

Legislative Assembly of Alberta

Title: **Tuesday, June 25, 1991**

8:00 p.m.

Date: 91/06/25

[Mr. Speaker in the Chair]

MR. SPEAKER: Be seated, please.

head: **Government Bills and Orders**

head: **Third Reading**

Bill 36

Safety Codes Act

[Adjourned debate June 25: Mr. Sigurdson]

MR. SPEAKER: Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Speaker. Where we left off at 5:30 was with one of the problems that I and my colleagues in the New Democrat Official Opposition have with respect to Bill 36, and there are two. We've talked about the lack of accountability that we see in Bill 36, shuffling off the responsibility of safety inspection services to new groups that will now be responsible for inspections.

Mr. Speaker, even though we've gone through second reading and committee stage, and the Member for Rocky Mountain House, the sponsor of the Bill, has stood in the Assembly to try and assure us of his confidence in the Bill, I still think there's an awful lot of room for certain individuals to take advantage of the situation that they will have before them. If an accredited corporation is allowed to inspect its own work, I do have a great deal of problem not seeing a potential for conflict of interest, and that's the point, I think, that we've got to make: there is the potential for a conflict of interest. As I said at committee stage, I'm hoping I am absolutely wrong, but in the event I'm right, I'm hoping the accident will just be something that's negligible and inconsequential. I think there is the potential – again, just the potential – under this Act for great damages to occur now that we're allowing corporations to become accredited agencies and for accredited corporations to do the inspections in certain areas.

Mr. Speaker, while it's true that the government did move to amend the Bill in a number of areas and, indeed, put forward in its own words an amendment that I had proposed at second reading stage, it's still not sufficient to gain the support of the New Democrat Official Opposition. Therefore, we will, sir, be opposed to Bill 36 as it exists.

MR. SPEAKER: In summation, Rocky Mountain House.

MR. LUND: Thank you, Mr. Speaker. I only want to make a few brief comments. I think this is an extremely important Bill. I really do believe that the hon. Member for Edmonton-Belmont is concerned about safety, as we all are in this House, but as I outlined at committee stage, this is the building of a partnership, and I've never seen a partnership really work when you force things down from the top. Certainly that's the whole gist of this enabling legislation: to allow this partnership to work.

As far as the hon. member saying that we are moving responsibility, downloading or whatever term he might want to use, as I also outlined at committee stage, that is not happening. All through it you see the responsibility of the government, of the minister being in there.

Mr. Speaker, I would encourage all members to support this third reading.

MR. SPEAKER: Before the Chair puts the question, the Chair understands that there's a procedural matter to be put to the House which will need unanimous consent. Speaking to the procedural issue, Edmonton-Belmont.

MR. SIGURDSON: Mr. Speaker, I would move that for this evening we go to short division bells. That would allow for the ringing of the bells for one minute, followed by a minute for members to attend the Assembly, and then another minute of ringing of the bells so we can have a division on this particular Bill.

MR. SPEAKER: First, technically, do we have unanimous consent to deal with this matter?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried unanimously. Thank you. Now with respect to the motion before the House by Edmonton-Belmont.

[Motion carried]

MR. SPEAKER: The hon. Member for Rocky Mountain House has moved . . . [interjections] Yes, I know, hon. members. It's sometimes difficult to keep it together.

The hon. Member for Rocky House has moved third reading of Bill 36, Safety Codes Act. Those in favour of third reading of Bill 36, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

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

[Three minutes having elapsed, the Assembly divided]

For the motion:

| | | |
|-------------|-----------|------------|
| Ady | Gesell | Orman |
| Anderson | Gogo | Osterman |
| Betkowski | Horsman | Paszkowski |
| Black | Hyland | Rostad |
| Bradley | Johnston | Schumacher |
| Cardinal | Jonson | Severtson |
| Cherry | Kowalski | Shrake |
| Clegg | Lund | Tannas |
| Day | McClellan | Thurber |
| Elliott | Mirosh | Trynchy |
| Elzinga | Moore | Weiss |
| Evans | Musgrove | West |
| Fischer | Nelson | Zarusky |
| Fjordbotten | | |

Against the motion:

| | | |
|---------|-----------|-----------|
| Chivers | Hewes | Pashak |
| Ewasiuk | Laing, M. | Sigurdson |
| Fox | Martin | Taylor |

| | | |
|----------|----------|--------------|
| Gibeault | McInnis | Woloshyn |
| Totals: | For – 40 | Against – 12 |

[Motion carried; Bill 36 read a third time]

8:10 Bill 38
County Amendment Act, 1991

MR. SPEAKER: Rocky Mountain House.

MR. LUND: Thanks, Mr. Speaker. I move Bill 38, the County Amendment Act, 1991.

[Motion carried; Bill 38 read a third time]

Bill 39
Motor Vehicle Administration Amendment Act, 1991

MR. ANDERSON: Mr. Speaker, on behalf of the hon. Solicitor General, I move third reading of Bill 39, the Motor Vehicle Administration Amendment Act, 1991.

MR. SPEAKER: Edmonton-Strathcona.

MR. CHIVERS: Thank you, Mr. Speaker. I have a few comments.

I'd like to begin by filing a submission that's been made on this Bill by the Criminal Trial Lawyers Association. I have four copies for filing.

The Bill requires a peace officer to seize a vehicle where a driver is charged with driving while his licence is suspended. The purpose of the seizure, in my submission, is to punish. It's not designed to prevent the continuation of an offence. That sort of procedure is covered by section 110.

Mr. Speaker, I submit that this Bill is subject to challenge under the Alberta Bill of Rights, "the right not to be deprived [of property] except by due process of law." Unlike the situation in Manitoba that the hon. Solicitor General referred to in his comments, this is a provision of Alberta law, and I submit that the Bill here is likely to be challenged on that basis.

I'm also concerned about the fact that the Bill contains no procedures, no rules, and no parameters for the review function delegated to the driver review board. We are told that these matters will be included in the regulations. The regulations aren't easily accessible to the public, nor are they subject to input, scrutiny, or debate by the Assembly. There's not any provision in the Bill for an appeal to the courts of a seizure or an impoundment decision by the driver review board. At least in Manitoba, as the court noted, that legislation did make the decision to seize or impound subject to an appeal to the courts.

Mr. Speaker, in the circumstances here, I for one and many of my colleagues in the New Democrat caucus will be opposing this Bill.

[Motion carried; Bill 39 read a third time]

Bill 40
Conflicts of Interest Act

MR. ROSTAD: Mr. Speaker, I move third reading of Bill 40, Conflicts of Interest Act.

MR. MARTIN: Well, Mr. Speaker, just a couple of comments on Bill 40. As the government's well aware, this is something

that we in the Official Opposition have been pushing for many, many years. I recall the first time, I believe, a code of ethics Bill was brought in as private member's Bill was by my late colleague Grant Notley, and we've brought in one, I think, about 10 or 11 times. So whenever the government stumbles forward with something, we're happy about that. I think in this case they were forced into it because of what's been happening.

Now, in saying that, the minister's well aware from question period and some of the comments that we think this still needs to be toughened up. It's better than what we had, admittedly. Even though we were told at the time that it was the toughest in the world, obviously it wasn't, because they wouldn't have brought in this Bill.

Just for consideration in the future, Mr. Speaker, especially in three specific areas, the reality is that blind trusts are often not blind. We found that out with Mr. Stevens federally. There are ways to get around them. I'm not suggesting that most people would or should, but the reality is that I don't think the public accepts blind trusts as being particularly blind. What we've called for and still call for is full public disclosure. I think that's reasonable. If we don't have anything to hide, we put it out. It probably saves us all a lot of problems in the meantime. I think this needs to go further, not dealing with blind trusts but full public disclosure. Now, the government argues, I suppose, that the ethics commissioner can look at it, but the ethics commissioner is not infallible, and I do not think it should be left up to him to determine what should be made public or not. So the minister's aware that we think this needs to be toughened up, and we will still push for that.

The second area we have some concerns about is the cooling-off period. With all due respect, I think six months is not long enough for cabinet ministers. It's better than what we have right now, where there are no cooling-off days after you leave, and we've had enough examples of that. In other provinces it's a year, and in some cases two years. We've suggested at least two years, Mr. Speaker. I think that's reasonable. Too often it is too easy to be involved in a department, to organize the need for a consultant, and then we see people getting those consultant jobs. So I wish the government would have looked at a longer cooling-off period.

The third aspect of the Bill that falls short, in my opinion, is of course the idea that the final authority will be here, politicians judging politicians. In most cases that might serve the purpose, Mr. Speaker, but we believe that no matter that the minister says that this is the highest court in the province, it's still not fair where politicians judge politicians. It becomes a majority vote then. As the minister's well aware, we believe there should be some mechanism for people to go beyond the Legislature if it's a politician accused of wrongdoing and to have access to the courts.

Now, Mr. Speaker, if those three things had been put in, we think then we would have had a reasonably good Act, but without those three things, we do not think the Act goes far enough. As a result of that, we support the Bill in principle, but without the amendments that we proposed, we cannot support this in its final reading.

Thank you.

MR. SPEAKER: Westlock-Sturgeon.

MR. TAYLOR: Mr. Speaker, thank you. I think I can be reasonably short. I haven't had a chance to address the Bill in completion, because it's moved through the House fairly fast, and with a combination of personal business and having a one-

day muzzle, which was my own fault, I haven't been able to say maybe as much on it as I'd like.

I want to just mention a number of things. I think I can go through them fast. In general, I want to say that our caucus supports the Bill. We feel it's got a long way to go, but this is the type of Bill that one can add to from year to year and sharpen up and bring in line.

8:20

I thought it was worthwhile getting on record, Mr. Speaker, a number of quick shots. The first one may have been covered, and the proposer of the Bill may be able to prove me wrong. On page 23, subsection (7) gives me the impression that if the commissioner – which by the way is a good idea because interposing a commissioner between breaches and the House helps some judgment come into the idea. It would appear that the cabinet doesn't get handled the same way if an ethics commissioner reports on it. The ethics commissioner, by my reading of this Act, would only have to answer back to the President of Executive Council and would not answer to the Speaker or, of course, through the Speaker to the House. In other words, section 23(7) indicates that there's a special type of ethics reporting for cabinet ministers distinct from members, which I don't think is correct. I could stand to be corrected through the superior legal knowledge of the minister. The way I read it, looking at it from an engineer's point of view, it looked to me as if that wasn't quite proper.

The other area, Mr. Speaker, was a concern that nobody raised in the amendments. In section 36 the ethics commissioner, which I think is very important and is probably the key to this whole area, will have his or her salary fixed from year to year. Well, I think this should be quasi judicial. The commissioner should probably be appointed for anywhere from five to seven years, and the salary should be fixed. An ethics commissioner should not depend on a standing committee and indirectly the whims of the House or the government as to what kind of pay they will receive.

The other area I'd like to touch on quickly is: in this day and age we talk about contracts with the Crown, and I noticed that nobody mentioned, at least from what I could read, the question of having loans with credit unions. Well, the credit unions have been backed for some time by the government. It seems to me that loans from credit unions would be just as suspect as loans from Treasury Branches or from the government directly because the credit unions now are in a position of being guaranteed by government. Maybe that will change in the future, but as of now credit unions are very closely tied to the strings of the government.

To move on a bit, I thought there was something in here, Mr. Speaker, that was extra tough. Somebody could be fouled up for "a contract under which the Alberta Agricultural Development Corporation lends money to, or guarantees a debt" to a member. Well, the way the ADC is operating, it's rapidly pushing private and other lenders out of the farm field, so I think this is unnecessarily tough on those members that are in the farming business. In many areas of this province if you don't borrow money from the ADC, you can't borrow it from anywhere else, because the banks are getting a stranglehold on agricultural lending out in those smaller towns due to the way the ADC has been funded and subsidized by this government. I don't agree with it, but it seems that if we're going to look in the next few years for an MLA who has not had any tie-in with the ADC, we might find that we're going to have a shortage of people running for office.

I move on again. One thing that I felt was overlooked was on page 19. It's talking about the Workers' Compensation Board, the blind workers Act, the tax reduction Act, and refunds of all sorts. One of the big refunds to businessmen today that are in oil and gas are royalty rebates. It's rather silent here, and I thought that maybe the minister might have his legal eagles look into that down the road because it seems to me that it is just as much a payment as the Students Finance Act or anything else that comes into the area.

One of the last things too is: I wondered about whether we shouldn't be prohibiting ownership of shares in any corporation in which the government owns even a small amount. We say where the government is a major shareholder, but if the government has just got a small amount of shares in a corporation that they may have ended up with by seizure or by short-term financing or an AOC conversion or – the minister of economic affairs occasionally conjures up a deal where the loan can be converted into equity. I think this type of ownership by the Legislature is fairly silent, but someone could get into trouble there.

Lastly, Mr. Speaker, I feel that the whole Act suffers – I wouldn't say fatally – but suffers a great deal by not going hand in hand with a freedom of information Act because freedom of information is really the cornerstone by which we're going to lay a lot of our complaints or find out whether or not there is any breaching of the ethics or breaching of regulations. Without freedom of information this Act can fly, but it is flying on one wing.

Thank you.

MR. SPEAKER: Vegreville.

MR. FOX: Thank you, Mr. Speaker. I would like to make a few comments in third reading and perhaps invite some comment from the hon. Attorney General in his summation. We've all put a fair bit of work into this Bill, and I think we recognize that some improvements are being made in the process in the province of Alberta, and that's a positive thing. We do regret, however, that we weren't able to spend more time on it and make it a Bill that we could all be proud of and have confidence in.

I would like to specifically find out from the minister what his intention is with regard to implementation of the Bill. It comes into force upon proclamation. We know from experience that sometimes Bills are proclaimed a few months after they've received Royal Assent and sometimes maybe longer than a year or maybe not at all, Mr. Speaker. Now that the Bill is passed, I think it's incumbent on us to get the legislation up and running and show Albertans that the commitment is following through in terms of action. So I'd like to get some information from the minister about the estimated time for proclamation of the Bill and find out, as well, what his plans are with respect to the establishment of the office of the ethics commissioner and the appointment of said person. When would we expect that all to happen?

Thank you.

MR. ROSTAD: Mr. Speaker, I appreciate the representations, and I would like to clarify one thing for the record. The Executive Council does not have a special conflicts provision. There is a provision that if the President of Executive Council wants to refer a matter to the ethics commissioner, the ethics commissioner can report back to him. If it is a conflict it will be reported as any other one would be, but if it was found not to

be worthy of that step, it would just be reported back to the President of Executive Council.

In answer to the Member for Vegreville, we will be proclaiming very soon the provision allowing for the office of the ethics commissioner, and then being an officer of the Legislature, a committee would be designated to determine who will be the ethics commissioner. What I envision – and this is my view – is that once the ethics commissioner is in place, that person will have to take time to devise whatever forms and mechanisms they want to ensure that they can exercise the mandate given to them by the Assembly. Also I envision them sitting down with all 83 members and reviewing your circumstances with no final determination but with recommendations such that when the Act is proclaimed – because there is a 60-day time frame in which you must make your disclosure – it give you adequate time to get your house in order. This is a Bill that's coming in partway through the term of all 83 people here as against something that's coming in when you're just freshly elected and knowing what you've got, and it may take some people a little longer to get their houses in order. I think it behooves us to give the ethics commissioner that flexibility. So without giving a fine time, I can assure the hon. member that we will be moving quickly to get the office officially in place and a person officially there.

I move third reading.

[Motion carried; Bill 40 read a third time]

Point of Order

Eating in the Chamber

MR. GIBEAULT: I wonder if we might bring to the attention of the Minister of Occupational Health and Safety *Beauchesne* 331 which provides that consumption of food in the Assembly is absolutely forbidden.

8:30

MR. SPEAKER: Thank you, hon. member. I'm quite willing to take that under consideration, and I'll report back to the Assembly when it next meets. [interjections] Order please, hon. members. Order. I accept it as being a jocular intervention because if we want to take it seriously, we could then go through the desks of all hon. members, and I'm quite certain we'd come up with an interesting treasure trove of little sweets and goodies. You know, that's fine, but I appreciate the attempt to bring the attention of the House to that very important consideration.

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

| No. | Title | Moved by |
|-----|---|----------|
| 41 | Natural Gas Marketing Amendment Act, 1991 | Orman |
| 42 | Tobacco Tax Amendment Act, 1991 | Johnston |
| 43 | Fuel Tax Amendment Act, 1991 | Johnston |
| 44 | Alberta Corporate Tax Amendment Act, 1991 | Johnston |

Bill 45

Financial Administration Amendment Act, 1991

MR. JOHNSTON: Mr. Speaker, in moving third reading of Bill 45, the Financial Administration Amendment Act, 1991, I thought after listening patiently for so long this evening and over the past several evenings and afternoons that I would only take a moment to deal with the fundamental principles involved in

this piece of legislation. It is the first time I've had an opportunity to correct the record. If anyone were to read the words of the opposition members, you may be misled, and I don't want anyone in Alberta to be misled by the words, the thinking, and to some extent the rhetoric of the opposition.

I want to repeat again, Mr. Speaker, that this piece of legislation is in fact in line with the financial adjustments, the fiscal plan brought down by the province, and its entire view as to what the future of this province is about. It is a reasonable request of the Legislature to allow for some borrowing flexibility, and that flexibility, as I pointed out in second reading, is required because of the interyear cash flow requirements, and that must be on the record. In terms of good management, in terms of good sense, in terms of responsible government you have to have that flexibility.

Secondly, Mr. Speaker, to be sure that Albertans understand why it is we need this legislation, I must point out as well that there are some significant refinancing requirements this year by the province, and that in itself requires an additional amount of debt space so that we can borrow to repay fairly large amounts – some \$2 billion, as a matter of fact, taking place in the next few days – and you wonder why we worry. It's a big responsibility to have that refinancing requirement, and we have to have that flexibility. Now, that is why it's happened, Mr. Speaker.

As a matter of fact, after thinking about it for a while, it became clear and even the opposition started to move towards that position. You saw it in their amendments as they continued to move the deadline, the so-called sunset deadline, recognizing fully that you had to have that flexibility in terms of adjusting for the realities and the cash management that is before the province of Alberta: nothing to do with the question of the fiscal responsibility and the balanced budget presented to this Legislature. In fact, the balanced budget is closer to being real as time clicks off, and I can tell you right now that that balanced budget will be in place, and this additional spending requirement is not at all required to deal with any unexpected deficit.

We've heard these wild and illogical statements, Mr. Speaker, and I simply wanted the record to show on third reading that it is, in fact, not for the reasons put and portrayed by the two opposition parties that this Bill is required. It is in fact to provide the flexibility that's necessary so we can run a good government. Good government is what this government is about, and good government is what it will be about over the next 10 years, Mr. Speaker.

MR. SPEAKER: Edmonton-Belmont.

MR. SIGURDSON: Thank you, Mr. Speaker. I'll tell you, it's a real joy that I'm going to be able to go around to my constituents once we're out of here and knock on a few doors. It's one of those Bills that's so brief that my constituents will be able to take 20 seconds at the door to read it. I'm going to do that. I'm going to say that this is the Bill that was presented to the Legislative Assembly by the hon. Provincial Treasurer after he told everybody in the Legislative Assembly that we had a balanced budget.

I've said in this Legislative Assembly on a couple of occasions that I'm sorry, I don't understand the reason why, if we have this balanced budget, we've got to increase on a permanent basis the debt level of the province to 13 and a half billion dollars. I still haven't had a reasonable explanation from the Provincial Treasurer. Now, in his opening comments on third reading, he said that this is the opportunity to get in and correct some of

those arguments that have been put forward by the New Democrat Official Opposition.

MR. JOHNSTON: I didn't even call you socialists.

MR. SIGURDSON: Well, I'm sure that's going to come at the end when you wrap up debate.

This, he says, is in line with the fiscal plan of the government of the province of Alberta. Well, I hope those people that are setting the market rates in New York have gone to bed for the evening, because they must be frightened if that's in line with his fiscal plan. "A reasonable request," says the Provincial Treasurer. I heard him say that too. Mr. Speaker, a reasonable request, perhaps, but there were two amendments moved by my friend the hon. Member for Calgary-Mountain View, the first one saying: you've got the second and third quarter of the fiscal year to spend that extra \$2 billion, but bring it back in line; bring it back to 11 and a half billion dollars. The government said no, and they defeated that amendment. Indeed, it was extended to the end of this fiscal year. Everything that the Provincial Treasurer wanted was contained in that amendment. But, you know, there wasn't going to be that opportunity. This government just knew full well that come March 31, 1992, the debt level of the province will probably be greater than 11 and a half billion dollars. We don't know how much greater. The Provincial Treasurer doesn't know how much greater.

MR. FOX: One billion.

MR. SIGURDSON: You've got a bet from the Member for Vegreville: another billion dollars. We can probably take bets all across, take all kinds of markers in this place. But what are we going to get? Mr. Speaker, when the Provincial Treasurer brings his budget back next year, he's going to stand up and say, "Oh, yes, here are the public accounts; here's the situation of the province." And we will find out that the reason we have this extra \$2 billion contained in Bill 45, this permissive bit of fiscal legislation, the reason we need this extra 2 billion bucks is because this balanced budget wasn't a balanced budget at all.

Mr. Speaker, I know that my constituents are going to enjoy seeing Bill 45, and I hope they have some comments, because I just might direct those comments to the attention of the Treasurer. Hopefully, he will be able to explain to my constituents the reason why, if we have a balanced budget, we have to increase our provincial debt.

MR. SPEAKER: The Member for Westlock-Sturgeon.

8:40

MR. TAYLOR: Thank you, Mr. Speaker. I did have two comments to make. I'm not going to try to blister the Treasurer, trying to put the heat on him, as I've found very difficult through the years. He seems to march to a tune that nobody else is hearing. He reminds me a lot of Sam McGee. You remember Robert Service's poem: the more heat in the furnace you put on, the more he smiled while he was in the furnace. Our Treasurer is an equivalent of Sam McGee and probably will last as long in history as Sam McGee will and probably for the same reasons too.

I had two questions, though, that I hope the minister will try to address when he answers. Why does he not try to liquidate low interest yielding investments that the government now has to try to pay down debt or at least use them, if for nothing else, for operating capital? There are very few companies in the

world today or any individuals that would hold on to investments that are paying 6 or 8 percent while their Visa or their overdraft is running 10 or 12. Yet we have quite a little of that, particularly in the heritage trust fund, where investments are being held more for looks than anything else.

The second question is fairly interesting. It's very similar to what the Member for Edmonton-Belmont mentioned. You know, even Lewis Carroll, when he talked about Alice in Wonderland and the mad Queen, mentioned that there has to be a certain logic through this. Addressing the minister as the mad Queen possibly: if there is a balanced budget, we should then either get a debt that remains constant or decreases, but instead we get a debt that's increasing. If you were at home and you were a farmer or a businessperson and somebody said you've got a balanced budget but you're going to owe the bank more at the end of the year than you had at the beginning, I think you'd have every right to say to your accountant – you'd probably fire him, although they have a very strong union nowadays – "How can I have a balanced budget if what I owe the bank is going to be higher at the end of the year than at the beginning? Aren't I going in the hole?" Of course, he'd come back as an accountant trying to preserve his job and say: "Well, really, sir, that's not true. You've got a balanced budget, and the fact that you're going into debt more all the time is something entirely different." I wonder how he would explain that one.

Thank you.

MR. SPEAKER: Vegreville.

MR. FOX: Thank you, Mr. Speaker. Though I've never seen him stir his coffee with his thumb, I'd be more inclined to compare him to Dangerous Dan McGrew than to Sam McGee. The Provincial Treasurer is indeed a mysterious and magical sort of person, and we've seen him in many different incarnations in this Assembly, making requests to us often using the same speech year after year, Bill after Bill, motion after motion, the same speech ad nauseam. Regardless of the issue, the song remains the same.

But we've called his bluff this year. When he was at least contrite enough with the people of Alberta to admit that we had deficits in the past five fiscal years along with his request to extend the borrowing limits of the province, we could accept that, even though he was out, on average, \$1 billion per year with his estimate of what that deficit would be. We're not prepared to go along with it this year, Mr. Speaker. It just doesn't add up. You don't, on the one hand, brag to the people about a balanced budget, a surplus in the kitty, and on the other ask to extend the borrowing limit by \$2 billion.

The amendments proposed by the Member for Calgary-Mountain View weren't in any way a tacit endorsement of this subterfuge. It was an attempt to smoke him out, to say that if we indeed need this borrowing limit, then we'll extend it for a certain period of time and withdraw it by then if the need has not been adequately demonstrated, and if you need it subsequent to that, you can make the request again. The Provincial Treasurer did not take us up on that challenge, either in the near or far term with respect to the end of December 31 in 1992 or the end of fiscal 1991-92. So we've called his bluff. He's embarrassed by it; I understand that. It's not our intention to vote in favour of this Bill, because we think it is a deceptive piece of legislation.

I would like to acknowledge that the Treasurer is a magical sort of person, capable of juggling a great many things, whether

it be Eurobond markets or percentage points, interest rates, all sorts of things he talks about. He even confuses his own caucus when he talks about these things, Mr. Speaker, but he's going to have to come up with something to account for this discrepancy. When the people of Alberta want a true accounting of what's happened in fiscal '91-92 and realize that they did not have a balanced budget, they did not have a surplus, that we likely will have a deficit somewhere in the neighbourhood of a billion dollars, based on the Provincial Treasurer's past record, he's going to have to do something dramatic to balance the books and to try and redeem his tarnished image in the eyes of Albertans. I don't know what it's going to take. Maybe he'll want to privatize Lethbridge-East, sell it to Montana, for example.

MR. JOHNSTON: It is privatized. It's in the private sector's hands.

MR. FOX: It's already privatized; you've already sold it to Montana? Well, I worry about the people in Lethbridge-East, Mr. Speaker. I don't know what he's going to come up with, but it's going to be a fascinating year. We're going to hold our collective breath and wait to see what he's got for us next year.

MR. SPEAKER: Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. I found it interesting that the Provincial Treasurer felt compelled to even address the Bill at third reading. I don't know whether it would be correct to label his comments "revisionist," trying to posthumously rewrite history by reinterpreting decisions that he and his government have made, especially the decisions they made at committee reading of the Bill. Quite clearly, what happened when this Bill was in committee was that the Official Opposition said to the Provincial Treasurer: we'll assume for the moment your words about a balanced budget and needing flexibility to refinance during this fiscal year, we'll suspend our disbelief, and we'll put it on the table to see whether you're prepared, Mr. Provincial Treasurer, to actually accept the kind of sunset clause that we proposed. If the Provincial Treasurer's sole purpose and sole reason for requiring Bill 45 is simply to refinance the debt of the province, to provide a little flexibility during this fiscal year, and 12 months from now it's a balanced budget, then obviously an amendment that would allow the debt ceiling of the province to increase for this fiscal year should be something that he would embrace. Mr. Speaker, he didn't do that; neither did his government.

So what's straight is what's on the record. When you put it on the table and you have to stand in this place and vote, that's what sets the record straight, Mr. Speaker, not some after-the-fact comments by the Provincial Treasurer to try and maintain a fiction that he's tried to palm off on us and to palm off on the people of Alberta. Quite frankly, we don't believe him when he says that he's got a balanced budget. We know that that's not true. Even the Provincial Treasurer finds it hard to claim it's a balanced budget and keep a straight face. I've been watching him recently as he's tried to make that claim, and it's really hard for him to say it without breaking into a great big winning grin over there. That really is to me more telling about what the record is, what the reality is, what the truth is, than anything else.

The Provincial Treasurer set the record straight. The reasons for this Bill, Bill 45, are not the reasons that he continues to claim publicly, as far as borrowing and repaying and refinancing

the debt of the province. That may be one of the reasons, it may be a small part of the reasons, but that's not the full story. That's not the whole truth and nothing but the truth. It might be, to a certain point, needed by the province to refinance the debt, but that's not the full story. The real reason is far more – how should I put it, Mr. Speaker? It's pretty straightforward. If you look at the figures in his Budget Address, it's pretty plain that he's overestimated his revenues, he's underestimated his expenditures, and he hasn't fully accounted for the losses that we know he's going to have to incur this year.

8:50

Fundamentally, Mr. Speaker, this Bill is a question of this Provincial Treasurer's credibility, it's a question of this provincial government's candour and willingness to level with the people of Alberta about their financial affairs, and Bill 45 is really the only place where that candour can be found. This is where the record is straight. The record is straight that this government needs \$2 billion in order to finance a deficit in this year's budget, not in order to finance a surplus or to finance a balanced budget.

Now, Mr. Speaker, I'll just remind the Provincial Treasurer that he has stooped before to peddle a false picture of the province's financial health. He did it three months before the last provincial election. Subsequent events can be found that are recorded in the public accounts that prove that his fiscal update that he gave the people of Alberta in December of 1988 was nothing but air. It bore very little resemblance to the actual situation, and that was subsequently proven by events that transpired and by documents, by accounts, by the public accounts, after the fact. It clearly demonstrated that the Provincial Treasurer knew the province's true financial situation and chose not to be honest with Albertans about that and, in fact, used the financial update at that point to try and lead them off in a wrong direction about their understanding of what the province's finances really were.

Mr. Speaker, he's done it before. He's been not above putting before the public a document that doesn't bear any resemblance to reality, and in that category I would put his budget for this year. What is unavoidable from the Provincial Treasurer's point of view is that when that deficit comes, he has no cushion to finance it, so he's coming to the Assembly now, tonight, to get final approval for an increase in the province's debt of \$2 billion to cover his deficit budget for this fiscal year.

That's the record, Mr. Speaker, and when given the choice to set the record straight, he chose to vote against the amendments that the Official Opposition put on the floor. Clearly, there's more to this than the Provincial Treasurer would want the public to believe, and that is, quite simply, that he doesn't have the faith of his own budget, he knows that it's not going to be balanced, and because he knows it's not going to be balanced, he needs the authority of the Legislature to approve an extra debt of \$2 billion.

Mr. Speaker, it's his credibility. It's his track record that's on the line, and past performance has left him with very little credibility, in any event. Any shreds of it that he might have left I believe are destroyed by Bill 45. All the posthumous argument by the Provincial Treasurer to try and reconstruct events and to try and reinterpret decisions are to no avail. The record speaks for itself. The record of Bill 45 is to ask for an increase of \$2 billion in the province's deficit for this year. That's unavoidable. That is on the record, and the amendments to put a sunset clause for the end of the fiscal year on that debt were voted down by the Provincial Treasurer. He's asking for a permanent

increase in the debt of the province. The record speaks for itself. His decisions speak for themselves. He stood up, and he's recorded exactly where he stands on that question.

So there it is. We've taken it through debate. This is the final reading. No doubt the government is going to vote once again for a deficit budget, a \$2 billion deficit budget. I find that regrettable, given that they've not been honest with Albertans about why that \$2 billion is needed. That, Mr. Speaker, is really what is being victimized by this particular Bill tonight. The public cannot rely on this government to level with them, be honest with them, be candid with them about the true financial state of the province's affairs. That is more regrettable than anything else.

MS BARRETT: Mr. Speaker, in my assessment this Bill is misnamed. It is called the Financial Administration Amendment Act, 1991. What it really is is the "addition of \$2 billion debt Act, 1991", or in normal parlance, the "mendacity Act of 1991."

Mr. Speaker, I think we need to show who's standing on which side of this issue, quite frankly. Those guys over there, the Conservatives, say that they're the financial managers. Yeah, they can blow about 600 million or 800 million bucks a year from behind closed doors on all sorts of failed companies because those are the people that contribute to that political party. Well, one more time I'm going to say: let's call for a division when this Bill comes before us for the final vote; let's see who stands for adding to the debt burden of this province and who doesn't.

MR. SPEAKER: The Provincial Treasurer, summation.

MR. JOHNSTON: Mr. Speaker, perhaps before I get into my closing remarks, I might just gratuitously say that this will probably be the last time I'll have an opportunity to speak in this session, and I wanted to express, certainly on behalf of myself and I think on behalf of the government members, the evenhandedness with which you have conducted yourself and handled the Assembly. I think it's appropriate that we put that on the record. I for one, I'm sure, have tested you more often than others, and for that I want to apologize but to say it's been in the spirit of debate in the parliamentary session. So I want to add my congratulations for the way in which you've operated. I don't expect any concessions, Mr. Speaker, for those comments, but I do think you've handled yourself well. I know it's been a tough period for you, but I think we've got through the session.

9:00

Now let me turn to other issues. As I listened to the discourse, the polemics of the opposition, the NDP Party, sic, I know that they have been pushed to the fringe. Their position has been marginalized, Mr. Speaker. If you think about it for a moment, you'll see how clear that is. They have found themselves foxed in, boxed in. [interjections] Foxed in, boxed in: either. They have found themselves boxed in. The reason they're boxed in is very clearly this. Despite the protestations, despite the kinds of words that they use to describe what's happening in Alberta, despite the compare and contrast, which to some extent the government may have taken unnecessary advantage of when comparing to Ontario, nonetheless I think it is clear that one very important thing is evident to everyone. Right now in terms of the economic climate of North America certainly, perhaps even worldwide, Alberta is one of the finest places to be in terms of investment, in terms of job opportuni-

ties, in terms of economic opportunities, and in terms of the kinds of programs that are delivered by a government. On top of that, you're going to find that we are the only government that I know of right now that has a balanced budget in North America. Other states, in particular the United States, are facing massive deficits. Other provinces in Canada do not have a balanced budget, and we all know full well what has happened at the national level in this country.

So you can see, Mr. Speaker, that this socialist opposition has become marginalized. They have found only one position that they can hold in a tenable sense to defend, and they have made these very crude speculations about what is necessary for this Bill to defend an otherwise untenable position. That is why they have now marginalized their position clearly, and all Albertans know that. In fact, if you looked inside their hearts themselves, you would also find that in fact that is the case.

Now, the discussion, Mr. Speaker, has almost been as though it was a hermeneutical expression; that is, as though they were studying the Dead Sea Scrolls, as though they were dealing with this very esoteric issue. But they haven't done that at all. It's a very simple issue: we have a balanced budget. Everyone in Alberta knows it. The people of Alberta want that. They've been delivered a balanced budget, and now they're very pleased at the results. It's very difficult to deny across the way, because as the Leader of the Opposition says, it's not really a balanced budget; in fact, you have a surplus. We agree. In fact, it is a surplus, and that's why their position has become almost indefensible. They had only one possible degree of freedom, and they found it. They made the post hoc, ergo propter hoc fallacy connection: after that, therefore because of that. You had to pass the Bill because you're going to have a deficit. Now, that kind of philosophical illogical reasoning is commonplace in the socialist party across the way, and that's what they have done, Mr. Speaker. That's essentially what they have done. They found themselves trapped.

Two events have happened in Canada that are of national focus, and I'll end with these two events, Mr. Speaker. The first of them that has drawn national attention is in fact that Alberta has a balanced budget. That's going to become very, very vividly clear over the course of the year ahead. The capital markets – the investors worldwide, the investors in Canada – are watching us with a great deal of care and focus, and they know that Alberta is the place to be in the decade ahead because of the fact that we have a balanced budget.

The other thing that has confirmed the Alberta government position has been the election of the socialist party in Ontario. [some applause] That is what they're not saying in Ontario, Mr. Speaker, and it is this very point that has drawn a clear comparison between the way in which this government manages the economy and its fiscal position and the way in which the other parties and the other provinces manage their position. Now, we have only seen the first part of the iceberg in Ontario. The second part will soon be visible. The second social agenda which our capital taxes already referred to – estate taxes, additional spending, and profligate disregard for the size of the deficit – that is the compare and contrast, the sharp sort of realism that Canadian investors are now drawing, and that's why in Alberta it's a very clear choice. A very clear choice, Mr. Speaker.

That's why again I say that it's been very clear over the past three weeks that the NDP Party, sic, has become marginalized. They have been pushed back to one position and one position only, and not once over the course of this entire Assembly have I seen alternative economic programs that would challenge what this government has done, that would enhance the things that we

have done, and would secure a stronger future for the people in Alberta. Not once, Mr. Speaker, not once have I seen that from the socialist opposition across the way. That's why this Bill is so important, and that's why this fiscal plan is right for Alberta.

MR. SPEAKER: The Provincial Treasurer has moved third reading of Bill 45. Those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

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

[Three minutes having elapsed, the Assembly divided]

For the motion:

| | | |
|-----------|-------------|------------|
| Ady | Fischer | Orman |
| Anderson | Fjordbotten | Osterman |
| Betkowski | Gesell | Paszkowski |
| Black | Gogo | Rostad |
| Bogle | Horsman | Schumacher |
| Bradley | Hyland | Severtson |
| Cardinal | Johnston | Shrake |
| Cherry | Jonson | Tannas |
| Clegg | Kowalski | Thurber |
| Day | Lund | Trynchy |
| Drobot | McClellan | Weiss |
| Elliott | Mirosh | West |
| Elzinga | Moore | Zaruský |
| Evans | Nelson | |

Against the motion:

| | | |
|----------|-------------|-----------|
| Barrett | Hawkesworth | Pashak |
| Chivers | Hewes | Sigurdson |
| Ewasiuk | Laing, M. | Taylor |
| Fox | Martin | Woloshyn |
| Gibeault | McInnis | |

Totals: For – 41 Against – 14

[Motion carried; Bill 45 read a third time]

9:10

Bill 50 Family and Domestic Relations Statutes Amendment Act, 1991

MR. TANNAS: Mr. Speaker, I have the honour to move third reading of Bill 50, the Family and Domestic Relations Statutes Amendment Act, 1991.

[Motion carried; Bill 50 read a third time]

Bill 51 Pension Statutes (Transitional Arrangements) Act, 1991

MR. JOHNSTON: Mr. Speaker, I move third reading of Bill 51.

MR. SPEAKER: Calgary-Mountain View.

MR. HAWKESWORTH: Thank you, Mr. Speaker. I'm going to use a last opportunity here in the dying moments of the session to indicate that earlier today the Provincial Treasurer tabled or filed four or five copies of reports on the pension plans, and in trying to get a personal copy, I was told that the Provincial Treasurer did not have enough copies of that information for all members of the Assembly. I just want to say that that seems to be the way this provincial government is treating a very important issue. On such an important issue, I can't understand why a simple matter of tabling enough information, a copy for every member of this Assembly, wasn't undertaken by the Provincial Treasurer. I want to use this opportunity to record the fact that I think that is really a poor performance, especially when we're being asked to adopt legislation such as this, giving over significant authority to the cabinet to sort out these issues. I simply say to the Provincial Treasurer that I would hope he could at least find enough copies for every member of the Assembly. It's a small thing, but I just want to use this opportunity to highlight that this evening.

[Motion carried; Bill 51 read a third time]

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

| No. | Title | Moved by |
|-----|---|----------|
| 52 | Electoral Boundaries Commission Amendment Act, 1991 | Rostad |
| 54 | Psychology Profession Amendment Act | Mirosh |

Bill 55 Miscellaneous Statutes Amendment Act, 1991

MR. ROSTAD: Mr. Speaker, I move third reading of the Miscellaneous Statutes Amendment Act, 1991.

MR. CHIVERS: Mr. Speaker, I just want to thank the hon. Attorney General and the members of the Assembly for postponing third reading of this Bill, as I wasn't available this afternoon. I've had an opportunity to meet with Mr. Pagano, the Chief Legislative Counsel, with respect to this Bill, and these consequential amendments are not a matter of controversy. Thank you.

[Motion carried; Bill 55 read a third time]

[It was moved by the members indicated that the following Bills be read a third time, and the motions were carried]

| No. | Title | Moved by |
|-------|---|-----------------------|
| Pr. 3 | Lutheran Church-Canada, The Alberta-British Columbia District Corporation Act | Sigurdson (for Doyle) |
| Pr. 4 | An Act to Amend an Ordinance to Incorporate Alberta College | Evans |
| Pr. 5 | An Act to Amend the Calgary Convention Centre Authority Act | Mirosh |
| Pr. 7 | Camrose Lutheran College Corporation Act | Schumacher |
| Pr. 8 | Jennifer Leanne Eichmann Adoption Act | Black (for Payne) |

head: **Royal Assent**

MR. HORSMAN: Mr. Speaker, His Honour the Honourable the Lieutenant Governor will now attend upon the Assembly.

[The Deputy Premier and the Sergeant-at-Arms left the Chamber to attend the Lieutenant Governor]

[The Mace was draped]

9:20

[The Sergeant-at-Arms knocked on the main doors of the Chamber three times. The Associate Sergeant-at-Arms opened the door, and the Sergeant-at-Arms entered]

SERGEANT-AT-ARMS: All rise, please. Mr. Speaker, His Honour the Lieutenant Governor is without.

MR. SPEAKER: Sergeant-at-Arms, admit His Honour the Lieutenant Governor.

[Mr. Speaker left the Chair]

SERGEANT-AT-ARMS: Order!

[Preceded by the Sergeant-at-Arms, His Honour the Lieutenant Governor of Alberta, Gordon Towers, and the Deputy Premier entered the Chamber. His Honour took his place upon the Throne]

HIS HONOUR: Would everyone be seated, please.

MR. SPEAKER: May it please Your Honour, the Legislative Assembly has, at its present sittings, passed certain Bills to which, and in the name of the Legislative Assembly, I respectfully request Your Honour's assent.

CLERK: Your Honour, the following are the titles of the Bills to which Your Honour's assent is prayed.

| No. | Title |
|-----|---|
| 1 | Seniors Advisory Council for Alberta Act |
| 2 | Forest Development Research Trust Fund Amendment Act, 1991 |
| 3 | Forest and Prairie Protection Amendment Act, 1991 |
| 4 | Social Work Profession Act |
| 5 | Mines and Minerals Amendment Act, 1991 |
| 6 | Oil and Gas Conservation Amendment Act, 1991 |
| 7 | Turner Valley Unit Operations Amendment Act, 1991 |
| 8 | Livestock and Livestock Products Amendment Act, 1991 |
| 9 | Arbitration Act |
| 10 | Powers of Attorney Act |
| 11 | Apprenticeship and Industry Training Act |
| 12 | Rural Electrification Long Term Financing Amendment Act, 1991 |
| 13 | Municipal Statutes Amendment Act, 1991 |
| 14 | Historical Resources Amendment Act, 1991 |
| 15 | Alberta Foundation for the Arts Act |
| 19 | Lottery Fund Transfer Act |
| 20 | Rural Electrification Revolving Fund Amendment Act, 1991 |
| 21 | Rural Utilities Amendment Act, 1991 |
| 22 | Wild Rose Foundation Amendment Act, 1991 |
| 23 | Environment Council Amendment Act, 1991 |

| | |
|-------|---|
| 24 | Municipal Taxation Amendment Act, 1991 |
| 25 | Pacific Western Airlines Amendment Act, 1991 |
| 26 | Planning Amendment Act, 1991 |
| 27 | Rural Districts Act |
| 28 | Hail and Crop Insurance Amendment Act, 1991 |
| 29 | Loan and Trust Corporations Act |
| 30 | Securities Amendment Act, 1991 |
| 31 | Universities Foundations Act |
| 32 | Special Waste Management Corporation Amendment Act, 1991 |
| 33 | Landlord and Tenant Amendment Act, 1991 |
| 35 | Family Life and Substance Abuse Foundation Act |
| 36 | Safety Codes Act |
| 38 | County Amendment Act, 1991 |
| 39 | Motor Vehicle Administration Amendment Act, 1991 |
| 40 | Conflicts of Interest Act |
| 41 | Natural Gas Marketing Amendment Act, 1991 |
| 42 | Tobacco Tax Amendment Act, 1991 |
| 43 | Fuel Tax Amendment Act, 1991 |
| 44 | Alberta Corporate Tax Amendment Act, 1991 |
| 45 | Financial Administration Amendment Act, 1991 |
| 50 | Family and Domestic Relations Statutes Amendment Act, 1991 |
| 51 | Pension Statutes (Transitional Arrangements) Act, 1991 |
| 52 | Electoral Boundaries Commission Amendment Act, 1991 |
| 54 | Psychology Profession Amendment Act, 1991 |
| 55 | Miscellaneous Statutes Amendment Act, 1991 |
| Pr. 3 | Lutheran Church-Canada, The Alberta-British Columbia District Corporation Act |
| Pr. 4 | An Act to Amend an Ordinance to Incorporate Alberta College |
| Pr. 5 | An Act to Amend the Calgary Convention Centre Authority Act |
| Pr. 7 | Camrose Lutheran College Corporation Act |
| Pr. 8 | Jennifer Leanne Eichmann Adoption Act |

[The Lieutenant Governor indicated his assent]

CLERK: In Her Majesty's name His Honour the Honourable the Lieutenant Governor doth assent to these Bills.

SERGEANT-AT-ARMS: All rise, please.

HIS HONOUR: Members of the cabinet, members of the government, members of the opposition, I would like to just take this opportunity of thanking each and every one of you for your contribution to a very busy schedule. Certainly it was done for and in the best interests of the residents of the province of Alberta. We trust that the legislation you have passed will be to their better interests.

It has been a pleasure in the short period I've been in office to work with you, and I'm looking forward to a continuance of that effort in the months ahead. I do trust that you will have a nice summer in your constituency working with your people. I have never seen the province of Alberta look any better than it does at the present time. Certainly it is a pleasure to go anywhere in our province and to see just how lush and green it really is.

Thank you very much for your consideration. [applause]

[The Lieutenant Governor left the Chamber]

[Mr. Speaker took his place in the Chair, and the Mace was uncovered]

9:30

MR. SPEAKER: Would you be seated, please.

Member for Calgary-Millican, if you'd like to come forward, please.

Sergeant-at-Arms, call in the pages, please.

There's a fine tradition in this House of honouring the pages.

Calgary-Millican, would you care to proceed in your comments, please.

MR. SHRAKE: Thank you, Mr. Speaker. All through the session we saw our pages kind of looking after us and doing things. They're always such an addition to this Chamber. I often wonder how they make it through listening to all our speeches, so I thought perhaps it would be nice to get them a little token here, as we usually do, for their endurance of our long speeches. They're always so cheerful, and they add a lot to this Chamber.

I hope they're all going to university. We tried to get them something, and this was the suggestion from one of the opposition parties as to what we should get them. It's the Texas Instruments TI-36. I couldn't get 12 of them, so we had to get four TI-36Xs, which they said were the same thing but just a different box.

Susan Dioszeghy. Where's Susan?

MR. SPEAKER: Here you go.

MS DIOSZEGHY: Thank you very much, sir.

MR. SPEAKER: Thank you. Enjoy Montreal.

MR. SHRAKE: Justine Fowler, Teresa Olsen, Charity Stephenson, Susan Shalanski.

MR. SHRAKE: Thank you very much, Susan.
Trevor Lewington.

MR. SPEAKER: And you're okay in spite of cheering for the Oilers?

MR. SHRAKE: Did he cheer for the Oilers?
Monique Higgam, Jannet Nguyen, Mica Arlette.

MR. SPEAKER: We have to pause here. I've known this kid since he was four years old.

MR. SHRAKE: Darya Fustukian, Jacki Stevens, and John McGee.

Thank you, Mr. Speaker.

MR. SPEAKER: Thank you, Calgary-Millican. We have two others here that get handed out. It's a rogues' gallery sort of portrait here.

The Associate Sergeant-at-Arms, Al Gowler. Thank you.

A sincere word of thanks on behalf of all of us to our Table officers, which I think are the best in the country. A great word of appreciation to the Deputy Speaker, the Deputy Chairman of Committees, and his backup, Ron Moore. Thank you very much.

And to all those unseen myriad of people that are the Legislative Assembly, the people that try to serve you first and then try to serve the general public, not only the security people that are here but also members of *Hansard* and all the administration of the Legislative Assembly office. I for one am deeply grateful for all the work they do in their dedication to you as well as to the people of this province. So I thank them on your behalf, and I hope you'll join me in that.

Deputy Premier.

MR. HORSMAN: Mr. Speaker, on behalf of the Premier and government, I add my thanks to those you have just thanked. I won't go through the list again.

I'm about to make a motion that many members are anxious to hear, but before I do that, I wish everyone a safe summer, good holidays, and safety and good health until we meet again.

I would move now that the Assembly stand adjourned pursuant to Motion 20.

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

HON. MEMBERS: Aye.

MR. SPEAKER: Opposed, if you dare, say no.

Let the record show that the motion passed unanimously.

[The Assembly adjourned at 9:39 p.m.]