

Legislative Assembly of Alberta

Title: Monday, March 25, 1996 1:30 p.m.
Date: 96/03/25
[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privileges as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Member for Taber-Warner.

MR. HIERATH: Thank you, Mr. Speaker. It is a pleasure for me to introduce to you and to members of the Assembly three gentlemen sitting in your gallery: Mr. Larry Dennis, Auditor General for Bermuda, who is in Edmonton to attend the figure skating championships and is visiting the office of the Auditor General of Alberta today; Mr. Bill Rogers, Auditor General emeritus of Alberta, who served the province for 38 years. Mr. Rogers was appointed Provincial Auditor in 1972 and became Alberta's first Auditor General in 1978. Since his retirement in '86 he has been a consultant to Mr. Dennis in Bermuda. Accompanying these gentlemen today is Mr. Peter Valentine, the Auditor General for Alberta. I would ask them to rise and receive the warm welcome of the Assembly.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I have a petition signed by 21 Calgarians.

We the undersigned request the Alberta Legislative Assembly review the issue of funding E.C.S., whereas the program is currently non-mandatory and funding [has been] cut for the period of 1994 to 1996.

head: **Notices of Motions**

MR. BRUSEKER: Mr. Speaker, just in conversation with the Opposition House Leader, I'd like to give notice of motion that we amend the membership of the Private Bills Committee . . .

MRS. HEWES: He's the Government House Leader.

MR. BRUSEKER: Isn't that what I said?

MR. DAY: I would be the Government House Leader; you're the Opposition House Leader.

MR. BRUSEKER: I was just thinking ahead, Mr. Speaker. Sorry about that.

. . . to replace the Member for Redwater with the Member for Lethbridge-East on the Private Bills Committee, which meets tomorrow.

Sorry, Stockwell.

head: **Introduction of Bills**

Bill Pr. 1
Alberta Wheat Pool Amendment Act, 1996

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 1, being the Alberta Wheat Pool Amendment Act, 1996.

[Leave granted; Bill Pr. 1 read a first time]

Bill Pr. 2
Covenant Bible College Tax Exemption Act

MR. BRASSARD: Mr. Speaker, I beg leave to introduce Bill Pr. 2, being the Covenant Bible College Tax Exemption Act.

[Leave granted; Bill Pr. 2 read a first time]

THE SPEAKER: The hon. Member for Medicine Hat on behalf of the hon. Member for Calgary-Montrose.

Bill Pr. 3
Evangel Bible College Act

MR. RENNER: Thank you, Mr. Speaker. On behalf of the hon. Member for Calgary-Montrose, I request leave to introduce Bill Pr. 3, being the Evangel Bible College Act.

[Leave granted; Bill Pr. 3 read a first time]

THE SPEAKER: The hon. Member for Edmonton-Glangarry.

Bill Pr. 4
Bethesda Bible College Act

MR. DECORE: Thank you, Mr. Speaker. I request leave to introduce Bill Pr. 4, being the Bethesda Bible College Act.

[Leave granted; Bill Pr. 4 read a first time]

THE SPEAKER: The hon. Member for Little Bow.

Bill Pr. 5
Farmers Union of Alberta Amendment Act, 1996

MR. McFARLAND: Thank you again, Mr. Speaker. I request leave to introduce Bill Pr. 5, being the Farmers Union of Alberta Amendment Act, 1996.

[Leave granted; Bill Pr. 5 read a first time]

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. Member for Calgary-Currie.

MRS. BURGNER: Thank you, Mr. Speaker. It gives me a great deal of pride to table in the Legislature this afternoon the Seniors Advisory Council for Alberta report for the year ended March 31, 1995.

head: **Introduction of Guests**

THE SPEAKER: The hon. Minister of Federal and Intergovernmental Affairs.

MR. ROSTAD: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to the Assembly 35 students from Sacred Heart school in Wetaskiwin. They're accompanied by their teacher Mr. Pius MacLean and by parents and helpers Mrs. Elva Kovats, Mrs. Donna Phillips, Miss Danielle Lennon, Ms Heather Iverson, Mrs. Leah Effert, Miss Shirley Cardinal, and student teacher Mr. Willy Lightning. They're seated in both the members' and public galleries, and I'd ask that they rise and receive the warm welcome of the Assembly.

MR. JONSON: Mr. Speaker, it's my pleasure today to introduce to you and through you to members of the Assembly 36 visitors from the New Norway school, as I understand it 32 students and their teacher Mr. Ed Martinson and parents Liz Cole, Judy Schielke, Pam Keller, and Cindi Blair. New Norway school is located in the village of New Norway. It is a school noted for its fine quality of education and its involvement with students and with the community. I would ask the guests visiting here this afternoon to stand and receive the warm welcome of the Assembly. They are seated in the members' gallery.

THE SPEAKER: The hon. Member for Calgary-Currie.

MRS. BURGNER: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to the Members of the Legislative Assembly the members of the Seniors Advisory Council for Alberta. Seniors come from every cultural group in every corner of this province, and their needs and concerns are diverse. The report that we tabled earlier today reflects the work of a dedicated group of members of our community. I'd like them all to stand as I introduce them: Mrs. Doreen Makarenko, who is our northern representative from Peace River; Mr. Nick Kutash, who doubles in a security capacity in this building, who is a rural representative from Willingdon; Mr. Ken Pals, who's our Edmonton representative; Mrs. Rosalie Dallas, our representative from Innisfail, in the Red Deer area; Mrs. Muriel Bye, who is a rural representative from the area of Coronation – Muriel also sits on the Provincial Mental Health Board – Dr. John Morrissey, who is a representative of the Alberta Medical Association here in Edmonton; Dr. Janet Ross Kerr, who represents the universities, is also from Edmonton. We have our new member, Mrs. Holly Farnum, who is our representative from southern Alberta, from Calgary.

Missing today are Charlotte Germaniuk, Mr. Appleby is away, and also Doreen Little from the Lethbridge area. We are missing a few people today on other experiences and seniors' issues. We also have two staff people with us: Mrs. Catherine Deluca, who is a secretary to the council, and the director of the Seniors Advisory Council, Mrs. Barbara Armstrong. I'd like them to stand and receive the warm recognition of this Assembly.

1:40

THE SPEAKER: The hon. Member for Pincher Creek-Macleod.

MR. COUTTS: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to members of the Assembly a good friend of mine from the town of Fort Macleod, Mr. Frank Eden. Mr. Eden is well respected as a businessman in the communities of Pincher Creek and Fort Macleod. He also has the distinction of a long career in public service, particularly education sources like school boards and most recently on hospital boards. He is the chair of the Chinook regional health authority, region 1. He's seated in the members'

gallery. I ask him to please rise and receive the traditional warm welcome of the Assembly.

head:

Oral Question Period

Child Welfare

MR. MITCHELL: Mr. Speaker, I would like to table four copies of an internal memo written by concerned child welfare workers to upper management. It reveals the following:

Increases in caseloads and . . . complexity, unprecedented resignations of frontline workers . . . difficulty recruiting qualified staff, [workers forced to leave] children at risk because the region . . . has no appropriate beds,

and court orders that are ignored because the department has run out of staff. Even more chilling is the warning in the memo that 80 percent of current cases "have a history at least as bad or worse than" the Calgary case where a toddler burned to death in a Calgary house fire. The memo is entitled Crisis in Child Welfare. My question is to the minister responsible for child welfare. When is he going to meet the workers' request for an immediate increase in the number and variety of placement beds, including secure treatment beds, so that workers aren't forced to place children in inappropriate situations?

THE SPEAKER: The hon. Minister of Family and Social Services.

MR. CARDINAL: Thank you very much, Mr. Speaker. Of course, it's quite normal for the Liberals to start off with not providing accurate information in this House, and that's very, very unfortunate. They talk about the increase in caseload, for an example. The increase in caseload, for an example in Calgary, is an increase in caseload in home support service, and that's exactly what the welfare reforms were supposed to do. There is a 50 percent decrease in apprehension of children, and that is exactly what the children's services are supposed to do.

The other issue they brought up in the House, Mr. Speaker, is in relation to staffing. In fact, when the welfare reforms were announced two and a half years ago, we had over 5,600 staff. We still have over 5,000 staff. In fact, we've recruited 75 new frontline workers in addition to the 600 we had. In addition to that, the budgets have increased drastically in child welfare in our department.

This member here just recently supported the federal budget, Mr. Speaker, that is taking hundreds of millions of dollars for programs like child welfare, and he dares to stand in front of the House to say that there's not enough money and not enough staffing.

MR. MITCHELL: Child welfare in this province is the responsibility of that minister, Mr. Speaker.

How could the minister claim last week that his staff have the best training in North America to deal with various issues when according to the memo that I tabled, "The department has significantly reduced minimum qualifications" and "invests next to nothing" in existing staff, and professional development is "practically nonexistent"?

MR. CARDINAL: Again that information is not true, because our training programs are probably the best in North America, Mr. Speaker. We have, in fact, reduced the welfare caseload in our department, which reduces the workload for all people involved in the department by over 50 percent, and did not reduce staff

accordingly. Therefore, the staff out there have more time than ever to concentrate on resolving problems, processes that will allow families to stay together. We provide the finances and the counseling that are necessary.

For two and a half years as Minister of Family and Social Services I've asked for the opposition member, I've asked for the critic, to provide me with information as to how we may provide a good service to our children in Alberta. Finally, finally, just recently, they released their document: six pages, Mr. Speaker, and one is blank out of the six pages. That is their social policy. I'm still asking them to provide me with information.

MR. MITCHELL: Mr. Speaker, if everything is all right, as the minister is inclined to say, why was John McKinnon of St. Paul, a suicidal child, placed in a group home where the department's own inquiry said that staff had no training in identifying and preventing suicides? Why won't you take your responsibility for children in distress in this province?

MR. CARDINAL: I would indicate that that's a little degrading to the staff we have out there, because I think the Alberta civil service has top-notch training that we provide, Mr. Speaker.

In relation to that specific issue, of course, Mr. Speaker, because of the confidentiality of the Child Welfare Act, I can't release in detail what we did in that specific case. The member knows well that he can get hold of the mother, that has all the information provided to her, and get the information to show what my staff did in our department and other government departments to provide the necessary supports that were required out there.

MR. MITCHELL: Information to a mother won't bring that child back, Mr. Speaker.

Health Care Privatization

MR. MITCHELL: The March 31 deadline to exempt health services under NAFTA is but a few days away, and this government has made no attempt to protect our publicly funded health care system. Without clarifying exemptions in NAFTA, we risk opening the door further to American firms wanting to bring their two-tiered, commercialized, for-profit medicine to this province. Why won't the Minister of Federal and Intergovernmental Affairs be proactive and protect all of our health care services now instead of waiting until this matter ends up in front of some international trade tribunal?

MR. ROSTAD: Mr. Speaker, I think we dealt with that on Thursday. I thought I explained adequately that filing under annex 2-C-9 does in fact give us complete protection and openness. We have always been open for discussion with any of the other provinces or the federal government to look at other proposals as to how you may accommodate it, but we're still committed to annex 2-C-9.

MR. MITCHELL: Annex 2-C-9 doesn't do it, Mr. Speaker.

On what basis does the minister disagree with law professor and renowned expert on NAFTA Dr. Bryan Schwartz when he concludes, and I quote: that the public medicare system is exposed under existing NAFTA exemptions and without action will be open to an influx of American for-profit health companies?

MR. ROSTAD: Mr. Speaker, you can certainly get whatever opinion you want, especially if you start from a particular

philosophical background. In terms of Dr. Schwartz's letter, which I have read, he does not categorically say that annex 2-C-9 is wrong. He in fact raises some issues with that as to saying that we should use annex 1. I've already said that we have looked at all avenues in this and are of the firm belief that annex 2-C-9 does in fact protect health care in Alberta. If a particular firm from the United States or Mexico wanted to come and do business in Canada, we in fact do have an open border, but they do their business according to our laws and the Canada Health Act.

1:50

MR. MITCHELL: Given that there is absolutely nothing to lose by presenting an exemption list, why is the minister continuing to take the risk of not presenting such a list?

MR. ROSTAD: Mr. Speaker, again reflecting back on Thursday's comments, annex C-1 specifically lists items that are in effect as of January 1, 1994, and freezes it. You can no longer change that particular item once it's on that list, whereas in annex 2 you have the capacity for growth and change within your system, and not necessarily for an American two-tiered system because we don't have and don't want an American two-tiered system in here. We will comply with the Canada Health Act and all its provisions.

MR. SAPERS: Mr. Speaker, with the alarm bells already sounding regarding the dangers of not protecting public health care from the provisions of NAFTA, this government is nonetheless pretending that it doesn't have an obligation to establish clear policies regarding the privatization of public health care before it hands over tax-funded services and equipment to commercial interests. Annex C-1 wouldn't freeze us in the past. It looks as though the test case in this regard will be Hotel de Health's plans for the Galahad and Islay hospitals. Now, how can the lawyers for the East Central health authority be expected to do a thorough and efficient job of reviewing Hotel de Health's proposals when the Minister of Health refuses to tell them what to look for?

MRS. McCLELLAN: Mr. Speaker, I discern somewhat of a question in that. I guess what I will refer back to – and we have discussed this subject at length in this House, but I will remind the hon. member one more time. We have a board for the regional health authority for East Central: very competent, very capable, very caring individuals. That board has a management structure in place, again with competent managers. Also, the East Central regional health authority have legal counsel, and I would assume that they are as well very competent. They were hired by that board. They also have, as every region in this province does, a person from the Department of Health who attends their board meetings, who is a liaison with the department and the regional health authority and works with the ADM in that area. In fact, the ADM in area services often attends the meetings as well.

Mr. Speaker, I guess there is one thing for sure: the members on this side of the House and this minister have a lot of confidence in the individuals who have put their names forward to serve on these boards and have been appointed to these boards. We are in complete agreement that they are competent and that their managers are competent and that they can work within the parameters that have been laid out for them. So I am not sure where the hon. member's concern comes from. I could provide for this House a list of private operators in this province who have been providing services through the private sector under contract or agreements with the regional health authorities or the minister for years in this province, and they've done a fine job of it.

MR. SAPERS: Avoiding ministerial responsibility has hit a new low, Mr. Speaker.

Given the track record of the individuals associated with Hotel de Health, does the Acting Premier, whoever, not believe that it is the government and not the regional health authority that should be setting the standard and conditions for any contracts up front?

MRS. McCLELLAN: Mr. Speaker, I will assure the hon. member one more time that when a contract or an agreement is put before the minister, before this cabinet, it is reviewed very carefully. I would also remind him that we do have policies, we do have standards, and we do have guidelines. I would be tempted to offer him some briefing from my staff, but I tried that with a particular Bill in the House, and that wasn't really successful. So I'm debating the value of time that might be used.

The hon. member could read the business plan for the Department of Health, he could read the business plan for Public Works, Supply and Services, and certainly I could offer him again some information rather than taking the time of the House to go through all of the various steps that an authority must go through for entering into agreements or disposition of assets. I would try to remain patient and try to illuminate this member on those policies and procedures that are in place and have been for a while and are reviewed constantly.

MR. SAPERS: Reassuring to hear about some policy, Mr. Speaker.

Will the Minister of Health tell the Assembly, then, what the government's policy is regarding contracts between regional health authorities and private companies who operate provincially owned taxpayer-paid-for equipment and facilities to protect that equipment from the operator's creditors?

MRS. McCLELLAN: Mr. Speaker, when it comes to the area of leases or utilization of equipment by private operators, there is a lease agreement that would be agreed to by Public Works, Supply and Services, because they are the department that looks after those Crown assets such as buildings and hospitals.

Mr. Speaker, any contract or agreement that a regional health authority enters into does not necessarily have to be reviewed by the minister because there are policies and guidelines in place that they can make those decisions by. However, if you are going to enter into an agreement for disposition of space, for utilization of space within a facility that is not used for delivery of health services by the regional health authorities, those do have to be reviewed by the minister. Those policies are in place.

The hon. member had an opportunity for four hours to sit in estimates with this minister and some more time in the House. We dealt with a number of these issues over and over and over again. Again, I'd be willing to sit down with the hon. member and try and clarify some of this for him if he wished to perhaps arrange for an hour outside of the House time and question period.

THE SPEAKER: The hon. Member for Cypress-Medicine Hat.

Publishing Offenders' Identities

DR. TAYLOR: Thank you, Mr. Speaker. [interjections]

THE SPEAKER: Order. [interjections] Order.

DR. TAYLOR: Thanks, Mr. Speaker. After the events of the

weekend I'm surprised they can yell anything more than: I quit.

My questions are to the Minister of Justice. On March 5, 1996, Motion 502, sponsored by the Member for Stony Plain, was passed by the Assembly. The motion urged the government to adopt a policy of notifying communities about offenders prior to their release from prison. In particular, I'm concerned about public notification of the release of pedophiles. The Member for Highwood, who I've discussed this issue with, shares my concerns. Can the minister tell the House the nature of the protocol being developed to advise the public about the release of offenders back into the community?

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. EVANS: Thank you, Mr. Speaker. I want to compliment as well the Member for Stony Plain for bringing his motion forward and just advise the Member for Cypress-Medicine Hat that what we are required to do under the Freedom of Information and Protection of Privacy Act is to notify the public when there is significant risk of harm to the public from the point of view of health and safety and other issues. So what we've tried to do is work out a protocol with the police forces across the province to ensure that, number one, we have a way of identifying when this significant risk is likely to occur in a community and to then ensure that we have a way of getting that information out to the community that is sensitive to the community, sensitive to the rights of an individual who has served time and is now released from custody, but ensures that the community will not be put at risk.

We're involving the police forces because of course they've been trying to do that themselves in the past to ensure that we don't have more criminal activity occurring and that we do not put communities at risk. Their involvement will ensure that this kind of a program is successful and that it will be done in a fair and just and equitable manner.

2:00

DR. TAYLOR: As this process targets high-risk sex offenders, is there a possibility that it will be expanded to include other types of criminals such as repeat and violent young offenders, particularly as it relates to schools and informing the schools?

MR. EVANS: Well, in point of fact, Mr. Speaker, it does go beyond sexual crimes and those kinds of issues that are really the focus of the Manitoba program, which I think the hon. member is aware of. Again, if we look back at the Freedom of Information and Protection of Privacy Act, we're required as a government to notify whenever public health and safety is at risk. So what we want to do is look at any situation where a serving prisoner is coming back into the community, and if there is a significant risk that that individual will reoffend and society is going to be at risk, we want this protocol to kick in and to be effective.

DR. TAYLOR: As some do-gooders have expressed concerns that releasing the names of the offenders could lead to vigilantism, do you have any evidence that this would occur?

MR. EVANS: Well, Mr. Speaker, I don't think the term "do-gooders" is in our protocol, but I'll check it a little more closely.

Certainly vigilantism has been identified as one issue that clouds the picture on what I think is a very positive initiative. What the

police forces are telling us is that they will be sensitive to the particulars in each and every case. They have again in the past been providing this kind of information to the public by notifications to authorities such as schools, day cares, community associations, and things of this nature. We're not talking about a one size fits all kind of a program. It would have to be very, very specific to the individual who is being released from a correction facility, the type of crime that is a concern, and the community in which that individual is likely to go back to and to live in.

Advisory Council on Women's Issues

MRS. HEWES: Mr. Speaker, sadly this government's weak or nonexistent commitment to issues affecting Alberta women was once again revealed last week. Without any warning this government prematurely shut down the Alberta Advisory Council on Women's Issues, one of the most effective means women have had to have their issues raised. The fact that the government did this exclusive of the Assembly is hardly surprising; shameful in my view, but not surprising. My questions are to the Minister of Community Development, formerly responsible for women's issues. To the minister: since this government has unilaterally shut down the council, Mr. Minister, should I now tell Alberta women that you have absolutely no intention of dealing with the council's recommendations and that in fact you never did?

THE SPEAKER: The hon. Minister of Community Development.

MR. MAR: Thank you, Mr. Speaker. When the legislation was introduced some 10 years ago, there was a sunset clause placed in the legislation recognizing that the women's advisory council would have a role to play but that it would come to an end in 1996. So I would point out to the hon. member that the first thing that's wrong about her preamble is that there continues to be a minister responsible for women's issues.

Yes, Mr. Speaker, the Advisory Council on Women's Issues is coming to an end. However, the chair of that advisory council herself has said that women in the province of Alberta speak with many voices; they do not speak with one voice. I happen to agree. As a consequence, it is strongly the view of this government that women cannot be heard and cannot be represented by a single agency. Rather, very clearly women would choose to represent themselves and speak with their own voices.

I think it's important that many of the works that have been done by the Advisory Council on Women's Issues over the last 10 years have been acted upon. They have made a number of recommendations, many of which were already government policy at the time the recommendations were made. But I'm confident, Mr. Speaker, that with the most recent report that has been filed by the advisory council, in fact we'll go through the process of reviewing all of the recommendations in it, and the chair, Marilyn Fleger, who's done an outstanding job as chairman for the last year and a half, will in fact continue with some good work following up on many of the recommendations that she made and the council made that deal with the issue of violence against women.

When we look at an issue like violence against women, it is not proper to characterize it simply as an issue that is a women's issue. It is no more a women's issue than it would be a men's issue if you call it violence by men. Mr. Speaker, many of these issues that we look at have to be looked at from a much broader perspective, and they have to be looked at in a broader perspec-

tive so that they can be dealt with not only by women's groups but by all Albertans.

MRS. HEWES: Mr. Speaker, the women of Alberta don't accept those excuses for one minute.

Mr. Speaker, why did the minister not introduce amending legislation? Why did you do an end run to circumvent this Assembly?

MR. MAR: Well, Mr. Speaker, you know, the most important thing was that the Advisory Council on Women's Issues had a sunset clause for this year. They had a work plan that they established last year to set out work in the current year. They completed that work, and they did a very, very good job of it. This is clearly not an end run, as characterized by the hon. member. In fact, it was contained in business plans some time ago, and if the hon. member would care to read those business plans, she would have known that the Advisory Council on Women's Issues was coming to an end this year.

MRS. HEWES: Mr. Speaker, why weren't Alberta women given a chance to respond? The council was right in the midst of a consultation process. Why didn't you tell them then what you were going to do?

MR. MAR: Well, Mr. Speaker, the whole purpose of the consultation was to ask the women of Alberta: how is it that you would choose to have your issues heard by the government of Alberta? That was the responsibility that was charged to the chair and the members of the Advisory Council on Women's Issues, to seek through a consultative process how women would choose to have their voices heard by the Alberta government. This government is the most consultative government that anybody has ever seen in all of Canada. Through documents like Straight Talk, Clear Choices, women have the opportunity to deal directly with government through their MLAs and through constituency offices and directly through ministers. It is not required that there be an advisory council to be a filter for women's voices to be heard.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

2:10

Mad Cow Disease

MR. SEVERTSON: Thank you, Mr. Speaker. My question is to the minister of agriculture and rural development. Alberta's beef is of the highest quality and an important source of protein. Recently the British authorities have questioned the health of British cattle due to their problem with BSE, or mad cow disease. Can the minister assure Albertans that Alberta cattle herds are free of BS . . . of BSE?

THE SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MR. PASZKOWSKI: Well, Mr. Speaker, I think there's probably a little Liberal in our cattle, so there probably is a little BS in some of them.

Nevertheless, yes, I can honestly say that Alberta cattle are BSE-free and that Canada does not have any mad cow disease. Scientists have indicated that there may be some relationship or a linkage between the BSE disease and Creutzfeldt-Jakob disease, which afflicts human beings. This has not been proven, and we

don't know if there indeed is a direct link. Canada banned the importation of British cattle and feed in the year 1990, and Canada doesn't import any meat or any beef products from the British Isles since that time. One cow was imported from Britain in 1987 and did develop BSE in Canada but was destroyed in 1993.

THE SPEAKER: Supplemental question.

MR. SEVERTSON: Thank you, Mr. Speaker. Alberta's beef industry plays a very important role not only in agriculture but in Alberta's economy as a whole. Can the minister describe the extra effort made to eradicate the possibility of the spread of the disease from the one case in 1993?

MR. PASZKOWSKI: Yes. In 1993, when the disease was recognized, there was immediate eradication of 360 animals in Canada that could be traced back genetically to having come over from Great Britain. We have amongst the most stringent health regulations in the world, and indeed we will continue to make sure that Canadians are able to buy, are able to eat nothing but the safest food in the world as well. The industry and government are committed to that fulfillment, and we will continue to monitor our health regulations to see that we are able to provide the healthiest food in the world.

THE SPEAKER: Final supplemental.

MR. SEVERTSON: Thank you, Mr. Speaker. The British authorities will be considering their response to the scientific recommendations concerning BSE in British herds. What opportunity might this represent for Alberta producers?

MR. PASZKOWSKI: This ultimately is a decision that'll have to be made by the British authorities, of course, because unfortunately for the British this is a problem that they are facing and they're going to have to make some immediate decisions regarding this dreaded disease. It seems to me that this disease has spread not only in Britain but in several parts of Europe as well, and action is going to have to be taken. We took immediate action in Canada, and it was for the good. Certainly I commend the federal government for the actions that were taken. They did it in consultation with the province, and in fairness it turned out to be the right decision.

This does present some opportunity for Alberta, particularly in the area of genetics as well as perhaps longer term meat exports. We exported something like \$88.5 million worth of beef genetics this past year. Almost \$11 million of that was to the U.K. Eleven genetic operations operate in the province. We also have somewhere between 7,000 and 8,000 seed stock operators in the beef business in this province. Beef is very much an important part of agriculture in this province and will continue to be so.

We will work with our people in Great Britain. This is a very unfortunate situation that has developed there, but it's one that's going to require immediate action.

Oil Marketing

MR. GERMAIN: Mr. Speaker, oil patch sources tell us that three companies will soon hit the Alberta government sweepstakes by winning the exclusive right to market about 150,000 barrels of Alberta oil a day at commissions as high as 15 cents a barrel. Now, these contracts will be granted without any bid criteria and

without an open bidding process. Long-standing Alberta companies with obvious expertise in oil marketing will be rejected, and they'll be wondering why. So my questions today are to the Minister of Energy. Madam Minister, will you today confirm in this House that it is Gulf Resources, owned in part by Torch Energy; PanCanadian, owned by Canadian Pacific; and CanPet that are about to win the Alberta government sweepstakes in this regard?

MRS. BLACK: Mr. Speaker, I'm amazed at the connections that the hon. member has with the industry and the decision that he has made. He is speculating on the decision this government will make.

MR. GERMAIN: Well, Mr. Speaker, a simple no or yes would have worked there, but I'll try again. I wonder if the minister would commit to this House that she will put on hold this privatization scheme given that her own department is in fact against the scheme.

MRS. BLACK: Mr. Speaker, I have a task force, the assistant deputy minister of my department plus an outside consultant, who have been working on the outsourcing of the marketing function, and I will wait until I receive their report and report back to my table.

MR. GERMAIN: Well, all right then, Mr. Speaker. Will the minister at least do this: will she stand up in this Assembly and commit to tabling every one of the proposals that she has received plus the reason for rejecting any of them and the criteria that she has used for making the selection?

MRS. BLACK: Mr. Speaker, I have already made the commitment to this House that I would share with them the criteria for selection. However, I will not file the proposals that have come through because they are all competitors. They are confidential by nature, and I would be violating the confidentiality under which they were submitted to my department. So I will not do that.

THE SPEAKER: The hon. Member for Lethbridge-West.

Native Criminal Justice

MR. DUNFORD: Thank you, Mr. Speaker. My questions today are about native initiatives undertaken by Alberta's correctional centres. To the Minister of Justice. Recently I had a constituent come into my office expressing concerns that access to native counseling and programming in Lethbridge Correctional Centre is somewhat restricted. Can the minister explain correctional services' practice with respect to native counseling in provincial correctional centres?

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. EVANS: Thanks, Mr. Speaker. I'm a little bit surprised that someone would be speaking about the lack of native counseling at Lethbridge Correctional or at any other of our correctional facilities throughout the province but particularly at Lethbridge. We try to encourage that actually in the Department of Justice, and we've had a very good relationship with the Lethbridge Correctional Centre and the community in Lethbridge and area for quite a number of years.

Anyone who is involved in native counseling in an official capacity or elders is certainly welcome in any of our correctional centres to come in and offer their expertise. I know that at Lethbridge itself we've had a number of elders on a regular basis and others from native counseling who come into the facility and take part in sweet grass and sweat lodge ceremonies. We have a relationship with the Blood reserve through the Kainai correctional facility. We have a contract with the West Castle group through the Lethbridge Correctional Centre.

So I'd ask the hon. member for more particulars on this. If there is an issue, then it's certainly one that I'd like to become aware of. I'd always thought of Lethbridge as being one of the best examples in the province rather than having a problem.

THE SPEAKER: Supplemental question.

MR. DUNFORD: Thank you, Mr. Speaker. As a supplement, then, to the answer, can the minister assure this member that a native incarcerated in the Lethbridge correctional institute desiring native counseling from a native can receive it?

MR. EVANS: Well, again, Mr. Speaker, I know that we have native counseling services operating in Lethbridge Correctional. I know that we have a number of elders from the Blood and the Peigan who are coming to the correctional centre on a regular basis. I think I can say without fear of contradiction that counseling of aboriginal serving prisoners in Lethbridge Correctional by aboriginal members of their communities is not only allowed; it's encouraged. I'll make sure that we look into any particulars that the hon. member can give me to give him a sense of confidence that that's being carried out.

2:20

THE SPEAKER: Final supplemental.

MR. DUNFORD: Thank you, Mr. Speaker. Again to the same minister: recognizing the sensitivities of the native person incarcerated in what is predominantly a white-controlled system, can you assure me that given the cultural and spiritual needs that person has, there are policies in place to ensure that native counseling does in fact take these into consideration?

MR. EVANS: I think, in a word, yes. I can assure the hon. members. Back in 1991, Mr. Speaker, we received a report from Judge Cawsey on aboriginal issues in this province related to the justice system, and we took the position at that time that we should try to implement as many of those as possible throughout the justice system. Many of them relate specifically to corrections. Others deal with the other aspects of justice, whether it's the investigating of activity that could be called criminal activity, prosecutions, and certainly corrections. All three of those aspects of the criminal justice system have been focused on by the Department of Justice. We have made very good progress in implementing the recommendations from the Cawsey report, and we will continue to do that in a way that's sensitive to the needs of serving aboriginal prisoners and aboriginals generally in the province.

THE SPEAKER: The hon. Member for Calgary-West.

Community Facility Enhancement Program

MR. DALLA-LONGA: Thank you, Mr. Speaker. On March 19, 1996, the minister responsible for the community facility enhance-

ment program told this Assembly, "You can access the community facility enhancement program for just about anything." In fact, just to prove his point, a parent on the advisory council of a school in Calgary-McCall recently was given \$85,000 to upgrade the school's computer facility. However, when three schools in my constituency applied for school funding for their computer lab facilities, they were rejected. In that regard, I would like to table four copies of two separate letters between the minister's department and the Glenmeadows Home & School Association wherein the minister and his deputy separately told the association that their project for computer lab facilities would be rejected. My first question, then, is to the minister responsible. Why was the application for the school in my constituency rejected when the school in Calgary-McCall was accepted?

MR. DAY: Calgary-McCall had a good MLA.

DR. WEST: Mr. Speaker, if the hon. member would come forward to the minister with the particulars of it so that I could have a look at it, I could answer his question, but they come to the Assembly here. There is due process for MLAs to contact and write to the minister. I've been forthright. The honest answer to this Assembly is that I don't know. I'll go back and I will look at your applications to see if they fit and that they have applied properly and that they have matching funds, that they are a society separate from the school. Schools cannot apply for these. They must have matching funds in place.* It must be a parent group or some other society. There are many, many reasons why an application might not fit. Another one might be that maybe your constituency has overspent, for all I know.

MR. DALLA-LONGA: I think the Minister of Labour gave the answer that we suspect, Mr. Speaker.

My second question, then, Mr. Speaker, is to the minister once again. Will you, Mr. Minister, correct this inequality once you've seen the letters and reviewed them and approve the CFEP application for Glenmeadows, the Calgary Christian schools, and Glendale elementary school in my riding?

DR. WEST: Mr. Speaker, all applications are given consideration in this province, and we have been forthright in doing that. If they bring forth their applications, I don't know. There's a new one starting here on April 1 called CFEP 3, and I can most certainly give you a go-ahead on that. Bring it forward; we'll look at it. If it fits within the parameters, as we have seen before, and the dollars are there, we'll certainly consider them on a case-by-case basis.

MR. DALLA-LONGA: Well, before we get started in that case, would the minister then briefly inform this House as to how the decisions are made as to which CFEP applications are approved and which ones are rejected?

DR. WEST: Mr. Speaker, I'm going over right at the present time the policy guidelines for CFEP 3. There were policy guidelines for CFEP 2, and there were policy guidelines for CFEP 1. They were all published. They've all been sent out in packages. When individuals want to access that information, it's open. All they have to do is write and request it. Any hon. member in here can write to me and get the set of guidelines. I'll send them to them gladly. I don't know where some of these individuals have been over the last several years.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

*See p. 916, right col., para. 6, line 5

Municipal Financing Corporation Rebates

MR. LANGEVIN: Thank you, Mr. Speaker. The Alberta Municipal Financing Corporation has recently advised that as a result of AMFC surpluses municipal governments and local governments will be receiving significant rebates this year. My question is to the Minister of Education. Can the minister advise whether or not the school boards will also be receiving some of these AMFC rebates?

MR. JONSON: The hon. member is quite correct in that the Alberta Municipal Financing Corporation has announced a rather significant dividend or distribution of revenue to its stockholders. As I understand it, Mr. Speaker, there is something in excess of \$18 million that is due to the school system of the province. It is our intention to make sure that that portion of that rebate which was serviced originally by local school jurisdictions from their local tax revenues, that prorated portion of the rebate, will be returned to them.

MR. LANGEVIN: Mr. Speaker, again to the same minister: will these local school boards be able to spend this money, the rebates that they receive, to meet local priorities and without conditions attached?

MR. JONSON: Local school jurisdictions across the province will be able to spend that rebate which remains with them according to local priorities. Mr. Speaker, I think it's important to emphasize that that spending will have to be within the parameters, within the controls, which are actually very few in number but which are there, of the funding framework for all school boards in the province.

THE SPEAKER: Final supplemental.

MR. LANGEVIN: Yes, Mr. Speaker. Again to the same minister: would the minister explain why the local school boards will not be allowed to keep the full rebate that is provided to them under the AMFC rebates?

MR. JONSON: Mr. Speaker, I think it's really important, very important to emphasize that in terms of the period of time for which this rebate is being made, generally speaking across this province – and I'll just pick, I think, a number which is fairly close, but I am picking a number because I want to quote an average – about 65 percent of the debt held by the AMFC was paid for service in terms of paying the interest and so forth by the general revenue funds of the province. In other words, it was paid by all taxpayers through the GRF. Roughly on average about 30 or 35 percent of that interest servicing was provided for, and payments were provided for by local school jurisdictions.* So we have taken what I think is a very fair and reasonable approach, and that is that local school jurisdictions would receive money back from this rebate in proportion to the amount they had paid into the fund in terms of servicing their debt. The remainder should ultimately accrue back to the general revenues of the province because that entity, after all, Mr. Speaker, is the entity that paid the money in the first place.

THE SPEAKER: The hon. Member for Lethbridge-East.

2:30 Grain Marketing

DR. NICOL: Thank you, Mr. Speaker. Over the last year we've had farmers in Alberta ask for more freedom to market their

grain, both wheat and barley and in terms of the choices they have. On a number of occasions we've heard the minister of agriculture commit and state that he feels strongly that we can operate through dual marketing, with the Canadian Wheat Board operating in conjunction with and in competition with an open market set of companies dealing with grain trade. I'd like to ask the minister of agriculture if he could explain to Alberta farmers – and I've had a number of requests for this clarification from farmers in Alberta – and the Legislature how the Wheat Board with its structure and its marketing strategy can operate in direct competition with free and open market companies?

THE SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

MR. PASZKOWSKI: Thank you, Mr. Speaker, and certainly I'm very pleased to have the opportunity to indicate how we feel dual marketing in this province should work. First of all, we feel very, very strongly that multiple marketing should be available to any farmer in this province to market any product that they produce. We will continue to feel that way, and we'll continue to work until we achieve that process.

As far as what we've suggested, we have asked for the opportunity for the Alberta producer to be able to market his wheat or his barley in a similar manner that he can market any other commodity that he produces. As far as the Wheat Board is concerned, we have suggested many, many times that we are not advocates of doing away with the Wheat Board. We are advocates, however, of restructuring the Wheat Board so that it better meets the needs of the day, so that it better accommodates the market strategies that are available today. We've suggested, indeed, that the Wheat Board should purchase the product at the terminal rather than inland at each individual gathering point. The reason we've said that is that it would allow competition to build efficiencies into the system.

Today we have a situation in Alberta where grain prices were at an all-time high. There was a world shortage of grain; that's why the prices were high. We have top quality product in Alberta, and we're not able to market that product. The indications are that the world is short of that product, yet we're not able to market that product, simply because there's no incentive to move the product to the final position. It has to be incentive driven. That's what we're asking for as far as changes to the Wheat Board are concerned, and ultimately I'm sure we will achieve that.

THE SPEAKER: Supplemental question.

DR. NICOL: Thank you, Mr. Speaker. Could the minister tell us how he sees the process that the Wheat Board follows working when they negotiate a contract, come back to Canada to take delivery from the farmers if they have to deal with free market companies that are bidding against them here in Canada when they've already sold the grain overseas?

MR. PASZKOWSKI: Well, this is interesting, Mr. Speaker, because indeed the grain companies that gather the grain actually operate in the international marketplace as well. In many cases they actually find that market. Then they go back to the Wheat Board and have to get a permit from the Wheat Board to be able to sell to that customer whose market the grain company has found. So we're duplicating the whole process. Ultimately the

*see page 946, left col., para. 8

producer is the one that's paying for that, and there's no justification for that whatsoever.

The whole process now is that the Wheat Board is demanding contracts from producers. Producers have to contract to the Wheat Board. They could contract to grain companies. They ultimately know exactly how much product they're going to have.

In this particular situation that we have today the Wheat Board has actually established contracts on barley to producers. Just last week they indicated that they're not going to take possession of those contracts. That puts the producer in a terrible position. The producer still has to pay all the bills. He has to pay all the costs. He has to pay freight. He has to pay storage. He has to pay shipping. He has to pay demurrage and on and on and on. It's the poor producer that's shouldering the whole weight, and until we transfer some of that responsibility to agencies such as the Wheat Board, it's just not fair.

THE SPEAKER: Final supplemental.

DR. NICOL: Thank you, Mr. Speaker. My final supplemental is again to the minister of agriculture. Is he basically promoting a system where essentially the Canadian Wheat Board would just become another trading company?

MR. PASZKOWSKI: The essence here is that indeed there have to be changes made to the Wheat Board and the way it operates to better meet the needs of the producers today. What that process will be can be determined by the Wheat Board itself or by agencies that work with the Wheat Board. We're not suggesting what the Wheat Board has to do. We're merely suggesting proposed changes that could make the Wheat Board more effective and more efficient for the producers' best wishes and best needs today.

THE SPEAKER: Order please. The time for question period has expired. Before calling Orders of the Day, could we revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Member for Vegreville-Viking.

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

MR. STELMACH: Thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to Members of the Legislative Assembly 30 well-behaved students from Ryley elementary school, accompanied by Mrs. Marlene Podoborzny and Mr. Fred Yachimec, who is a teacher and also a town councillor for the village of Ryley, where you could live the life of Ryley. I would like all of the students to please rise and accept the traditional warm welcome of this Assembly.

Thank you.

head: **Orders of the Day**
Motions under Standing Order 15(6)

head: **Referral of Question of Privilege to Committee**

1. Mr. Bruseker moved:

Be it resolved that the March 21, 1996, finding by the

Speaker of a prima facie question of privilege as raised by the hon. Member for Calgary-North West be referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing, that adequate financial and human resources be provided to that committee so that the committee can call witnesses, cross-examine witnesses, require the administration of oath thereto, that the committee determine such further rules and procedures to ensure "the safeguards and privileges which every man enjoys in any court of the land," and further that the committee shall meet within 30 days of the passing of this motion.

MR. BRUSEKER: Briefly speaking to that motion, Mr. Speaker, if I may. Although the issue was raised originally by myself on behalf of the Leader of the Official Opposition, the Member for Edmonton-McClung, this is an issue that deals with the parliamentary privileges of all Members of this Legislative Assembly, and therefore such actions in fact have an impact on all of us to do our jobs as the representatives of the Legislative Assembly. As you yourself pointed out in your ruling, the privilege of freedom of speech is something that is a gift to us from our constituents and a responsibility as well that we have to bear in this Legislative Assembly, and if we are to silence the voice of any one Member of the Legislative Assembly, it would in fact be to silence the voices of all of the constituents of that member. This motion would simply allow us as members of the Standing Committee on Privileges and Elections, Standing Orders and Printing to call before it the individuals in question to ask them what the motives and the intentions were and to discuss those issues before the committee.

Therefore, I would urge all members of this House to support Motion 1 as it is on page 2 of today's Order Paper.

MR. DAY: Mr. Speaker, the Member for Calgary-North West has correctly identified that this privilege – and it is a real privilege – of being able to stand in this Assembly and say virtually anything and not be held to civil account and in fact not be held to intimidation is a rare privilege and one that has evolved literally over centuries. Our constituents and electors would be poorly served if that privilege were to be diluted in any way. Certainly with the privilege comes the equally weighty responsibility that we should never abuse that privilege. We should never say things, especially as we've talked here in the House, about people outside the House that might unnecessarily damage reputation, character, business, or other matters related to individuals. That's the first principle here to be considered.

There is another principle, and that is that in this House, though we do not have to be threatened with legal matters, depending on what things we say here or no matter what we say, there's also a long-standing principle and a long-recognized tradition and a recognition that sometimes things can be said that offend people. Other members can rise in their places, and in spite of the freedom that we have to say whatever we will, we can be asked to retract a statement that was made, retract words or clarify intent, and in fact if people were offended, we can be asked to apologize for the offence.

2:40

Many times in the Assembly we see that happen with members on both sides who for any variety of reasons say something, and then on consideration or after being challenged about the things they say, they give it some sober second thought, if we can use a senatorial phrase, and in fact they apologize for the statement. In

those cases, no matter how strong the feelings were or how deeply the people were offended, there's another long-recognized, long-standing tradition in the House: when an apology is given, then in fact the members recognize that. They take that at face value and at the word of the individual apologizing, and the matter is then dropped.

I would suggest in this particular case, Mr. Speaker, that the least we could do before proceeding to referring this matter to the Standing Committee on Privileges and Elections is to afford to a citizen of this province, however our individual feelings or in fact emotional feelings might be on this matter, that same opportunity. I say that in recognition of the fact that there was correspondence that was tabled following the initial correspondence which gave rise to the offence and in fact to your ruling which seemed to indicate on the part of the offender, in this case Mr. Burgener, a desire to clarify the intent of the original offensive piece of writing.

So with that in mind and thinking that the very least we can do is afford that privilege to a citizen of this province, I am proposing an amendment to the motion, which has been distributed. I think all members have it. I'll just read it into the record. I would move that we delete all the words after "Be it resolved that" and insert the following:

This Assembly recognizes that a prima facie case of privilege was found to exist by the Speaker of the Legislative Assembly in his ruling on Thursday, March 21, 1996, and as such this Assembly orders that unless Mr. Robert Burgener, on behalf of his client Mr. Robert Talbot, apologizes to the Legislative Assembly by way of letter to Mr. Speaker within five sitting days of the passing of this motion, the matter be expeditiously referred to the Standing Committee on Privileges and Elections, Standing Orders and Printing, that adequate financial and human resources be provided to that committee so that the committee can call witnesses, cross-examine witnesses, require the administration of oath thereto, and further that the committee determine such further rules and procedures to ensure "the safeguards and privileges which every man enjoys in any court of the land".

When you break it right down, we are prefacing the Member for Calgary-North West's original motion with the words "asking for an apology," and we've inserted the five sitting days, not wanting to confuse the matter of the 30 days referred to at the end of the motion of the Member for Calgary-North West, showing the intent of the Assembly wanting to reflect the intent that the matter be dealt with at some point if an apology doesn't come forward. Then the word "expeditiously" has been inserted before the words "referred to the Standing Committee on Privileges and Elections." So we are agreeing with the intent of the motion, that it needs to be dealt with, but recognizing that a citizen should have the same opportunity as each of us do in cases like this.

I would now move this amendment to this motion.

MR. DICKSON: Speaking to the amendment, Mr. Speaker, the concern I have with the amendment is that it seems we're putting the cart before the horse. The law and the practices, I would submit, are very clear, and it is this: once you've made a finding only that there's a prima facie case, barring some determination by this House, by this Assembly – and it has the power to do that – all you have is a prima facie case. Yet what the amendment would do – and it says very clearly "this Assembly orders that." You're extorting an apology from a member before there's ever been a finding that there's been a breach of privilege. It may well be that when Mr. Burgener on behalf of Mr. Talbot would appear before a committee of the Assembly, what we would hear would be some good reasons why there was in fact not a breach of

privilege at all. I mean, that's the purpose of having the secondary hearing. It is, I submit, a perverse situation to be in, where we hold the hammer over these two people insisting on an apology or we're going to take it to the next step. In criminal law this would be extortion, to try to get an apology from somebody or threaten them with a criminal offence. This is not a criminal offence, but it's a quasi-judicial matter because the committee is in fact the equivalent of being a high court. So I think it's not fair to Mr. Burgener and it's not fair to Mr. Talbot.

The letter that's referenced by the Government House Leader simply confuses the matter because there's no acknowledgement in that situation that there was a breach, no acknowledgement whatsoever. In fact, what we have, in the words of the Government House Leader, is a clarification. Well, I think what that does is it makes light, Mr. Speaker, of the very serious finding and the very serious allegation. I would suggest that the way this thing is worded really prejudices Mr. Burgener's and Mr. Talbot's guilt, and I don't think that's fair. If in fact these people are to have all the privileges and the rights that any accused person would have in any court in this land, then how could we in this Assembly deprive them of that right and that opportunity? Yet that's precisely what this amendment does.

I'd say further that we have a compounded problem, because it seems to me that the breach of privilege, if there is one, is both of the principal and the agent and the amendment here only addresses the agent and what the agent may or may not have done. My argument would be, if this went to the committee, that it may well suffice to have an apology from both the principal and the agent, but simply to have an apology from one doesn't suffice, wouldn't suffice, and doesn't meet the test. I have that concern also.

But my primary reason for voting against the amendment is that we create an extremely dangerous precedent. What we're allowing to have happen is in effect that the punishment meted out and, if you will, the price extracted from somebody who's charged with an offence before that person has ever been found to have committed an offence. I think that's unconscionable, and I can see how this sort of precedent could be used in other cases to deprive somebody of what Joseph Maingot has taken some 290 pages to tell us is an incredibly serious matter. So I think this would be an unfair and a frivolous treatment of something that warrants most serious consideration. For that reason I'd be voting against the amendment, and I'd urge every member to vote against it. This creates a precedent that I don't think this Assembly would want to live with, Mr. Speaker.

Thank you.

THE SPEAKER: To close debate . . .

MR. BRUSEKER: This is on the amendment.

THE SPEAKER: On the amendment?

2:50

MR. BRUSEKER: On the amendment, Mr. Speaker, yes, just briefly speaking to the amendment. The Government House Leader did in fact point out from *Erskine May* that if an apology is offered, then typically that does tend to resolve the issue. The concern I have with the amendment as presented today is that we don't know exactly what form that apology might take and whether or not that might be acceptable to the committee or to this Legislative Assembly. So I have some concerns about that aspect of the amendment.

Further in the amendment it deletes the last portion of my original motion. The Government House Leader in introducing it said that the word "expeditiously" has been added to the amendment, that the matter would be "expeditiously referred" to the committee. But the original motion, had it passed, Mr. Speaker, would have said that it would have gone directly to the committee and, further, that the committee would meet within 30 days, that some action would occur within 30 days.

The concern that I have, Mr. Speaker, with the amendment as presented – although it does portray, I guess, to a certain extent the tradition that if an apology is forthcoming, that tends to resolve the issue. As I said, we don't know what form the apology might be in or indeed whether either Mr. Burgener or Mr. Talbot is prepared to offer such apology, and in that event there is no direction in the motion as proposed to be amended by this amendment before us that in fact the committee would actually do something. It's one thing to refer it to a committee; it's something else, then, for the committee to actually proceed with some action in a forthright and direct manner. So from that standpoint I have some concerns with the amendment as before us today.

THE SPEAKER: The hon. Government House Leader to close debate on the proposed amendment.

MR. DAY: Yes, closing debate on the amendment. I can say and make a commitment to the Member for Calgary-North West that in discussion with our own caucus members there was genuine sincerity around the word "expeditiously," that if in fact there was no apology offered, our members would want to see this come to committee even before 30 days. So if I could put the member at some rest on that one.

In your own ruling, Mr. Speaker, if I can just quickly quote from it, you indicated:

The Chair would add that the Assembly may wish to consider the subsequent documentation by Mr. Burgener and that it appears there is no allegation in the statement of claim about remarks in the House.

You were careful to say that "it appears there is no allegation."

The Chair would also note that the Saskatchewan matter, when a similar situation came up,

was essentially cleared up when the lawyer sent a letter which was considered an apology for his offending letter.

I know the Assembly, if there was a letter in which the apology was not sensed to be sincere, could certainly deal with it at that time.

Those would be my remarks in closing debate on the amendment.

[Motion as amended carried]

THE SPEAKER: Before proceeding to the motion which the hon. Opposition House Leader gave notice of, it would appear to the Chair that perhaps Standing Order 38(2) should be waived. Would there be consent in the Assembly to waive the provisions of Standing Order 38(2) in order that the hon. Opposition House Leader can proceed with the motion?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Opposition House Leader.

MR. BRUSEKER: Thank You, Mr. Speaker. I believe the motion has been circulated to all members. "Be it resolved that Ken Nicol be added to the Standing Committee on Private Bills." As I said earlier, this is to replace the Hon. Nick Taylor, who has now moved to the Senate. This would simply bring the committee up to its normal complement.

[Motion carried]

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

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'll call the Committee of the Whole to order.

Bill 1
Agent-General Act Repeal Act

AN HON. MEMBER: Question.

THE CHAIRMAN: The question's been called.

MR. BRUSEKER: We're on Bill 1, Mr. Chairman?

THE CHAIRMAN: Yes, it is.

MR. BRUSEKER: Well, during second reading on Bill 1, I did ask a question of the government side with respect to the elimination of the concept of agents general and with respect to measuring devices and reclassification and so on. I think a review of *Hansard* will show that I posed some questions during second reading. I was hoping that at the Committee of the Whole stage indeed we might get some responses from the government side of the House with respect to questions that I raised at second reading. I don't intend to oppose the Bill; I'm just looking forward to some additional information, Mr. Chairman.

MR. DAY: Mr. Chairman, not having that information right in front of me, I would ask if the member opposite is confident enough that I will get that to him well before third reading stage. I would look to him for his assent to that.

MR. BRUSEKER: Certainly, Mr. Chairman. Knowing the House leader on the opposite side there to be the honourable gentleman he is, I'll look forward to those responses before third reading.

[The clauses of Bill 1 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

Bill 2
Alberta Economic Development Authority Act

THE CHAIRMAN: The hon. Member for Edmonton-Beverly-Belmont.

MR. YANKOWSKY: Thank you, Mr. Chairman. I am indeed

pleased to have this opportunity to respond to concerns raised during second reading debate by the hon. Member for Calgary-North West. The member queried the issue of membership in the Alberta Economic Development Authority. I have already noted the tremendous leadership the advisory body has in its three co-chairs: Mr. Eric Newell, chief executive officer of Syncrude Canada; Mr. Doug Mitchell, a noted Calgary solicitor and a highly respected member of that city's business and legal community; and Ms Charlotte Robb, vice-president of the Canadian Imperial Bank of Commerce.

This nonpartisan authority enjoys voluntary membership from across the province, Mr. Chairman, most of whom actually represent other groups and associations. In other words, the members of the authority are senior members of the business community and hold their appointments as representatives of a broader constituency.

Let me offer some examples, Mr. Chairman. The Alberta Economic Development Authority invites membership from the Alberta Construction Association, the Association of Professional Engineers, Geologists and Geophysicists of Alberta, the independent power producers of Alberta, the Canadian Manufacturers' Association, the Canadian Federation of Independent Business, the Bassano growers' association, the Environmental Services Association, and the association of economic developers of Alberta. This is certainly representative of a wide variety of sectors in Alberta's economy.

3:00

Where members do not represent associations, they are appointed to represent major economic drivers in our economy. For example, we have membership from some of the largest corporate entities in this province: Syncrude Canada Ltd., Nova Corporation, Interprovincial Pipe Line, Dow Chemical, Celanese Canada, Union Carbide, Inland Cement, and many others too numerous to mention. The authority also has representation from Alberta's aboriginal community, universities, postsecondary institutions, and organized labour. Finally, there are respected individuals successful in some area of practice who have been nominated to serve.

All of these talented people have been nominated at one time or another by a committee of the Economic Council, the nominating committee, which makes recommendations to the Minister of Economic Development and Tourism, who in turn issues a ministerial order authorizing the appointment. So in fact what we have done is effectively say to the private sector, "You tell us who you need to represent the broad spectrum of the economy, and we'll endorse their appointment." It seems to me that the method of arriving at potential members of the authority certainly meets the test of fair and equitable review and evaluation. Nominations are considered by their peers in the business community, people already in the business of wealth and job creation.

As to the member's concern that the authority does not report back to the Legislature, this is incorrect. The duties of the Alberta Economic Development Authority are approved first in the Legislature, through both the Government Organization Act and the Financial Administration Act, and then to the minister responsible, the Minister of Economic Development and Tourism, and finally to the authority. In reverse order the authority reports to the Minister of Economic Development and Tourism and at least annually to this House through the tabling of its annual report or through the Committee of Supply during budget debate. So I don't quite understand where the member is coming from,

Mr. Chairman. If the Alberta Economic Development Authority is created by this Assembly, it is ultimately responsible to this Assembly. I trust this clarifies for the member opposite.

The Member for Calgary-North West also raised concerns about the authority writing bylaws to govern its operation rather than regulations under the Regulations Act. This comes as a surprise, Mr. Chairman. I was under the impression that the members opposite supported the process of deregulation, not the creation of new regulations. Certainly the members of this authority have the good common sense to govern their day-to-day affairs through their own bylaws. These matters don't need to clutter up the legislative process. I find it somewhat insulting to a body like this to be created by the Legislature but then to turn around and stifle the process by making their every operating practice subject to the cumbersome process of regulatory control. To bind the authority by regulation would be overkill. I think these people have enough ability to govern their own affairs without the House being worried about when or where they hold their meetings or what constitutes a quorum. Regulations simply aren't warranted.

The Member for Calgary-North West is entirely correct when he says that this Act legitimizes the role of the authority. It does. Furthermore, it says once and for all that this government wants a true partnership with business. If we want to ensure the future economic growth of Alberta and sustainable economic development, this government needs to work very closely with the private sector. This Bill says loud and clear: we want to work with the private sector, we will work with the private sector, and together we will create the environment for wealth and job creation in Alberta. Let's not confuse the role of the public sector and the private sector. Both have separate and distinct responsibilities, and both have to work together. This is what this Bill contemplates. There is no overlap and duplication, as the Member for Calgary-North West would suggest.

I trust these answer the questions posed by the member opposite. Once again, I urge passage of this Bill. It is time for this government to formalize a true partnership with the private sector. It is a tremendous opportunity, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. Speaking to Bill 2, the Alberta Economic Development Authority Act. I find it interesting that in his comments the member opposite talks about: if the authority is created by this Act. Well, the authority has been created and has been in force for some time, so all that this Bill does is actually give them the legislative authority which I guess they lacked in the past. We already have copies of news releases from the authority dated as early as Friday, April 28, 1995, nearly an entire year ago, wherein they come up with three primary recommendations and then some secondary recommendations that go with those as well. So the authority, in fact, is already created.

The member opposite did address some of the concerns that I raised with the Bill at the time, Mr. Chairman. It is not my intention to oppose the Bill. Number one, I think this concept is certainly one that seems to have worked well for the city of Calgary, from where the original concept arose. And number two, from the membership that I am aware of, at least, of those individuals who are involved with the authority to date, certainly I have some belief that those members will do their utmost to develop and promote the economy in the province of Alberta.

Having said that, I do have a couple of concerns with the Bill,

as I have raised at second reading and as I wish to address at this particular time. When one looks at section 2 of the Bill, Mr. Chairman, section 2 establishes the authority, or gives legal credence to the establishment of the authority, and it outlines who the members of the executive, the board, and the council will be under sections 2(2), 2(3), and 2(4). Then it talks about "the Minister may prescribe the term of office," and it talks also that this is basically a volunteer board, in section 2(6), and that all the remuneration that will be provided will be to cover the costs of expenses. I have some concerns with that concept because really it does leave it very widely open ended in terms of numbers of individuals who might be on this board. You know yourself that the bigger the committee, usually the more cumbersome the committee is. This committee could – not the committee; I guess it's the authority. Of course, an authority or a committee would work much the same way: it could get very large. We don't know, then, how long these people are going to be prepared to provide their volunteer services and time to such a committee, and therefore the section that talks about prescribing the term of office should be something that is well known in advance.

Mr. Chairman, the other section that I had some concern with, section 3, deals with the powers of the committee. Really, as one reads through that section, this is strictly an advisory body. There will not be any real legislative authority to mandate expenditure of money and so forth, which is appropriate. This authority should not have any legislative authority. That's why we have a minister of economic development, to look after those kinds of details.

The section that I do want to raise once again, as I did in second reading, is section 4(2), which reads: "The Regulations Act does not apply to by-laws made under subsection (1)." Now, the member opposite seems to think that if we do have the Regulations Act applying to bylaws, that would somehow increase the number of bylaws that would be required by this authority. That, I would argue, is not the case. All that that would do would be simply to require some standardization format to any bylaws that are made.

So having raised those concerns, Mr. Chairman, I do want to propose some amendments that I have for the Assembly. I have three amendments. For the purposes of conservation of paper I put all three on one sheet of paper. I will just pause for a moment while those are distributed to yourself, sir.

3:10

THE CHAIRMAN: Hopefully most members have received their copy of the proposed amendments by Calgary-North West. You're going to move all three and then discuss one?

MR. BRUSEKER: I'd like to move them one at a time, if I might, Mr. Chairman.

THE CHAIRMAN: All right. So the first one is A1. Go ahead.

MR. BRUSEKER: On the sheet as distributed you'll see, Mr. Chairman, that there are three amendments. I'd like to speak to the amendment that is identified as number 1, that section 2 of Bill 2, the Alberta Economic Development Authority Act, be amended by adding a new section that would be after subsection (6), which would be numbered as (7) and which reads:

Notwithstanding subsection (5), if an appointment under subsections (2), (3), and (4) is not confirmed by the Legislative Assembly within 180 days after the next ensuing sitting of the Legislative Assembly, then the position shall be deemed to be vacant.

Mr. Chairman, just speaking to that amendment to Bill 2, the purpose of that is that when members are proposed under any one of those sections, this in fact should come back to the Legislative Assembly, simply to be ratified by the Legislative Assembly, within six months of the Assembly resitting once again. So if an appointment, for example, were to be made in October and the Legislative Assembly were not at that time sitting, at some time in the spring session the following year, whenever that might be, there would be a motion simply confirming the membership of this, just in the same kind of fashion, I would expect, as we do with our own committee membership here in the Assembly.

This would in no way inhibit any appointment by the executive of the authority. It simply ensures for an open and accountable government that the membership of this authority would be made public. Since all of these members are volunteers and are providing their own time, in a sense it may even give them the opportunity to receive a little bit of recognition that they are giving their time to this authority to help the minister of economic development in working on an economic development theme and scheme for the province of Alberta.

Indeed, the authority currently is at a stage where they are drafting and have gone through a number of iterations of a strategy for economic development in the province of Alberta. I think that when this is finally produced and the document ultimately made public, the members who have given so much of their time and of their efforts and energies to develop that should receive some kind of recognition.

This amendment, Mr. Chairman, small though it might be, would serve to make the names of those members public and would, I'm sure, be a list of names many of whom would be known to Members of this Legislative Assembly. Therefore, as I said, it would not impede but may in fact promote the operation of the Economic Development Authority.

With that, Mr. Chairman, I will move amendment 1 on the sheet as distributed to members.

THE CHAIRMAN: On amendment A1, the hon. Member for Edmonton-Beverly-Belmont.

MR. YANKOWSKY: Yes. Thank you, Mr. Chairman. I thank the member for bringing forward these amendments. A little late, I must say. The Bill was given second reading quite some time ago, and the person presenting the Bill should have the amendments a little beforehand so that we can look at them. Anyhow, that's all I have to say. I'd call the question.

THE CHAIRMAN: The hon. Member for Fort McMurray on amendment A1.

MR. GERMAIN: Thank you very much, Mr. Chairman. I'm going to speak only to the first amendment. The first amendment basically is to ensure Legislative Assembly approval . . .

THE CHAIRMAN: Hon. member, you are right. We are only on the first amendment.

MR. GERMAIN: Yes. And at the end, when the amendments have all been approved, then I'll be able to rise and express other concerns generally that I have about the Bill. That's how it'll work, I presume; right?

So what I'm going to do, Mr. Chairman, is ask this hypothetical question. The hon. Member for Edmonton-Beverly-Belmont

says no. Well, I turn that around and I say to him: why not? Why not? What is fundamentally wrong, Members of this Legislative Assembly – and I want to tell you why it's of benefit too – for a minister's appointment made to this Economic Development Authority not being confirmed by the Legislative Assembly of Alberta within 180 days? Okay; let's talk about the timing. First of all, the six months. We always meet here at least every six months because of the way the structure is set up, so timing could not be a problem. So what could the problem be? Could the problem be that the Legislative Assembly might reject the appointment? I mean, if the appointment is sound, if the appointment is meritorious, if the individual is a dedicated man or woman committed to the betterment of the province of Alberta, what would the Legislative Assembly reject the appointment for?

Let's also look at it from a strictly numerical strategic point, Mr. Chairman. The government, which is in control of the Legislative Assembly the last time I counted, has a majority of seats. If they were solidly behind the appointment of their minister, what would be the downside of that positive recommendation and positive vote of authority?

Now let's talk about some advantages that that individual might have. Whether it be a judicial appointment, whether it be an appointment to a public health board, whether it be an appointment to a police commission, there is nothing more important that legitimizes a selection process than a group to whom you have to report endorsing your appointment and saying, "Yes, we endorse your appointment and you are legitimately a member of this Economic Development Authority."

Now, if the hon. mover of this Bill wanted informality, he should not have brought the Bill forward. He should have said – if the Premier is going to have a kitchen table cabinet or an economic development advisory group to advise the Premier and the minister, then none of this was necessary. We have to remember, Mr. Chairman, that this is the government's second Bill of this very, very important session. This is their second Bill, so obviously they have some desire that it be a good piece of legislation, that it receive wide community acceptance, and that it be worthy of that key spot, number two in their batting order. This is the second most important piece of legislation that they could come forward with this year, the first piece, of course, being devoted to repeal of the agents general, Bill 1, which we just finished voting on. So in the context of this very important circumstance I ask all members of the Legislature what, if any, downside there could possibly be to accepting this amendment. There is absolutely none.

3:20

Now, last week, ladies and gentlemen of this Assembly, we had some debate both within and outside the Legislative Assembly and on the streets and corners of your constituencies and all across Alberta. There was some debate, and it was editorialized as: is this Assembly still working? [interjection] Well, if the hon. Government House Leader wants to criticize those editorial writers that raised that very issue in the editorial pages on the weekend, if he wants to criticize their editorial approach, he can meet with their editorial board, Mr. Chairman.

But the point I'm making is that one of the things we all have to do in this Legislative Assembly is remember that nobody has a captive audience on good ideas. Frankly, I've never viewed it as a sign of weakness or disgrace on my part to grab somebody's idea that's good and work with it. In fact, the government does that all the time, but they try to make it more subtle, and they have such subtle toys, such as taking a Bill off the Order Paper

and then bringing it back later with the amendments incorporated.

Why just last week it seems to me that a Premier of this province got around to talking about jobs. Well, by golly, in 1993 when I campaigned on the doorsteps up in Fort McMurray, people were concerned about jobs. How do jobs affect this amendment is what you're thinking, Mr. Chairman, and is what I'm about to deal with. All of the members of the economic development committee are high-profile Albertans, and they almost all have business with the government. There is nothing worse for those good men and women who are put on this board than to have their appointments constantly criticized by virtue of the allegation of patronage, to be criticized by virtue of appointments in secrecy, to be criticized by virtue of an appointment that was not scrutinized by this Legislative Assembly. So I say to all of us here today that for the sake of those good men and women who will later sit on this board . . .

MR. RENNER: A point of order.

THE CHAIRMAN: The hon. Member for Medicine Hat on a point of order.

Point of Order Questioning a Member

MR. RENNER: Under *Beauchesne* 42 I wonder if the member would entertain a question in debate.

MR. GERMAIN: Certainly, Mr. Chairman.

Debate Continued

MR. RENNER: I wonder if the member would like to comment on the process that goes on in the United States with their congressional committees that review the presidential appointments and the character assassination associated with those committee hearings, and how that would relate to this amendment.

MR. GERMAIN: The member asks a very fair question, and that is: would a ratification motion in this Assembly become similar to a character assassination, as he describes it, in the various Houses of the Congress of the United States and on their congressional committees? We have many differences between the parliamentary systems in the United States and in Canada, Mr. Chairman, not the least of which is our respect for one other and our temperance and moderation in all that we talk about. We presently appoint numerous standing committees of this Legislative Assembly, and frankly we do it with very little fanfare. I don't stand up and criticize the appointment of the hon. members from Red Deer on various committees, and I don't stand up and criticize the appointments of the various members on the Premier's committees. I only suggest that the partisanship be removed from them. Frankly, the reason that those hearings get out of hand and the reason that ours would not get out of hand is because in those hearings the elected officials have the ability to call and subpoena witnesses before the bar, and while you raise an interesting debate issue, our amendment was not proposing to go that far.

So that, I would think, Mr. Chairman, is the answer to that hon. member's question. And the next time I rise in this Legislative Assembly and ask another member if they would entertain a question, I know they will exhibit the same open-spiritedness and candour that I believe I've just exhibited on that.

Now, other members here want to speak to this issue. It is

important that people get heard on the record on this issue, because this is an issue that speaks to open government; this is an issue that speaks to accountable and fair government. I would want to know why any Member of this Legislative Assembly would diminish their own authority by voting against this particular amendment. If you genuinely believe that you're here for a purpose and you genuinely believe that you're here to represent the viewpoint of your constituents, there can be absolutely no downside to this amendment and numerous upsides. The upside is that you legitimize each and every appointment, you bring it out into the open, and those good men and women who sit on this board will no longer have to bear the lashes and the whips of allegations that their appointment was made secretly by a minister privately and behind closed doors. Let's throw the doors open, Mr. Chairman, and vote for this amendment.

Now I'm going to sit down, because I know that others are ready to speak to this amendment.

THE CHAIRMAN: We have, then, under consideration amendment A1 as moved by the hon. Member for Calgary-North West. Those in support of this amendment, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: The amendment is defeated.

[Several members rose calling for a division. The division bell was rung at 3:28 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Hanson	Sapers
Bracko	Hewes	Sekulic
Bruseker	Kirkland	Van Binsbergen
Chadi	Massey	Wickman
Collingwood	Nicol	Zwozdesky
Germain		

Against the motion:

Amery	Friedel	Oberg
Black	Fritz	Paszkowski
Brassard	Gordon	Renner
Burgener	Haley	Rostad
Calahasen	Herard	Severtson
Clegg	Hierath	Shariff
Coutts	Hlady	Stelmach
Day	Jacques	Taylor
Doerksen	Jonson	Thurber
Dunford	Langevin	Trynchy
Evans	Mar	West
Fischer	McClellan	Woloshyn
Forsyth	McFarland	Yankowsky

Totals: For - 16 Against - 39

[Motion on amendment A1 lost]

THE CHAIRMAN: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. On the sheet that was distributed earlier to members, there is a second amendment, which proposes to amend section 4(2) of Bill 2. It would delete the words "does not apply" in that line and substitute instead the word "applies."

Now, Mr. Chairman, the impact of that amendment would be that the Regulations Act would apply to any bylaws made by the authority under subsection (1), which talks about committees, quorum, the conduct of business, and so forth. So indeed what it does is it provides a framework, provides guidelines, if you will, for the authority in terms of creating its bylaws. Therefore, I would encourage all members to give support to amendment A2 before them on the paper today.

3:40

THE CHAIRMAN: Hon. members, it is a bit difficult to find out who's standing for the speaking order and who's just standing.

We have before us amendment A2. Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Chairman. I will just add a few brief words to the very, very pithy comments of the hon. Member for Calgary-North West. Now, this particular amendment is important because it protects, again, the Economic Development Authority. Each and every member of the Economic Development Authority is in a situation where they are high-profile business leaders from the Alberta community, and they also through their organizations and businesses often on a day-to-day basis conduct business with the government. This is appropriate for them to do. They are, after all, businesspeople that are advising the government on a no-pay, no-reward basis in a direct-reward situation, so it is very honourable and ethical that they do so.

This economic development committee above all will need a clearly defined set of ethical guidelines published in their bylaws so that each and every member of the committee will know what's going to be expected of them when their particular field of industry is involved with the government and when they are also advising the government on long-range strategic planning policies, whether it be in energy, in forestry, whether it be in retail sales, in manufacturing, in agribusiness, in value-added food processing, in science, research, and technology. It is a tight network of everybody exchanging their ideas, and maybe years later they'll be on the winning side of some of the economic advantages that flow from the incorporation of their ideas.

It is therefore important, Mr. Chairman, that clearly the bylaws and the rules that govern them, particularly in areas where they would have an obvious potential conflict of interest between advising the government in their industry and direct benefit to their industry, must be documented clearly, must be open and accountable, and cannot be left up to secret bylaws. I say to all Members of this Legislative Assembly that for the protection of the people you're going to ask to work for zero remuneration, put this in here. What is this? What is the downside, again, to this particular amendment that their bylaws be published in the *Alberta Gazette*, where people can have access and recourse to them?

The hon. Member for Edmonton-Beverly-Belmont is simply wrong when he says that it will lead to formalization. He mentioned that in his original commentary on this comment relating to this amendment. It is not formalization because we are not dictating when the authority have bylaws. We are not dictating what the bylaws are. We are not dictating what the content of the bylaws are. We are simply saying that when you have them, publish them in the *Alberta Gazette* so that anybody

can see them. There is absolutely no downside to this particular amendment, and I urge all members of this Assembly to vote for the amendment.

THE CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. I also rise in support of this amendment. The reason I leap to my feet to join in debate on this amendment is that I over the course of the past five or 10 years have had the honour of sitting on many boards of nonprofit societies. In fact, in one of my most recent directorships with a nonprofit I was charged with the responsibility of . . .

THE CHAIRMAN: I wonder if we could keep it as quiet as this while the member is speaking.

Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. As I was saying, one of the most recent responsibilities I had or that I was charged with was as director of bylaws, rules, and regulations for a fairly large nonprofit within the city. What puzzles me is that here we are creating an authority through legislation yet exempting it formally from the publication of their own bylaws or the governing rules by which they will operate. Yet when we take a look at the parallel in the other aspects of organizations in Alberta – in particular, I refer to those that fall under the Societies Act – they must all formally submit on an annual basis their bylaws if there are any changes. Here we're referring to nonprofit, to volunteers which give of their own time, yet the rules by which they are governed must be formally submitted to consumer and corporate affairs on an annual basis. Once again, when the membership of that organization may choose to amend them, then they must inform the consumer and corporate affairs branch, which keeps them on record, and those bylaws are a matter of public record.

I think it's really very important that when we do create an authority such as the Alberta Economic Development Authority, we make the same provision, that the bylaws by which they are governed are a matter of public record. This shouldn't become a cumbersome task for the authority; rather it's just, I think, the regular and formal procedure which many organizations, particularly nonprofit organizations, go through on a regular basis.

I have met and spoken with many of the individuals that sit on the authority, and I have the greatest respect for these Albertans, because like other volunteers they are giving of their time to try to make Alberta a better place to live. They're providing the government with I think many solid recommendations. In fact, I think that if you were to pose this very amendment to the majority of the members of the authority, they would say: "Why not? There's no reason not to comply with this very friendly amendment."

So based on those thoughts, those arguments that we have, the parallel requirement for all nonprofits, and based on my impression of the individuals on the authority and the fact that they would be supportive of this amendment, I can't see any arguments against this very, very friendly and responsible amendment.

With those comments, Mr. Chairman, I'll take my place, and maybe some other members will be speaking.

[Motion on amendment A2 lost]

THE CHAIRMAN: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. Being unfazed by those first two tries, I will propose amendment 3 that is on the

sheet before us, which proposes to amend section 7(1) of Bill 2 by adding the words "having first been recommended by the Legislative Assembly." The reason for the amendment is that if you look at Bill 2, in particular at section 7(1) that this amendment proposes to change, the current section, if unamended, allows for the continuance of a piece of legislation solely at the discretion of cabinet. Now, I believe that to be fundamentally undemocratic.

What I look at in this particular piece of legislation is the idea that legislation, the existence of a piece of legislation, will be determined by somebody other than this body, the Legislative Assembly. In fact, if you look at the amendment, then, it suggests that if the Act is to continue, then the continuance or noncontinuance of the legislation would have to be recommended by the Legislative Assembly. What it does is it brings back to this Chamber, to the members, whoever they will be in the year 2005, on March 31 of that year this Bill 2, the Alberta Economic Development Authority Act. It brings it back to the Legislative Assembly to be continued or discontinued. That's the purpose of the amendment. The reason for doing that is simply that by having a piece of legislation determined by cabinet, that is an appointed body – that's how cabinet members get their tasks, their titles, of course; they are appointed by the Premier of the day – the cabinet would be making a decision about the continuance or noncontinuance of this Economic Development Authority behind closed doors. So, Mr. Chairman, this amendment proposes simply to bring back this continuance or noncontinuance of this authority to the Legislative Assembly.

3:50

I hope that the proponent of the Bill, the Member for Edmonton-Beverly-Belmont, has had someone send him some notes now so that he can speak to this. I take it he's overwhelmed by these amendments. I assumed he could think on his feet, but apparently I was wrong in that judgment, and I apologize for granting him that skill that I didn't think was there. So I hope that he will speak to this amendment, which defends the concept of the democratic principles on which all of us have run to get into this Legislative Assembly.

THE CHAIRMAN: The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Chairman. I don't think it'll come as a surprise that I am in favour of this particular amendment, which is number 3, as I was in favour of amendments 2 and 1. All these amendments are geared towards providing more openness to the business of government, and I think it's sadly lacking. You know, when we're talking about whether an Act ought to continue in force or not, then we clearly are talking about legislative business, and that is the business of the Legislative Assembly, not of a cabinet committee.

Mr. Chairman, I'm quite frankly appalled that members opposite don't seem to understand that that undermines the importance of this Legislative Assembly, that in fact it undermines the importance of the democratic concept. The disdain that some of these members opposite seem to have for this Legislative Assembly I think is evidenced by the fact that nobody even bothers to speak against these amendments. I mean, if they are that bad, why don't you have at least the guts to tell us that?

Mr. Chairman, I don't often get incensed, but I do want members to know and I do want Albertans to know that we're trying to improve this Bill. If perchance we are coming out with the wrong proposal, then I would like to know about that. But I

think until that time, this is the right way to go. Therefore, we ought to stick to it, and I defy the members opposite to put us straight if they think we're wrong.

Thank you.

THE CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. It's hard to follow on the heels of such a passionate plea for co-operation on this positive amendment. As you can probably guess from those initial statements that I've just made, I'm very much supportive of this amendment.

[Mr. Clegg in the Chair]

Mr. Chairman, one only need flip through the Bill to see that the Bill has good potential to be positive for Albertans and the Alberta advantage, which is so often used. What does that mean? Well, I think it can act in a way that the recommendations from this group can seek areas of investment or areas of opportunity for existing Alberta enterprise. So I see many of the possibilities of this authority as positive.

The authority itself and the way by which the authority exists, Mr. Chairman, are two separate issues. Once again, I would say that if you were to poll a number of the members of this authority and ask them for their opinion on this friendly amendment that's being put forward by the opposition, they would have no trouble with it. The individuals I've spoken with who are on that authority are very reasonable, and most of them want to do what's right for Alberta. They wouldn't see this as any barrier or hindrance or as frivolous or any of the other terms that often fly this way when the opposition is attempting to provide the government with what I think are reasonable alternatives or perhaps in some cases cautions as to what should be done.

The one defence that I can think of – and a legitimate defence perhaps – would be a positive response to the question: are there other instances of such provisions either in other Alberta legislation or, for that matter, federal legislation? I certainly haven't come across them. This seems to be unique to this Bill, and consequently I think it is stepping outside the bounds of what I consider the democratic and legislative process that we have honoured in Alberta for many years. It's only in recent years that we've – not we collectively, but certainly there has been a change in the democratic course, Mr. Chairman.

I once again want to say that there is a clear delineation or a differentiation between the work of the authority under this Act and the way by which the authority can perpetuate its existence or can be perpetuated in its existence. So I would just caution the Member for Edmonton-Beverly-Belmont. Maybe he did not intend to in fact give cabinet the authority to either form or perpetuate legislation without bringing it back to this Assembly, and maybe that was an oversight which he will look to correct. Once again, if I had to put in a defence for this amendment, I would say that we need not look further than many of the board members of the authority or the membership of the authority. I would hazard a guess that they would be supportive of this amendment.

So, Mr. Chairman, with those few comments I will take my place and provide another member an opportunity to speak.

THE DEPUTY CHAIRMAN: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much. Mr. Chairman, it's again a pleasure to stand up and speak in favour of this amendment. To refresh all Members of the Legislative Assembly, what we're seeking to amend is the extension of a sunset clause on a piece of legislation. We're not saying that the Legislative Assembly has to decide whether the Bill dies. We're only saying that if the Bill does not die in 2005, which is the sunset clause built into it, it cannot be extended unless an order in council has the affirmation of this Legislative Assembly.

I want to say again to all members who might be inclined to vote against this particular amendment: why? What is so bad about ensuring that this Legislature takes part in a debate on extending its own laws after a period eight years hence? I ask this hypothetically to the hon. minister of transportation. How could he door-knock in his constituency and say that he refused an opportunity for the Legislative Assembly to decide whether a Bill that is set to expire will be given additional life? I say to the hon. Member for Calgary-Fish Creek: how could she defend voting against this particular amendment at the door?

The amendment does not automatically extend the Bill. Quite the contrary. The Bill dies as scheduled. How could the hon. Member for Drayton Valley-Calmor defend voting against this amendment at the doorstops and doorsteps and town halls in his constituency? There is absolutely no downside. [interjection] Oh, one hon. member from his chair says: wasting the time of the House. Well, with respect, hon. member, I would be grateful if you would stand up when I've finished my debate and reaffirm on the record that debate on whether a Bill should be extended or not is a waste of the time of this Legislative Assembly. Surely most of the time we spend here is determining whether Bills will have life breathed into them. Why shouldn't we also have an opportunity to debate whether a Bill will continue? Why? If it is that you don't want this amendment to come from the opposition, have the courage to stand up and say that and promise to bring in the amendment next fall, and we'll sit down and go home. These amendments have been brought forward in the hope and expectation that you will be wise enough in this Assembly to grab the ideas that are good when they're going by and incorporate them and deal with them in a fair and upright way.

4:00

In a minute here, ladies and gentlemen, we're going to have a standing vote on this issue. Why would anybody in this Assembly vote against this particular amendment? There is absolutely no possible reason; there is no possible argument. If I've missed something, if there is an argument, for Pete's sake would someone stand up and articulate the argument so that we could consider those words. With that, Mr. Chairman, I will take my place on this particular amendment.

THE DEPUTY CHAIRMAN: All those in favour of amendment A3, in section 7(1) by adding "having first been recommended by the Legislative Assembly" after "Lieutenant Governor in Council," please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY CHAIRMAN: Opposed, if any?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: The amendment is defeated.

[Several members rose calling for a division. The division bell was rung at 4:02 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Germain	Sekulic
Bracko	Hewes	Van Binsbergen
Bruseker	Massey	Wickman
Chadi	Nicol	Zwozdesky
Collingwood	Sapers	

Against the motion:

Amery	Haley	Paszkowski
Black	Herard	Renner
Brassard	Hierath	Rostad
Burgener	Hlady	Severtson
Calahasen	Jacques	Stelmach
Coutts	Jonson	Tannas
Doerksen	Langevin	Taylor
Dunford	Lund	Thurber
Fischer	Mar	Trynchy
Forsyth	McClellan	West
Friedel	McFarland	Woloshyn
Fritz	Oberg	Yankowsky
Gordon		

Totals:	For - 14	Against - 37
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[Motion on amendment A3 lost]

MRS. ABDURAHMAN: Mr. Chairman, I rise to speak in favour of the Bill but with some disappointment that this government couldn't see the wisdom of adopting the amendments that were brought forward by my colleague. I firmly believe that it would have enhanced the Bill if these amendments had been carried and indeed would have reinforced the significant role that the Legislative Assembly should play when it comes to appointments. This has to be a priority with regards to the future of the province of Alberta. We certainly see the need for a very proactive Alberta Economic Development Authority, and this Act is indeed one way of achieving that.

It's unfortunate that we had not put a greater focus in promoting Alberta in an all-encompassing way, Mr. Chairman. I can remember well, going back to my mayor days, trying to convince that we should be marketing not just the Edmonton region with one voice but in fact Alberta when we go out to the Pacific Rim or to Europe, that if one part of Alberta benefits, in essence we all benefit. What I saw was the pool of money, the pot, being divided up, where you weren't getting the most effective use of your economic developments, whether it be the city of Fort Saskatchewan, whether it be Strathcona county, whether it be the city of Edmonton, or whether it be Red Deer. So I certainly will support this Bill, as I'm sure many of my colleagues will, even though the very meaningful amendments were not carried.

We have to acknowledge that the Alberta advantage that this government keeps promoting isn't necessarily in the oil and gas or the petrochemical sector. They're not large employers. It's interesting to see, with the petrochemical industry and the new technologies, the fascination when you go into these plants and see their operations, that in fact one person can do what a large number of people did a few years ago. So you see that large

employment base being eroded because of new technologies, and I have been really disappointed that when we've been talking about the Alberta advantage and diversification of the province of Alberta, we've really been so slow in attaining what I call the job generators being attracted to this province. Quite frankly, through this board I sincerely hope that we'll stop exporting or seeing the migration of our resources leaving this province and that we'll indeed start to see more of this so-called value added create employment right here in the province of Alberta. We'll have a wonderful future for the province of Alberta by the turn of the century if we allow that to happen.

You know, Mr. Chairman, there's another component. In fact I would say that there are two components that go with this Bill. You can put all the money you want behind economic development, but if you don't have the natural resources - and as Senator Taylor has said many times, the resources that we're talking about, that he was talking about are found between your ears. It's the natural resource of your intelligence that we have right here in this province of Alberta, and that comes through having the best education system. We're seeing that eroded. So on one hand, I'm optimistic about Bill 2, but on the other hand, we're not walking the talk when it comes to ensuring that we've got the very best education system. Looking at what's happening in advanced education, I see people being quite frankly disillusioned: going for their education and at the end of it there's no job. The other thing is that we've got to make sure that the moneys that are going into our secondary educational system are being put into programs that are futuristic, that are going to meet the marketplace in the year 2000, Mr. Chairman.

So I hope that this government will use the initiative of pulling all the resources when it comes to economic development across this province to be aggressive out in that global marketplace. I can remember when I was mayor and I was in Toronto. Because there was a tiff going on between the Getty government and the federal government, Alberta wasn't there. There was no presence; the province of Alberta wasn't there. The city of Fort Saskatchewan was there, but we didn't have the resources that we needed, which was translation, people that could speak the languages of the people that were from around the world looking at potential markets in the province of Alberta. So there we were, this childish behaviour: we've got to have a fallout with the feds to make us look good politically. That has got to be set aside when you're looking at marketing your province and marketing Canada out there to attract investment here. We've got to work together from one end of the country to the other. I hope that with this Bill 2 we'll start to see some of that coming-together, setting the old fallouts aside and working with the federal government for the good of Canada and the province of Alberta.

So, Mr. Chairman, I will support this Bill, but it could have been strengthened. Once again we see a government, because the amendments are coming from the wrong side of the House, voting them down. I find that really childish and disappointing.

Thank you, Mr. Chairman.

4:20

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. I rise to speak once again because I am very supportive of this Bill. I would have been even more supportive if some of the amendments would have been considered, at the very least. The reason I do support this Bill: I believe this Bill is about diversification. It's an integral

part, I think, of planning for Alberta's future economy, that has evaded governments of the day for the last 20 years. I'm hopeful that the minds that have volunteered to sit on this authority and have been appointed to the authority can solve the problems that, like I said, have evaded government.

I'm curious to see, as this authority continues on its way, the recommendations that will come forward from it, particularly pertaining to investment in knowledge-based industry. We just within the last two weeks in this Assembly debated the estimates for a number of departments, Economic Development and Tourism being one of them. We discussed science and research. What we saw was that in fact over time this government has been investing less and less in the areas of science and research. If we do believe, which I think the majority in this Assembly do, that the future economy is one that is knowledge based, then perhaps this Alberta Economic Development Authority will advise the government in a manner that the government will see fit to take seriously the investments and the dollars that are directed in the areas of both science and research.

In the last 20 years – I know one of the things that upsets many Albertans and my constituents very much is when we export raw materials. Perhaps most importantly, it's not the raw materials and the export of those materials that they stand at odds with but rather the jobs that we export with those raw materials. If there is to be a job strategy, it's to capture more of the work that's associated with those materials in the refining stages here in Alberta. The Premier recently – I think last week – just in a talk suggested that the government's next platform is one of jobs. I'm encouraged that those thoughts are being conveyed and that that is an interest of the Premier. The opposition brought up and did an entire policy paper on jobs and job creation. We did that last year. So the fact that the Premier is now onto it some year and a half later does give me some hope, because no doubt, particularly in my constituency, there is significant unemployment. I think the Alberta Economic Development Authority can go a long ways in making recommendations to the government that may in the long run see unemployment go down and, as my colleague from Clover Bar-Fort Saskatchewan said, see more of the value added grasped and retained here in this province. If there's any way of defining it, I think it's that wealth generation can occur when we do exactly that.

So, Mr. Chairman, I am very pleased to support this Bill and eager to see many of the recommendations that will be coming forward from this body, in particular those recommendations that pertain to science and research, because, once again, it's in science and research that Alberta's future lies and where we will be wealth generating. We must move away from a Third World economy approach and must lead where I know Albertans can lead, because we have some of the best academic and research and scientific minds here, and we've got a proven record. It's time that we take those minds and start commercializing the products that these minds come out with. Most importantly, government must encourage that, not dissuade those minds from pursuing that type of work or in fact forcing them to migrate into other jurisdictions because the environment here isn't conducive to that nature of work.

Mr. Chairman, with those few comments, I'll take my place.

THE DEPUTY CHAIRMAN: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Chairman. I just want to

make a few comments about this Bill in general, following on the amendments we proposed. The member proposing the Bill has said that he's answered all of the questions that were posed at second reading stage. I referred back to comments that I made and the member himself made at second reading on February 20, 1996, as recorded in Alberta *Hansard*. Certainly when you look at the proposed goals and aspirations of this particular authority, I don't think anyone can disagree with the proposal of what it is the authority is to do.

At the time that second reading occurred, I asked the question of the member: why is this Bill coming forward at all? The authority has already been created. In fact, in his opening comments the Member for Edmonton-Beverly-Belmont says that the "Authority was created . . . in 1994." We've seen articles written in a newspaper called the *Edmontonians* talking about the new authority, a nice large picture of the co-chair Art Smith, one of the long-standing associates of the Premier. We've got the news release of this authority already occurring, as I said, nearly a year ago: Friday, April 28, 1995. So we've got an authority that's already created, we've got an authority that's already operating, we've got an authority that is meeting, we've got an authority that has come forward with three recommendations, we've got an authority that is involved with the Minister of Economic Development and Tourism in writing a new economic strategy discussion paper for the department: all of which is already occurring without any piece of legislation. Why do we have to have a piece of legislation at all at this time? The authority is already in existence.

Why are we spending the time of this Legislative Assembly almost two years after the fact, when the authority has already been created, to debate something that is already occurring? It just boggles the mind that somehow by passing this Bill, the Alberta Economic Development Authority is going to be any better or any different than what we have already. So the question I put forward again is: why is this Bill before the Legislative Assembly? This is the number two priority. After abolishing the agent general, this is the top issue. The second most important issue is to create something that's already existing. Well, to my way of thinking, that says that this is a government that quite frankly has run out of any fresh ideas.

The other question I have to ask is: why is it that today, March 25, we are debating in Committee of the Whole stage the Alberta Economic Development Authority Act, a Bill to give legislative authority to create something that already exists, when on the other hand we have the Minister of Community Development saying: well, okay, we want economic development, but we sure don't need a women's advisory council, so we're going to dump that one so somebody else can create another body somewhere else? I mean, where is the underlying consistency to this government? If they want advisory bodies, why do we have to have an advisory body, the Economic Development Authority, which I don't disagree with, Mr. Chairman, but why do we then dump another authority, the women's advisory council, which has been successful, which has come forward with recommendations, many of which are economic issues uniquely pertaining to concerns that women have in terms of getting a new business running, getting financing, and so on and so on? If we're going to deal with economic development issues, perhaps one of the recommendations that should come forward from this authority is a recommendation to the Minister of Community Development that he re-establish the Advisory Council on Women's Issues so that they can provide some input to the minister and have some input on economic development issues.

Mr. Chairman, the concept of an Economic Development

Authority, I guess, is fine. It sure seems to me that it's odd that nearly two years after the fact we have to have a piece of legislation to legitimize what the government has already done. Certainly the question has to be answered: why now? Why in this forum?

Thank you.

4:30

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Beverly-Belmont.

MR. YANKOWSKY: Thank you, Mr. Chairman. Thank you very much, members opposite, for your speeches and your amendments. I wanted to start off by addressing Calgary-North West's concern regarding: why this legislation?

Currently the Alberta Economic Development Authority exists under a ministerial order, which instills a sense of it being a temporary entity. Taking into consideration the voluntary aspect of its members, which number some 100, there is some kind of responsibility to this voluntary board that an Act of the Legislative Assembly is necessary at this time to give these members, who are giving freely of their time, a sense that they belong to something that has some sense of worth and permanency.

This Act will do just that, Mr. Chairman. It is straightforward legislation incorporating standard legislative drafting for an advisory board to the government. Because this is an advisory board, I want to remind members that we don't want to bind it with regulations. We want to give this board as much freedom as possible to operate. To bind it with regulations, some of the members on the board may then say: "Well, this is not what we thought this was going to be all about. We want to be there to give advice to the government. This is free advice, freely given of our time."

The Alberta Economic Development Authority board is strictly an advisory body. No member is bound by any collective vote. The government is not bound by any recommendations coming forward from that authority. The recommendations that do come from the authority would still have to be approved by all or some of the following: the standing policy committee, cabinet, caucus. If it appears as a Bill, then of course it would be fully debated right here in the Legislature by both sides. All members of the board are bound by normal rules that apply in general to any business meeting where decisions or, in this case, recommendations are made. Members are expected and do adhere to the guiding principles in the authority's bylaws. So I'll just close with that.

I just wanted to make some comment regarding Edmonton-Manning's comments. He indicated that he will be supporting the Bill. He talked about the authority being all about diversification, all about Alberta's economy, about jobs, and that this is a volunteer board. It is working. I want to add that it is working just fine, and it will continue to operate.

I would ask all members to please support this Bill.

MR. WICKMAN: Mr. Chairman, just very, very briefly. The concept of Bill 2, the Alberta Economic Development Authority Act, is good. The Member for Calgary-North West clearly spelled out some of the ironies of implementing by legislation what has been in place for some period of time.

When we look throughout the province at the economic situation, if any place needs any type of boost at all, it's right here in the capital city. We see that Calgary has some natural geographical advantages that those of us in Edmonton at times

envy. They have some natural geographical benefits that make it a lot easier to attract new industry from out of the province. They've had a mayor that has been gung ho, that has been seen as a very positive force in encouraging new business. We see the same thing in Fort McMurray, a city that tends to be fairly aggressive. We now have in Edmonton, of course, a mayor that is perceived to be much, much more pro business and gung ho than we've had previously.

So this Bill, even though it's questionable as to why it's in front of us at this time, as a previous speaker has pointed out, the concept of it is certainly worthy, and on that basis there can be some sound argument made as to why it is supported.

On that note, I'll call the question.

[The clauses of Bill 2 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the Bill be reported?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed, if any? Carried.

Bill 3

Lloydminster Hospital Act Repeal Act

THE DEPUTY CHAIRMAN: The hon. Member for Vegreville-Viking.

MR. STELMACH: Well, thank you, Mr. Chairman. Very briefly. I just have some additional information to bring forward from second reading, and that's with regards to provision in the Bill to have residents elected to the board. Presently there are no provisions in the Regional Health Authorities Act to have residents from other provinces serve as members of an Alberta regional health authority. The first board of the Lloydminster health district will be appointed both from Saskatchewan and from Alberta.

The only other question raised was with respect to funding. The question was: on what basis will the financial agreement between the East Central regional health authority and the Lloydminster health district be founded considering that there is not at present a funding formula in the province of Alberta? The only funds that were given back to the respective municipalities were on the Saskatchewan side, so really this Act won't have any major impact as well.

The most important thing, Mr. Chairman, is that this Act will only be proclaimed when the newly appointed board reaches agreement with the Saskatchewan regional health authority.

With that, I move acceptance.

DR. WEST: Just one comment. There has been some concern voiced. Because of the radius of this hospital area in Lloydminster, it takes in a lot of the rural area in Alberta, yet the representation on the board – Saskatchewan will have their representation, and then there will be a certain number appointed on the Alberta side and then elected, but the rural constituents have a concern that there isn't a membership outside of Lloydminster itself represented on this board to represent the interests of the rural population that will move into that area. Although region 7 has representation that goes back into RHA 7, how do they get representation from a rural perspective on the Lloydminster hospital board?

4:40

MR. STELMACH: Mr. Chairman, the original Lloydminster Hospital Act will only be repealed if there is agreement between the two governing parties, that one on the Saskatchewan side and also region 7, East Central, if in the future we want a board specifically to govern the Lloydminster hospital district. Remember, the new configuration of the district would be the part of the old Lloydminster hospital district on the Saskatchewan side, but on the Alberta side that original district was disestablished and added to East Central. So we would have to ensure that when we appoint the next board from East Central, we get reasonable representation from both the rural and urban areas surrounding Lloydminster.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. I wonder if the mover of the Bill then could provide a little more clarity on this appointment process, because we are informed that the initial set of appointments have already taken place and that there will be joint appointments from Alberta and Saskatchewan. We do know, based on a press release from the Alberta government, that there will be some interim appointments for all the regional health authorities in Alberta when the current mandates expire over the summer, but of course those appointments themselves will expire as we move towards the next set of municipal elections when at least two-thirds of board members will be able to stand for election. Now, that's all happening on the Alberta side. So we have a series of interim appointments that will expire at such a time when one-third will be reappointed or new appointments made and then two-thirds will be elected.

On the Saskatchewan side my discussions with health officials in Saskatchewan lead me to conclude that there is tremendous restructuring in health care going on in that province, and one of the areas of restructuring in fact involves the rethinking of the number of hospital or health districts or regions in the province of Saskatchewan. There's every reason to believe that the existing structure in Saskatchewan will change by the time Alberta is looking towards this combined election/appointment process. It's not very clear at all in the Bill what kind of transition plan will be put in place or in fact what's even possible given that management on both sides of the province is going to be in such tremendous flux.

There's a danger, Mr. Chairman, that there will be a loss of the balance that's been proposed in the legislation in terms of the specific board that's going to be managing this part of the health care system in east central Alberta. So it would be helpful in terms of understanding the full impact now what it is that we can do in Alberta and perhaps even amend this legislation to ensure that the taxpayers, the residents of Alberta will have full protection, full access, and even further, that the assets that have been paid for with tax dollars generated in this province based on the commerce in this province won't be diminished, be turned over, or in any way put at risk. So perhaps before we have the question at this stage in the proceedings, the mover of the Bill could comment on that.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Member for Vegreville-Viking.

MR. STELMACH: Well, thank you, Mr. Chairman. In response to the hon. opposition member's question, I did mention earlier that this Act will not be proclaimed until we reach agreement. However, in the interim historically the budget pretty well was based on the number of Alberta residents and Saskatchewan residents using the services at the Lloydminster hospital; that's the acute care. In the nursing home, that's on the Alberta side, we pretty well followed that same reconciliation process where Saskatchewan would say: "Well, we have so many residents. This is the cost of operating the facility. We will pay you X amount for our residents in the Dr. Cooke extended care hospital."

Now, in the acute care it's always ranged: let's say, 48 percent Alberta use, 52. Then it would flip over next year, depending on who accessed the services. Here what we're proposing is that region 7 negotiate the same access as we've had traditionally and that we reciprocate by ensuring that Saskatchewan has the same access to extended care services provided on the Alberta side.

In terms of the assets the provincial government did contribute to the capital project: the Lloydminster hospital.

[Mr. Tannas in the Chair]

MR. SAPERS: In Saskatchewan?

MR. STELMACH: On the Saskatchewan side. Keeping this in mind, we want to ensure that our residents have access to that facility, the problem being that, again, the Lloydminster hospital district on the Saskatchewan side, on the east side of the border today is still the traditional Lloydminster hospital district other than one very small community in the southeast. I can't recall the name exactly. So the district itself is the same today, but as you know the province is going through another public consultation process in reviewing the number of hospital districts they have, so the districts may decrease considerably. Again, this Act will not be proclaimed unless we have good, solid access and agreement between the two authorities. I hope that answers your question.

You raised the question on February 20 with respect to the formula in place for the excess of expenditures. The formula was only in place for the Saskatchewan municipalities, and Alberta, after reconciling the historical usage of the hospital, either paid less for the next year or paid more. So we're pretty well almost a year behind in terms of reconciling the actual costs.

THE CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. I appreciate your looking into those issues and your response to the question about the board configuration. Two quick questions that I hope you're prepared to deal with now. One would be the proclamation date and the agreement that is to be negotiated. Do we have a commitment, then, from the province of Saskatchewan that the legislation that I understand is forthcoming out of their Legislature will also not take effect or come into proclamation until the companion legislation in Alberta is proclaimed?

The second question is: if we are a year behind in the reconciliation on the costs side, there's a difficulty that is foreseeable in terms of next year's reconciliation and then what I'm assuming would be the final year's reconciliation once this Bill is proclaimed. I'm wondering whether or not you've gone through the process to determine how that final reconciliation will be done.

Will it be solely now the responsibility of this new amalgam that will be responsible for that facility to do that?

MR. STELMACH: Good questions. With respect to proclamation the province has indicated that they want their piece of legislation to pass in this spring sitting so that we can co-ordinate with our spring sitting. Once the Acts are passed in both respective Legislatures, the East Central regional health authority and the Lloydminster hospital district are then able to continue their negotiations, which would lead into the second part of the question.

We would be basing the amount of budget East Central allows for the operation of the acute care hospital based on the Alberta resident patient days. We would be contracting services from the Lloydminster hospital. This is not uncommon from what is happening today except that the new negotiator will be the East Central health authority.

If there are no other questions, I would appreciate calling the question. Thank you.

[The clauses of Bill 3 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

**4:50 Bill 4
Glenbow-Alberta Institute Amendment Act, 1996**

[The clauses of Bill 4 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported?

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

**Bill 5
Racing Corporation Act**

THE CHAIRMAN: The hon. minister of transportation.

DR. WEST: Yes, Mr. Speaker. We've had good, detailed discussion already on Bill 5 in second reading. After having listened intently to some of the concerns that members of the Official Opposition have had not only during this sitting but previously when the Bill was introduced, in the last sitting – if one can recall, there were amendments introduced at that time by the Official Opposition, and we had accepted three of them at the time. We are again looking at some of the concerns they brought forward. We have a couple of amendments that I'd like to introduce that are housekeeping at best, and then there is a group of amendments that I would like delivered.

THE CHAIRMAN: Hon. minister, I wonder if we could inquire, while the pages are delivering the amendments: do you propose that we could go through them as A, B, C, D, et cetera?

DR. WEST: I'm asking the House if we could vote on them as a package.

THE CHAIRMAN: Okay. Is that agreeable to the members of the committee?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Okay.

Mr. Minister, you may commence.

DR. WEST: Okay. You have in front of you a set of amendments. The first set of amendments are to section 1(1)(a) and (b). Again, I want to change the wordage in the one from “and those” to “or those” as it relates to the buildings and facilities. It wasn't an intention to have either or. It wasn't spelled out in the right terminology. In (b) we're striking out “specimens” and substituting “samples,” because the terminology should be the same in both areas. They're all samples. If there's any confusion to the courts, it would be having two terms where the intention is to have it as one term.

Section 2 is amended by adding the following – and again I give credit to the Member for Edmonton-Rutherford and others that have brought forth these amendments. Again, we took them forward. These amendments make sense. So the following amendments have been brought forward by the Official Opposition. We have taken them through our Leg. Counsel and worded them, and we are willing to accept these following amendments. The first one, section (4.1) says that “no person who has been convicted of an indictable offence within the last 5 years shall be appointed as a member of the board.” We are in agreement with that.

Section 4 is struck out of this Bill and the following is substituted to define the objects of the corporation. What it does is it again sets out specifically what this corporation shall do and keeps its intention to horse racing and to the management and protection of the general public as well as the safety of the race horses with respect to horse racing.

In D the following is added after section 9, 9.1(1): “The Corporation shall annually, after the end of its fiscal year, prepare and submit to the Minister a report.” It goes on to state how it shall be brought forward and a copy shall be given to this Assembly. It was properly pointed out that perhaps it was wise under this section that it be spelled out that the annual financial report shall be given to the public of Alberta through the Legislative Assembly.

Section 10 is struck out. Again, section 10 was the one that referred to where this corporation could enter into agreements with other governments. There was a good discussion brought forth by the opposition as to why that was. There was no reason or precedent for that in the past. We agree with that, and we're striking that section from this Act.

Section 22 is amended, again spelling out and defining the equipment and the various objects that cannot be used in horse racing. It wasn't clear in the Act the way it was spelled out, so we are accepting those amendments.

The other side of it is that in this section some of the rules that are set out by the corporation itself the public needs to be made

aware of. It was suggested by this amendment that these be published in part 1 of the *Alberta Gazette* and that anybody who is part of the rules of horse racing then would have been deemed to have read the *Gazette*. Therefore, this spells out that these rules can't be just in-house rules by this corporation, that they must be made public.

Following on that, section 28 is also amended so that the appeals tribunal must publish their rulings in part 1 of the *Alberta Gazette*, again to make it clearer that there is public notice set out both in the rules of horse racing and in the appeals tribunal, in their direction as it relates to the public.

I'll stop there. These amendments, except for the first group down to section 2, have been brought forth by the Official Opposition, and we're pleased to co-operate in this manner.

5:00

THE CHAIRMAN: Okay.

The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Thank you, Mr. Chairman. I commend the minister responsible for lotteries, gaming, horse racing, and so on and so forth for bringing forward voluntarily amendments that we had raised from the opposition caucus. I would hope that other members there on the front bench kind of cue in and take a lesson from what the minister has done: that at times there are suggestions that are made from this caucus that in fact can be considered worthy of incorporation in the Bills that are introduced.

I just kind of want to go through the amendments, make sure I fully understand them. One of the concerns – and I believe it is basically corrected by section 4. With the new substitution in there it ensures that the Bill does not allow for bookie joints to be set up at corners. That would get into more widespread forms of gambling: lotteries, VLTs, horse racing, the whole ball of wax like we see down in Vegas with the big sports theatres, whatever they call them, or we see here at Northlands. At Northlands it's fine but not on every street corner. To the minister: I gather his warning of the change in section 4 eliminates that concern for us; right? You're satisfied that that prevents bookie shops from being set up on every corner? Okay.

We had expressed concern with two other areas that the minister has not addressed. Dealing with the need for the Financial Administration Act to apply to the corporation: I don't see any amendment addressing that particular concern. There's no accountability back to you.

DR. WEST: Mr. Chairman, he'll have to speak through the Chair.

MR. WICKMAN: Mr. Chairman, that's one. Then the other one that the minister could respond to: we made a number of suggestions or proposals from this particular caucus, particularly the Member for Fort McMurray and the Member for Edmonton-Highlands-Beverly, in terms of the method of appointments to the board of directors, the people who would be sitting on the board of the corporation. The minister has not addressed that. Can the minister . . .

THE CHAIRMAN: Hon. member, forgive me, but it would seem that that's more of an appropriate remark when we get back into either adding other amendments – we are dealing with the amendments that are before us.

MR. WICKMAN: I realize that, Mr. Chairman, but I just want

to be fully clear from the minister that his amendments do not address those two key points. If they don't, then I intend to introduce amendments after we've dealt with his, one dealing with the Financial Administration Act and, secondly, one dealing with the method of appointing the board of directors. So I'll pause there and let the minister address those two.

DR. WEST: I think he's asking for clarification. I think there are a few areas here. In section 9.1 we do by this amendment have copies of the financial statements laid before the Assembly, but this does not mean that it's subject to the Financial Administration Act in the terms that he's referring to, and it doesn't also refer to the membership on the board. What he's referring to would be applicable to a Crown corporation, and this Bill is not setting up a Crown corporation. So any types of reference to those things that are traditionally in Acts where it relates to a Crown corporation such as the Lieutenant Governor and the Executive Council appointing board members as well as being responsible – the Financial Administration Act does not apply to this Act.

MR. WICKMAN: The amendment dealing specifically with section (4.1), "No person who has been convicted of an indictable offence within the last 5 years shall be appointed as a member of the board": our original amendment that we had been prepared to introduce had not specified five years, but I have no difficulty with the five years. I sympathize with the minister's approach that one can't have something held over their head forever and forever. I think that making it clear, "no . . . indictable offence within the last 5 years," at least ensures that there has been a decent check of the people that would be applying to get onto the board or could possibly be appointed to the board. So it is a safeguard. It doesn't go as far as we would like to have seen it go; it is acceptable.

In terms of the amendments that the minister has introduced, I think they are worthy of support. Again I commend the minister for listening to us. I would like to see these ones voted upon, and then we can start introducing two or three, possibly four additional amendments that the minister may not necessarily agree with. After he hears arguments put forward by members like the Member for Fort McMurray, he may very well change his mind and realize that they are good amendments. But we'll deal with these ones first.

THE CHAIRMAN: Fort McMurray, on the amendments.

MR. GERMAIN: Thank you very much. Mr. Chairman, the hon. minister has tabled six amendments, and you'll recall that he invited debate on all of these amendments to run concurrently and to be dealt with at the same time, and I'm going to take him up on that request now.

I first of all want to acknowledge the minister's enthusiasm for getting full value out of the Legislative Assembly, Mr. Chairman, in coming forward with these amendments. The history of this Bill is a rather dark one in the province of Alberta. A similar Bill, virtually identical wording, was here before the Legislative Assembly last fall. There were some harsh words between the members, and the minister retracted the Bill.

I want to publicly acknowledge how difficult it must have been to come forward, first of all, with the new Bill following on the heels of his retracted Bill that was so ripped up with the comments to the House that it will never see the light of day again. I want to recognize the effort that took, and I also want to recognize his

kindness in giving full credit where credit is due to the hon. Member for Edmonton-Rutherford for coming forward with a package of amendments, dialoguing with the minister, and leading to these constructive criticism amendments.

So I want to set that stage, Mr. Chairman, because by some of my comments following it may appear that I'm not as enthused by the hon. minister's amendments as others might be. I wanted to open the debate by pointing out that I do recognize how difficult it was for him to come forward, and I appreciate it.

You know, while I'm on that same pattern of giving the minister of transportation credit where credit's due – and I know that he'll want me to continue because it happens so rarely – I want to also give him credit for his approach a couple of weeks ago in debate when we were voting on \$2 billion of estimates. Alone among the front row, Mr. Chairman – alone among the whole front row – this minister was the only one that stood up and justified why he needed his transportation budget. The heat of that debate did not allow us to congratulate the minister, and I do congratulate him for his openness.

Now, having said that, let me go through the amendments, because I know that the minister will want to respond to some of them. First of all, his amendment B, which puts in place a provision, a safeguard that nobody could be convicted of an indictable offence and still sit on this board, is useful wording. You'll recall, Mr. Chairman, that a while back we were voting on whether the directors of the financial institution the Treasury Branches would have this kind of amendment in there. Members on this side of the House were able to encourage the government to adopt an amendment that would indicate that people who have serious criminal records, which is what an indictable offence is, will not get to sit on any of our public institutions and boards for at least five years after they have been convicted. So I want to congratulate the minister on that particular item.

Section 4 is of much more concern to me, Mr. Chairman, because section 4 was a key, pivotal section on whether or not bookie joints could be allowed in the province of Alberta. You will recall that some members of the opposition took the position that this Bill would permit bookie joints to spring up virtually in every corner grocery store in Alberta. Members of the Legislative Assembly were troubled by that, and the minister was troubled by that. The minister's response to the issue was not that it couldn't happen but that it wouldn't happen and that he hadn't planned for it.

5:10

So a moment ago the hon. Member for Edmonton-Rutherford asked the minister whether bookie joints, under the existing definition of objects, could spring up. With the greatest of respect, Mr. Chairman, I want to challenge the minister on that issue, and I want him to look closely again at whether he has really made a substantive change in this Bill or whether he has just glossed it up a little bit by creating some subparts to the definition.

Now, if the Legislative Assembly, Mr. Chairman, will bear with me, the old objects of this Bill, the objects of this racing commission, the old wording that the minister now seeks to replace with this amendment reads as follows:

The objects of the Corporation are to govern, direct, control, regulate, manage, market and promote horse racing in any or all of its forms in Alberta.

I want to suggest to you that the members here were concerned that that phrase “in any or all of its forms in Alberta” would in effect allow that particular opportunity to exist. The minister of

course directs us to another section, the section that generally allows the corporation to carry on in accordance with the laws of the province of Alberta.

I'll come to section 11 in a moment, but I want to return to deal with the section I'm talking about now in this amendment. So how has the minister amended it? Well, the minister has added three subparts now to this section. The second subpart is to protect the health and welfare of race horses, and the third is to safeguard the interests of the general public in horse racing. All of those are very good, Mr. Chairman, but let's look at what became of that old wording in (a).

The objects of the Corporation are the following:

- (a) to govern, direct, control, regulate, manage, market and promote horse racing in any or all of its forms.

I want to suggest to you that those troublesome words “in any or all of its forms” remain in this particular Bill and have not been removed and are not further qualified.

I want to suggest to the hon. minister that his reference to section 11, which basically says that

the Corporation shall operate in accordance with the laws governing gaming and the policies and directions of the Government with respect to gaming,

is, with the greatest of respect to the minister, a pretty wide-open, ill-defined, and vague definition section. I would prefer, with respect, a much more positive response in this particular legislation. If the minister is satisfied that there are going to be no offtrack betting facilities in the province of Alberta, then I would prefer and I'm sure many Albertans would prefer that it come right out and that it say so right in the legislation. That's an important part in connection with these particular amendments.

Now, there are other issues in committee stage of this Bill, Mr. Chairman, but I've just looked at the hour of the night, and in light of the time I'll move that we adjourn debate on this Bill at this time.

THE CHAIRMAN: The hon. Member for Fort McMurray has moved that we adjourn debate on Bill 5 at this time. All those in support of this motion, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

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

[Motion carried]

[Mr. Clegg in the Chair]

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports the following: Bills 1, 2, 3, 4. The committee reports progress on Bill 5. 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.

THE ACTING SPEAKER: Thank you, hon. member. All those in favour of the report, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any? Carried.

MR. DAY: Mr. Speaker, I move that we stand adjourned until tonight at 8 o'clock in Committee of Supply considering the lottery fund estimates.

THE ACTING SPEAKER: All those in favour of the motion by the Government House Leader, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any? Carried.

[The Assembly adjourned at 5:17 p.m.]

