

Legislative Assembly of Alberta

Title: **Monday, May 6, 1991**

2:30 p.m.

Date: 91/05/06

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

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

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

Amen.

head: **Introduction of Visitors**

MR. HORSMAN: Mr. Speaker, I'm pleased to introduce to you and to the members of the Assembly Mr. Fernando Cousino, the consul general of Chile for western Canada. He was recently appointed and is making his first official visit to Alberta. Prior to his appointment he held positions in Australia, Belgium, and most recently Colombia. We have fairly significant ties with Chile, including a large and active Chilean community in Edmonton. He is receiving a briefing on our province's resources and capabilities. He is accompanied by Mr. Daniel Mondaca, recently appointed honorary consul for Chile in Calgary. I would like these two gentlemen to rise now and receive the warm welcome of the Assembly.

Mr. Speaker, I would also like to introduce in your gallery a good number of the members of the consular corps in this province. As I read out their names, I would ask that they rise and remain standing and then receive the warm welcome of the Assembly: Mr. Donn Larsen, the honorary consul of Denmark; Mr. Robert Hladun, the honorary consul of Dominican Republic; Mr. and Mrs. Christian Graefe, the honorary consul of Finland; Mr. and Mrs. Claude Berlioz, the consul general of France; Mr. Giuseppe Filippo Imbalzano, the vice-consul of Italy; Mr. and Mrs. Victorian Cui, the honorary consul of Philippines; Mr. and Mrs. Erwin Walter Baumann, the honorary consul of Switzerland; Mr. and Mrs. Kurt Beier, the honorary consul of Thailand; and Carlos Pechtel, the honorary consul of Bolivia. Will you please welcome these members of the consular corps.

head: **Presenting Petitions**

MR. SPEAKER: Calgary-Forest Lawn.

MR. PASHAK: Thank you, Mr. Speaker. I'd like to present a petition signed by 1,151 Albertans calling upon

the government of Alberta to immediately stop the privatization of the [province's] liquor distribution system . . . and demanding that

the government of Alberta hold full public hearings throughout the province prior to implementing any changes to the Liquor Control Act.

head: **Introduction of Bills**

Bill 29

Loan and Trust Corporations Act

MR. JOHNSTON: Mr. Speaker, I'm pleased today to introduce Bill 29, the Loan and Trust Corporations Act. This being a

money Bill, His Honour the Honourable the Lieutenant Governor, having been informed of the contents of this Bill, recommends the same to the Assembly.

Bill 29 has been before this Assembly before. We are reintroducing it today after extensive discussion with user groups. This is the most comprehensive reform of trust company legislation in Canada. The legislation is intended to strengthen the regulatory powers, to improve the reporting and disclosure requirements, and to modernize corporate investment powers, all designed to ensure the protection of depositors and to allow these companies to prosper in this very competitive financial marketplace.

[Leave granted; Bill 29 read a first time]

head: **Tabling Returns and Reports**

MR. HORSMAN: Mr. Speaker, I'm pleased to table the 16th annual report of the Department of Federal and Intergovernmental Affairs.

MRS. MIROSH: Mr. Speaker, I'd like to table a Stats Canada report, May 2, 1991, of the statistics on Alberta's economy.

head: **Introduction of Special Guests**

MR. SPEAKER: The Member for Redwater-Andrew.

MR. ZARUSKY: Thank you, Mr. Speaker. It's a pleasure for me today to introduce to you and to the rest of the Assembly 35 students from the Andrew school. They're in grades 10 and 11 and are, I know, studying politics and government. I'm sure they're enjoying their visit here. They're accompanied by teachers Mr. Harry Bidniak and Mr. Allan Dubyk. They're seated in the members' gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

MR. SPEAKER: Vegreville.

MR. FOX: Thank you, Mr. Speaker. It's my pleasure to introduce to you and to other members of the Assembly two groups of students today. The first group is from the Mundare school. There are 32 students seated in the public gallery with their teacher Mrs. Vicki Moroziuk and a couple of parents, Mrs. Dreena Gavinchuk and Mrs. Pat Warawa. I'd like those students and adults to stand in the gallery and receive the warm welcome of members of the Assembly.

As well, Mr. Speaker, we have 53 students from the Peter Svarich elementary school in Vegreville seated in the public and members' galleries and accompanied by their teachers Mrs. Lisa Topilko, Mr. Raymond Charuk, and Mr. Randy Footz. I'd like them to rise and receive the warm welcome of members of the Assembly.

MR. SPEAKER: Edmonton-Beverly.

MR. EWASIUK: Thank you, Mr. Speaker. It's a pleasure for me to introduce two ladies who are visiting the Legislature today. They have an indirect connection with the Legislature inasmuch as they are family members of our Sergeant-at-Arms. They are Marlene Lacombe, who is a daughter-in-law, and her mother, Gloria Varga. They're in the members' gallery. I'd ask them to rise and receive the traditional warm welcome of the Legislature.

head: **Ministerial Statements**
National Forest Week

MRS. McCLELLAN: Mr. Speaker, I'd like to bring to the attention of the House that this week is National Forest Week, May 5 to 11, 1991. Celebrated on an annual basis, National Forest Week is an observance which provides an opportunity for expanding individual and collective awareness of how important forests are to all of us. National Forest Week is sponsored across Canada by the Canadian Forestry Association and regionally by its member provincial forestry associations in co-operation with an ever growing number of agencies and individuals. A wide variety of activities and events, ranging from Arbor Day tree plantings to recycling programs, are planned.

This year the city of Calgary earned the distinguished title of provincial forest capital. This is an historic occasion in that never before has a large urban centre received such status, whether it be provincial or national in scope. I am pleased that Calgary has risen to the task and enthusiastically planned a year-long calendar of events which will raise the profile of National Forest Week immensely. As a city of over 700,000-plus, Calgary is one of the largest provincial users of forest resources, whether they be paper, lumber, outdoor recreation, or water. I am pleased to see that as a large consumer with diverse and growing needs, it has taken on the challenge of fostering a greater public knowledge, understanding, and appreciation of the value of forests both in the urban and rural environments. Calgary has set an impressive target of 100,000 planted trees.

Each of you will be receiving a tree seedling and a provincial forest capital lapel pin. I ask everyone to join us in celebrating our forest heritage and invite you to partake in the many activities and celebrations planned during this week.

Thank you.

2:40

MR. MARTIN: Well, Mr. Speaker, on National Forest Week I'd certainly go along with the minister and congratulate the city of Calgary for having been chosen the provincial forest capital. That is indeed encouraging. I notice that they've set an impressive target of 100,000 planted trees, and we wish them well in that endeavour.

While I'm up, I think it rather ironic that we're celebrating forestry week in this province when this is a government that basically gave away a third of northern Alberta with forest management agreements to mainly foreign-owned corporations. I'd point out that if we were looking at balanced growth for our forests in the future, the pulp mills were not the way to go, especially in the magnitude that we have. We were looking at a balanced growth, and there are other forestry industries that certainly would have created more jobs, more bang for the buck. Certainly traditional native pursuits - i.e., fishing, hunting, and these sorts of pursuits - are gone. I would point out: where's the money for a recycling industry? Six million dollars, Mr. Speaker. Where's the deinking plant? That would go a long way to doing something for our forests.

I say to the government that it is rather ironic. I do agree with them about congratulating Calgary, but I do find it rather ironic that this government of all governments could be celebrating forestry week, Mr. Speaker. I'd say it's very hypocritical.

head: **Oral Question Period**
NovAtel Communications Ltd.

MR. SPEAKER: Leader of the Opposition.

MR. MARTIN: Yes, Mr. Speaker. To the Minister of Technology, Research and Telecommunications. A billion taxpayers' dollars at risk and 600 lost jobs later, all Albertans know how incompetent this government has been in the NovAtel fiasco. Well, it get's worse. The ex vice-chairman of NovAtel Mr. Fred Weatherup picked up and scurried out of Canada in the summer of 1989. In October of 1989 both AGT and NovAtel were served with garnishee summonses directed against Mr. Weatherup relating to some \$276,000 of judgments against him, yet incredibly Mr. Weatherup remained on NovAtel's board of directors until August 1990, a full year after he left the country. My question to the minister: will the minister explain the reason he allowed a man to remain on the board of NovAtel for a full year after he left the country and had judgments of \$276,000 against him?

MR. STEWART: Well, Mr. Speaker, the appointment of Mr. Weatherup occurred in January of 1983. He served on the Alberta Government Telephones Commission for a number of years. He resigned in August of 1990, prior to the privatization of the company. During the period of which the hon. leader makes reference, he fully attended meetings of the AGT Commission and participated in their business affairs. There was no knowledge of any circumstances that would lead to some sort of an indication that he was not performing his duties as he should. As I say, he resigned in August of 1990.

MR. MARTIN: Let me get this straight, Mr. Speaker: Mr. Weatherup, a longtime Tory bagman, gets his pants sued off because he's such a great businessman, packs up and slips off to Palm Springs to work on his golf handicap, is now wanted by the RCMP for potential fraud, and this minister paid him to run NovAtel for a year after he'd commenced his permanent vacation from Canada. That's what the minister's saying. I want to ask this minister this: where was he when all this was occurring? Did that not set off some warning bells, that he would allow this man to sit there in Palm Springs and collect money from the taxpayers of Alberta?

MR. STEWART: Mr. Speaker, during that period of time, Mr. Weatherup, I understand, was in Canada virtually as much as he was in the United States. He did retire apparently and did spend some time in the United States, but he did come to all of the meetings of the AGT Commission that he was able to come to and participated as a member of that commission. I hope that the hon. leader is not insinuating that one should know way ahead of time what circumstances may develop down the road and take action before that knowledge even comes to their attention.

MR. MARTIN: Mr. Speaker, the point is that the taxpayer is on the hook for a possible billion dollars, and this minister is standing there worrying about Mr. Weatherup. He said that there was bad management. I want to ask him a question. Why didn't he do his responsibilities and find out what was going on ahead of time, instead of having this fiasco?

MR. STEWART: Mr. Speaker, the moment that circumstances came to light with respect to difficulties at NovAtel, we did take action. We appointed a management committee. We directed that management committee to fully assess all aspects of NovAtel's operation, its technology, its markets. Immediately after learning that the financial forecasts were off, three of the senior executives of the company were terminated. New auditors

were put in place. An assessment of the potential legal liability was launched. A management committee was just put in place in order to ensure that there would be firm direction to fix whatever problems may exist at NovAtel. An outside evaluation process was established, and a number of internal initiatives were also put into place. New senior executives were put in place to give leadership to the company. A new financial reporting structure was established. An extensive organizational analysis was undertaken. The development of a new directional plan is ongoing. We have not been sitting idly by; we have acted in a responsible way.

MR. MARTIN: The reality is that we've lost the money. It was done too late. You shouldn't be hiring Tory bagmen to do it; you should have people who know what they're doing.

Magnesium Company Loan

MR. MARTIN: Mr. Speaker, my second question is to the Minister of Economic Development and Trade. I want to move from one minister's free-spending incompetence to another's. It almost seems as if the minister of telecommunications is in some kind of contest with the minister of economic development to see who can throw more money down the tube. It's now apparent that the Conservative government forked out \$103 million in loan guarantees to Magnesium Canada without so much as a credit check on Magnesium International, one of the two partners in the failed project. In fact, ex minister of economic development Mr. Shaben has admitted that they instead relied on screening only the other partner, Alberta Natural Gas. My question is this: will the minister tell us what steps, if any, he's taken to check into the credit worthiness of Magnesium International?

MR. ELZINGA: Mr. Speaker, I'm glad that the Leader of the New Democratic Party finally has his figures correct, because when he rose on previous occasions, he indicated that we had some \$200 million-odd by way of loan guarantees. I'm glad to see that he has reduced that figure now. He's finally speaking on some basis of fact.

Let me leave the hon. member with the assurance that we do a thorough analysis prior to any involvement on behalf of the government and consequently on behalf of the Alberta taxpayer. We do so on the basis of what contribution it is going to make to the province of Alberta by way of our diversification strategy. If one examines the record, Mr. Speaker – and I want the hon. member to examine the record rather than participate, as he has done in the past, as it relates to misinformation. He's the gem of misinformation in this Legislative Assembly, because to suggest that we're going to lose \$103 million is totally inaccurate. There are assets within this company of some \$200 million.

MR. MARTIN: Obviously he didn't check into it, Mr. Speaker. That's the bottom line. Well, we have done some checking into it, Mr. Minister. We've done a search of Magnesium International in the Texas corporate registry, the place where this company is parked this year. We're not sure where it will be next year. We've found that this company's president and director, Mr. Dee Osborne, operates 19 companies out of the same address as Magnesium International. My question to the minister is this: will the minister tell us whether he knew this and, if so, what this told him about this company's legitimacy, and if not why not?

2:50

MR. SPEAKER: One question out of three will be fine.

MR. ELZINGA: Mr. Speaker, we have consistently indicated in this Legislative Assembly – and let me reinforce it to the hon. member. He's repeating his question as to whether we do a thorough analysis. We do a thorough analysis. There's nothing wrong with individuals involving themselves in more than one company. We've also got a number of very progressive Albertans that are involved in more than one company as it relates to the economic growth of this province. Yes, we do a very thorough analysis as it relates to any involvement. Yes, we acknowledge that occasionally there are failures as it relates to our investments. If one looks at the record, and that's all I ask the hon. member to do, we've got the strongest economy in all of Canada. That's not an accident; that is because of our involvement. If the hon. member wants to highlight the mistakes, let him do so. We want to highlight the positive involvement that we've had, whereby this economy is leading all of North American. It is leading all of North American because of our economic strategy.

MR. MARTIN: Well, Mr. Speaker, in fact if you wanted to look, all you would have had to do was call the editor of *Metals Week*, who we talked to, and he says: they seem like a fly-by-night outfit to me. Surely the government should have done at least that. Will the minister explain to Albertans this: now that the taxpayers are holding a \$103 million obligation, how is it that an ex-Panamanian, ex-Cayman islands, current Texan fly-by-night operator managed to suck a \$103 million loan guarantee out of this government without ever being properly checked out? That's the reality of it.

MR. ELZINGA: Mr. Speaker, the hon. member might rely on *Metals Week* for his research. Did he say *Metals Week*? That's who the hon. member relies on for his research. We go to a third party for analysis. We also involve a number of our departments. [interjections]

MR. SPEAKER: Order.

MR. ELZINGA: Mr. Speaker, they ask me the question, yet they won't allow the quietness to receive the answer.

We do a thorough analysis, as we do with all cases. There are those in the opposition who suggest – and again it's part of the misinformation package that they're attempting to convey to the Alberta population, but the Alberta population is much smarter than the hon. Leader of the New Democratic Party gives them credit for. As I've indicated to the hon. member in the past, this information is highlighted in the public accounts. The information is all there, if the hon. member is willing to do the research rather than going to *Metals Week* for that information.

NovAtel Communications Ltd.

(continued)

MR. DECORE: Mr. Speaker, the AGT/NovAtel mess has cost Albertans \$250 million-odd. There is the potential for at least up to another \$900 million to a billion dollar loss. We know that there was mismanagement in the executive; the hon. minister has already admitted to that. We know that managers were fired, but it may well be that crass, political patronage is another factor in the cause of the difficulty of NovAtel/AGT. We have a gentleman from Lethbridge whose only claim to

fame is that he has collected money for the Conservative Party. He has no experience in the unique business of telecommunications. My first question to the minister responsible for telephones is this: why is it that a minister has to continue to go out and only get people to serve on boards and tribunals who have Conservative Party papers or cards to show that they're the best qualified to sit on those boards and tribunals? Why not get the best men and . . .

MR. SPEAKER: Thank you. [interjection] Thank you. You've asked the question.

MR. STEWART: Mr. Speaker, I can't let the preamble to the hon. leader's question go unanswered. He alleges that AGT and NovAtel have cost the taxpayer in the sums that he has mentioned. The fact of the matter, and I think it's very important to point it out . . .

MR. DECORE: How much has it cost us? Many millions.

**Speaker's Ruling
Interrupting a Member**

MR. SPEAKER: Hold it. Hon. Member for Edmonton-Glengarry, you got the chance to ask your first question. Now you're not going to engage in shouting back and forth. You've got two supplementaries to come, if I allow you to continue. Got it? Got it.

MR. DECORE: I got it.

MR. SPEAKER: Great.

**NovAtel Communications Ltd.
(continued)**

MR. STEWART: Mr. Speaker, I don't think, with respect, that he does have it.

The fact of the matter on AGT privatization, Mr. Speaker, is that that privatization returned over \$300 million to the bottom line of the taxpayer, it put \$600 million into the Heritage Savings Trust Fund, and the government now holds shares which have appreciated in value over \$100 million. It has removed approximately \$2 billion of loans and guarantees that were previously on the backs of the taxpayers, and those were removed by virtue of the privatization. The hon. Provincial Treasurer, just the other day in this House, fully went through the costs with respect to NovAtel and indicated that the cost to the taxpayer is \$131 million, and that's it.

MR. SPEAKER: Supplementary, Edmonton-Glengarry.

MR. DECORE: Mr. Speaker, I would expect that occasionally, just occasionally, the Chair would insist that ministers answer questions and not deflect them.

**Speaker's Ruling
Insisting on Answers**

MR. SPEAKER: No, no.

MR. DECORE: We want some answers to questions.

MR. SPEAKER: Take your place, hon. member.

MR. DECORE: Let's get some answers.

MR. SPEAKER: Take your place, hon. member.

The hon. member, I believe, has a legal background. Perhaps you would care to peruse *Beauchesne* to see about the comment that you just made being totally out of order.

What is your supplementary?

MR. DECORE: Mr. Speaker, *Beauchesne* clearly shows that the minister should answer questions.

MR. SPEAKER: Order. [interjections] Order. This is not a point of order. This not an argument between yourself and the Chair. You may have one last chance to ask a supplementary.

AN HON. MEMBER: What a display.

**NovAtel Communications Ltd.
(continued)**

MR. DECORE: Mr. Speaker, the display is the unfortunate display of this minister, who doesn't care about the taxpayers' moneys, who brushes this off as if it's nothing, who downplays the millions of dollars that Albertans have to pay. My question is this: from 1989 on, as garnishee summonses are being given over to NovAtel and AGT – presumably the minister knows this; if he doesn't, he should know. Why doesn't the minister take that second in command of NovAtel out and get somebody in place who knows what they're doing, knows how to make decisions to save taxpayers' moneys?

MR. STEWART: Mr. Speaker, I must say to the hon. leader that if he expects that he's going to stand up in this House and make allegations and representations that are just totally without fact in respect to moneys and the privatization of AGT, then I have a responsibility to respond, and I do so without apology. The fact of the matter is, as well, that the leader of the Liberal opposition appears to be directly connecting any of the current problems that exist at NovAtel with the financial problems of this particular person. I think that that's not a valid connection, unless the hon. leader has some sort of evidence in that regard. The appointments have been made by the cabinet of the day, taking into account a number of circumstances, as they always do, in order to ensure that we get good, responsible people involved in the various commissions and agencies of this government. That has been the way it has been in the past, and that's the way it will be in the future.

MR. SPEAKER: Final supplementary.

MR. DECORE: Mr. Speaker, the minister has deflected the questions on patronage; I expected that. We expect that. What we don't accept is that there is clear evidence that the Lethbridge business community was challenging the business acumen of this second in command of NovAtel. Now, the minister must have known that. My question is: why didn't the minister take some action? You're responsible . . .

MR. SPEAKER: Thank you, hon. member. You asked the question.

MR. TAYLOR: I hope you cut off the cabinet minister as quickly.

**Speaker's Ruling
Decorum**

MR. SPEAKER: Westlock-Sturgeon, if you're challenging the Chair, go right at it. I'll look forward to seeing your point of order and a motion on the Order Paper.

MR. TAYLOR: Okay; point of order then, Mr. Speaker.

MR. SPEAKER: Thank you very much. In the meantime, perhaps now you'd be quiet so the place can continue. [interjections] Thank you. [interjections] Thank you very much.

Hon. minister.

NovAtel Communications Ltd.

(continued)

MR. STEWART: Mr. Speaker, with respect to the matters at NovAtel, we have been forthright. We have put forward information immediately that we got that information. We have acted. I just enumerated a number of ways when I was responding to the Leader of the Opposition.

MR. DECORE: Answer the question.

**Speaker's Ruling
Insisting on Answers**

MR. SPEAKER: Thank you very much.

Member for Edmonton-Glengarry, that was totally out of order. You've been warned before by the Chair. If that continues in the question period later this week, you're going to have the questions taken away from you.

MR. DECORE: Mr. Speaker, *Beauchesne* . . .

MR. SPEAKER: Thank you, hon. member. Take your place.

MR. DECORE: Point of order, Mr. Speaker. *Beauchesne* calls . . .

MR. SPEAKER: Take your place. [interjection] Take your place.

MR. DECORE: The question should be answered.

MR. SPEAKER: Hon. member.

MR. DECORE: *Beauchesne* 416.

MR. SPEAKER: Hon. member.
Calgary-Foothills.

3:00 Constitutional Reform

MRS. BLACK: Thank you, Mr. Speaker. Late last week the schedule of public hearings for the Select Special Committee on Constitutional Reform was released, and I have to admit that I was very pleased to see the extent of the meeting schedule, how it would cover many locations throughout the province. The Spicer commission, though, required that groups making presentations before the committee had to have formal appointments with the commission before they were allowed to appear. After talking to many of my constituents over the weekend, there appears to be a tremendous amount of interest in this

process. My question is to the chairman of the special select committee. I was wondering: will my constituents have to make formal appointments before they are allowed to make presentations to your committee?

MR. HORSMAN: Mr. Speaker, the select special committee has met to discuss the nature of the hearings which will be held, and I'm very pleased with the co-operation from all members who have attended and discussed this very issue. We have asked that those people who wish to make extensive formal presentations let us know and do so in an appropriate way so that the members of the committee can have the opportunity of reviewing those extensive presentations in advance. However, we've also made it very clear that we will accept informal presentations, verbal presentations made by people, and encourage a dialogue between members of the select committee panels and the public when the hearings are held. We are going to try and be as flexible as possible to make sure that nobody who wishes to let us know their views about the future of Canada would in any way be excluded. They are going to be as informal as possible and will encourage every person to let us know what they think.

MR. SPEAKER: Calgary-Foothills.

MRS. BLACK: Thank you, Mr. Speaker. I've reviewed your schedule. With due respect, with the amount of interest that there seems to be in the future of Canada and the growing interest in this process, my question again to the chairman is: would the chairman be prepared, if the presentations are of the magnitude I think they will be, to expand the public hearing process?

MR. HORSMAN: Mr. Speaker, that has also been discussed at the preliminary meetings of the select committee. We have agreed that following the presentations and the schedules that we have outlined now in the public, we will meet then to determine whether or not it is necessary and in what way we can expand to perhaps go to communities other than the 10 communities which are now scheduled. We will be meeting to determine that following the last public hearing, which will take place on June 1. The following week the select committee will meet and review the schedule and see what, if any, additional hearings will be required. If they are required, I'm sure the members will be prepared to arrange those hearings and to hear interested Albertans.

Sunpine Forest Products Ltd.

MR. McINNIS: Mr. Speaker, it's been observed that today is the opening of National Forest Week, which finds our province as one of the few that has no explicit forest policy statement. In fact, we have an implicit policy statement that subsidizes pulp mill construction, hamstringing the forest service, and waives environmental requirements when it suits the government's purposes. On April 24 the proponents of the most recent development, Sunpine Forest Industries at Rocky Mountain House, told a public meeting of job-starved residents that they will not pursue their project if required to do an environmental impact assessment by this government. I would like to ask the Premier if he will indicate if he's a supporter of this form of blackmail by the forest industry in Alberta.

MR. GETTY: Mr. Speaker, the hon. member is making allegations that I'm certainly not prepared to accept. When the minister of forestry is here, I'm sure he'll want to respond.

MR. McINNIS: I was going to say that we're without a forest minister too.

Rocky Mountain House, as I'm sure the member knows, has been passed over numerous times for forest development. In fact, this government decided that Rocky Mountain House timber should be processed in Drayton Valley, where the former deputy is employed. I'd like to ask the Premier if he fails to appreciate that the lack of a comprehensive forest policy causes these proponents to believe that they can hardball their way through the process when the cabinet will cave in.

MR. GETTY: Well, again, Mr. Speaker, it's unfortunate that the hon. member wants to make false allegations leading into a question. He knows that the minister of forestry is not here. The minister of forestry has had to straighten him out many times in the past, and I'm sure that when he's back, he'll straighten him out again. It takes a long time for this member to learn things, but we're going to keep beating him on the head and maybe it'll sink through.

MR. SPEAKER: Edmonton-Gold Bar.

Biomedical Waste Disposal

MRS. HEWES: Thank you, Mr. Speaker. A good example of the right hand not knowing what the left hand is doing is the three-year-old story surrounding medical wastes and the failure of our multimillion-dollar hospital facilities to have adequate incineration equipment to dispose of them. In the meantime, the Department of the Environment is allowing commercial firms to dispose of biomedical waste. Now we learn of the private firm in Beiseker. The first commercial firm to get approval from the department has not even built the incinerator, which was promised to be completed last summer, and we're storing medical waste in 19 refrigerated trailers. My question is to the Premier. Will the Premier please tell us in the House what the government's overall plan for safe disposal of biomedical wastes is, since the Minister of Health has been promising to release this report for a couple of years, and . . .

MR. SPEAKER: Thank you, hon. member. You asked the question a long time ago.

MS BETKOWSKI: Well, Mr. Speaker, I'm pleased to discuss the issue of biomedical wastes and to give the hon. member the assurance that in fact a good deal has been done and continues to be done in the area. A policy has gone out in the last week to hospital boards and various members of the private sector who are interested in the issue. We are certainly looking at making maximum use of our existing incineration capacity, recognizing all the while that many of the incinerators that were built in the '60s and early '70s and even later than that simply do not have the capacity to meet the air standard controls in our province.

I assure the hon. member that with respect to the issue in Beiseker the public health is being monitored very carefully by the public health unit, and I remind her that under the Public Health Act, if they are concerned about public health being put at risk, they have the right to order the destruction and removal

of the waste. They have not done so but are certainly monitoring the situation carefully.

MRS. HEWES: Well, Mr. Speaker, that's okay, but the Department of the Environment issued a permit to this firm, and they haven't apparently taken any action.

Mr. Speaker, my question to the minister, then, is: will the minister please table all locations where biomedical wastes are sitting in storage throughout this province?

MS BETKOWSKI: Mr. Speaker, there are really two things that I have to answer in that question. First of all, it's true that Calto Industries of Beiseker has been granted a permit to construct an incinerator but to date have not constructed it. Now, I'm not sure what the hon. member is suggesting with respect to the role of the private sector, but certainly if the role of the private sector is to be guaranteed a market or to be favoured one over another, that's certainly not the way the waste management policy has been developed.

With respect to her second question, which I've forgotten . . .

MRS. HEWES: I want to know where . . .

MR. SPEAKER: No. No. Thanks, folks. [interjection] No. That's not the way this happens.
Calgary-Glenmore.

3:10 Landlord and Tenant Legislation

MRS. MIROSH: I had the opportunity to meet with a number of my constituents over the weekend and have had a lot of opportunity to have public meetings, as may of us do when we leave this Assembly. A concern has been expressed to me, Mr. Speaker, about the process of public participation once a statute has been introduced in this Assembly. One of the major statutes is the Landlord and Tenant Act. Both landlords and tenants have expressed concern about their participation with regards to this Bill. Could the Minister of Consumer and Corporate Affairs indicate to this Assembly and to the public the participation that has taken place to bring this Act to this Assembly?

MR. ANDERSON: Mr. Speaker, I'd be pleased to. There has been significant public participation in the development of this particular Act. The MacLachlan committee, consisting of landlords and tenants, was formed well over a year and a half ago. That committee reported to us after having public meetings in every part of the province in March of last year. After that point, those recommendations were circulated to every individual who had expressed an interest either in writing or orally to our offices throughout the province. Then we compiled that response before reaching the recommendations that are now made to the House in Bill 33.

MRS. MIROSH: Well, Mr. Speaker, the process of this Assembly has been questioned as well. Once the Act is introduced at first reading, how much time will the minister give for further participation to react to this statute?

MR. ANDERSON: Mr. Speaker, my personal preference would be to see the Act passed at this sitting of the Legislature. However, it is a crucial Act for Albertans, for tenants, and for landlords. We will give some time, at least a month, between its introduction for first reading and when we will bring it to

the House in Committee of the Whole stage, where of course amendments are allowed.

I would urge all Albertans to respond as soon as possible to the Bill as it's introduced so that the steps included in the Bill to further ensure a fair and honest marketplace can proceed as quickly as this House wants them to.

Fuel Contamination Incident

MR. DOYLE: Mr. Speaker, a total of 118 people were stricken by contact with contaminated diesel fuel at the Hinton Husky station a year ago, and some still remain unable to go back to work today. The investigation into the incident was hampered by a litany of poor judgment and misfortune, but perhaps most disturbing is the fact that Occupational Health and Safety was not notified until a month after the contamination was discovered. This delay has been cited as the chief reason for the failure to solve this tragic mystery. I'd like to ask the minister of Occupational Health and Safety: given that this delay was caused by several government departments all refusing to take responsibility as well as by gaps in the law defining Husky's obligation to notify Occupational Health and Safety, will the minister please tell Albertans what steps he is taking to avoid the repetition of such a tragedy in the future?

MR. TRYNCHY: Mr. Speaker, I'm deeply concerned about the individuals who suffered loss of health, and I'm sure we all feel some sympathy for them. The unfortunate part of this is that Occupational Health and Safety was not notified until a month after the incident occurred. We moved as quickly as possible, but when we got there the tanks had been removed and unfortunately had disappeared. So the testing of the contaminated fuels that were presented to Occupational Health and Safety were already diluted by other fuels. We're moving still with public health in Hinton, and we've talked with Dr. Guidotti. We appreciate the concern raised in that community; we're also concerned. We feel somewhat relieved that the doctor suggests that recovery will come to all those involved. Hopefully, if such a thing occurred again, we would be notified somewhat sooner than a month later.

MR. DOYLE: Mr. Speaker, in December 1989, six months before the incident, Alberta Environment received a complaint citing evidence suggesting that diesel fuel containing possible toxic waste was used along Highway 16 during the summer and fall of that year. The complainant, though insisting that his complaint be recorded, an investigation started, and other provinces notified, was advised that it wasn't a concern of the Environment department. I'd like to ask the Premier: will the Premier acknowledge that the Department of the Environment was negligent in its handling of this complaint and that if it had been pursued with due diligence, the poisoning in the spring of 1990 would not have happened?

MR. GETTY: Mr. Speaker, it's hard to draw any communication between those two questions. However, this member has a record in the Assembly of making incorrect allegations as he leads into a question; therefore, you can't take what he says as straight. Therefore, I'll ask the Minister of the Environment to double-check the information that he's presented to the House, and when the Minister of the Environment is here, I'm sure that he'll want to give that information to the hon. member.

MR. McINNIS: That's twice now he's accused us of false allegations. [interjections]

MR. SPEAKER: Well, from what the Chair can hear of the chitchat, perhaps all those who are making the noises would be careful enough to examine the record of *Hansard* from day one. Stony Plain.

Teachers' Strike in Leduc

MR. WOLOSHYN: Thank you. Mr. Speaker, the Leduc Catholic separate school board announced last Thursday that it has received the permission of the Minister of Education to provide a minimum of 3,400 correspondence lessons to the students at a cost that could amount to half a million dollars. This would be paid by Alberta Education. Yet the same school board has refused to address the issue of standardized instructional time, which would only cost about \$30,000. Given that the Alberta Correspondence School staff is working hard to service its regular students, what provisions has the minister made to ensure that the Correspondence School can properly service the additional 850 Leduc Catholic students?

MR. DINNING: Mr. Speaker, just so the record is clear, the Leduc Catholic school board will receive approximately \$2.6 million in government grants this school year. For every day that the teachers are on strike in Leduc Catholic and that an educational program is not being provided, that board's grant from the provincial government is reduced. Any payment to cover the cost of correspondence courses that students will receive at Leduc Catholic will come out of that grant reduction. So if there is a need by Leduc Catholic students for correspondence courses, the Correspondence School at Barrhead will be able to meet those demands.

MR. SPEAKER: Supplementary.

MR. WOLOSHYN: Thank you. I'm glad to note that the minister is agreeing that an educational program is not being provided, although there are nonqualified personnel being hired.

In addition, the minister stated in the Assembly that this was a labour matter between a school board and the Teachers' Association. Why has the minister interfered in the matter by giving his permission to use correspondence lessons as a substitute for a real education program thereby effectively prolonging the strike?

MR. DINNING: Well, Mr. Speaker, I know there is no educational program being delivered in Leduc; the teachers are on strike. The hon. member has already acknowledged that. Of course there isn't an educational program being delivered. Our point is that we are not going to have the long arm of this Legislature or this government coming down and saying that one side is right and the other side is wrong. The very purpose of the Labour Relations Code is to ensure that those two parties who have a fundamental right to agree to disagree have the opportunity to work out their disagreement and come to a satisfactory solution.

We know where the hon. member stands; we know where his party stands. He says: interfere; tell one side they're right, the other side they're wrong. Well, we won't do that, Mr. Speaker, and I don't want this Legislature or anything that this government would say to somehow interfere with the right of those two

parties to come to an agreement that meets the needs of both parties and, most of all, ensures a quality education for their children.

MR. SPEAKER: Westlock-Sturgeon.

Farm Income

MR. TAYLOR: Thank you, Mr. Speaker. My question is to the Minister of Agriculture and/or the Associate Minister of Agriculture. This government continues to make a stubborn and stupid refusal to join the federal government's NISA, the net income stabilization account, which will cost Alberta grain farmers somewhere between \$70 million and \$80 million this year alone. In view of the fact that nearly all provinces affected have gone ahead and joined this plan, which the government could do without cost, what possible reason do the ministers have for not joining NISA?

3:20

MR. ISLEY: Mr. Speaker, let me say, first of all, that the situation with respect to NISA has not changed since the associate minister responded to it in this Assembly. Secondly, let me say to the hon. member that since the third line of defence programs by agreement are totally the responsibility of the federal government, since the offer under NISA is totally federal dollars, and since the administration of NISA is totally federal, there is simply nothing to prevent the federal government from issuing the money to the farmer.

MR. TAYLOR: Mr. Speaker, stubborn refusal to admit that they are wrong in turning it down is not the answer. The point is that this government by participating in NISA can get the farmers something like \$75 million a year. By not participating, the federal government will only put in \$60 million. There's at least \$15 million to \$20 million cost to the taxpayers because these two ministers have not got the wherewithal, the courage, or whatever it is to make a decision. That's all we want. Yes or no?

MR. ISLEY: Mr. Speaker, the hon. member is again showing his confusion. The offer that is on the table to the farmers of western Canada does not require any dollar participation from the province of Alberta. I'm sure our farmers much more appreciate the significant assistance we're giving them in reducing fuel costs, in continuing their fertilizer program, their credit support through the farm credit stability program and the Ag Development Corporation. If the hon. member would check the blue book or had paid attention in the estimates the other night, he would know that the support this government has given to agriculture as our number one economic priority is very, very significant.

School Year Extension

MR. JONSON: Mr. Speaker, recently the concept of operating schools on a year-round trimester or quarterly basis has attracted considerable attention. At least one school board is in the process of consulting with its public and moving on to making a decision on the matter. To the Minister of Education: given that this type of school year has implications for curriculum design, school maintenance, school financing, the timing of diploma examinations, et cetera, will Alberta Education be

playing any role in the decision-making process being undertaken by school boards with respect to this matter?

MR. DINNING: Well, Mr. Speaker, I believe the idea of year-round education is an idea which merits a great deal of study, and officials in our department have been working closely with a number of school boards who have sought information and advice on the concept. We are encouraging a number of boards, particularly boards in larger communities, to pilot the concept in one or two of their schools, perhaps as early as September of 1992, to explore the idea, to see how well it works, to ensure that the parents and students have a choice as to whether they would enter into such a pilot program.

As it relates to the curriculum, Mr. Speaker, our research shows that it would have very little impact on the actual delivery of the current educational program and that in fact it might enhance the opportunity of a teacher to teach the existing curriculum. On the school building side, we have said to those school boards which have expressed an interest that we would be willing to sit down with them and look at any extra costs, capital, operating, or maintenance, that might be involved and that we would want to explore those, at least on the pilot basis, on a case-by-case basis. As for exams, I believe that the track system school schedule could be done in such a way that the existing examination schedule would be accommodated within the changed schedule.

MR. JONSON: Supplementary question, Mr. Speaker. This particular topic was the topic of considerable discussion about 15 years ago in this province. One question which does not seem to have attracted a great deal of attention is whether or not this particular approach to a school year has any effect upon student performance. Could the minister advise the Assembly as to whether or not he has any evidence showing that this is a positive or negative measure in terms of the overall performance of the system?

MR. DINNING: Mr. Speaker, as a matter of fact, the idea, the notion, the concept of year-round education was begun in Indiana in about 1904 and has taken off and has really attracted a great deal of interest in a number of cities in the United States. I believe that in fact the city of Denver has been on year-round education for the last 20 years. What the research has shown, on specific testing of achievement, is that in some jurisdictions that has actually improved. What we can say, though, is that it needs more research, that it needs more careful study. Students certainly are in a more continuous learning mode. Certainly no evidence exists where students have suffered educationally in any way by the introduction of year-round education, but the first and foremost objective of any change in our education system has got to be to ensure that the quality of education for children is actually improved.

MR. SPEAKER: Edmonton-Kingsway.

Alberta Intermodal Services Limited

MR. McEACHERN: Thank you, Mr. Speaker. My questions are to the Minister of Economic Development and Trade. The government of Alberta owns \$32.3 million in the shares of Alberta Intermodal Services. The minister has stated in this House that the government does not intend to lose any money on the sale of Alberta Intermodal. Given that Alberta Inter

modal Services has never made an operating profit, how is it that the minister expects to get the taxpayers' \$32.3 million back?

MR. ELZINGA: Mr. Speaker, if the hon. member examines the record, he will find that we involved ourselves so that we could reduce the traffic rate as it related to the shipment of goods. Alberta Intermodal Services has accomplished that goal. Plus, if the hon. member examines the record, he will see that a marginal profit is projected for this year. For that reason and for the reason that has been expressed by the hon. member and others, they feel it is desirable to move it into the private sector. There have been those who have suggested that it does run unfair competition. We involved ourselves because we wanted to make sure that the exporters of products from the province of Alberta had access to container traffic. We involved ourselves with the intent, and the intent is consistent, whereby we were going to move it into the private sector once a number of goals were achieved and once we were assured that those goals would continue to be achieved if this company were moved to the private sector.

MR. SPEAKER: Supplementary, Edmonton-Kingsway.

MR. McEACHERN: Yes, thank you. We all understand the purpose and that they did achieve some of the goals; nonetheless the taxpayers are going to lose.

When Alberta Intermodal Services purchased 155 trailers from Topwich Express Lines, Alberta Intermodal Services went from being a neutral provider of intermodal services to all Alberta companies involved in the transportation of containers. How can the minister assure Albertans that all the companies will be treated fairly when this monopoly service is put in the hands of a private company that has a vested interest in that service?

MR. ELZINGA: Mr. Speaker, we've involved a third-party private consultant to involve themselves to make sure that everything we do allows proper access by any company that does show an interest in this company. Deloitte & Touche is going to be involved whereby they will be receiving the bids for AIS. We are very confident. I recognize that the hon. member is always concerned with losing, because that's his makeup: loss, loss, loss. Well, we believe that there are winners within our economy, and this is one of the winners.

MR. MARTIN: Oh, yeah. You pick them, eh? You pick them.

MR. ELZINGA: No, we don't pick them, Mr. Speaker. We don't pick them. We have third-party analysis done, whereby we rely on their advice. The hon. members opposite, as I indicated earlier to the Leader of the New Democrat Party, are masters of misinformation, and this is just another one of those examples.

MR. SPEAKER: Question period has expired.

Point of Order Replies to Oral Questions

MR. SPEAKER: Points of order.
Edmonton-Glengarry.

MR. DECORE: Mr. Speaker, *Beauchesne* 416 and 417. It is my belief, if *Hansard* is reviewed, that your rulings have not been fair inasmuch as challenging questions that are being put to the

government by the opposition and the kind of position that is being taken by the government. *Beauchesne* 416 says that a government minister need not answer a question. *Beauchesne* 417 says, "Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate."

3:30

Now, if a minister wants to stand up and say, "I don't want to answer the question," or "No answer," that's understandable and can't be challenged. It isn't uncommon in the course of a question being put by the opposition that a number of matters in the preamble are set out, but the matter being raised isn't the preamble, isn't the statements in the preamble. It is the Speaker himself who will often say, "Get to the question; get to the matter." The matter being raised is the actual question that is put to the minister.

If Blues are checked, the first question that I put today to the minister responsible for telephones was a question involving patronage. Now, the minister didn't answer that question; he chose to talk about the millions of dollars that weren't being lost in NovAtel/AGT. That wasn't the matter being raised. The matter being raised was clear and precise. The matter being raised in the second question I thought was clear and precise but again wasn't answered.

Mr. Speaker, I think that there needs to be some evenness here. When opposition MLAs are being criticized for the length of their preambles, government ministers should be criticized for the length of their answers. Often those answers aren't even relevant to the matter being raised. All I'm asking is that if I make a mistake and a minister is put two questions instead of one, the Speaker quite rightly has the right to come down on the opposition member, but when a minister can stand up and speak all over the map to issues raised in the preamble and then to the matter raised, I think that's wrong, and we're not being treated fairly.

MR. FOX: To the point of order, Mr. Speaker?

MR. SPEAKER: Not on a point of order. We already have a point of order in process. [interjection] Oh, you want to speak to this particular one.

MR. FOX: Yes, thank you. Mr. Speaker, I can appreciate the frustration of the hon. leader of the Liberal Party, having sat in this House for almost five years. It's a forum that doesn't suit every circumstance. Certainly there are good reasons for that period of time during Routine Orders being called question period and not answer period. That's something that's, I guess, well established over hundreds of years in British parliamentary tradition. I'm not going to get involved in a dispute about whether we should have more spirited repartee. You know, I enjoy that myself. The issue here is that the government doesn't have to answer the questions, and certainly we take that into consideration when we do our excellent research and craft our hard-hitting questions.

I think the onus is on the leader of the Liberal Party, whose tenor seems to change when the TV cameras have gone, to make sure his questions get at the nub of the issue as well. If the hon. cabinet ministers don't choose to answer or choose to avoid the essence of the question in their response, then that is sometimes as revealing as the answer that the hon. leader might be seeking in response to the question.

I would just like to make an appeal, Mr. Speaker, and ask for your guidance on it. If the hon. leader of the Liberal Party

wants to prove day in and day out that the money spent on his acting lessons is wasted, I wish for the sake of those of us who are sitting next to him that he would either provide ear plugs or aspirins, because I'm getting, frankly, quite tired of his standing up and yelling day after day in question period. I ask for your guidance on that.

MR. WEISS: Mr. Speaker, I'd like to speak on the point of order, if I may. Thank you for recognizing me. I heard the member of the Liberal Party refer to 416 in *Beauchesne's Parliamentary Rules and Forms*. Perhaps it's because of the learned member's occupation that he is able to interpret a different meaning and ruling than what I see.

Thank goodness for the book, because I believe the book of *Beauchesne* clearly defines 416(1):

A Minister may decline to answer a question without stating the reason for refusing, and insistence on an answer is out of order, with no debate being allowed.

It goes on to say:

A refusal to answer cannot be raised as a question of privilege, nor is it regular to comment upon such a refusal. A Member may put a question but has no right to insist upon an answer.

If I may ask you once again, Mr. Speaker, as well to refer to 411. It says:

Some further limitations seem to be generally understood. A question may not:

- (5) reflect on the character or conduct of the Speaker or other occupants of the Chair, Members of either House of Parliament and members of the judiciary.

When the hon. member referred to it in the question period, he went on to state about the members of cabinet and the decisions they had made. I suggest 411 clearly rules out the hon. member's points of reference.

MR. TAYLOR: I'm moving a point of order. Remember in question period?

MR. SPEAKER: After we deal with this one.

MR. TAYLOR: Well, it's indirectly tied to it. I think I could tie it to it. Whatever you would like: I can make a new point, or I can continue it. I'll only speak the one time.

MR. SPEAKER: All right. You may speak, but the Chair will recognize one from each of the other two parties if you proceed. Westlock-Sturgeon.

MR. TAYLOR: Okay, Mr. Speaker. It was on the question of asking questions. Quite correctly, and as everyone's pointed out, the ministers do not have to answer.

I'm sorry the hon. Member for Vegreville is losing his hearing. I thought it was his hair because he's been standing between the two leaders.

Nevertheless, the fact of the matter that I'm bothered by is the ramification of this. I can see the minister not answering, refusing to answer, but when the minister, he or she, goes off on a flight of rhetoric and the opposition MLAs, be it NDP or Liberal, start heckling him, a good old parliamentary tradition, you get quite excited and incensed about it, Mr. Speaker. I'm just saying that if the minister indulges in rhetoric and dodges the answer, then they can expect heckling from this side of the floor. There's where I think it's unfair. They can go galloping all over the pasture, and the first time we throw a rock, we get yelled at. I'm not arguing with their right to gallop all over the

place; I'm arguing with your curtailing the heckling or their going after the minister who refuses to answer.

MR. McINNIS: Mr. Speaker, on the point of order. I believe the Member for Westlock-Sturgeon is on solid ground, but I think the point made by the leader of the Liberal Party may have gone over the heads of some of the members. I heard him say that he would make a preamble to a question and was then upset that the minister would respond to the preamble to the question and not to the question, which clearly indicates that there is no logical connection between the preamble and the question, in which case I believe a different rule applies.

MR. STEWART: Mr. Speaker, I think the hon. Member for Edmonton-Jasper Place has made the point very eloquently, but in addition to that I would just briefly state that there is a difference between a refusal to answer a question and the questioner actually being satisfied with the answer given.

MR. SPEAKER: Well, first we will deal with the complaint rather than the point of order. As has been pointed out with respect to *Beauchesne* 416, and I know it's been read, but we'll read it again:

A Minister may decline to answer a question without stating the reason for refusing, and insistence on an answer is out of order, with no debate being allowed.

A bit further on in the same subsection, (1):

A Member may put a question but has no right to insist upon an answer.

Now, some hon. members may say: "Well, gee. That's awfully unfair." I'm sorry. You ran for a parliament; you are elected to a parliament; you will abide by the rules of parliament. [interjections] Order, order.

Then to go on to *Beauchesne* 417:

Answers to questions should be as brief as possible, deal with the matter raised and should not provoke debate.

Well, one can always hope for that, but that also begs the question about the questions and the lengthy preambles and the flights of fancy that take place within those preambles. So if one engages in that, one then should not get self-righteous about the answers following along in similar kind.

3:40

The other thing under 409(2):

The question must be brief. A preamble need not exceed one carefully drawn sentence.

When was the last time that occurred? [interjections] Order.

A long preamble on a long question takes an unfair share of time and provokes the same sort of reply. A supplementary question should need no preamble.

The Chair has been more than lenient in allowing this to proceed. What's happening in all this is that you're taking question period time away from your own members as well as from other members in the House.

Surely, hon. members, while it's nice to ventilate, the point is: let's come back to reality. The reality is this Legislature. If you don't like the rules of the place, then you have means to change them. Failing that, perhaps you may decide you've had enough of it; don't want to run at the next election. [interjections] Order, order. [interjections] Order.

Beauchesne 414 has a line in there:

The extent to which supplementary questions may be asked is in the discretion of the Speaker.

Now, I underline that because if the shouting continues back and forth, as it did today again, immediately your question will be taken away. That's just the way it's going to be, because

there's entirely too much unnecessary heckling before a person gets . . . You're not even being courteous enough to let the minister stand up and start to make a reply. [interjection] Forget your scoff, hon. member.

Now, the other thing is that in terms of two other comments raised today, they came precious close to being an attack upon the Chair. I will assume that that was not the intention.

MR. DECORE: Never the intention, sir.

MR. SPEAKER: Thank you.

head: **Orders of the Day**

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

Bill 27
Rural Districts Act

MR. SPEAKER: The Member for Dunvegan.

MR. CLEGG: Well, thank you, Mr. Speaker. I'd like to move second reading of Bill 27, the Rural Districts Act.

As many know, certainly rural Albertans, we have three or four forms of rural local government in this province. This adds another form of rural government, and that would be the rural district. Many of you know that there's an awful difference between an MD council and an improvement district. This is just a transition form of government that will allow an improvement district to in fact become a rural district and without taking the full powers that a municipal district has.

I don't think there's anything controversial, but I look forward to any comments on Bill 27 from any member of this Legislature.

MR. EWASIUK: Mr. Speaker, I agree. The intent of Bill 27 would appear to be to provide autonomy for rural districts. I'm sure many of those districts are looking forward to that. On the other hand, I think there are districts that are not in a position, particularly in terms of a population and a proper tax base, and it's then assumed by this Bill that they will not be required to make the move from an ID to an RD but only bide their time and perhaps when that becomes appropriate, they may want to do so.

There are a number of items in this Bill that I have some questions on. In article 5(2), while I understand that the minister can cause a plebiscite in an event relative to issues involving the establishment of a rural district, my question then is: does the same opportunity also apply to the residents in the area, whether they also can cause a petition in light of this legislation?

Article 10(1), which deals with the road systems in the district, suggests that the minister has control and management of roads. I guess that's the way it is in the ID Act, and it looks like it may continue under the Rural Districts Act. However, there are some provisions for an agreement to be reached between the minister and the RD that would allow the RD to get involved in the control of district roads. There is no provision as to really when and how the RD would be responsible for payment to the minister for the roadwork. I wonder if that can be spelled out or if there is a rational explanation as to how this arrangement will work between the Department of Transportation and Utilities and the new RD.

Also, 13(1) talks about the formation of an RD to an MD. I'm assuming, although it's not clear in the legislation, that the process, the mechanisms that are in place now for an ID to go to an RD – that the same provisions will then apply again for an RD to go to an MD, where there's an opportunity for either the minister or the residents to cause a plebiscite in the event that there is a disagreement within that particular district as to whether they should proceed to the next step in the formation of local government.

By and large, Mr. Speaker, I'm not sure why the Bill was introduced other than perhaps there may be some demand from local IDs to get yet more autonomy. I guess one can support that provision. My information is that there really is not a great demand for this Bill; however, if there is some concern, some desire to have autonomy in local government, I'd be prepared to support it.

MR. SPEAKER: Edmonton-Whitemud.

MR. WICKMAN: Thank you, Mr. Speaker. To comment very briefly to Bill 27, Rural Districts Act, introduced by the Member for Dunvegan, my understanding of this Bill is basically that it would allow improvement districts to become rural districts, without having to go directly to a municipal district. My interpretation of it is that I can't see any problems. In fact, I think there's a positive, the positive being that it would allow for more independence from the point of view of the improvement districts.

The only concern I would have, and possibly when the Bill is in committee the hon. member could respond to it, is the question of the participation of those that will be affected. I have to assume that this was initiated as a result of a resolution by an appropriate body at a provincial conference or initiated by the association responsible for the districts and such. I point that out, Mr. Speaker, because I believe that this government has probably learnt somewhat by failing to communicate with those people that are affected by the decision-making process; for example, the seniors, which has now really caused severe, severe problems for this government. I always caution government to be very careful on that point and to learn by those types of errors and not repeat them.

So I would like to have the member respond specifically as to how this Bill came before us and the assurances that it meets the approval of the associations responsible or involved with the affected parties.

MR. SPEAKER: Rocky Mountain House.

3:50

MR. LUND: Thank you, Mr. Speaker. I just want to make a very few comments on this Bill, in support of it. Some of the features that I am very pleased with in this Bill: it allows an ID to move to a form of local government that will allow them to take on various responsibilities without taking on the full load. Under the current situation just at a given point in time an ID must take on all the responsibilities of an incorporated municipality. Using this approach, for example, they may not take on the responsibility of maintaining and building the roads but they will take on the responsibility of the Planning Act and the collection of taxes: those kinds of decisions that can be made locally.

As well, it doesn't force anyone to progress through and become a municipal district in the future. The steps are there, and certainly next year when the new Municipal Government

Act is brought forward, the provision's in there for establishing an incorporated municipality. I believe that this process will serve very well for those districts, those areas that can move, that do have the population and do have the financial capabilities to move to a fully incorporated municipality.

Thank you.

MR. R. SPEAKER: Mr. Speaker, I would like to give a bit of background with regard to the Rural Districts Act for the Legislative Assembly. I want to first of all thank my hon. colleague from Dunvegan for carrying the legislation through the Assembly.

For a number of years, as I understand it, the improvement districts have been discussing with ministers various ways by which they could take on more autonomy. As the Legislature knows, at the present time in the Improvement Districts Act there is a lot of authority vested in the Minister of Municipal Affairs, who acts as reeve of each one of the improvement districts. That in itself causes a flow of paper to move through the minister's office from the ID: from the council in an advisory capacity through the minister's office and then back out to the ID again.

The discussions centred around increased autonomy. Much of the concern over the years has been that it's very difficult to move right from an improvement district. All of the autonomy is not there, and not all of the assurance of the economic capability is there, as an improvement district that would become a municipality. The feeling was that there should be some form of transitional legislation that would allow the improvement district and the advisory council and the people therein to move to full status as a municipal district.

The question was raised by the hon. Member for Edmonton-Whitemud as to: was there a lot of public discussion? Yes, there has been. At each one of the annual meetings of the improvement districts, this item receives a tremendous amount of discussion. If I recall correctly, when I first took on the responsibility of this portfolio, there was a study in place that put forward this concept. A number of ID councillors and persons directly involved, and indirectly in terms of the department, made this recommendation that there should be a form of transitional government called rural districts. That's the reason the legislation is here at the present time.

What are some of the concerns that are out there with regard to the various councils? One is that they're asking the question: how much autonomy should we take on in the initial stages? Can we take on a lot? What will be allotted? What we have done and committed as a government is that we will work with the various ID advisory councils and determine what amount of autonomy or authority they wish to have at that local level. We'll work it out with each one of the IDs independently in this transitional period. It won't be directed from the government top down, but it'll be directed from the ID to the ministry and through to the government on a broader basis. So that's the philosophy by which we will implement the rural district concept or form of government when and if it is passed by this Legislature.

That's the one concern. The second concern rests with boundaries, and that's a very difficult one to decide. We are approaching it this way so that we will try and do it in the most logical and rational and responsible way possible. The first thing that an ID is asked is to do a study with regards to the location of the boundary and, as well, the economic capability of that area that lies within that boundary. That's the second criterion.

The third criterion would ask this question: is a council that has more autonomy able to represent those people in that area that is to be enclosed in the boundary of a new district that is called the rural district? Some of our IDs are very large and very vast, and the question is: can an ID council really represent that area in a very immediate and responsible way? We do have some areas in IDs where it's difficult for people – for example, in the isolated communities of northern Alberta – to get to the main ID office. As an example, there are a couple of communities which we call isolated communities to the north of Slave Lake that have to carry their concerns and problems up to High Prairie. They find it very difficult to make that trek as often as they would desire, so maybe a boundary in a different manner would better represent those people. That is a major concern, and if there's any type of sort of nonpartisan political discussion that will go on during the formation of rural districts, Mr. Speaker, it will be that one: as to where the boundaries should legitimately be to take in these three concerns that I have raised. I think that with discussion with the local people, participation of persons that are interested in resolving these problems, they can be resolved.

As I look ahead, I'm sure that in the next 10 to 15 years the majority that we have currently with ID status will have moved through the rural district form of government to full-fledged municipality. The hon. Member for Rocky Mountain House makes the point very well that this transitional period is very, very important. To make that leap from ID to MD, municipal district, is a vast, major leap that causes a number of problems, and I think this legislation that we have before us, Mr. Speaker, certainly clears it up and deals with that matter.

MR. SPEAKER: West Yellowhead, followed by Westlock-Sturgeon.

MR. DOYLE: Thank you, Mr. Speaker. Very briefly, I'd like to congratulate the minister on bringing this Bill forward. I had the opportunity to sit in on several meetings of ID 14, Yellowhead, with the chairman of the ID councils, Mr. Ken Albrecht, explaining the transitional period that takes place between the improvement districts and the next stage. They felt that the rural districts would be the best way of handling that option. There were some concerns, of course, addressed at those meetings: the fact that the minister would not take any lands away from the existing improvement districts while the transition was taking place. In fact, the tax base was lost greatly in that particular improvement district by the creation of the MD of Brazeau. Some of the municipalities are still in a tailspin since that decision was made.

So, Mr. Speaker, in brief I'd like to say that I think it's a good, important first step, and perhaps in committee we will be making an amendment or two.

MR. SPEAKER: Westlock-Sturgeon.

MR. TAYLOR: Thank you, Mr. Speaker. I, too, join most of the House in, I think, generally supporting the Bill.

I have a couple of questions, though, that maybe the hon. member proposing or the hon. Member for Rocky Mountain House might be able to answer. One is: although we talk about an orderly transition from ID to rural district to MD, are we sure that there are some incentives to move from the rural district to the MD? In other words, is it possible that this is so cosy that that's where everybody will want to be? Can we devolve the other way? Is it so good that the MD might want

to go back to being a rural? If I may rephrase it another way: is ID to rural to MD the way it has to go; that the MD couldn't go back to rural because the rural is doing fairly well? That's one; in other words, how do we make sure that as the area grows and flourishes it will go to an MD and not sit at the rural level, and make sure that the rural definition here isn't so attractive that the MDs don't want to move towards it?

4:00

The second question is more a philosophical one, and I'm sorry that the Minister of Municipal Affairs won't be able to hear it. It's with respect to something that's becoming near and dear to many people, not only to the federal Reform Party but to others, and that's the power of the plebiscite or the power of a referendum. One of the problems in the provincial/municipal government that I've noticed in my years in politics is that it ignores the municipal ratepayer. The MD and the government together can get pretty arrogant as far as a group of local ratepayers is concerned. I would like to see, starting maybe in this Act, some sort of a trigger mechanism where the residents or the ratepayers themselves could start off a referendum not only on borders but on other issues. I have had, for instance, in my MD two or three cases over the number of years I've been there where the MD has narrowly passed something that by a referendum through the MD wouldn't have had a hope of getting through; in other words, it would have been overturned.

What I'm worrying about here is that the power that's represented by the minister and the government, combined with the power that's represented by the MDs and IDs, is ignoring the power that's represented by the people or the ratepayers themselves. In other words, why couldn't we, if we're starting out making something new, and we are – and to that extent I congratulate the government; I think it's a good, imaginative way to go forward. I would like to suggest that maybe they give some thought that the MDs and the rurals and the IDs of this world already have too much power or, let's put it this way, do not have a check on their powers to the extent that they should, and that laws allowing referendums to take place – be it on taxation, on environment, on rezoning – be written into this constitution so that really government then belongs to the people and not just to the councillors and the minister.

MR. SPEAKER: The Member for Dunvegan in summation.

MR. CLEGG: Thank you, Mr. Speaker. I want to thank all members who spoke. I had made notes when the Member for Edmonton-Beverly and the Member for Edmonton-Whitemud spoke, but my friends and colleagues the member from Rocky Mountain House and the minister answered those questions. So I'm not going to go back; it would be repetitious. But I do want to say absolutely that we're not trying to tell any improvement district: you must become a rural district. It's been a request from many ID councils that they would like to have more responsibility and that they would like to form a rural district.

The hon. Member for Westlock-Sturgeon brought up a couple of points just at the end there on the transitional period. Again, I'm sure that the improvement districts would not become rural districts if they did not want to become rural districts, but it's my hope, and I'm sure a hope of many, that some day – and I'm sure some people won't live long enough; I probably will. We don't need five forms of rural government in Alberta. This is just one way that we can get more responsibility built into improvement district councils or advisory councils; I'm not too

sure of the term there. They want more say, and this is just the way to say, "Okay, you have more responsibility; you have more say in the decision-making."

The other concern or question that was expressed by the hon. Member for Westlock-Sturgeon was about the general taxpayers. Well, we are not changing that in this Act whatsoever. I really feel that if you look under the Municipal Act – and I don't think there will be much change in the new proposed Municipal Act – there is in fact an absolute way for the general taxpayers of any jurisdiction whether it's urban, rural, improvement district or MD, to get a say in what they want for that area. I haven't got it in front of me now, but a maximum of only 10 percent of the taxpayers have to sign a petition; that would allow them to get a vote. I know we're not changing anything in here. I feel strongly that the taxpayers of any jurisdiction have the right to be heard, and as I say, there is a mechanism in place.

Thank you, Mr. Speaker. I would like to move second reading of Bill 27.

[Motion carried; Bill 27 read a second time]

Bill 30

Securities Amendment Act, 1991

[Adjourned debate April 29: Mr. Chivers]

MR. CHIVERS: Mr. Speaker, as I stated last time before the clock ran out, I rise to express support in principle for this Bill. There are a number of positive initiatives in the amendments to the securities legislation. For example, the initiative to bring for the first time futures trading under the umbrella of the Act is a good initiative and one which is long overdue. The extension of the powers of the Securities Commission and the strengthening of those powers is also a positive initiative and one which my caucus supports. These are positive measures, but they're hardly sufficient to make the Act, as the minister has contended in the press, amongst the toughest in the country. I suggest that he should take a good look at legislation in Ontario and B.C. as two examples of legislation which is significantly tougher legislation.

In any event, it is important to extend the scope of the Act to ban manipulation of securities trading and futures markets. It is crucial to prohibit the creation of false or misleading appearance of trading activities. These are good initiatives. It's also crucial to prohibit the creation of an artificial price for securities or exchange contracts. That also is a good initiative. The Act provides for fines of up to a million dollars and jail terms of up to five years. Those are significant deterrent features; they are significant penalties. They will generally provide a measure of deterrence provided that they are applied and enforced diligently and vigorously and consistently, and it is my hope that the legislation will be applied in that sense.

With respect to the interjurisdictional problems, which the minister noted in his comments, and the difficulty of regulating the securities market because of the interjurisdictional dimensions to it, that indeed is a tough problem, and it is one that needs desperately to be addressed. It's been one which has been totally ignored in Alberta in the past. I'm pleased to see that there are some initiatives being brought forth in these amendments to deal with that situation and which will permit the Alberta regulators to work in concert with the regulators in other jurisdictions to ensure effective regulation and investigation of infractions.

4:10

Until this Act comes into being, there is a glaring loophole in our legislation in the area of interjurisdictional regulation. I'm not convinced that the proposals here are going to be sufficient to deal with what is a major problem and has a whole host of different dimensions to it, but it does seem to me that this is a beginning. It's a start in the right direction, and in order to deal with this interjurisdictional problem it is probably necessary for a uniform code to be adopted across the many jurisdictions in Canada in order to ensure that there aren't loopholes between the various jurisdictional systems. I would hope that the minister would look at that possibility and urge that type of a solution in other jurisdictions. The legislation that's being proposed certainly is not a panacea for all the problems in this area, but it does certainly contain a necessary step forward, a necessary step towards dealing with a very difficult and complex problem which arises as a result of the multiplicity of regulating jurisdictions and regulating bodies. I urge the minister to work together with other Canadian jurisdictions towards a system which will recognize the Canadian dimension of the interjurisdictional problem and also the international dimension of that problem, and hopefully it will result at some point in the future – not too distant future, I hope – in a uniform code to deal with the regulation of securities.

The lack of regulations for commodity traders based in Alberta while sellers based outside the province have been regulated entirely by their home jurisdictions has been another glaring loophole in the Alberta regulatory system, and it has required attention for a long time. The amendments here are certainly going to be a step towards redressing those problems.

The provisions of the legislation empowering the chief of securities to carry out additional administrative and regulatory duties is a positive initiative and one that is needed; so too is the requirement for the trade and exchange contracts to be confirmed in writing to the customer. It seems to me that that is a very sensible sort of a provision and one which would hopefully result in some benefits to the persons who trade on the securities market. Also the provisions for material changes in reporting by the issuers of securities: that's a positive initiative and one which should, again, yield some dividends for people who participate in securities trading.

I'm pleased to see the provisions for removal from office of company officers and directors in certain circumstances. This will substantially empower the commission to carry out its duty to the public where company officers use publicly traded companies for their own benefit. I'm pleased at that initiative.

With respect to the specific aspects of the legislation I do have some concerns with respect to a number of the sections. I don't intend to go into them in detail, but at this point I might draw to the minister's attention that I do have some concerns with respect to the ability of the chief of the securities administration to engage outside consultants. I'm not sure that's necessary. I would hope that the department would build up in its personnel complement the necessary expertise to administer the Act totally within the realm of the department. It seems to me that this is perhaps the direction that the department should be taking rather than ensconcing in the legislation the ability to contract for outside consultant services. It seems to me that those sorts of services will be needed from time to time, but it seems to me also that it doesn't make sense to make that a statutory feature of the legislation, so that it's statutorily ensconced.

With respect to section 35 and the release of information: I'm pleased to see that provision in the legislation. This is a step forward in this area, and it seems to me that a government that has not been noted for its disclosure of information is taking an

important step forward in the securities field here. I'm pleased that that provision is being included in the legislation.

I have some concerns with respect to the amendments to section 65 and the changes from "a total of 50 purchasers" to "the number of purchasers prescribed by regulation." My concern in this area is one that's been addressed in this Assembly on many occasions, and it has to do with a provision that, in my view, is the sort of thing that should be in the legislation rather in the regulations. I know that the argument will be that greater flexibility is necessary. It seems to me that the legislation can be framed in order to provide the necessary flexibility that is required. I would suggest that those limitations should, generally speaking, be in the legislation rather than in the regulations. That is a provision that repeats itself several times in the amendments that are being proposed to the legislation.

I have some concerns with respect to the exemptions in section 66 where registration is not required for certain types of exchange contracts.

As I said previously, the written notices, notices of confirmation, which are set out in section 68 are a very positive initiative and one that deserves wholehearted support.

Turning to section 118, I have some concerns with the exemption, the ability to file on a confidential basis certain information. That seems to me to run somewhat contrary to the section I previously highlighted with respect to disclosure and for which I complimented the minister, and I'm wondering about the need for that exemption in that section.

Those generally are the specific areas that I'd like to look at at this point in time. I'll have more comments when the matter comes to the committee, but at this point, generally speaking, I am supportive of the legislation. I think it's a step forward.

I am concerned, however, in one other area, and that is the area which was recently highlighted in the commission proceedings regarding the inquiry into the Cormie trading. It seems to me that this legislation does not address that problem. It certainly does not address it to the extent that it needs to be addressed nor does it address the problem in the manner that it is addressed in other jurisdictions which have far more far-reaching powers in this area. It seems to me that it's totally inappropriate to leave the situation as it presently appears to be, which is that persons can with relative impunity violate the provisions of the legislation and then impose the sentence on themselves. It seems to me that that is not the state in which we should leave the Securities Act after these amendments are considered. It seems to me that it's totally inappropriate and is a spectacle if our legislation does not have sufficient teeth in it to at least ensure that if persons who are the subject of an inquiry wish to avoid going through the full process of the inquiry, which is certainly justifiable in certain circumstances, they should at least be required to admit wrongdoing. Even that limited admission was not required, and in fact the commission, to give it credit, was not able to extract that admission of wrongdoing under the provisions of the legislation as it presently exists.

So my suggestion to the minister would be that he address that problem prior to bringing this process of enacting amendments to the Securities Act to a conclusion to make sure that the Act has more teeth in it in that area.

Those are my comments at this point, Mr. Speaker.

Speaker's Ruling Second Reading Debate

MR. SPEAKER: Before we proceed, hon. members are well aware that the Chair has given extra leniency to Edmonton-Strathcona in the last few minutes. I'm sure Edmonton-Strath-

cona will read *Beauchesne* 659, but I appreciate the comments as made.

4:20

Debate Continued

MR. SPEAKER: Calgary-Buffalo.

MR. CHUMIR: Thank you, Mr. Speaker. I'd like to congratulate the minister on a sound piece of legislation which moves in the right direction in respect of securities legislation. We intend to support it. I do have one particular area of concern that I will comment on during the course of my comments.

In terms of the principles or the main thrusts of the legislation, we see three of them rather than, if I understood the minister correctly, two main thrusts that he spoke of. The first principle or thrust he referred to is that the legislation adds the regulation of commodity futures to the legislation. This brings the regulation of the futures market under the auspices of the securities legislation for the first time. It's done, we think, in a sensible manner. While some provinces have chosen to regulate futures trading using an infrastructure of a futures commission, this Act intends sensibly to use the existing infrastructure of the Securities Commission to perform that role. We think that make sense. We've consulted the industry representatives, and they're in agreement.

I can't help noting, however, that this matter of regulating futures is long overdue. If we go back to 1979, we find Bill 3 being proposed in that year by the Minister of Consumer and Corporate Affairs. At that time it was entitled the Commodity Futures Act. It's been a long time in getting back to it. Admittedly, that legislation was faulty in that it would have established a separate commodity futures advisory board to regulate the industry. As we have noted earlier, the Securities Commission regulation is the way to go, we believe, but we've certainly lagged behind other provinces in regulating futures trading. I congratulate the minister on bringing us up to the 1970s and 1980s here in 1991.

The second thrust of the legislation is one that wasn't focused on as a separate principle or thrust by the minister. We think it's of sufficient importance that it should be dealt with as a matter of principle, and that is the amendment relating to the rules governing private placements or, in other words, exemptions from the prospectus requirements under the securities legislation. Those relate to the sections which eliminate specifications as to when a prospectus is needed under section 107 of the Act. The Act currently provides that a prospectus must be filed and a variety of requirements met before shares can be sold other than in certain transactions, including transactions exceeding \$97,000 in respect of sophisticated investors. Another category of exemption relates to sales to friends and family, et cetera, where there are less than 50 purchasers.

Our concern with respect to the elimination of that \$97,000 requirement and the minimum number of 50 shareholders is that these are now going to be governed by regulation. In a sense, by doing it in that manner, we may see theoretically a reduction in, for example, the value of the transaction before it's exempt. Back in 1984 the Minister of Consumer and Corporate Affairs introduced Bill 55 which would have lowered the \$97,000 limit to \$25,000. Now, if that were to occur in this particular instance, we would see de facto deregulation of the securities sales in that range over \$25,000. The \$97,000 limit has been in, we understand, for some 15 years, and should be greater, taking into account inflation. We note that other provinces such

as Saskatchewan, Ontario, and Quebec have raised the minimum for exemption to \$150,000.

Now, considering that could be a move in the realm of deregulation and keeping in mind the debacle that has befallen certain elements of deregulation in the United States such as the deregulation of the savings and loans industry there, this does raise, I think, some concern and call for some explanation from the minister as to what is the intention, what is the direction we are going in this realm. Is there a possibility that \$97,000 might be an appropriate minimum with some flexibility being provided otherwise? Are there some ranges consistent with principles and sensible regulation whereby certain minimum standards might be established in the legislation with some scope for regulation beyond that? Now, that depends on what the minister's intention is: the direction, the rationale for this. There may well be some scope for moving, for example, towards making it more possible to use the offering memorandum in certain additional cases as opposed to the full prospectus, but I think we should understand this very, very clearly, because lowering prospectus exemptions can be a poor way to promote capital formation if it removes the adequate protections and safeguards there to the degree that we end up with some of the difficulties that other jurisdictions have had. So that is the primary concern I have with respect to this piece of legislation.

The third area and theme of the changes relates to the intersection of long-overdue muscle with respect to offences, penalties, and other sanctions. We have some very good initiatives, we believe: tougher punishments being provided for fraud and spreading misleading information, greater powers of the commission to investigate, punishments being increased for infractions of the Act. The Securities Commission board now has the power to force a director off the board of a publicly traded company. There is also the power to recover legal costs from guilty parties. These and other initiatives we think are sensible initiatives, Mr. Speaker.

As I wind up my comments, I would like to echo the concerns of the previous speaker, concerns which I have raised in previous debate relating to the need to eliminate to the extent possible the conflicts between rules governing the differing jurisdictions. This is confusing and often inefficient for purposes of capital formation. I realize full well that there have been efforts made by the minister and other ministers across the country to improve co-ordination of the differing jurisdictions, and that is an excellent initiative, but we need more efforts in that regard. I say that recognizing that perhaps a total uniformity may be too much to expect in light of differing needs of the differing provinces in respect of their capital markets. But that is a concern that I think we should continue to keep in mind as we look at general concern within this country that we may end up with freer trade between Canada and the United States than we have going on between the differing provinces.

4:30

I would like to close by just referring to the minister a concern that I had, raised by a member of the legal profession, dealing with the Securities Commission. The comment was to the effect that with the division of powers between the board and the agency, there was some apprehension that neither body seemed to have adequate muscle to deal with a number of the problems that were being encountered in the securities industry; there was perhaps a bit too much balkanization between the two bodies. In my view, the jury is still out in that regard, but I took the comment seriously, and I'd be very interested to hear what the minister's views are with respect to that in light of the fact that

this legislation massages the powers and the jurisdiction of the board versus the agency in a significant way. Is that a concern that the minister is hearing, and what's being done to monitor that?

Thank you.

MR. SPEAKER: The minister in summation.

MR. ANDERSON: Thank you, Mr. Speaker. First, I would like to thank both the hon. members who spoke for their kind remarks and for their support in principle of the Bill.

To deal briefly with some of the comments raised, Mr. Speaker. The hon. Member for Edmonton-Strathcona as well as the one for Calgary-Buffalo mentioned the interjurisdictional needs. The Member for Edmonton-Strathcona is not accurate that it's been totally ignored in the past. In the last piece of legislation, in fact, there was a step in this direction. We signed intergovernmental agreements within my first few days as minister, and we have been working with the securities administrators for some years now to try and make as common as possible many of the directions. I agree with both hon. members that we need to move as far in that direction as possible in light of the changing marketplace and the speed at which dollars cross boundaries, no matter where they are, in terms of the securities area.

I would also say to the Member for Edmonton-Strathcona that I wouldn't agree with his evaluation on our Act's ability to deal with our marketplace versus British Columbia or Ontario. There may be specific areas where one could find tougher legislation. By and large, I believe that our Act, with the changes proposed, is tough in dealing with those who would abuse the Act and is fair in dealing with the marketplace in general. I would be interested in the member's comments during Committee of the Whole on where he feels that that is not in fact the case. There are always some areas for improvement in a securities Act.

In terms of concerns mentioned by the Member for Edmonton-Strathcona, we will deal with some of those more specifically in committee, I'm sure. In terms of outside consultants, those would be required in any of the very complex cases that are there and in fact are used to a fair degree now, but we haven't had it clear in legislation that that was the intent, and I believe should. That doesn't mean we will be looking to do that on a regular basis, but there are specific industry situations that have experts that wouldn't fit the general expertise of the commission. There are times when specific legal knowledge of an area is needed, and the chief does require the abilities to do that, in my opinion, flexibly.

Both members dealt with our placing in regulation a number of areas that are currently included in the Act. It is, in fact, true that that is taking place. In my opinion, our marketplace, our securities industry is moving far too quickly to be able to always respond through the not all that fast legislative system that we have in place, and I think there must be the flexibility given to deal with marketplace circumstance within the legislation. I wouldn't suggest that principles involved should ever be dealt with anywhere but the Assembly, but certainly the specifics we have to deal with more quickly than every couple of years or even every year in legislation.

In terms of the exemption levels that the Member for Calgary-Buffalo mentioned, there is no specific plan to change those. We will be reviewing them. It's not placed in regulation for the purpose of changing. At the moment, though, his point I think is well made in terms of years elapsing and the exemption level of the \$97,000 being lower, in fact, today because of inflation

than it has been in the past, and we will be considering that in our review of it. It is again something that allows us flexibility to do exactly what the member is alluding to, and that is to deal with such matters as inflation and what it causes and also specific market circumstances and how quickly our market moves.

The Member for Edmonton-Strathcona dealt with the area of undertakings, agreements before a full board hearing reached between an individual or company who is accused of contravening the Act and the agency, and suggested that that mechanism is much more restricted in Ontario and British Columbia. That isn't the advice that I get. The advice is that those are at least as flexible; in fact, maybe more so in at least one of those jurisdictions. Again, if the member has specific information in that respect, I'd appreciate it so that we'd know as we go through it. We are looking always at that area of undertakings to make sure that justice is not just done but, as the cliché goes, seems to be done, and we are in that area trying to ensure that as much as is possible is public, although the member, coming from the profession he does, will well realize that this is somewhat akin to arrangements made similarly within our full judicial system and our court system. There are certain restrictions and abilities that are placed on that.

He mentioned a specific case. I, of course, won't get into second-guessing any judgments of the commission on specific cases, but I might say that the provisions in this Act, particularly those dealing with appearance of misleading activity, may well allow for further judgments on the part of the commission in a number of specific circumstances. The other thing I would draw to the member's attention is that in cases such as the one the member mentioned, there are other legal sanctions that go through the courts and other ways of dealing with the justice of the circumstance, whereas the commission's main responsibility is to make sure that anybody misusing the marketplace is not in it. That is part of the purpose of the undertaking process.

Mr. Speaker, I think that generally deals with the questions, though the Member for Calgary-Buffalo dealt with the division of powers between the agency and the board, which was put in place by Act changes a couple of years ago. In answer to his question, the response I get from the industry is that it's working well. I personally do feel it has some ways to evolve yet and that we need to define better in a couple of instances the specific responsibilities and how they interrelate. We are certainly going through that process and dealing with it. I don't think it would require legislative changes but may require some decisions administratively.

Those would be my remarks on second reading, Mr. Speaker. If I didn't initially, I would move second reading of Bill 30.

[Motion carried; Bill 30 read a second time]

4:40

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

[Mr. Jonson in the Chair]

MR. DEPUTY CHAIRMAN: I'd ask that the committee please come to order.

The first piece of legislation to be dealt with is Bill 1, Seniors Advisory Council for Alberta Act. Prior to proceeding with that item, could we have unanimous consent to revert briefly to the Introduction of Special Guests?

HON. MEMBERS: Agreed.

MR. DEPUTY CHAIRMAN: Opposed?
The Member for Bow Valley.

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

MR. MUSGROVE: Mr. Chairman, I'd like to introduce a number of our advisory council members and some staff. They're sitting in the members' gallery. If they would stand as I name them: Noel Butlen, Donna Rose, Frank Appleby, Lynne Sangster, Marilyn Daines; and staff members Barbara Armstrong and Mary Engleman. Would you please give them a special welcome.

head: **Government Bills and Orders**
head: **Committee of the Whole**
(*continued*)

Bill 1
Seniors Advisory Council for Alberta Act

MR. DEPUTY CHAIRMAN: There is one government amendment that has been circulated. Are there any comments, questions, or amendments to be offered with respect to this Bill?
The Member for Bow Valley.

MR. MUSGROVE: Mr. Chairman, on behalf of the hon. Premier I have a couple of comments to make, and then I will move the amendment.

Our council has been in existence since 1976. It has had some slight changes in the structure of it over those years, and 1986 was the first time that it was chaired by a Member of the Legislative Assembly. I've had several letters and discussions with people. We have three organizations that are represented on the council; the Alberta Medical Association, the Alberta Hospital Association, and the universities have appointed members on the council. There have been numerous requests from other organizations to have representation, and if we were to fill all those requests, why, our council would be totally made up of people representing organizations. The Alberta Hospital Association, the Alberta Medical Association, and the universities have had representation on the council since the very beginning, and that hasn't changed over the years. Since then, we have attempted to have people representing geographical areas in Alberta. Two of them are from Edmonton, two members from Calgary, and the rest represent rural geographical locations.

I've had letters from the nursing organization asking to put a representative on the council. At the present time we have two members, one representing northern Alberta and one representing southern Alberta. The one from northern Alberta is a nurse that is with home care, and the one from southern Alberta teaches nursing at the University of Lethbridge. We have had requests from health units to put members on our organization. At the present time, from a geographical location we have a person that is on the board of directors of a health unit. The Alberta Council on Aging, a local group, have asked to have representation on the council. We have three members from various places that are also on the Alberta Council on Aging. We also have one member that sits on the national council on aging. So we're fortunate to have a variety of people, and although they represent geographical areas, they're also representing organizations.

I have had several letters suggesting that the council has not addressed the fact that at least some of the members have to be seniors. Now, I submit, Mr. Chairman, that it would be ludicrous to have a seniors council unless it had a majority of seniors, and we had a look at that. First off, we decided – who was going to define whom as a senior? My banker says that I'm a senior, yet that's no magic age that anyone else recognizes as a senior. We decided that things are working out quite well, because without any direction of how many of the council should be seniors, we now have five of our members that are 70-plus. We have four of our members that are 60-plus. We have five members that are 50-plus. We have one member that's under 50 years old, and by his own admission he says that he represents the taxpayer of Alberta. So we have felt that we should leave the concern about direction to have a percentage of the council seniors – this has worked out well without any direction, and we feel that there's a small chance of there ever being a seniors council with 15 members where the majority wouldn't be seniors.

Mr. Chairman, I do have an amendment. The Bill is amended as follows. Section 3(2)(b) is struck out and the following is substituted: "(b) the Alberta Healthcare Association."

This is only a change in the name of the Alberta Hospital Association to what they are now called, the Alberta Healthcare Association. If any of the members have any questions, I'd be very happy to attempt to answer them.

I now move the amendment.

MR. DEPUTY CHAIRMAN: Perhaps we could now deal with the amendment. Are you ready for the question?

[Motion on amendment carried]

MR. DEPUTY CHAIRMAN: The Leader of the Official Opposition.

MR. MARTIN: Thank you, Mr. Chairman. As the member is well aware, seniors groups have been pushing for some time. I think one of the first things that the advisory council wanted was to have a legislated mandate, and certainly we in the Official Opposition have proposed this in the past. In that sense we're glad that this Bill is coming forward.

I would say, though, Mr. Chairman, that I've brought some amendments. I think this Bill could be improved, contrary to what the member has said, as I understand him, that it's good enough just to go along, that it will just automatically work out that seniors will always have the majority. Well, I do not believe that you should bring in legislation and hope that that's the reality. If we're going to have a group that represents seniors and we're going to mandate that, surely seniors are capable of looking after themselves and not doing it in a holus-bolus way. There should be representation – the majority of the people, for instance, have to be seniors.

4:50

I might point out, Mr. Chairman, that if this advisory council had been together and if they were talking to people, the right people representing the seniors groups, they might not have had the same problems they're facing now in a political sense with the most recent cutbacks. I would have thought that with that group advising the minister or the government and making that very clear, as they are now, probably the budget items that we're dealing with would not have come about. I say to the hon. member that I know what he says is the truth, that there are a

significant number of seniors in that group now. But I also say to the member that it seems to me important, though, when you bring in legislation, that you also mandate that. That may not be the case down the way. It might not be the case with a different government; the member might not be part of it. If you're really serious and you want to listen to seniors, it seems to me that you mandate that there should be a majority on it. That's one of the things we have recommended, as the member is aware.

We recommend the following amendment: that we delete section 3(2) and replace with

- (2) In selecting members of the Seniors Advisory Council for Alberta, the Lieutenant Governor in Council shall
- (a) include at least 14 seniors who represent, or are active with groups representing, the interests of a cross-section of seniors from different geographic regions of Alberta;
 - (b) include representatives from those sectors providing services to seniors;
 - (c) ensure that the make-up of the Council also proportionately represents men, women, disabled persons, aboriginal people and visible minorities as reflected in Alberta's seniors population; and
 - (d) consider the knowledge, background and expertise of each member being considered.

Now, I would like the government to take a look at this, because I don't think it's getting away from the mandate of what you're proposing. It's just legislating it to represent the reality of seniors as they already are in Alberta. If this was followed, Mr. Chairman, again the seniors would always be represented. They would actually represent the reality of Alberta. If I may say so, I think it's too much of a gamble the other way, not to legislate it, contrary to what the member says. As far as I'm concerned, that's the most important amendment that I've brought through, but we think that it could be strengthened in a couple of other ways too.

The second way, Mr. Chairman: we believe that the reporting is too narrow. This Act indicates that all reporting is through the minister designated to administer the Act. Now, we're suggesting that this council should have the freedom to advise and report to the minister or to any other member of Executive Council. It seems to me that if we're going to have a legislated mandate, the seniors advisory council, it should be as broad as possible, because seniors have a lot of differences, as we all do, a lot of different options and different concerns. Rather than just one minister responsible, why not have access to the Executive Council? It's a simple thing to do. Because there may be, as I say, different concerns. There may be concerns in social services; there may be concerns in a lot of different areas. It seems to me that would certainly broaden the reporting and make this Bill even more effective.

As a result of that, we recommend the following amendment. Anywhere it states "make recommendations to the Government," replace with "make recommendations to the government through the Minister or any other member of the Executive Council." This again, Mr. Chairman, applies to sections 2(2)(a), 2(2)(c), 2(2)(d), and (3).

Now, the third amendment that I would like to look at is to give this seniors council even a more wide-ranging scope. If we could go back, perhaps a Bill that's somewhat similar to this one was brought in on the Advisory Council on Women's Issues. You'll recall that in 1986 - I think the member was here - this particular Bill was brought in by Mr. Anderson. He acknowledged in 1986 the need for an arm's-length council that would have as much freedom as possible to fulfill its mandate and provide the government with the benefit of the thoughts, ideas,

concepts, suggestions of Alberta women. It needed to be an objective and independent body both in function and appearance.

Now, I would say that generally the Alberta Advisory Council on Women's Issues has done that very well. Sometimes they've been a thorn in the government's side, but that's reality if you want an arm's-length group. You want to generate ideas; you want to generate solutions to those ideas. It's best to be as independent as possible, if I may say so to the hon. member. If we look at this particular Bill that was brought in by this government, I'm saying that I think it's worked relatively well, that we should take a model look at that.

The debate was rather interesting in 1986. A number of points were made by various members of the Assembly at that time. One of these was that the council should not only reflect public opinion, as it does now, but also lead public opinion. I could say the same thing about the seniors advisory Bill.

The words of the late Gordon Wright, MLA:

Let this body be a pressure group. Let it be radical. Let it shake up public opinion. Let it not just be another Conservative piece of window dressing.

I could suggest that this would also be applicable, if I may say so, to the seniors council.

If we are really serious about righting inequities,

we should also be serious about taking some of the risks inherent with setting up a truly independent advisory council.

Ditto. Again, I think we can say the same sorts of things. Here I think is the key: it should be free

to investigate areas of concern, identify specific issues, and [make] recommendations for legislation and policy changes

at times when it might be uncomfortable. That has happened from time to time, but it hasn't brought down the government, and in many cases they've brought in better legislation as a result of that.

I say the council needs to be a real advocate: that was said at that time by members of this side. Why not a real council with a real advocate for seniors? Also, the council should be able to receive briefs and petitions, to be able to have direct contact with the public and to respond directly to that public, and the council should have the freedom and mandate to publish its own research.

I think, if I may say so, that if we could add to what's been brought in and take the lead as we did with the women's advisory council - and it hasn't cost an arm and a leg; I believe their budget's around \$300,000, somewhere in that range - it would make some sense. I would like the members, if they would, to think about that.

As a result of that, we would recommend the following amendment. Replace section 2(4)(c) with:

- (c) conduct or direct research in any matter relating to seniors' quality of life and their participation in the life of the Province, and publishing the results of the research.

Again, the member's aware that I think research will be extremely important in this area. We are an aging population. Some of us are further away than others in being seniors.

AN HON. MEMBER: Nick is there.

MR. MARTIN: Nick's there? Okay.

I think this would be a group that could conduct a sort of research and perhaps give us, again, some ideas about a changing life-style.

Then one other amendment, the fourth and the last amendment, Mr. Chairman. This Act expires well before this seniors crunch will hit Alberta. According to the Alberta Council on

Aging, when we talk about the aging population, as I was just doing, the crunch will not occur until the year 2016, yet this particular Act expires in 1999. I don't understand why it would not be renewed; perhaps there is a reason for that that the member could tell us. We would recommend that this Act be reviewed every five years beginning in 1996, giving the council time to begin operating, but we'd make sure that the council had a long life, at least till the year 2030, if we're serious about moving in this direction.

5:00

Mr. Chairman, the last amendment that I have recommends the following, replacing section 8 with 8(1):

On or before June 30, 1996 the [advisory] Council shall submit to the Minister a report containing recommendations on improvement of operations of the Council and any amendment to this Act that it deems advisable.

Then to go on to (2):

This Act expires on December 31, 2030 unless it is continued for a further period by the Lieutenant Governor in Council.

In conclusion, Mr. Chairman, again, we are glad that the government has come through with a legislated mandate for a seniors council, but we believe that there are some serious flaws in the Bill. We believe the Bill could even be made better in those four areas, again using the experience of what we've done in the past in this Legislature, brought in by this government. I would hope that they would take a look at some of these amendments. We believe that it would add to the Bill's purpose and the reason for having the Bill.

Thank you.

MR. DEPUTY CHAIRMAN: The Chair would just like to ask the hon. Leader of the Opposition: is it your wish that these be dealt with as a package, since you've addressed them all, or one by one?

MR. MARTIN: Well, if there's any chance we'd get some of them passed, I'd go one by one, but because they'll turn them all down, we might as well do it at once, I suppose.

MR. DEPUTY CHAIRMAN: All right. It is agreed that we deal with them as a package?

HON. MEMBERS: Agreed.

MR. DEPUTY CHAIRMAN: Opposed? Carried.

The Member for Three Hills.

MRS. OSTERMAN: Thank you, Mr. Chairman. I'm very pleased to rise today to make some observations about the details of the Bill under discussion and particularly to congratulate the seniors council for their efforts to make sure that this Bill came into being, because those efforts have been considerable and ongoing for a considerable period of time. I'm delighted that it has made it here. I would say to the hon. Leader of the Official Opposition that he and his group have obviously given considerable thought to the Bill as presented, and all of us should appreciate that. I guess I would say that as with a number of entities that are new and legislation framed for the first time, it is important to do the very best job possible, but I think it's also important to recognize that you have to walk before you run.

With this being a brand-new Act, I guess my own personal preference is that things are slightly more broadly framed as opposed to getting into specifics. We seem to want to be so

specific now in our legislation. I had hoped that eventually we would get away from that, because unless it is in the law, somebody's either saying you can't do it or it has to be specifically given over that there is an okay for this or an okay for that. I think that's a mistake. I think that with a well-intended, serious-minded council they will be addressing the kinds of issues that the hon. Leader of the Opposition has mentioned today, and they don't need everything spelled out in such careful language to accomplish that.

I say that, Mr. Chairman, because I see – particularly in looking at the reference to specific groups that should be represented, for instance – that we seem to have become a society of groups. We are just getting totally fragmented. Either you belong to a specific cultural group or you have some specific physical thing that is spoken to – it just goes on and on. I know there is a particular set of experiences that people who live a certain life-style or who are part of a certain group bring, but it is impossible to imagine that every single group that is worthy of mention and recognition could possibly be on all the councils and agencies that are in government. It is just impossible.

Instead, I think what we are challenged to do is to appoint people and have people come forward who believe they can do the job, people who have that kind of instinct, that kind of antennae so as to understand what society is about and the various sectors of that society. I say to all hon. members: we must be very, very careful how we continue to point out every little group in society as if we are not an Alberta culture or a Canadian culture; we are just a group of people that is somehow managing to live together. Maybe that won't even be for very long if we continue at the rate we're going. I want to make that observation.

As the hon. leader spoke, I was thinking about the importance of something like a group like a hospital board and the number of people who are literally interned in long-term care facilities for a long time. Does that mean a board should be representative of every culture that is in that hospital or auxiliary hospital for a long period of time, every kind of infirmity that they may have, and so on and so on? I think we get the picture that that is just not possible.

Mr. Chairman, I would like to say that I would urge hon. members to support the Bill as is, to recognize that there is a whole host of areas where we may well want to make changes in the future, but given the quality of the council and, I hope, the quality of councils in future, I would look to them to address the issues that are here, to bring forward the recommendations. For instance, section 8 is struck out, and the hon. leader wants to say that there should be "recommendations on improvement of operations of the Council and any amendment to this Act that it deems advisable." I would be just incredibly disappointed if the council wasn't doing that. I mean, what are they doing? Are they saying everything's wonderful? Now, unfortunately, we may not always listen to them, but I would hope they would continue to push that message and do the job that they have been doing and advising us on what it is that senior citizens across this province need. Indeed, if it's possible to go a bit further, a seniors council brings with it, obviously, the attendant wisdom of that collective group of people. I don't think it should be beyond the scope of the council to make observations on our society in general, because surely the operation of this government and our society impacts on how we are going to be able to address seniors' issues.

Mr. Chairman, I would support the Bill as is and look forward to the recommendations of the council in future for changes.

MR. DEPUTY CHAIRMAN: The Member for Edmonton-Gold Bar on the amendments.

MRS. HEWES: Thanks, Mr. Chairman. I, too, want to thank the members who are present to hear the debate on this Bill. Just speaking to the amendments themselves, I have circulated some amendments as well that members will have received by now. The amendments from the hon. Leader of the Official Opposition very closely resemble those that the Liberal caucus has put forward, and I hope I'll have an opportunity to speak to them later.

Just briefly to the amendments. Mr. Chairman, there are two sides to this. The one is council's responsibilities – and these are pretty clear here – to give advice. The other side of it, of course, is the responsibility of the government to take the advice. Unless both are working, it's really not going to be that useful an exercise, so we have to ensure that both parts of that function and function in balance. We've had 15 years of experience, and I'm glad that we're getting the Act, but it's time we got it right. I think we can take the time here to make some of these adjustments that I think will make it a far more workable Act and one that will provide for more long-range benefits and advocacy for seniors in the province.

Section 2, the first amendment, Mr. Chairman, to make recommendations to the minister: I agree wholeheartedly. I think the exercise of the last few weeks with the budget and the reductions in services to seniors indicates that these are not limited in any way to any one department, so the advice should go to the Executive Council, to the cabinet, before the recommendations come to the Legislature. I think they should go on a continuous basis to any or every minister that could or should be involved in those recommendations, so I have no difficulty with section 2 being amended.

5:10

The section on research again closely follows one of mine. Seniors are already involved in a good deal of research, helping health care research in our province and social services research. I'm proud of them for doing that, but I believe we should verify it. We should reinforce it in this Bill, put it in so that we are sure that this council has the mandate to continue to do it.

Section 3, the makeup. Mr. Chairman, I have every reason to think the entire council should be made up of seniors. I see no reason that it can't and shouldn't be. My amendment will provide for that. This one provides that a majority – I gather, if I read it correctly, at least 14 – are going to be seniors. Fourteen of the 20 I assume is what is intended there. But I think we have to be true to what the Act is supposed to do. It's been proved over and over and over to us that seniors are entirely capable of making decisions about their own lives and living independent lives and advising us. I have no reason to think we shouldn't have the entire advisory council made up of seniors from various walks of life. I can't understand why the government didn't propose that itself.

Mr. Chairman, what we're asking for here is a balance in the advisory council. I give credit to the council, and I've read with interest the reports they have done. I'm in no way intending to criticize their work in the past, because I think it has been very helpful. But I think that now, when we're producing this new Bill, we need to be sure that we're going to provide balance.

I will support the Leader of the Opposition's amendments. I would have preferred that another one be mentioned. Mr. Chairman, one of my major concerns over many years has been

the plight of senior women in particular, who more often than not find themselves in circumstances that are poverty-stricken or very constrained. I think we should try to include in that balance of people on the advisory council someone who can represent and speak for and from the experience of people working with antipoverty groups. I would hope that the chairman will keep that in mind whether or not the amendments pass.

Mr. Chairman, I'm going to end there and hope that I'll have an opportunity to speak at greater length to my own amendments.

MR. MUSGROVE: Mr. Chairman, the amendments that have been moved by the Leader of the Official Opposition to me seem unnecessary except for the fact that he says we should be at arm's length from the government. Now, there are all kinds of seniors' organizations all over Alberta – if we could make a list of them, it would fill a whole page – that are at arm's length from the government. Our advisory council operates an information service, and during normal times we handle about a thousand long-distance telephone calls a month. We print a booklet that is information on all the programs for senior citizens, both provincial and federal, that is mailed out to all seniors' organizations. Every senior citizen, when he becomes 65 years of age, gets that with his first cheque. We are a different organization than the ones that are at arm's length from the government.

When we say that all of the membership should be seniors, I don't agree with that at all. As a matter of fact, we put on forums and seminars in different places in Alberta, and what we have coming to those forums are a lot of people that are caregivers, that are people involved . . .

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

MR. MUSGROVE: . . . in the daily lives of seniors, and we get a lot of seniors coming. I think there's a cross section of people that is important to have involved in the seniors council. We do try and recommend that different organizations are represented. In particular, whenever we get a request from an organization, we attempt to see that that organization is involved in the next regional representation.

It mentions that we should do research. We do have a grant fund. We try to co-operate with other organizations, such as the Alberta Council on Aging, the retired and semi-retired, and on and on, where we put on particular forums. In 1989 we put on forums called Women and Aging. We had one of those in Edmonton and one in Lethbridge, and surprisingly, particularly in Lethbridge, over half the people that attended that forum on Women and Aging were probably between 30 and 40 years old. Those were the people that were really interested in that research. This winter we put on a forum on research on Alzheimer's disease. We put on four different forums called Energize, Don't Tranquilize. It was an attempt to alert the public about some of the problems we have with some seniors taking too many prescribed drugs.

Mr. Chairman, we do print an annual report, and it generally has anywhere from 12 to 20 recommendations to the government in it every year. So we are making recommendations to the government. I really don't see any need to have an amendment like this, so I would say that we should vote it down and just carry on with the Bill the way it is.

MR. FOX: Mr. Chairman, I'd like to speak in support of the amendments as proposed by the hon. Leader of the Official Opposition and express my dismay at what I'm hearing from the government benches to substantiate their reluctance to embrace these amendments, their opposition, in fact, to the ideas put forward by the Leader of the Official Opposition. There seems to be an attitude entrenched in government that all the good ideas come from that side. The tradition has been over the years to reject out of hand everything the opposition proposes. I'd like to suggest that that's got to change, that we all have to recognize in this Assembly that we're sent here by Albertans to represent Albertans, and we're all capable of putting forth good ideas. That's why we on the opposition side so often vote in favour of issues that the government raises and give credit when credit's due to things that they're doing.

We would expect that the quid pro quo would be that they on occasion would acknowledge the good ideas that we're presenting, that that's not asking too much from a government that represents, as of the last vote, only 44 percent of Albertans in terms of the popular vote, probably closer to 15 percent now. It's not asking too much for them to at least take a thoughtful look at what we're proposing and then make a decision.

I might point out that the current Minister of Economic Development and Trade endorsed some amendments proposed by the Member for Vegreville to Bill 20.

MR. ELZINGA: Biggest mistake I ever made.

MR. FOX: I'm disappointed to hear him say that. The Marketing of Agricultural Products Act, Bill 20 I think it was - anyway, we thought we'd established a bit of a precedent here, that there may be some visible sign of co-operation between both sides of the House in terms of developing good legislation for Albertans. I think that's what people want to see, that their elected members come to the Chamber with a minimal amount of political baggage and are prepared to put aside their differences and work together to try and develop good, positive, constructive legislation.

**Point of Order
Relevance**

MR. BRASSARD: Point of order, Mr. Chairman.

MR. DEPUTY CHAIRMAN: Yes; point of order.

MR. BRASSARD: Point of order, 23(b). Can the member please get to the amendments that are at hand rather than all over the road map?

MR. FOX: Touchy, touchy, touchy. The minister doesn't even like being reminded that they . . . But I will be more specific for the Associate Minister of Family and Social Services, who seems to have difficulty . . .

MR. DEPUTY CHAIRMAN: Order in the committee, please. The member might address the Chair. Please proceed.

5:20

Debate Continued

MR. FOX: Thank you, Mr. Chairman. I will be a little more direct for the benefit of the hon. Associate Minister of Family and Social Services so that he can grasp the link between the background I was providing and this current Bill.

The tradition is well established that the government rejects out of hand everything the opposition proposes, and then on

occasion they embrace those ideas as their own sometime later. Now, this Bill on the surface is not very much different from that. I would like to say that imitation is sometimes the sincerest form of flattery, because it was the Official Opposition that introduced the Bill to this Assembly last fall called the Alberta Seniors Advisory Council Act. Of course, it's one of those ideas the opposition has that's crazy and unfounded and not worth supporting, according to the government. But then they come back and the Premier introduces a Bill similar in its intent and makeup to that Bill. I'd just like to make sure that hon. members opposite understand . . .

MR. DEPUTY CHAIRMAN: Hon. member, would you like to address the amendments?

MR. FOX: Yes, Mr. Chairman, that's what we're talking about, the amendments as proposed to the Bill here.

Now, I could support the Seniors Advisory Council for Alberta Act if it really accomplished what it purported to accomplish, and I don't think it does, Mr. Chairman, without the amendments proposed by the Leader of the Official Opposition. Really, what this Bill should be seeking to do is establish a seniors advisory council in the province of Alberta that would act as an information-gathering resource, a lobbying tool for seniors, a strong advocate for seniors, a group that takes a leading role in advocating for changes to government policy and programs, that takes a leading role in terms of anticipating the kinds of needs that our growing seniors population will have in the years ahead. I think that when we deal with this Bill, we need to do it in a very serious way because we're passing a law. If this Bill goes through all the readings, it'll become law, and we want to make sure that it's a good law, that it's an effective law, not merely some more window dressing to gather dust on the shelves in lawyers' offices in the combined statutes of the province of Alberta. The Leader of the Official Opposition has made several recommendations that flesh this Bill out, that improve this Bill, and that would, I submit, provide the kind of democratic participation, input, and accountability that is required when we establish any sort of an advisory council in the province, be it for seniors or other groups.

The section I'd like to focus on specifically in the hon. leader's amendments is section C, where he says the Bill is hereby amended by making some substantial changes, in effect, to section 3 in the Bill, which outlines the composition of the committee. Currently the government suggests that there be not more than 20 members appointed by cabinet for three years, with some vague references about who might be on that council, including an MLA, a member of the Hospital Association, a member of the Alberta Medical Association, and that's pretty well it; not a very effective council on paper. That's not to say that the people appointed won't be effective, outspoken advocates or do the job they're supposed to do. We don't want to prejudge any of the activities of the council. But the fact is the guidelines are so flimsy, the opportunity for malaise in the council so endemic there, that we need to straighten it out. We need to do a better job, quite frankly, of ensuring that the membership of said council, once constituted, will in fact be advocates for seniors. You know, the amendment's very clear, advocating that at least 14 of the 20 members on this council be seniors who

. . . are active with groups representing the interests of a cross-section of seniors from different geographic regions of Alberta.

You put that alongside 2(c) in this amendment,

ensure that the make-up of the Council also proportionately represents men, women, disabled persons, aboriginal people and visible minorities as reflected in Alberta's seniors population, and we have a blueprint for an effective model for other councils and commissions in the province, Mr. Chairman, where we could seek to right some historic imbalances in terms of the makeup of groups that advocate or govern in this province, where almost every group in the province, be it this Legislature or municipal government or a group of one type or another, is predominantly represented by white middle-class males. We need to make a statement in this Legislature that women, that aboriginal people, that people from different multicultural groups – in fact, people from all walks of society in the province of Alberta – are important, and we're going to highlight that importance by making sure we have a seniors advisory council that can be a model of that kind of balance and positive, constructive composition and input.

I think this is really an important amendment, and I hope hon. government members who, at least for the time being, make up the majority in this committee won't take the advice of the members for Bow Valley or Three Hills, who have advised them to vote against these amendments. I think they're darned good amendments and amendments that if passed, if incorporated in the seniors advisory council, would give the council a real aura of credibility in the first instance, Mr. Chairman, where people would know that this is not just another Tory-appointed committee that's going to travel the world.

Mr. Chairman, perhaps I'll adjourn debate on this item.

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

HON. MEMBERS: Aye.

MR. DEPUTY CHAIRMAN: Those opposed, please say no. It's carried.

Deputy Government House Leader.

MR. STEWART: Mr. Chairman, I move that the committee now rise and report.

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

[Motion carried]

[Mr. Speaker in the Chair]

MR. JONSON: The Committee of the Whole has had under consideration certain Bills. The committee reports the following with some amendments: Bill 1. Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

MR. SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.
Deputy Government House Leader.

MR. STEWART: Mr. Speaker, I move that when the Assembly reconvenes this evening at 8 o'clock, they do so as the Committee of Supply.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no. The motion carries.

[The Assembly adjourned at 5:29 p.m.]