrongfully choose to deny access in circumstances where there should be access.

I'd like to conclude, Mr. Speaker, with the thought that that should be our objective when we attempt to draft the law: to draft a law that is going to be so clear and so understandable and is going to balance the interests so properly that when this law becomes known as the law of this province, the practices and the wrongs that have happened in the past will not recur in the future.

Thank you, Mr. Speaker.

MR. ACTING DEPUTY SPEAKER: The Member for Drayton Valley.

MR. THURBER: Thank you, Mr. Speaker. I, too, rise in support of Motion 207. I'm somewhat of a novice in the grandparent field, with my granddaughter, Melissa, at three and Matthew at two weeks. But I find that as I get older, I need someone that travels closer to my speed, and they seem to fit

the bill quite nicely. I'm sure they'll grow out of it, but by then maybe there'll be more that are interested in the slow way of life that I become more interested in all the time.

Mr. Speaker, it's evident that somewhere in society the values have changed, and I don't think anybody here has all the answers. It's very unfortunate that we have to rectify a situation like this by bringing in laws and debating these issues in the House when it should be a matter of course that grandparents have the right to visit their grandchildren and grandchildren have the right to visit with their grandparents. Somewhere along the line things have changed, and we've found ourselves in a position in society now where it's becoming more evident every day that there are more divorces and family breakups and a multitude of problems that arise. I guess we can blame society; I don't think that we as government should take the blame. I think we're being asked to solve a problem now that probably shouldn't be a problem. In some cases these breakdowns and custody battles become so involved that not only the children but the grandparents and the parents have no idea where they're at in our society anymore.

It brings to mind a case that happened partly in my own constituency, where a grandmother was involved with the raising of three of her grandchildren. These particular grandchildren's parents divorced, remarried, and the subsequent marriages broke up, until these children became involved and came under the jurisdiction of child welfare. At that point in time they were placed into custody or placed into foster homes. Then you find that some foster homes wanted two of the children but didn't want the third one. The grandmother is now trying to find out even where the third one is. It's created a great deal of hardship on her to try and locate these children, let alone have custody or visiting rights with them. There should be some form of mediation take place so that at least they can sit down and talk about this immediately. Imagine the trauma that these little kids are going through. They no longer even know where their grandparents are, let alone have any opportunity of visiting with them.

If we can put a law or an Act into place, it has to be a humane one and it has to be fair. Somewhere along the line a justice or a judge has to decide if these visitation rights are needed and if the grandparents are justified in having them. I'll go a little further and say that not all grandparents should have visitation rights; in my view, some parents shouldn't have visitation rights. I think there has to be a process in place where this can happen and somebody can make a decision and follow it up. These types of Bills or laws are not new. The Ontario government is battling with this same process right now. In the United States, Bills similar to these have been introduced; they've been turned down and defeated in the House of Representatives. It has forced a lot of grandparents to band together to try and gain their visitation rights and try and preserve the family as a whole.

If you follow this up, Mr. Speaker, and you come back into our House here with the types of things that we want as a Legislature – and I'm very pleased that the Member for Redwater-Andrew brought this forward. I'm doubly pleased to find that all sides of the House are in agreement on this very emotional issue. I think if we continue along this line, we can develop laws that will allow a parent and a grandparent to have reasonable visitation rights. I read about a lady in B.C. that finally achieved visitation rights. Her grandparents are several hundred miles from where she lives, but at least she's allowed to talk to them on the phone, so it achieves some kind of communion between the two of them. A lot of times grandparents

have a lot to do with raising children, whether they be their own or adopted or whether they have come through a marriage breakup and became their grandchildren by marriage. Grandparents – as I said before, you get to the point where you like to see somebody that walks your speed and likes to look at leaves and flowers and talk about little things. You can forget some of the more complicated cares of the world.

In the Act that the hon. member has suggested, he's saying that in the event that a grandparent is without just and serious cause prevented by a parent from reasonable visitation between the grandchild and the grandparent, they may apply to the court. I think that process is open now, Mr. Speaker. I have some problems with it. It becomes very complicated, it becomes very expensive, and knowing our court dockets today, how they're built up and backlogged on them, it takes a lot of time and a lot of effort to achieve these types of visitation rights. I think they should become a right as opposed to something that you have to fight for.

4:50

Mr. Speaker, I could go on and go through the legislation that the hon. member is proposing. He is saying that we should assume that the grandparent/grandchild relationship is a healthy one and that it is beneficial for the child. I agree with the hon. members that have said that it's the child who suffers in these cases. It is, to a large degree. It should be focused around the child, but certainly the grandparents suffer as well. I think somewhere along the line you have to shift the responsibility to the parent to make sure that this happens. In some of the cases, as I've mentioned here before, after a while this becomes so convoluted that it's very hard to know, even to find the children if they enter into the public system at some point in time, and undeniably this is happening much too often in today's society.

The current legislation requires grandparents to prove that that visitation is in the best interests of the child, and it requires a vast amount of persuasion by, with all due respect, a high-priced lawyer someplace. This interruption of this normal visitation that carries on has a lasting effect on any child that's had an ongoing relationship with their grandparent, and it can cause a child significant emotional stress which will stay with them for the rest of their lives.

[Mr. Moore in the Chair]

The enactment of a grandparents' visitation rights Act would clear state that the grandparent/grandchild relationship be supported and protected unless it is not in the best interests of the child. I think if you could, firstly, go to mediation and try and determine this, and then failing that method, you could carry on and take it to the courts then. But it should be in place, in very clear language, that this is a right. It's not a privilege anymore; it's a right. The parent must realize that they do not have legal grounds to keep their child away from his or her maternal or paternal grandparents.

Most court decisions in the area of grandparental visitation rights reach the determination that the custodial parents, even in cases of remarriage when a stepmother or stepfather opposes visitation, should retain complete control over the visitation. In light of this, it seems that the courts are often protecting the best interests of the custodial parent rather than the best interests of the child. Mr. Speaker, I hate to see a young child that is shuffled through the court system, back and forth, especially a very young child. They're very impressionable, and

it doesn't take very much of this to have them down on the world for the rest of their life.

A more desirable approach, Mr. Speaker, would require an examination into the facts of each case to see if any of the child's psychological or physical needs would be positively or negatively affected by grandparent visitation instead of blind adherence to the written word or to a strict legal or doctrinal principle. Any new legislation should give judges discretion on this issue. They must have the leeway to make a fair decision concerning that child. Factors that must be considered include friction and animosity between parents and grandparents, and this happens all too often; health of the child, not only physical but mental health; the child's preference; the biological relationship with the grandparent; health of the parent; prior residence with the grandparent; and the previous parental agreement allowing visitation. Now, it's a very complicated issue, but I think we have to remember the positive benefits that any child can have by having visitation rights with their grandparents at any time after a breakup in the marriage system.

I would close my comments, Mr. Speaker, and just request that everybody continue to support Motion 207. It's a very good motion.

MR. ACTING DEPUTY SPEAKER: The Member for Innisfail.

MR. SEVERTSON: Thank you, Mr. Speaker. All other members that have risen today gave their family – whether they've got grandchildren or not. I'm still waiting for grandchildren. The hon. member that sponsored this Motion 207 is in the same position as I am. We're waiting for our grandchildren, but I think everybody that has spoken has grandchildren. So I can't brag about my grandchildren, just anticipate them to come in the future.

Mr. Speaker, Motion 207 has a lot of good speakers supporting it. I do support this motion too, but with some reservations. We all talk of the family unit and the extension of the family, but we also have to take into consideration the rights of the parents. The parents have the right to raise their children the way they feel fit. If we make it into an Act to give grandparents rights, it could inhibit to some extent what the parents or parent feels is best for the child.

[Mr. Jonson in the Chair]

Under present legislation, the Divorce Act of 1985, there's an opportunity for grandparents to be involved. Like I said earlier, to specify recognition of grandparents' rights in legislation may restrict the ability of the courts to also promote the best interests of the child. I think various members did bring up some very interesting points that would inhibit under that Act, but to create another Act could make it just as complicated and just as difficult for the child. The Member for Edmonton-Avonmore mentioned several times how important the relationship is that a grandparent can have with their grandchild, and I think she was sincere when she spoke of the love and care that she has for her grandchildren. I think most grandparents are that way. I would like to hear a little bit more on the proposed Act that gives reasonable visitation rights to the child and the grandparents.

Also, a provincial Act permits the court to make orders to respect the rights of access "by either parent or any other person, having regard to the best interests of the child." So we have another Act, the Provincial Court Act, that would allow

grandparents access to the courts to achieve the right to visit their grandchildren.

Mr. Speaker, the Member for Redwater-Andrew said that it was in the best interests of the child that we have new legislation; it would give judges discretion on this issue. Factors that must be considered include friction and animosity between parents and grandparents, the health of the child, the child's preference, the biological relationship with the grandparents, the health of the parents, prior residence with the grandparents.

5:00

I'm sure, Mr. Speaker, as I said, it would just do the same thing; it would put it into the courts in the same way that the privilege is there now. We have a number of requests brought to this Legislature and to MLAs to make new Acts, and I sometimes wonder if we have too many laws. We try to have a law for every specific instance, where in fact we have Bills or Acts that many of these could be worked through, and the courts could decide on issues such as this . . . Sorry, Mr. Speaker. I just read a note that was passed to me.

I don't disagree with the message that the member was trying to get across, but I do question whether the motion is necessary. We'll have to draft a Bill. It will take a number of lawyers to draft it, and then again they will be discussing it in the courts in the same way as they have access now.

In conclusion, Mr. Speaker, I would like to say that at this present time I will not support the motion.

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

MR. SHRAKE: Thank you, Mr. Speaker. I guess throughout the history of mankind, the societies throughout Asia, Europe, and North America have all had concern for the children. Through all of these societies, whether it's the modern societies or the aboriginal people, there was always a place in the old days where the elders were respected, the elders helped train the children. They passed on tradition, culture, heritage, and these little things. It went way beyond that; it went to the point of giving the feeling of security, the feeling of love, warmth.

I guess, if you read your modern psychology books, among the most needed things you have to have to be a well-balanced person, whether it's a child or an adult, is you must be wanted, needed, and loved. Strangely enough, those are higher than the need for security. Security doesn't figure that high, especially with children. This feeling of love and to be wanted is a very high thing. Many of our children who are in special ed classes or in homes and things today are from broken homes, who don't have both parents, and they don't have the grandparents. Strangely enough, there are still societies throughout this world where the elders, namely the grandparents, do look after the children. They do train them: China and, strangely enough, still in Spain, a European country. The Germans: opa – grandpa – and grandma still play a major role.

I think through the years we begin to recognize the right of the family to control the children. For a long while the male was dominant, and finally we got where we respected the rights of the mother. The mother has strong rights now, but the grandparents have been left out of the system, strangely enough. In the Calgary-Millican area I've run again and again into problems on this. I had the occasion to actually see the grandparents go to court, trying to fight to save these children, and the social services declared otherwise. I've actually seen the occasion where, I think at the court, the social service worker

was going to take the little girl, and the little girl got away, and she actually went down the street chasing her grandpa. Anyways, it was quite a sad thing.

I would hope this motion today will not pass, that it will not go through, because it's not a government Bill. We haven't got the wrinkles out of it. The time will run out on the old clock here today, and we'll have debated it out to the end, and it will not be finished. I would hope that with our collective wisdom we do find the right Bill and recognize the rights of the grandparents to the point that we don't tread upon the rights of the mother and the father – they have their rights too – but that we do finally advance a step beyond where we were a hundred years ago and recognize the grandparents, their value and the things they have to offer. They've got a lot to offer. I'm a grandparent. I've accumulated a few dollars, I've had 50 years of experience, and what am I going to do with it? I want to leave it to my descendants. My ancestors left me a little bit, left me a little knowledge and wisdom, and I want to pass this on.

I guess there's no such thing as eternal life, yet one of the scientists actually said there is. The genes from one of us still live in our descendants, in our children, and this is passed on to the grandchildren, and so it goes on. Hopefully, each generation will do it better. But if we miss these things of the previous generation – the education, the talents, the family history, and these things – this next generation doesn't have them. They haven't gained; they haven't gone on to be better. They think we lost ground in certain areas. I think through the '50s and '60s we were losing ground; the family unit was breaking up. We've come back a ways now. The family unit is getting stronger, and that's good, because with the breakup of the family unit you had some pretty crazy people out there. Crazy people on the streets: they're still out there.

To gain the gentleness of our society, we need the gentleness of the grandparents passing this on to the children. They can be of help. Hopefully this Legislature – we've got a lot of talented people in here – will hit that happy compromise and come up with that Bill that we can put through and recognize and give some legal status, because too often we have the situation where even our own so-called social workers don't fully recognize or get hung up on the bureaucracy to the point where they don't utilize the grandparents. Often the grandparents would give anything they've got for the grandchildren. Instead of placing the children with the grandparents, they go to a foster home, a home which does not have this blood link. Blood is thicker than water. You can grow to love a child, a certain bonding can take place, but it's not the same as your blood grandchild.

I would hope that this comes back. I hope this is not down on the paper and gone forever and that it will be back as a government Bill and that we do have the support of the opposition people across the way from us.

With great reluctance, I move we adjourn debate.

MR. ACTING DEPUTY SPEAKER: Having heard the motion to adjourn debate, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. ACTING DEPUTY SPEAKER: Those opposed, please say no.

AN HON. MEMBER: No.

MR. ACTING DEPUTY SPEAKER: Carried.

5:10

Public Agency Appointments

201. Moved by Mr. Martin:

Be it resolved that the Legislative Assembly introduce legislation to provide all Albertans with the opportunity to apply to serve in available positions on government-designated commissions, boards, tribunals, and advisory councils by requiring broad public notification and posting of all available positions at least 30 days in advance of the selection deadline and endorse a fair selection process that ensures selection of candidates on the basis of ability and experience and not patronage.

MR. MARTIN: Mr. Speaker, first of all, let me thank the Government House Leader for the ability to participate today, because it would have been impossible for me to do that on Thursday. I appreciate the chance to get this motion on, to start the debate on it for Thursday. Thank you again for that courtesy.

Mr. Speaker, Motion 201 is, I think, very self-explanatory. I used to think, watching politics in Canada, that the federal Liberals under Trudeau were the absolute masters at the patronage game, but I realized after I got elected to the Legislature that they were rank amateurs compared to this government. The point that I want to make is that unfortunately, when we involve ourselves in blatant patronage, it's not just the government of the day that suffers, it's all politicians, because frankly there is a great deal of cynicism out there about politicians and the way politicians operate. That's why in the past I've suggested that we need a code of ethics Bill, because we do need it. That's clear. Precisely, people are getting sick and tired of governments and what they perceive at least as patronage appointments. You hear of this Conservative getting elected; that Conservative ran in the provincial election. They get a position, all of them paid for by the taxpayers of Alberta. Now, it may well be that maybe from time to time they might even be a good candidate for that specific job, but because the process is so wrong and done behind closed doors and nobody else can apply for it, obviously people are upset about it. If government members haven't heard that, they're just not listening.

Now, the reality is that I'm trying to say that when we practise patronage, as this government does and has in the past, all of us in public life are hurt. I think that's the reality of it. Nobody gains by this, Mr. Speaker, and, frankly, least of all the government. It may be, as they see it, a way to reward their friends and their loyal people, but if I'm a government, I want to concentrate on an economic and social agenda, not always be answering to the media and this person and that person about some appointment that I made on a commission or that sort of thing. It even detracts, I suggest, from the government's agenda. That's why it doesn't make any sense at all. As I said, it's totally unnecessary.

Now, people may say to me that it is necessary. I'll come to that. The first thing that should be done, Mr. Speaker, the very first thing before we get into the process, is that I would want to know if all these commissions, boards, tribunals, advisory councils are necessary. I don't have any idea how many of them are out there and how many are paid and what the actual cost is, but I first of all suggest that the government should go through, especially when we don't have money for seniors and we don't have money for this group or that group, and see how many of these positions, these commissions or tribunals or whatever you want to call them, are necessary. After you've

done that process – and I predict you could weed a lot of them out – then this is when this process should be. If you could cut some of them out, so be it. That's better. I'm sure the taxpayers would appreciate it.

Mr. Speaker, then to start earning the trust of Albertans, of the taxpayers, I suggest that a new process is necessary. [interjection] People that would say this is unnecessary: don't worry about it. You might be able to find a real job in the private sector after you get defeated, hon. member.

If I may say so, the Ontario government, the new NDP government in Ontario, has done precisely this, Mr. Speaker, and I want to tell the hon. members that people in Ontario are glad they did it. It's one of the first things they did to earn the trust of Ontario people. Now, there might be a different mechanism for doing it, but the point I want to make – I know it's getting all these people upset because they figured they were going to get on the gravy train after they were through here – is that the reality is that this is an important process to earn the trust of Albertans, just as Bob Rae talked about earning the trust of people in Ontario.

Mr. Speaker, again, we can change the mechanism around if we like, but what they did: they found in Ontario – I don't know how many we have – that there were 5,000 appointments in that province to government agencies, boards, and commissions. Now, how many we have I don't know. I would hope the first process, as I said, was to go through and cut the ones that aren't needed. What they have done and have announced – and as I said before, it's been very well received, indeed, by the public in Ontario – is that a standard application form will be made available to any member of the public interested in serving on an agency, board, or commission, and instead of advertising a budget here, they will have an annual advertising campaign which will remind Ontario residents which positions are becoming available. There it goes: anybody in Ontario can see what jobs are coming up and can apply. Then an appointment secretariat will be established to receive and record all applications, and an all-party committee of the Legislature will be asked to scrutinize the selected candidates. Now, I want to say to this government that the response from talking to people there from the public has been that people are saying: "It's about time you're getting rid of patronage. Now we can begin to trust you maybe on some of the other initiatives that you're looking at." It's been a very favourable public opinion.

Now, maybe there is a different way. Maybe we don't want an all-party committee, Mr. Speaker. Maybe an independent commission would be better. I'm not hung up on that. What I'm saying, though, is that surely Albertans, the same as people in Ontario, deserve to have fairness and have a chance to apply for these various positions that are done now behind closed doors at the whim of the government or the Premier. Again I suggest, I really stress to this government, that it's not helping them politically. I would hope that they would take a look at this and understand that if they did something similar, it would be politically popular. I would say: why not do it? Why not do something similar in Alberta? Surely we have women and men who are representative of the abundance of talent and varied experience that we have here in Alberta. Most of the people, I would suggest, most Albertans wouldn't know – I'm sure that most members here would not know – all the commissions we have that receive public money. They wouldn't even know that they could apply, and they can't apply. Again, it's at the whim of the government.

I suggest to you, Mr. Speaker, and through you to the Assembly that as a result of this, we're probably losing a lot of

talent, people that could do an even better job to make government run better. Isn't that what it's all about, if we're going to have these commissions and we're going to pay taxpayers' money, to get the best possible people there? Surely an impartial process, people applying who wanted the jobs, is the way it would work best. I want to stress this: no matter what process you have, I understand that not everyone is going to be happy about it. You can't always please everyone. The point I'm trying to make: if you put in the fairest process, the most impartial process that you can find, then there's at least going to be less people unhappy with the process. Universal approval of choice is simply too much to hope for, but the public has a right to see appointments made by a fair process, a process that the women and men of Alberta can trust. By ensuring public access to all the details of appointments and by peeling away the secrecy surrounding the process, I honestly believe we can ensure a fair selection of the best possible candidates.

5:20

[Mr. Speaker in the Chair]

Now, let me just conclude by saying two or three things, Mr. Speaker. I would say, first of all, that for the government's own self-preservation they would want to do some things that didn't cost a lot of money, that would make them more popular with the public. What I say: if they would take this motion, I'm sure they would find that. For the government's own self-preservation it would be good to do something like this. But, more importantly, for all of us – I don't care which political stripe, which political party you're in – surely we have to start dealing with that cynicism that's out there with the public. I'm not saying this will solve all the problems, but at least it's a step in the right direction.

The second point, Mr. Speaker, is that that message would go out, that there's fairness and equality of opportunity in being involved in the government apparatus – these commissions, tribunals, or boards – that everybody has a chance at least to know what jobs are there and has the opportunity to apply in an impartial way. I think that's a very important message to send out to the people of Alberta.

Perhaps, Mr. Speaker, the most important reason of all, thirdly, is that if you have a process like this, as a private-sector company would – they don't just say, "Here's a job; get my friend in." Hopefully, they have a tendering process, and they try to get the best possible people. You would through a process like this get the best possible people involved in the boards, tribunals, commissions, et cetera, et cetera. The result of that, of having the best possible people and the people that have applied for it that want to be there, is that it would make government run better. It would make those commissions, tribunals, and boards run better. Isn't that what we're all here for, to make these things run better?

Now, Mr. Speaker, I used the example of what the Ontario government has done, and they've done it through an all-party committee after the process was advertised. There may be, again, another way to do it, an independent commission or whatever. But surely with the criticism that the government has got over some of these appointments, they should be prepared not just to reject something like this because it comes from the opposition, but to take a look at it. If they don't exactly like the way, as I said, that the Ontario government has done it, then find another way, but let's take the partisanship out of it. Let's get the best possible people involved, and then let's take away at least that small area of cynicism that people criticize

governments for. Then the government can concentrate on their bigger agenda. We'll have debates over the bigger agenda of what they want to do in forestry or whatever, but at least it will be on real politics.

I fear I've brought in things like this before, Mr. Speaker, and I expect that the Tories will stand up and say: "It's unnecessary; people are totally happy with us no matter what we do. They love all our appointments." I see one backbencher shaking his head, so I guess I know the answer to that. But I really say to the deputy House leader and some others that I know it's not going to come about this time, but they should take a look at this motion, because I think all of us in public life have to look at ways we can change, change for the perception of the people.

Thank you very much, Mr. Speaker.

MR. SPEAKER: Rocky Mountain House.

MR. LUND: Thank you, Mr. Speaker. It certainly gives me a great deal of pleasure to rise and speak today on Motion 201, proposed by the hon. Leader of the Opposition. From the outset I want to make it absolutely clear that I am not opposed to public participation in government, whether it be from the point of view of voting or sitting on commissions, agencies, boards, you name it. I certainly believe in public participation, and I don't think you'll find any member of this government that doesn't agree on public participation and in the democratic process. However, I do have to take issue with a few of the points that were raised by the hon. member that proposed this motion. I have some real concerns about it.

Mr. Speaker, we've heard the hon. Leader of the Opposition say that he's calling

to provide all Albertans with the opportunity to apply to serve in available positions on government-designated commissions, boards, tribunals, and advisory councils by requiring broad public notification and posting of all available positions at least 30 days in advance of the selection deadline.

Well, I also heard the hon. member state that he doesn't know how many such positions are in Alberta. I'd be anxious to inform him that there are about 1,500 in the province on boards, commissions, tribunals, and advisory councils. Now, we've got to remember that of those 1,500 not all of them are open to just anyone that should happen to come in. Many of them have certain requirements that the hon. member never mentioned, and they relate to qualifications, be it engineer, doctor, lawyer, whatever.

Mr. Speaker, before I get into this debate on a number of these issues, in view of the time I would move that we adjourn debate.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. Carried.
Government House Leader.

MR. HORSMAN: Mr. Speaker, it's proposed this evening in Committee of Supply to deal with the estimates of the Department of Culture and Multiculturalism. I therefore move that when the members assemble this evening, they do so in Committee of Supply and that the Assembly stand adjourned until such time as the Committee of Supply rises and reports.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. The motion carries.
Good luck to those of you who are here tonight.

[The Assembly adjourned at 5:28 p.m.]

