

## Legislative Assembly of Alberta

Title: **Tuesday, June 3, 1997**

1:30 p.m.

Date: 97/06/03

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Good afternoon. Today's prayer was penned by former Speaker David Carter.

Let us pray.

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

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

Amen.

Please be seated.

head: **Notices of Motions**

MR. HANCOCK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I'll move that written questions appearing on the Order Paper stand and retain their places.

I also give notice that tomorrow I will move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 26, 27, 28, 29, 30, 31, and 32.

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

MR. SAPERS: Thank you, Mr. Speaker. I give oral notice of the following motion, which I intend to move at the appropriate time in the order of proceedings today, which will be as the Legislative Assembly adjourns to resolve itself into Committee of the Whole. The motion would read as follows:

That it be an Instruction to the Committee of the Whole on Bill 16 that they have the power to divide Bill 16 into five bills.

Mr. Speaker, that's the motion, and if this motion is heard before adjournment today at 5:30, obviously it would require that when we reconvene at 8 p.m., we reconvene as the Legislative Assembly not as committee to continue debate on this motion.

### Speaker's Ruling Motion to Divide a Bill

THE SPEAKER: Hon. member, I'd like to refer you and other hon. members to Standing Order 46. At first glance the hon. member's notice of motion appears to be out of order as per Standing Order 46. However, hon. member and members of the Assembly, the Chair is prepared to hear arguments on this notice at the conclusion of question period today rather than later in the afternoon. At the conclusion of question period we'll hear the arguments, but I want to refer the hon. member to Standing Order 46.

head: **Tabling Returns and Reports**

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

DR. OBERG: Thank you very much, Mr. Speaker. I'd like to table today four copies of a document entitled Welfare Reforms Analysis: Selection of Contractor from September 6, 1996, as promised.

MR. JONSON: Mr. Speaker, I wish to table four copies of Alberta Health's response to specific questions and comments received while in designated supply subcommittee on May 5, 1997.

Thank you, Mr. Speaker.

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

MR. DICKSON: Thank you, Mr. Speaker. I'm tabling today copies of my correspondence of even date to the hon. Minister of Health: a number of questions raised with respect to Order in Council 239/97, the licensed practical nurse regulation and guidelines.

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased to table four copies of two groupings of correspondence to a variety of ministers: the first, concerns being raised by parents with respect to handicapped children's services and the second also from a parent, a member who has participated in the consultation process but is not endorsing the privatization of children's services in this province.

Thank you.

THE SPEAKER: Hon. Member for Edmonton-Glengarry.

MR. BONNER: Thank you, Mr. Speaker. I beg leave to table four copies of a letter from the Workers' Compensation Board to its collection representatives.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly 61 exceptional students from Millgrove school in Spruce Grove. They are all graduates of the DARE program, which is the drug abuse resistance education program, which is an exceptional program. They piloted it in Spruce Grove. They're very proud to all be graduates, and that's why they're all wearing black and red today. They're all wearing their T-shirts. They are here with two friends, two excellent teachers, Mrs. Patricia O'Callaghan and Mrs. Debbie Schellenberger. I would ask them to please rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Yes. Thank you, Mr. Speaker. It's my pleasure to introduce to you and to the members of this Assembly 38 students from the Manning elementary school in my constituency. They're accompanied here today by two teachers, Leslie Snyder and John Elliot, as well as by five parent helpers: Gwen May, Lynn Hardy, Vicki Greschner, Jill Plazier, and Peggy Reinders. They're seated in the members' gallery, and I would like to ask them to rise now and receive the traditional warm welcome of this Assembly.

MR. MITCHELL: Mr. Speaker, it's my pleasure to introduce to you and to the Members of the Legislative Assembly Johanne Tardif, who was the Liberal candidate for Edmonton-Beverly-

Clareview in the recent provincial election. I would ask that she stand and receive the welcome of the Legislature.

MR. DAY: Mr. Speaker, I'm pleased to introduce some constituents to you today. One of these constituents actually has a close interest in the Assembly, that close interest being the fact that she is the sister of the Member for Calgary-Lougheed. At this time I would also like to introduce the niece of the Member for Calgary-Lougheed, who is also a resident of Red Deer-North. Who else have we got? We have Audrey Graham-Thievin, Tom Thievin, Kayla Thievin, all here watching their aunt, sister, niece, friend perform very well in the Assembly. I would ask them to stand and receive the warm welcome at this time.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Transportation and Utilities.

#### **National Transportation Week**

MR. PASZKOWSKI: Thank you, Mr. Speaker. It's my pleasure to advise you and through you the Members of the Legislative Assembly that June 1 to 7 is National Transportation Week in Canada. It is an annual event which showcases the transportation industry across this country. It is a time to celebrate the efforts of many thousands of workers in the transportation industry and to appreciate their role and importance in the economic and social development of this nation.

As Alberta's honorary chairman for National Transportation Week I'm very pleased to advise that this year's theme is Transportation Safety. This coincides with our major focus for the coming year in Alberta Transportation and Utilities, where we have recognized all the traffic safety functions so that they are now in one cohesive and efficient division. The department's inspection and permitting staff work closely with the industry to continue monitoring the condition of the vehicles on our roads. We do not tolerate dangerous equipment on our roads, whether it is unsafe school buses or poorly maintained commercial trucks. Our traffic safety initiative, Think and Drive, is aimed at getting drivers of all ages and types to take responsibility for highway safety.

This year's theme addresses the technological advances and human safety issues which enhance safety in each of the transportation modes, whether it be air, road, rail, or water. The primary objectives of National Transportation Week are to promote a greater public awareness of the vital role of these modes of transportation in our development and to encourage the transportation industry to strive for greater efficiency in utilization of resources with an emphasis on safety.

Mr. Speaker, please join with me in applauding the efforts of all Albertans and all Canadians involved in the transportation industry. Because of their dedication and commitment our province and our country will continue to be a great place to live.

Thank you.

1:40

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. We on this side of the House applaud the efforts of all Albertans and Canadians involved in the transportation industry, but it's rather ironic that this minister can stand and say that the main focus of his depart-

ment is transportation safety when we have seen several examples of how safety in this province has been drastically undermined. We've seen safety inspectors privatized. Now shops might be inspected every three years. Might. We've seen transport officers cut back, rehired, and none with knowledge of propane-powered vehicles. We've seen police inspecting buses because this minister's department isn't doing it, and we've seen flying wheels, 33 since January. Meanwhile, the minister's solution is more self-inspection and more lip service. That's just not good enough.

Mr. Speaker, Albertans want to feel safe on their highways, and more importantly they want their children to be safe as they travel to school. Every Albertan deserves that level of comfort. It is my hope that National Transportation Week will raise the level of public awareness of safety issues on our highways and that it will also raise the level of action by this minister.

Thank you.

head: **Oral Question Period**  
**Freedom of Information**

MR. MITCHELL: Mr. Speaker, on October 1, 1997, the freedom of information Act will prevail over any other law that might be in conflict with it. However, this government may limit the freedom of information Act by hiding some of its activities from Albertans by simply passing a series of regulations behind closed doors before October 1. To the Minister of Labour: how many laws will the government take out of the scope of freedom of information?

MR. SMITH: Thank you, Mr. Speaker. The current status of paramountcy, as the leader has referred to it, is under discussion. There is discussion going on with those in the branch of freedom of information as well as with the freedom of information office. The discussion about moving this through the regulation process is one that we look forward to and will also be done with an adequate amount of consultation with various government departments and the office of the freedom of information commissioner.

MR. MITCHELL: Mr. Speaker, I'd like to pursue that process of consultation. What kind of consultations do Albertans get when the government's only going to be talking to – what did he say? – government departments and the freedom of information commissioner? Why isn't he going to have this as an open, public debate, proper public consultation, and a law in this Legislature that we can debate and argue properly so we know when it's done that it's done properly?

MR. SMITH: Well, Mr. Speaker, what the question alludes to is the open and proper debate which started off last week, when this motion came in, with the hon. Leader of the Opposition across the floor saying: you'll have to bring closure in on this.

When I look at the vote on Bill 1, the Freedom of Information and Protection of Privacy Amendment Act, 1997: "Against the motion," if I may, Mr. Speaker, "Barrett, Blakeman, Leibovici, MacDonald, Massey, Mitchell, Pannu, Sapers, Sloan, Soetaert, White, Zwozdesky." Nowhere there is the name of the critic of the Bill. So, in fact, this is nothing more than political gyrations from the people across the hall here.

MR. SAPERS: Point of order.

MR. MITCHELL: Mr. Speaker, what I would like to know – and I'd like him to give us a straight answer on this. You've had lots of time to do this properly, since October 1, 1995. Why did you opt for a process of changing the freedom of information legislation not here, where you should have the courage to change it, but behind closed doors by regulation, by a handful of the front-bench people in this government?

MR. SMITH: Mr. Speaker, it's very obvious that those from across the aisle over there don't want to be on the construction side of this legislation. In fact, one of the members who was involved in the committee and signed a unanimous all-party panel committee that brought this legislation into the House the day after brought in 26 or some amendments. There's no seriousness from the Liberal opposition to work with this Bill. That is why under section 5(2)(b) of the Freedom of Information and Protection of Privacy Act is the provision for regulatory amendment as it was signed off by the all-party panel committee in '94. It's a clear, absolutely obvious path to take and one that is also efficient and allows for suitable confrontation and consultation from those people interested in the process.

MR. DICKSON: Point of order.

#### **No Tax Increase Act**

MR. MITCHELL: The government talks a good game about taxpayer protection legislation, but when it comes to action, it just cannot walk the talk. It's public relations, Mr. Speaker. In fact, two years ago 33 members of the government, including 11 members of the present cabinet, voted against protecting taxpayers from personal income tax increases. Even worse, when it comes to formulating tax policy, the government continues to say one thing and then to turn around and do something completely different. To the Provincial Treasurer: will the Treasurer please explain to Albertans whether it is still government policy to exclude from taxpayer protection legislation the 380 new and increased user fees, licences, and premiums which raise over \$174 million in taxes, or \$79 per Albertan? Is it still taxation by regulation that is this government's policy?

MR. DAY: It never has been, Mr. Speaker.

MR. MITCHELL: Well, if it isn't, then why hasn't the Treasurer taken the initiative to ensure that licences, premiums, user fees, which they have increased willy-nilly, will no longer be permitted to be increased without a referendum just like the one that he wants to apply to other forms of taxation? Why is he picking and choosing?

MR. DAY: Mr. Speaker, I'm delighted that only hours after introducing and tabling the legislation and inviting, in fact, Albertans to take part in the debate, already the Leader of the Opposition is giving support to the legislation, which I appreciate, and is already expanding the number of ideas and the number of taxes and other items that could possibly be included. I'm looking forward to the debate here in the Assembly and in the broader public arena, and I am delighted that the opposition leader has already started that debate. That's wonderful.

MR. MITCHELL: Well, given that the minister is so interested, obviously, in open, public debate and consultation and probably still feels very strongly about the Growth Summit in that context,

if the Growth Summit says that Bill 26 doesn't work, will the Treasurer pull Bill 26?

1:50

MR. DAY: Well, Mr. Speaker, I can send over my *Hansard* comments of yesterday when I tabled the Bill and made it very clear that this particular legislation is out for discussion and to see if Albertans like it, to see if they like the concept of being protected from an increase in taxes through referendum. That's what the whole question is, and I have been very clear that this will be widespread discussion. The Premier has been very clear. He wants to know what Albertans think of that. So the commitment is there very clearly.

#### **Workers' Compensation Board**

MR. BONNER: Mr. Speaker, over the past three years there has been a dramatic turnaround in the financial situation of the Workmen's Compensation Board, moving from a \$600 million unfunded liability to a surplus position today. However, it seems that in its haste to get back into financial shape, the Workmen's Compensation Board has crossed the line and has actually succeeded in taking millions of dollars right out of the bank accounts of companies that owe it money without ever having the legislative authority to do this. My question is to the minister responsible for the Workmen's Compensation Board. Why is the minister allowing the Workmen's Compensation Board to violate the privacy of the bank accounts of Alberta companies and individuals despite the board's own admission that they have no legal authority to do this?

MR. SMITH: Mr. Speaker, if I may have permission to clear up one small grammatical issue from the member, it is the Workers' Compensation Board; that is, employer funds that pay out claims to both women employees and men employees.

With respect to the question, Mr. Speaker, I'll take it under advisement. I'm prepared to have a full report tabled in the Legislature.

MR. BONNER: Okay. Will the minister take steps to immediately investigate this practice as documented in the letter I tabled and instruct the Workers' Compensation Board to only collect funds using proper, legal procedures pursuant to the Workers' Compensation Act?

MR. SMITH: In the fullness of time, Mr. Speaker, as I said in my first reply, we will answer his first and second and probably third question that will be read shortly.

MR. BONNER: Will the minister immediately communicate with financial institutions in Alberta and instruct them to ignore any demand-to-pay letters issued by the Worker's Compensation Board unless they are backed up with proper, legal garnishee notices?

MR. SMITH: We finally got through those three, Mr. Speaker, and I will be reporting back to the House.

Thank you.

#### **Private Health Services**

MS BARRETT: Mr. Speaker, I received an interesting letter from the Workers' Compensation Board on Friday, which I will file with the Assembly. Essentially it indicates that last year, 1996, the Workers' Compensation Board paid over \$5 million to

Columbia Healthcare and the year before it paid \$3.7 million to Columbia Healthcare. A little reminder: Columbia Healthcare is a subsidiary of the American outfit out of Albuquerque, New Mexico, called Sun Healthcare. Now, just follow for a minute. Dr. Stephen Miller is the chief medical officer of Columbia Healthcare Inc. He's also the chief medical officer of the HRG for-profit hospital in Calgary, and he is the chief of orthopedic surgery at the Foothills hospital in Calgary. My question to the Health minister is this: is he not concerned that the multiple positions of Dr. Miller within both the public and the private system may result in public resources being used to support the development of a private, for-profit hospital?

MR. JONSON: Mr. Speaker, I have no indication that that is the case. I would not want to reflect upon the character of Dr. Miller, but certainly with respect to a development that might put the public health care system at a disadvantage, I would certainly look into that if that can be demonstrated. In the meantime, I have no indication that Dr. Miller is acting in any way which would be a disadvantage for the public health care system.

MS BARRETT: Mr. Speaker, is the minister saying that he has no concern and will make no inquiries, no research into whether or not a person who is intimately involved with an American, for-profit outfit that operates a for-profit rehab clinic in Calgary, treating Workers' Compensation cases – that he's not even going to inquire to see if there's some potential conflict of interest or draining of resources into a private, American, for-profit company?

MR. JONSON: Well, Mr. Speaker, I am quite confident that there is no draining of resources from in this case I guess the referral would be to the Calgary regional health authority into any outside firm except in those cases, for instance in the area of rehabilitation, where there is a contract agreed to and scrutinized through the regional health authority for that particular specialized service, which in this case is outside of the Canada Health Act.

Certainly I would be concerned if there were any wrongdoing, Mr. Speaker. I do not think the hon. member should imply that. Certainly I would be concerned and would want to know if there is any verified basis for any wrongdoing, but at this point in time I do not have any such evidence.

MS BARRETT: Mr. Speaker, I'm sure the minister understands that the HRG business plan clearly states that they want to offer "contracted services including the care of longer stay inpatients transferred from public hospitals," which is tantamount to the money going south of the border to a private, for-profit hospital system. Is the minister not concerned about patient transfers from Foothills hospital to the HRG private, for-profit hospital? If he isn't, I'd like to know why not. I think a lot of other Albertans would too.

MR. JONSON: Mr. Speaker, I would certainly advise the hon. member to check her contentions as far as flow of money and the connections which are implied between certain companies south of the Canadian border and those operating within Canada.

As I've said, Mr. Speaker, certainly in terms of any wrongdoing that may be alleged by the hon. member or any case where the member has evidence that these people are operating outside of the law or contrary to the law, certainly this minister would be very concerned and would investigate the matter, but at this point

in time given that the HRG service is not to my knowledge operating anywhere, it is difficult to understand what are hypothetical contentions.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Edmonton-Gold Bar.

### Wetaskiwin Children's Initiative

MR. JOHNSON: Thank you, Mr. Speaker. The redesign of services for children and families has been taking place over the past two years and has involved many Albertans. In my constituency there is concern about the future of the Wetaskiwin children's initiative, which has been operating successfully as a pilot project for over three years. Committed funding for this program soon runs out. To the minister responsible for children's services: what is the current stage of planning and co-ordinating of children's services in the Wetaskiwin region?

MS CALAHASEN: Mr. Speaker, first of all, the constituents from Wetaskiwin-Camrose and Drayton Valley-Calmor and the surrounding area have really been involved in the planning processes. In fact, these specific constituents encompass what we call region 9, and they have been responsible for planning services for children and families. To date they have completed what we call the preliminary service plan. This first stage looks at needs and priorities of children and families and what services currently exist in the community. From their findings they have created a vision for a system of services to meet these needs. The next phase involves the planning of the detailed service plan, which outlines how and where the services will be delivered.

2:00

MR. JOHNSON: To the Minister of Education: how has the Department of Education been involved in this project, and to what degree has it been successful?

MR. MAR: Well, Mr. Speaker, I wish to supplement the answer of the minister responsible for children's services without being redundant, pleonastic, or otherwise tautologous. My department is working with other departments, including local community agencies and schools, to improve services for children. The model that exists in Wetaskiwin is an excellent one. It's the type of model that we'd like to see operated throughout the entire province.

My department's three-year plan identifies the improvement areas for co-ordination of services for children. This is an area that I personally feel very, very strongly about. Strategies in the plan include providing guidelines to assist school authorities in developing local co-ordination of service agreements. We've been working with the Department of Family and Social Services, the Department of Health, and the Department of Justice, as well, on a number of different areas, including case reviews in the health and social services area and also the young offenders information sharing protocol and also with other agencies, both government and nongovernment, on designing standards and improving the funding mechanisms for the redesign of children's services in the province.

MR. JOHNSON: My final question to the minister responsible for children's services: can the minister clarify for my constituents how this project ties into the planning of the redesign of services for children and families?

MS CALAHASEN: Well, Mr. Speaker, the Member for Wetaskiwin-Camrose has been hounding me for a while, so I think it's really important for people to know that he's a very good representative of those people over there.

Mr. Speaker, relative to how this ties into what's happening in the children's initiative, I think it's really important to look at it from the perspective that we have been working towards this and including early intervention programs with similar approaches in many different areas. I think it's really important to know that placing community workers in the school setting has certainly merited the works of what's been happening in the whole area. The only issue is that this project is unique. It provides both protection and early intervention services within the school setting, which I think is really key to seeing that kind of a project go forward and be as positive as it has been.

The region 9 steering committee is looking forward to working with this Wetaskiwin committee. I know that the Wetaskiwin children's initiative is something that needs to be looked at as a model throughout other communities as we move forward. I think it's really important to recognize that these kinds of services are something that all the people who have been working towards it see as a positive because it has given off such wonderful outcomes as a result.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for West Yellowhead.

#### Trade Certification

MR. MacDONALD: Thank you, Mr. Speaker. I congratulate the Minister of Advanced Education and Career Development and his staff for introducing to the workers of this province the Alberta qualification certificate program. This program will benefit many workers in the non-union sector who cannot afford to take the time off from work to attend school. This program is about people helping themselves. My questions today are for the Minister of Advanced Education and Career Development. Won't the \$450 verification of competency fee – that's a full week's wages for these people – prevent qualified workers from participating in your program? [interjections]

MR. DUNFORD: Thank you. Mr. Speaker, we in the department believe, of course, that in setting the fee, one, we wanted on behalf of the taxpayers of Alberta to be in as full cost recovery as we could. You may have overheard some of my colleagues on the front bench saying that we think that is a reasonable amount to expect someone to invest in their future, and it'll be a great investment for them. I'm sure it will not deter them.

MR. MacDONALD: Mr. Speaker, can the minister please explain to us this afternoon this \$450 fee when three short years ago your very own department had a \$25 fee for the same examination? That is a tax on knowledge.

MR. DUNFORD: Mr. Speaker, I think what the hon. member is observing, as well he should, is that we expected an awful lot from the taxpayers of Alberta many years ago. We subsidized people in all sorts of areas including in the career areas. We've already had discussions about tuition refunds. It's high time that those who benefit from the training that they take are prepared to make that sort of investment, and we know that if they're prepared to make that investment, they have something that they felt was worth while and that they will enjoy a great career on.

MR. MacDONALD: Mr. Speaker, this government has always had an admiration for a two-tiered system in education and health care delivery. Why are there two different exams for the same qualification in these trades programs in your department? Why?

MR. DUNFORD: Mr. Speaker, a week and a half ago or whenever it was the hon. Member for Edmonton-Gold Bar asked me a question regarding this program initially, I congratulated him for bringing it up, and he was able to provide me with some great information and also has offered me a tour of the boilermakers' educational facilities right here in Edmonton. Now, he's bringing up information again today that I wasn't aware of, so I would just simply ask him again to be as kind as he was 10 days ago and provide that information to me, and I'll thank him very much for it.

THE SPEAKER: The hon. Member for West Yellowhead, followed by the hon. Member for Lethbridge-East.

#### Apprenticeship Programs

MR. STRANG: Thank you, Mr. Speaker. My questions today are to the Minister of Advanced Education and Career Development. I'd like to question him on basically one thing. With the season getting so great now and construction going, especially in West Yellowhead in Edson, Hinton, Jasper, Grande Cache, and everything in between, we really need a lot of support. So I'm really wondering. I've heard that the federal government has been withdrawing some funds from financing support for apprentices. I would like to know if this is true.

MR. DUNFORD: Mr. Speaker, the information that the hon. member is providing is in fact true. When we talk about the federal government withdrawing some funding, one thinks of the phrase, you know, this is déjà vu all over again. If I said that, that would be tautologous, so I can't use that phrase. When the federal government moved from the old unemployment insurance program to what they call an employment insurance program, there were some funding reductions, and, yes, the apprentices were caught up in that.

MR. STRANG: Thank you, Mr. Speaker. My supplementary question is: can you provide us with details of these changes that are going on right now?

MR. DUNFORD: Well, the federal government will continue to provide employment insurance benefits, but the issue here for the apprentices is that they have withdrawn the training allowances that normally were paid during that initial two-week period prior to the commencement of them being able to move on to what was then unemployment insurance and what is now called employment insurance.

MR. STRANG: Thank you, Mr. Speaker. My final supplemental is: who will insure that these students do not suffer financial hardship during the time of learning?

MR. DUNFORD: Mr. Speaker, under the labour market development agreement my department will establish a skills, loans, and grants program which will provide needs-based financial support to apprentices. The financial support we intend to provide will cover tuition costs, the elimination of federal training allowances, as well as any other legitimate costs that the apprentice might have.

THE SPEAKER: The hon. Member for Lethbridge-East, followed by the hon. Member for Grande Prairie-Wapiti.

### 2:10 Electric Power Generation

DR. NICOL: Thank you, Mr. Speaker. The new Electric Utilities Act was supposed to bring forth greater competition and open competition for the new power generated in this province. The York/Enercon group came into the Pincher Creek area and wanted to look at the possibility of developing wind power, and the government created a task force to look at some of the issues that they were raising in terms of their ability to function properly in that environment. I'd like to ask the Minister of Energy: why has this task force report not been filed so this company can act on it?

DR. WEST: Mr. Speaker, the Member for Livingstone-Macleod is doing the final work on that report, and it will be coming forward shortly.

DR. NICOL: Thank you, Mr. Speaker. The next question is also to the Minister of Energy. I'd like to ask: is one of the things that they're considering and that they would recommend the possibility of creating a green power category in the grid so that this company could offer green power to customers who wanted it?

DR. WEST: Mr. Speaker, under the Electric Utilities Act, that the hon. member had mentioned, they can do that in the future as we go forward. I am working at the present time on the new deregulated model, and I'll speed that up as fast as I can. I'll be bringing it forth internally to have discussions over the next 18 months, and we will work to get a deregulated, market-driven system here in the province of Alberta, and then green power can go forward in the pool and find their customers.

Unfortunately, the first proposal that was brought forth would have required over the period of time of the life of the proposal a billion dollar subsidy by Albertans or this government in relationship to the present low-cost electrical power that's produced in the province today. I would say that we have gone forth internally and done some surveys with Albertans. We asked them if they would be willing to have the government of Alberta take money from other programs to subsidize wind power, and 70 percent of them say no. Again, another 60 to 68 percent, when asked if they would like to pay higher costs for wind power directly, also said no. So when you put it to the consumer, who these companies would have to go through and will in the future under a deregulated system – they will have to either find clients or customers that are willing to pay that extra cost for power or else they'll have to get competitive and produce it at the same cost as it's being produced today.

DR. NICOL: Thank you, Mr. Speaker. A category in the grid would allow them to do that marketing.

My final question, again to the Minister of Energy, is: is part of your report that's coming forth going to look at the allegations of subsidies going to the fossil fuel industries that are made by the York/Enercon group? Will that be part of the results?

DR. WEST: Mr. Speaker, I think that the key word in that last question was "allegations." As we have gone forth and studied the production of power in the province of Alberta, I think we can be proud of the track record of producing power in the province of Alberta, the cheapest power in North America at the present

time on a consistent basis, but we recognize also that without a deregulated power system sooner rather than later we will not allow new generation to come onstream in a competitive fashion until we vet that out. The only vetting that can take place is the marketplace, and the sooner we get the regulated power out of regulation, then Enercon or anybody else can come in, find their clients, and produce cheaper power for the province of Alberta.

THE SPEAKER: The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Calgary-Buffalo.

### B.C./Alberta Transportation Issues

MR. JACQUES: Thank you, Mr. Speaker. The transportation of goods from the northwest portion of this province that either go to British Columbia or go through British Columbia to costal ports can be described at best circumstances as difficult and unfortunately in many instances as simply a nonstarter. The reasons are twofold: number one is the restrictive policies of the B.C. government and, secondly, harassment by B.C. bureaucrats. I understand that the minister of transportation recently met with his counterpart in British Columbia, and I wondered if he could kindly update the Assembly as to what was agreed to at that meeting.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly. About a month ago we met with the minister of transportation for British Columbia as well as the minister responsible for investment in British Columbia to basically deal with some of the regulatory issues and some of the difficulties involved around moving products through Prince Rupert and through Vancouver. Both meetings were what we consider very successful in that they were comprehensive meetings, and indeed 10 issues were identified and addressed at that time. They varied anywhere from agricultural issues such as the movement of seed potatoes to the movement of grain right through to Prince Rupert to the movement of construction equipment to the business of the tourism industry, where cars could be dropped off in British Columbia that were actually rented in Alberta, to insurance policies, and those types of issues.

There was agreement to work on those 10 points, and a committee was structured from both Alberta and British Columbia to further progress the discussions that took place in Victoria. Overall I'm quite optimistic that indeed we'll be able to resolve all 10 of those issues that were addressed.

MR. JACQUES: Mr. Speaker, the minister has referred to a committee on those 10 issues. My question is: when is this going to be coming about in the form of action? Are there specific time lines that have been agreed to?

MR. PASZKOWSKI: Yes, indeed. Far too often discussions are ongoing, and there really isn't a level of accomplishment, and there is no measure for that level of accomplishment. There were strict time frames put in place. The next meeting will take place at the national transportation ministers' conference in mid-June. At that time Alberta and British Columbia have agreed to sit down and to further develop a structure as well as identify the progress that has been made. All 10 of the points are to be dealt with by the end of 1997.

MR. JACQUES: Mr. Speaker, my last question is regarding the so-called trade free zone of 60 kilometres that has been involved

in the agricultural sector, and I would like to know if there was any specific discussion on that.

MR. PASZKOWSKI: Yes, indeed there was. As the hon. member well knows because he borders British Columbia, there was a 60 kilometre trade free zone for movement of agricultural products which indeed exempted those people that were moving grain particularly into British Columbia. It exempted them from the running rights. It exempted them from having to get insurance, sales tax on the vehicle, and all additional costs. At that time discussions took place, and subsequent to that a further arrangement has been made to allow the entire Peace River country that exempt status to move grain into British Columbia through Dawson Creek or Fort St. John.

This indeed will ultimately allow for better usage of the Prince Rupert port facility that is in place and obviously something of critical importance to Alberta producers. It's going to be an ongoing discussion as well as to how we can better position ourselves to better utilize the port facility in Prince Rupert, and with that, there'll be ongoing discussions with B.C. Rail. The B.C. minister responsible for B.C. Rail has indicated that he will take that obligation on, and we will be involved in further discussions with CN Rail as well.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Livingstone-Macleod.

#### **Freedom of Information** (continued)

MR. DICKSON: Thank you, Mr. Speaker. The hon. Minister of Labour failed to answer the very specific questions put to him by the Leader of the Opposition, and indeed given all the bobbing and weaving we've seen on freedom of information, we can only hope the minister isn't prone to vertigo. The minister told me on April 28, 1997, in question period, when he was asked how many statutes would be exempted from freedom of information: "We'll say that the member's question is speculative at best and look forward to the debate in the House." Since the minister knows that Bill 1 has nothing to do with paramountcy, perhaps he'd be good enough to tell us: just what debate did he contemplate on April 28, 1997, that would allow members of this Assembly to have a say in which statutes of Alberta would be excepted from freedom of information?

2:20

MR. SMITH: Ah, Mr. Speaker, I thought the cough was due to a cold but it's actually that I'm allergic to something else that seems to be in the air.

Mr. Speaker, the discussion on paramountcy is one that has been put forward very openly and very clearly. The member also knows that there is section 5 of the Act that allows for amendments to occur either through statutory action or through regulation. As the debate unfolds both with respect to Bill 1 and further discussion on freedom of information, I can only go back to comments that we've heard from the other side saying: you'll have to use closure on this one. We know from the detailed responses of members opposite in this House with respect to this Bill that they don't want progress, they don't want debate. They just want to filibuster, and it's unfair to taxpayer value to allow that kind of frivolity to continue in this august House.

MR. DICKSON: Mr. Speaker, I still seem not to be quite clear

enough, so let me try again. What has changed since April 28, 1997, that the minister, who on that date was talking about introducing a Bill in this Assembly or implied as much, now seems quite prepared to make all of this by secret regulatory lawmaking behind closed doors?

MR. SMITH: The key term in the member's question was "implied as much." Well, unfortunately he received the wrong implication, which is tied in with his own perception, Mr. Speaker. You note that there are options that exist in the hands of this government and options that can be best delivered for the taxpayers and for the citizens of Alberta that we so humbly serve.

MR. DICKSON: Mr. Speaker, my final question to the same minister would be this: since this is going to be done in secret by regulation, would he at least have the courtesy of sharing with members of the House this afternoon which specific Bills this government has decided will be more important than Albertans' right to know and right to privacy?

MR. SMITH: Mr. Speaker, the member is again forecasting events that I can't specifically relate to at this moment. I guess what I can do is ask him to, you know, hang by the side and stay tuned. All things come to he who waits.

THE SPEAKER: The hon. Member for Livingstone-Macleod, followed by the hon. Member for Edmonton-Mill Creek.

#### **West Castle Valley**

MR. COUTTS: Thank you, Mr. Speaker. A number of years ago the government entered into a lease agreement for 110 acres of land in the green zone in southwest Alberta. The purpose of this agreement was to have the local Westcastle Development Authority, made up of people from Pincher Creek and area, develop a recreation ski area in the West Castle Valley. It's only in the last year, when we've had real progress with a chairlift, some lodge renovations, and some hill realignment, that this project has been a success. My question is to the Minister of Environmental Protection. Can you explain to this House and to Albertans why you are now selling a portion of this 110 acres of public land?

MR. LUND: Mr. Speaker, the Westcastle Development Authority was set up in 1986 under a private Bill. They took out an option at that time to purchase 110 acres, and the expiry date on that option is June 30, 1997. Just recently the Westcastle Development Authority has decided to exercise that option to purchase the land. It was priced back at that time, and they are now exercising the option.

MR. COUTTS: Thank you, Mr. Minister.

Can you please explain and can you confirm that a plan is in place that addresses the environmental concerns that go with growth and expansion of the area?

MR. LUND: Mr. Speaker, the parcel is divided in two. It ensures that there is still a corridor in the valley of the river to allow for the movement of wildlife. Also, plans must be submitted to the government for approval of any development that could occur on that property, and of course we will be making sure that in fact all of the environmental concerns are taken care of as we would move forward with approval of any proposed development. As well, there's a sell-back agreement in place, which basically

means that if the Westcastle Development Authority were to ever not develop it, then it would have to be sold back to the province.

MR. COUTTS: Thank you, Mr. Minister.

A concern of some of the landowners in the area is: what effect will this agreement have on the value of private property?

MR. LUND: Mr. Speaker, I don't think there's any way that it can have any impact, negative or positive, on the property values in the area. This is somewhat remote, and basically it was considered to be at market value, so I really don't see how this could have an impact on property, private deeded land, that may be for sale in the general area.

#### Loans and Loan Guarantees

MR. ZWOZDESKY: Mr. Speaker, one of the key performance measures contained in the Provincial Treasurer's three-year business plan is to reduce taxpayers' exposure under loans and loan guarantees and investments to zero, also to receive book value or better for the sale and/or windup of certain financial assets. I'm tabling an analysis prepared by the Alberta Liberal caucus that unfortunately shows that this government recovered only 6.9 percent of the amount owing in loans, loan guarantees, and investments. In other words, they recovered about \$124 million out of a total portfolio owing of \$1.8 billion, yet the Treasurer said that the government clearly takes care and monitors concerns relating to loans and loan guarantees. My questions are to the Provincial Treasurer. How can the Treasurer explain this extremely low rate of recovery on loans, loan guarantees, and investments?

MR. DAY: When you factor in all of the loans and loan guarantees and arrangements that were made prior to this administration in 1993 and you carry them forward even up until now, it's very clear and it's a matter of very public record that as far back as 1980-1981, 17, 18 years ago – and I see that the member is cupping his ear because the people on his own benches shouting behind him are drowning out any other voices here, so he'll have to continue to ask them to be quiet.

Mr. Speaker, you go back about 18 years and you start to add up all those loans, loan guarantees, you start to add up the arrangements that were made, especially in the '80s, when all companies, public and private, were suffering absolutely devastating losses, that's a considerable number of loans and loan guarantees. In 1993 this administration said: we have to end that policy; we have to look at other ways to stimulate the economy. In doing that, as we certainly have – even in today's newspapers, if the Liberals were able to read past their own election losses, the talk about the economy is fantastic, what's going on.

So, Mr. Speaker, as we evaluate and as we add all of those up, we do find that it's quite a total, quite a large number that are there. We will continue, though almost all of those arrangements were made before this administration – and I'm not putting blame anywhere. I'm simply stating a fact. Even though they were made before that, even though they were made in desperate times in due diligence and in good faith, we will continue to do what we can to try and glean some kind of a return from those investments that were made before this administration.

2:30

MR. ZWOZDESKY: Could you outline what specifically you're doing on behalf of Alberta taxpayers to improve this unacceptably

low rate of return and to increase the amount of the dollars that Alberta taxpayers are trying to recoup through your department?

MR. DAY: Yes, Mr. Speaker. I can tell you that there is not a day that goes by that I, along with officials, my own caucus colleagues, and in fact constituents, do not consult and say, "You know, these arrangements, the vast majority of which were made before this administration, are there some ways in your view" – and this is what I say to constituents and what I say to others, from the wisdom that others have – "in which we can maximize losses which were suffered in huge amounts by the public sector, by the private sector?" I know that if the member opposite has talked to his leader about the devastating losses suffered by Principal Group when he was the vice-president of sales and operations – he knows the magnitude of these losses. He knows what it is to see people leave with their life savings gone down the drain. The Leader of the Opposition knows that because he presided over it. He knows very clearly the devastation of those years, and unlike the Leader of the Opposition who departed that ship, who left that ship . . . Sorry. Okay.

MR. ZWOZDESKY: Mr. Speaker, my final supplemental is a question and a suggestion. Will the Treasurer establish an asset recovery team charged with helping to collect on this \$1.8 billion of outstanding moneys that is owing to Alberta taxpayers?

MR. DAY: Mr. Speaker, it's a great idea. It's a little late. The team is in place. Our officials who work daily with these accounts, our own caucus members, who are apprised daily and asked for their particular advice, constituents at large, people in the public and private sector who have had experience in these areas, who have had the experience of loss: they're part of the team. We have a wonderful team of Albertans at work constantly advising how we can improve these positions.

head:

#### Members' Statements

THE SPEAKER: The three members' statements today: the first will be by the hon. Member for St. Albert, the second by the hon. Member for Edmonton-Glengarry, and the third by the hon. Member for Calgary-Bow.

The hon. Member for St. Albert.

#### École Father Jan School

MRS. O'NEILL: Thank you, Mr. Speaker. I'm pleased to stand in this House and offer my congratulations today to the impressive group of young people at l'école Father Jan community school in my constituency.

Mr. Speaker, l'école Father Jan has just been awarded Earth Status from the SEEDS Foundation; that is, the Society, Environment and Energy Development Studies. It is a foundation whose mandate is to promote environmental education, awareness, and behaviour. Earth Status is the highest honour a school can receive for environmental efforts and involves completing 1,000 projects relating to environmentalism. Putting together a thousand projects is a pretty amazing accomplishment, and it took the students of l'école Father Jan seven years of solid effort to accomplish this fact.

Mr. Speaker, I'm proud to inform the members of this House that 17 schools in the city of St. Albert have been awarded honours from the SEEDS Foundation. Four of these are Earth schools, meaning they have completed at least 1,000 projects.



The other 13 schools have each completed between a hundred and 500 projects and have been awarded green, jade, or emerald status accordingly.

It is great to see projects like this one through the SEEDS Foundation in place. They enable young people to learn about environmental concerns, about team work, and about creative problem-solving strategies. The students, through their efforts at improving and beautifying their communities, also teach the rest of us in those communities about how important it is to look after our planet. Looking after the environment is a very important job, and the students of l'École Father Jan have shown that not only can this be done, but it can be fun too.

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

### Seniors' Programs

MR. BONNER: Thank you, Mr. Speaker. June 1 was the beginning of seniors' week in Alberta. It is to my regret and dismay that the seniors of our province have been exposed to many trials and tribulations at the hands of their own provincial government. It is these same seniors who worked so hard in an effort to make this province the best place to live, to raise families, and to retire. Through their sweat and tears they have brought a wealth of wisdom, insight, and experience to Alberta. The government should be celebrating these contributions and recognizing and paying tribute to those people who have given so much.

Instead the government of Alberta has let seniors down in three major areas of concern. With respect to income the Alberta seniors' benefit threshold is too low, and the disposable income of our seniors continues to decrease. Seniors are paying 20 percent more for subsidized accommodation. Many are paying health care premiums for the first time. Many of their drugs have been deindexed, and help with eyeglasses and dentures continues to decrease.

Health care changes have produced a great level of anxiety among our seniors. Redefinition of "medically necessary" has reduced the services available to seniors. Painfully long waiting lists, premature discharge from hospital, and inadequate home care have all added to the fear, stress, and discomfort of our seniors. Now because of a shortage of long-term care facilities many seniors face their final years separated from a partner with whom they spent their entire lives.

Finally, flowing from the income and health concerns, housing concerns are troubling our seniors more and more. As waiting lists for long-term care and auxiliary hospitals back up, the seniors in cottages, apartments, and lodges are becoming sicker and sicker, with little medical help available for them.

In conclusion, this government wants us to believe that seniors have never had it so good. This is simply not true. As the Alberta Liberal critic for seniors I urge the government of Alberta to listen and to make changes so that seniors once again can live with the dignity and respect for which they have planned, worked, saved, and sacrificed.

Thank you.

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

### Homelessness

MRS. LAING: Thank you, Mr. Speaker. In January 1996 a dinner meeting was held to discuss the issue of homelessness in

the city of Calgary. Over 250 participants from all sectors, including the homeless, met to discuss the many issues of homelessness. As a result of this meeting an ad hoc committee was set up comprised of representatives from the city community and social development department, Alberta Family and Social Services, Provincial Mental Health Board, United Way, Salvation Army, Downtown Business Association, the Cathedral Church of the Redeemer, the University of Calgary, Calgary Police Services, Calgary Catholic charities, Calgary Drop-In Centre, consumer advocates, the aboriginal community, other community members, and Alderman Bob Hawkesworth and myself as co-chairs.

Under the direction of the steering committee several solution workshops on the theme "What can you do to stop the growth of homelessness in Calgary?" were held with a wide representation of interested Calgarians, including the homeless. A report based on consultations with 440 Calgarians was prepared, and their views about possible solutions were included in a summary.

Ninety-four delegates, including the homeless, attended a conference on May 29, 30, and 31 to develop a consumer-focused community action plan to reduce homelessness in Calgary. This workshop was a joint project of the homeless initiative ad hoc committee and the Homelessness Awareness Week committee. A number of themes were put forward to develop strategies that would result in solutions. Many delegates also volunteered to work on subcommittees to develop the themes further. Draft action plans will be forwarded to the ad hoc steering committee this summer for inclusion in a comprehensive, consumer-focused community action plan.

Mr. Speaker, the most important part of this process is that the homeless are participating and helping to find the solutions and that all sectors of the community are working together to address the issues of homelessness. Provincial government departments have played a very active role in this initiative through funding small projects and lending their expertise and personnel. I would like to thank especially the ministers and staff of Alberta Family and Social Services and the Department of Health for being such a vital part of the team. I would also like to acknowledge the support given by Municipal Affairs and that minister. With the province, city, community, and homeless working together, the solution has to be near at hand.

Thank you.

2:40

THE SPEAKER: Prior to dealing with the several points of order that we have, might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

The hon. Minister of Agriculture, Food and Rural Development.

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

MR. STELMACH: Thank you, Mr. Speaker. I'm honoured today to introduce to you and through you to members of this Assembly, seated in the members' gallery, 38 visitors from Andrew high school, the home of the world's largest mallard duck, as many of our members know, but also proud to introduce these students and the teachers accompanying them because consistently they have had the highest achievement levels in that school jurisdiction for years. I'd like to introduce two teachers

accompanying the group, Mr. Harry J. Bidniak and Gayle Semeniuk, accompanied today by principal Len Cholak. Would they all please rise and receive the traditional warm welcome of this Assembly.

THE SPEAKER: The Chair cannot help but note that last week the hon. Minister of Agriculture, Food and Rural Development introduced a sparkling group of young people from the sausage capital of North America, and today it's the duck capital. Presumably we're going to have duck sausage one day and make it complete.

The hon. minister responsible for children's services.

MS CALAHASEN: Thank you, Mr. Speaker. It is indeed an honour to introduce to you and to members of the Assembly 22 visitors from Kinuso, Alberta, and specifically from the Kinuso school. They've made their trek to Edmonton to come and see what kind of business we get into. They have been here for about 45 minutes, so they know what we've been doing. With them are teachers Don McPherson, Kim Dunse, Cynthia Sloan, and the parent helper, Lynda Bigstone. I'd ask that they all rise and receive the warm welcome of this Assembly.

THE SPEAKER: Point of order, Opposition House Leader. Not the notice of motion but the point of order that was raised. We'll come to that one in a minute.

#### Point of Order

##### Referring to the Absence of Members

MR. SAPERS: Thanks, Mr. Speaker. Yes, the point of order. I am referring to *Beauchesne* 289(3), in which *Beauchesne* is very, very clear that no hon. member should make reference to the presence or absence of another hon. member. Now, when the Minister of Labour rose to avoid answering a question of the Leader of the Opposition, in fact the first main question, he made reference to the absence of the Member for Calgary-Buffalo, indicating that the Member for Calgary-Buffalo didn't vote on something or other.

Now, Mr. Speaker, aside from this being an offence in this Legislative Assembly, it also borders on offending section 23 of our Standing Orders in that it certainly would provoke debate and cast aspersions upon another member, somehow trying to imply that the Member for Calgary-Buffalo has not made it very clear about his position on matters relating to freedom of information. If there is one champion for truth and freedom and transparency and openness, it is the Member for Calgary-Buffalo, and in fact he has led the Liberal opposition in this province for some time in championing the cause of access to information and protection of privacy. So this is a very offensive device that the Minister of Labour relied on to try to deflect from the key issue, which was this government's lack of commitment to the principles of freedom of information and protection of privacy.

I would ask that the Minister of Labour, in recognizing his transgression, simply withdraw the remark and extend his apology to the Member for Calgary-Buffalo.

MR. SMITH: Mr. Speaker, I will probably ask for your guidance. The hon. member uses one compound word: hogwash. I can immediately think of another one that would come to my mind. [interjection] Exactly. So given that, I would like your guidance as to how does one simply read the public record of *Hansard* and note that there are some omissions in that record and yet still read

about who was there for the vote, simply reread something that's already in the public record?

MR. HAVELOCK: Well, Mr. Speaker, I just wanted to concur with the comments of the Opposition House Leader with respect to absence from the House and suggest that we take the Minister of Labour out and tar and feather him.

THE SPEAKER: That's sounds even more dramatic than naming an hon. member.

There is a valid point, though, that is being raised by the Opposition House Leader here today. Standing Order 23(f) clearly prohibits debating any previous vote, if previous vote did occur. *Beauchesne* 411(4) states: "A question may not . . . criticize decisions of the House" but presumably applies to answers. *Erskine May* on page 375, hon. Minister of Labour, states that you cannot reflect on a decision of the House.

The one thing that is unclear at this point in time and has not been raised by any of the three speakers: one does not know if the minister in question, in this case the Minister of Labour, was criticizing or even reflecting on the vote. One thing is clear: he was reading from *Hansard*. Perhaps the intense side will give the hon. Minister of Labour the benefit of the doubt on this point, but the Chair would also want to thank the Opposition House Leader for bringing this point.

The Chair would like to re-emphasize one more time that hon. members should not criticize members for how they vote. This is not the first time that this matter has been raised in the House. Hopefully, it will be one of the last times it will be raised. Should the Government House Leader choose to do what he wants to do with the Minister of Labour in a private way, do it in a private way.

The hon. Member for Calgary-Buffalo.

#### Point of Order

##### Imputing Motives

MR. DICKSON: Mr. Speaker, thanks very much. I hope this isn't going to appear to be piling on the hon. Minister of Labour, but under 23(h), (i), and (j) I particularly noted the observation of the minister in that initial experience, watching the minister bob and weave, attempting to respond to the questions of the Leader of the Opposition. He said – and this is as close to a quote as I could get – that one opposition member signed the unanimous report of the all-party panel on freedom of information and then proceeded to introduce something in the order of 24 amendments when the Bill came into the Legislature, the allegation being pretty clear that the amendments this member had introduced in the spring of 1994 were somehow contrary to the unanimous recommendations of this member and indeed the all-party panel.

Now, what the Minister of Environmental Protection I'm sure can remind the Minister of Labour, Mr. Speaker, is that when Bill 18 was introduced in the spring session of the Legislative Assembly, in fact it did not reflect a number of the major elements in that unanimous all-party panel report, and the report didn't provide a draft Bill.

The final thing to note is that it was the Minister of Environmental Protection who introduced four pages of amendments. There were at least three or four amendments from this member that were introduced, debated, and accepted.

So it's clearly inaccurate to either allege, impute, or suggest in any way that the position taken by this member in the House in the spring of 1994 in debating Bill 18 was in any way inconsistent with the all-party panel report from December 1993.

Those are the observations I wanted to make, Mr. Speaker. Thank you.

THE SPEAKER: Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. Having served on the committee with the Member for Calgary-Buffalo, to be quite honest, I can't recall whether similar objections were raised at the time with respect to the final committee report or particular provisions of that. Again, I think what we have are simply differing interpretations of the report and what occurred and whether a change is excluded or to be included. So I would suggest at this time there is really no point of order.

MR. SMITH: Well, thanks for this one.

MR. HAVELOCK: You're welcome. We're always here to help, hon. minister.

In any event, I do think it's simply a question of interpretation, and there is no point of order.

THE SPEAKER: I take it, hon. Member for Calgary-Buffalo, that the purpose in raising the point of order has been served by way of clarification that you provided?

2:50

MR. DICKSON: Thank you, sir.

#### Point of Order Motion to Divide a Bill

THE SPEAKER: Opposition House Leader, you rose today under the routines of the day with notice of a motion. The Chair interjected at that moment and said that he would be prepared to hear arguments as to the validity of the notice. This is not the motion that we want comments on now, and I particularly want to refer hon. members to Standing Order 46, which states:

Whenever the Speaker is of the opinion that a motion offered to the Assembly is contrary to the Standing Orders or privileges of the Assembly, he shall apprise the member or the Assembly, as the case may be, at the earliest opportunity and shall cite the Standing Order or authority applicable to the case.

Well, this is 46, and he's prepared to hear the argument with respect to the notice of the motion.

MR. SAPERS: Thank you, Mr. Speaker. I appreciate you giving me an opportunity to speak to the validity of this motion. I'll try to do this as efficiently as possible, but I will be referring to a number of Standing Orders, sections of *Beauchesne*, chapters in *Erskine May*, and *Journals* of the House of Commons of the Parliament of Canada.

Mr. Speaker, first of all, I'd like to start off by referring you and all members of the Assembly to Standing Order 38(1), which reads in part that "one day's notice shall be given . . . of a motion," and then it goes on to describe a number of motions for which one day's clear notice shall be given. I will note that it says one day's notice of motion may be required for certain motions, but it is silent in that section, as are our Standing Orders silent throughout, on a motion of instruction.

One may be tempted, Mr. Speaker, to rely on subsection (c) of 38, which reads "for placing a question on the Order Paper." I would suggest that we cannot rely on (c) because it is impossible to know when exactly Bill 16 in this case and Bill 17, as we will argue at some point in the future proceedings of this House, will

come up for debate. The reason why that's key is because, as you will see when we discuss the relevant sections of *Beauchesne* and the relevant citations from *Erskine May*, the timing of introducing a motion of instruction is very, very specific and does not lend itself to providing one day's clear notice. It would be hard to know, particularly with the way a number of Bills are coming and the lack of clarity from time to time coming through Projected Government Business, as to when something is coming up on the Order Paper or it isn't. I'll refer you, Mr. Speaker, to the phrase "as per Order Paper" when we ask for projected government business. The government has been attempting to give us some certainty, but it's far from absolute and it's far from precise.

So I don't believe that section 38, either (1) or subsection (c), of our Standing Orders would preclude oral notice being given at the appropriate time for such a motion, being a motion of instruction.

As I said, the Standing Orders are silent on motions of instruction. They neither provide for or withhold permission or direction on how to proceed with motions of instruction. They also don't let us know in this Chamber whether or not they are permissible.

Now, Mr. Speaker, being silent, one cannot make the assumption that such motions are not to be allowed. If you're in doubt of that assertion, please let me just draw your attention to two simple comparisons. One would be the Criminal Code of Canada, which prescribes a number of behaviours or omissions of behaviours or actions which would violate the criminal law, and then there are sanctions ascribed to them, but the Criminal Code certainly does not provide for or prescribe all of the behaviour which is allowed. It makes no attempt to say that all of these things in all of the realm of human endeavour are allowable; it simply says these are the things for which we will prescribe a sanction.

Similarly, Mr. Speaker, a little closer to home, the Municipal Government Act of this province was changed not so long ago, incorporating the philosophy of natural person power, that being that a municipality has some legal status in and of itself because it exists. Now, the fact that the MGA is silent on a number of things does not mean that a municipality can no longer do things. In fact, that was one of the specific arguments put forth by the government, that the old MGA was too prescriptive and tried to lay out all of those things that a municipal authority could or couldn't do. The new MGA is far more permissive in its nature and is silent on many things, the argument being that it has these natural persons' powers and therefore is allowed to do everything that isn't necessarily prescribed that it can't do. I would suggest that our Standing Orders and the Assembly itself need to be viewed in much the same way: that where they are silent, you cannot make the assumption that something can't be done.

Mr. Speaker, I'd like to refer your attention to *Erskine May*, and what I will be referring to specifically are the sections that talk about timing of a notice of instruction and also some discussion of division of a Bill. First of all, on page 482 under the general title of Instructions I quote the following.

Before the committee to which a bill has been committed . . . This is very important.

. . . begins its consideration of the bill, an instruction may be given, the purpose of which is either to empower it to do something which it could not otherwise do, or to define the course of action which it must follow. The first type of instruction, which is called permissive, may be given to a Committee of the whole House, or to any other committee.

I quote a little bit further down in the next paragraph.

But occasions continue to arise when an instruction from the

House enables a committee to consider amendments of wider scope than would otherwise be permissible under Standing Order No 63,

which pertains not to the Assembly, of course, but to the House of Commons, but the point is germane.

On page 483 under (iii) you will read "Division of bill."

An instruction is required to enable a committee to divide a bill into two or more bills, but such an instruction is in order only if the bill is drafted in two or more distinct parts, or otherwise lends itself to such division into parts.

So the motion cannot be considered out of order on its substance, in that it seems to satisfy the requirement in *Erskine May* under division, and also in terms of timing, because clearly we haven't offended any timing because timing is not contemplated in our Standing Orders and again is deemed as permissible under *Erskine May*.

Speaking quickly to the procedure of introducing such a motion, I will note that *Erskine May*, page 485, says, "Notice is required of instructions and is also required of any amendment which would widen their terms." Mr. Speaker, it's not clear in *Erskine May* whether this notice is required in any other way than oral notice given during Routine, and I will point out that every day on our Order Paper under Routine is the general section of Notices of Motions. So certainly it is contemplated and a long-standing tradition in this House that a notice of motion is given, and there are several opportunities when members of the government stand to give oral notice. The Deputy Government House Leader did today in terms of providing oral notice on a series of written questions and motions for returns. So it is not out of order to introduce a notice of motion under Routine where, in fact, the Clerk calls for Notices of Motions.

I would also suggest that *Erskine May* does not provide with clear authority whether the notice of motion is to be provided to the whole Assembly or simply to the committee to which the motion is to be ultimately referred. There are several instances where you would draw the conclusion that the notice actually refers to the committee and not the Assembly. So, Mr. Speaker, again it would be hard to rule that it is out of order based on timing.

I quote again from the second paragraph on page 485 under Procedure.

An instruction to a committee of the whole House upon a bill is usually moved when the order of the day for the first sitting of the committee has been read and before the Speaker has left the Chair, except an instruction founded on a resolution or order which is given when the resolution or order in question has been agreed to by the House.

Well, the second part of that sentence doesn't apply, but the first part certainly does, which was why, Mr. Speaker, when I gave my oral notice I suggested that we would have to debate this motion at the appropriate time, likely being immediately before adjournment this afternoon or before we resolved into Committee of the Whole this evening. *Erskine May* suggests that the motion must be debated immediately upon committal of the Bill to the committee but while the Speaker is still present so the Speaker can rule, because of course the committee can't make such a ruling; only the Speaker can.

I will continue with my remarks by quickly referring to the House of Commons *Journals*. I'm referring to *Journals* for Tuesday, January 26, 1971, which were a series of procedural rulings dealing with omnibus Bills. First I will quote from page 284 of the House of Commons *Journals* from that date, where it reads in part: "My question is, of course, whether he can," referring to the mover of a motion, "advance a legitimate

procedural argument, and this is where I find some difficulty. As the House knows, the Chair" – the Chair – "has to be guided to a considerable extent by precedents established over a number of years." Mr. Speaker, there is no precedent that I could find in the history of the Legislative Assembly of the province of Alberta for a motion of instruction.

3:00

In fact, Mr. Speaker – and I'll be coming back to this in a moment or two – your very own ruling earlier in this session, which will be found in *Hansard* for May 26, does in fact enjoin the members of this Assembly to break new ground.

Furthermore, from *Journals* on January 26, 1971, I quote in part the Speaker's ruling.

In my view it should be the responsibility of the Chair, when such bill is introduced and given first reading, to take the initiative and raise the matter for the consideration of the House by way of a point of order, as I have taken the liberty of doing with a number of Private Members' Bills.

A break in the quote for a minute. That would suggest that there is a responsibility on the Chair to make such a ruling or an intervention at the earliest possible opportunity.

When those Bills came before the House for first reading I entered a caveat about them and gave honourable Members an opportunity of expressing their views. At any rate some of these bills were refused by the Chair.

At the same point it is much easier for the government to go back to the legislative mill to where Bills are prepared, to the judicial luminaries of the Department of Justice for the consideration of Parliament. If I may say so, I think that even those very learned gentlemen should take into account that this is an aspect of a matter that is of interest to all honourable Members, of interest I am sure to the government, and certainly of interest to the Chair, namely that there must be a point where an omnibus bill becomes more than an omnibus bill and is not acceptable from a procedural standpoint.

Mr. Speaker, *Journals* continue to provide us with some advice regarding how Parliament then resolved the question, but that would be more germane to the substantive content of the motion, so I'll save that for a later stage of the debate.

I would like to go on to just note that there is confusion from the Parliament of Canada, from which we can rely on some precedent, as to whether the most opportune time for dealing with such a motion of instruction would be after first reading, as is suggested in part by this Speaker's ruling, after second reading, as is contemplated by *Beauchesne*, or after in fact third reading. There is some history and precedent that is in *Beauchesne* and in the *Journals* from the House of Commons that even suggest that upon third reading would be the time to do it. But, Mr. Speaker, the weight of the substantive evidence in terms of finding precedent would suggest the most appropriate time is as the Bill is to be committed to committee. However, there are examples of it being done at other points in the proceedings.

Mr. Speaker, I would like to refer to *Beauchesne*.

MR. FISCHER: You're done now.

MR. SAPERS: No. Far from it, hon. member.

*Beauchesne* 681, under the title of Instructions, reads:

An Instruction is a motion empowering a committee to do something which it could not otherwise do, or to direct it to do something which it might otherwise not do. It directs the order and course of the committee's proceedings and extends or restricts the order of reference according to the discretion of the House. Committees, in case of doubt, may ask instructions from the

House as to the course they should take with reference to the matters under their consideration.

Mr. Speaker, again we have some authority that this is the most appropriate time to raise the matter, again without one day's full and clear notice.

I will also refer you now to *Beauchesne* 686, under the title of Admissible Instructions. I will read subsection (2) of 686, Division of bill.

An Instruction is required to enable a committee to divide a bill into two or more bills, but such an Instruction is in order only if the bill is drafted into two or more distinct parts or else comprising more than one subject-matter, which lends itself to such division into parts.

Again, Mr. Speaker, some guidance in *Beauchesne* that this is an appropriate motion and therefore in order, given the drafting of the Bill before us.

Also in *Beauchesne* 684(1) I note the following: "The time for moving an Instruction is immediately after the committal of the bill, or, subsequently, as an independent motion." Mr. Speaker, we could rely on either part of that sentence to justify the introduction of this motion. Either "immediately after the committal of the bill," which would be my oral notice of motion, that I would do it at the appropriate time, or indeed to justify the debate at this stage in the proceedings, because it can under *Beauchesne* be an independent motion, independent of the stage of debate of the Bill.

I go on.

The Instruction should not be given while the bill is still in the possession of the House, but rather after it has come into the possession of the committee,

again bolstering the argument about timing being everything and hence being unable to rely on 38(2) of Standing Orders.

One more quick point that I will make while I am referring to *Beauchesne*, and that is in appendix 1 of *Beauchesne* under forms. Please note that No. 14 does provide for the appropriate form of a notice of instruction to a committee. I had endeavoured to have the Table officers initial the form and content of the motion upon which I gave oral notice, and that is because I wanted to ensure that it was consistent with appendix 1, No. 14, Instruction to a Committee. I think, Mr. Speaker, upon reviewing it, you'll find that it is perfectly consistent with *Beauchesne* in that regard as well.

As I said, there is no Alberta precedent. Perhaps as close as we come to finding Alberta precedent has been the debates which you yourself have been part of since assuming the role of Speaker in this Assembly, first in your oral ruling when the form and content of Bills 16 and 17 were first raised under a point of order and then of course in your subsequent written ruling. Mr. Speaker, I make reference specifically to your ruling on omnibus Bills in *Hansard* on May 26, 1997, where you say in part:

The Opposition House Leader placed some emphasis on Speaker Schumacher's decision to divide a motion in February 1995, but that was not a Bill. Technically speaking, the motion in this case would be that Bills 11, 16, or 17 be read a second time,

again suggesting that it is the motion which commits the Bill to another stage which is the appropriate time to raise such a motion of instruction.

Furthermore, Mr. Speaker, in the absence of any clear precedent but also in the absence of any clear prohibition about this form of a procedural motion, I will also read your concluding comments, sir, in your Speaker's ruling of May 26 where you say:

In conclusion, the Chair wants to note that there is nothing preventing the House from developing guidelines as to the

acceptable form and content of omnibus legislation. The Chair encourages members to break new ground in this area.

It is clearly your decision that you would not make up these rules as you went along on behalf of the House. In fact, you quite clearly ask the House to come up with these rules and guidelines.

This motion is an attempt to further that ruling of yours, to encourage this Assembly to debate whether or not it wants to offend parliamentary tradition by dealing with omnibus Bills, such as Bills 16 and 17. In particular, of noteworthy reference at this point in time, Mr. Speaker, is Bill 16 as it winds its way into the next procedural stage of debate. Strictly speaking, we're trying to give life to your ruling by introducing the motion in this way.

### 3:10

Mr. Speaker, you have referred all members of the Assembly to Standing Order 46. Standing Order 46 reads:

Whenever the Speaker is of the opinion that a motion offered to the Assembly is contrary to the Standing Orders or privileges of the Assembly, he shall apprise the member or the Assembly, as the case may be, at the earliest opportunity and shall cite the Standing Order or authority applicable to the case.

You have certainly made us aware that you have a suspicion that my notice of motion was out of order, and I am very grateful that you have allowed for debate to help you in your decision as to whether it is or it isn't out of order, but, Mr. Speaker, you have not cited an authority, as is contemplated in Standing Order 46, which is applicable to this case that would suggest it is out of order. That's why I was making the assumption you may have been relying on Standing Order 38, but you certainly didn't make it clear. So if in fact there was another authority that you were relying on, I would be happy to respond. I think I've covered most of the authorities that are relevant to the debate on this motion at this time, trying to avoid, of course, debate on the substantive content of the motion.

I will make one further reference and one final reference to Standing Orders, Mr. Speaker, and that would be reference to Standing Order 2, which reads:

In all contingencies unprovided for, the question shall be decided by the Speaker and, in making a ruling, the Speaker shall base any decision on the usages and precedents of the Assembly and on parliamentary tradition.

I note that this may be somewhat contradictory to your earlier ruling where you said that you would not make a decision. It would not be the Speaker's decision. It would be in fact a decision of the Assembly, but I'm suspecting that you would not take that ruling so far as to preclude you from making an independent decision regarding a motion of a notice of instruction, which indeed, sir, in keeping with your admonition to the House, would be breaking new ground.

Thank you very much.

THE SPEAKER: The Government House Leader.

MR. HAVELOCK: Yes. I'd like to thank the Opposition House Leader for those brief remarks.

Mr. Speaker, typically it is a courtesy given to opposite members to let the other know if and when a motion like this will be presented before the House. Now, I know that I was given verbal indication sometime last week that it may be coming; nevertheless, this underscores a problem we're faced with. We have what I would consider to be a complex argument, although not a particularly good one, with respect to whether or not you should be waiving Standing Order 38(1) or whether this Assembly should have it applied fully.

Mr. Speaker, it is the tradition of this House that motions other than those specifically mentioned in the Standing Orders – and I'd refer to Standing Orders 30 and 40 – are subject to Standing Order 38(1). Any other result, quite frankly, would necessitate contemplating every type of motion that one could bring forward and have it specifically mentioned somewhere in the Standing Orders, and that would not be workable. In fact, my concern is that if there's any result other than applying Standing Order 38(1) to this, it would be open to abuse. I would go so far as to guarantee it would be abused by some members of this House with respect to trying to delay and/or subvert and/or in any way impede the government's agenda and the agenda of the people of Alberta.

What I'd like to refer you to, Mr. Speaker, is *Beauchesne* 684, and I'd like to read it into the record if I might. I'm specifically referring to 684(1).

The time for moving an Instruction is immediately after the committal of the bill, or, subsequently, as an independent motion. The Instruction should not be given while the bill is still in the possession of the House, but rather after it has come into the possession of the committee. If the bill has been partly considered in committee, it is not competent to propose an Instruction.

Very clearly, Mr. Speaker, the time for moving any notice of motion like this is after the Bill in question, Bill 16, is in possession of the committee. I'm advised by the Table officers that the Bill was moved over to Committee of the Whole on May 27; thus my humble suggestion would be that this oral notice of motion could have been given on the 27th or the 28th or the 29th or June 2. That is five days in which the Opposition House Leader could have brought this forward.

Now, there's a bit of a trap here, Mr. Speaker, because one of the problems for the Opposition House Leader with respect to 684 is, "If the bill has been partly considered in committee, it is not competent to propose an Instruction." Thus the member is trapped. He has delayed in bringing forward oral notice of motion with respect to this issue, and the passage which I just read in 684 *Beauchesne* would preclude this notice of motion being placed once the Bill is being discussed in Committee of the Whole. The Bill is scheduled to be discussed this evening, Mr. Speaker. The difficulty the member has is that if we start that discussion, he loses. It's quite clear from *Beauchesne* that he could not bring this notice of motion. I'd also like to point out that last week in Projected Government Business it was specifically mentioned that Bill 16 will be discussed this evening in Committee of the Whole. Therefore, at the very least the member could have given notice of motion yesterday.

In addition, Mr. Speaker, I would like to refer you to Standing Order 39. I'm not entirely sure whether this would apply or not, but it does specifically state:

A member may have no more than two notices of motions other than Government motions in his name on the Order Paper at the same time.

Now, in looking at the Order Paper, I see that the Opposition House Leader has motions 518 and 585 on notice. If he is bringing forward this notice of motion at this time, I would suggest again that it is clearly contrary to the Standing Orders.

To summarize, Mr. Speaker, I appreciate that the hon. member spent his entire weekend researching this. I don't appreciate the fact that there was absolutely no formal notice given that this might be coming up today. I would suggest, because I think the Standing Orders are so clear, that I would not have spent the weekend researching this. I think the answer is quite clear. I would ask that in interpreting this you would rely heavily on

section 38(1) of the Standing Orders because to do otherwise will, I think, result in this House being in disarray and again subject to abuse by the members opposite.

Thank you.

THE SPEAKER: Other hon. members who want to participate in this stirring point?

The Chair is going to take these arguments under advisement and this afternoon at 4:30 o'clock will provide his ruling.

Prior to moving on, might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

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

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

MRS. LAING: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to Members of the Legislative Assembly five very special guests of the Member for Calgary-North West who are seated in the public gallery. They are Ralph and Geraldine Walters from Provo, Utah, the member's mother and father-in-law; Helen Melchin, his wife; and daughters Rachelle and Jenny Melchin. Ralph and Geraldine Walters have made the trip to Alberta to attend the graduation of their granddaughter, Jenny Melchin. I would ask now that they rise and receive the warm welcome of the members of this House.

THE SPEAKER: Orders of the Day. Sorry. You're rising on . . .

MR. SAPERS: A point of order. Thank you, Mr. Speaker. I'm not clear. I thought this might be the best time to do it, since we reverted to introductions and we were back into Routine, Mr. Speaker, and that I would . . .

THE SPEAKER: No. That was a special exemption for that or permission of the House to do that.

MR. SAPERS: Yes. I thought that this would – just to make it clear, I was going to rise to give oral notice of motion.

THE SPEAKER: You did earlier today.

MR. SAPERS: On a second motion.

head: **Orders of the Day**  
head: **Public Bills and Orders Other than**  
head: **Government Bills and Orders**  
head: **Second Reading**

**Bill 208**  
**Kananaskis Park Act**

[Adjourned debate May 28: Mr. Amery]

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

MS CARLSON: Thank you, Mr. Speaker. I rise to speak to Bill 208, the Kananaskis Park Act. This is an Act that is fundamentally required at this time in this province. We need to create a Kananaskis park in the northern part of Kananaskis Country to

protect it from the encroachment of future development in the area and to protect it on behalf of the animals, all of the wildlife that inhabit that area.

Included in the Kananaskis area are the Spray valleys, and we do not have at this current point in time any legislative protection. There are plans coming down the pipe for some very large-scale developments in the area that would affect the natural sustainability of the area. So now is the time, before any further action is taken, for us to protect the area. I think that there is a lot of evidence to support this particular Act and that this is the time for us to take part in the discussion. I am hoping there will be lively debate on this issue from both sides of the House.

[The Deputy Speaker in the Chair]

There have been studies done, both by government and environmental groups, that show a majority of the people are supporting the area the way it is. They don't want any kind of further man-made recreational facilities or any kind of ability of the wildlife corridors that are currently established to be encroached upon. In fact, even the government's own survey indicated that 80 percent of the people who live in the area want that area sustained from an environmental perspective, and 80 percent of people from outside of that area, visiting from throughout the province and other provinces and countries, also want the area sustained. So certainly I think that provides some good evidence for us to take a serious look at this now.

3:20

That area in Kananaskis of the Spray valleys right now are wildlife corridors, and it's incredibly important for us to be able to sustain those corridors in a very viable manner so the wildlife that travels through them can maintain their genetic diversity. We see problems happening now in and around the area. The development in Banff, the Bow corridor, and Kananaskis actually break up the north/south corridors, and there's been a great deal of evidence presented inside and outside this House by a variety of agencies, including all levels of government, being municipal, provincial, and federal, that talks about what the encroachment on wildlife in these areas does, particularly when you talk about indicator species such as grizzlies and wolves. Indicator species are species of large carnivores whose ability to sustain their own numbers affects the viability of other wildlife in the area.

Species such as wolves and grizzlies require a very large area to travel in in order to be able to reproduce and to sustain themselves, and they need these corridors to travel in. Grizzlies can range up to 500 kilometres within their area of movement, and they, as well as wolves, need to be able to meet other members of their species. Wolves have a wide-ranging area of travel as well, and that area needs to correspond with the kinds of species that they eat to sustain themselves, like elk. We have seen through specific studies – and there is further evidence in terms of ongoing studies right now – that in the Bow Valley corridor grizzlies and wolves particularly are being reduced in number because the corridors that are being left open to them by man are not the same corridors as are followed by the animals that they eat, such as elk.

Anyone who travels to Banff can see this happen. In the town proper of Banff there are large numbers of elk that are living and foraging in the town itself and in the surrounding area. Wolves won't move into a place like Banff, where there are a lot of people around, so they are pushed to the outside fringe not just of the town but of a two- or three-kilometre radius beyond that. In

those areas, when they track the elk, you can see that the two patterns don't match. You've got the food in the town proper, and you've got the predator on the outside of the area, and there's very little overlap. What that does, then, is jeopardize the ability of the predator species to maintain its viability.

We've also seen in the Banff corridor study that these predator species have low-valley patterns of movement throughout the corridors. As we see traffic expanding, like the highways, and as we see commercial and tourism use expanding, all that expansion happens in the floor of the valley. It pushes these species up the sides of the mountains, which are areas outside their normal corridor and which then causes other sustainability problems for them, not the least of which is that the species they eat still follow the floor of the valley.

So these are really long-term problems. They are problems that many people are addressing. They're being addressed in the Bow Valley area now by all levels of government there and the town proper. They're being addressed in Canmore, just outside of Banff, by the town, which I think is doing a very commendable project there in terms of integrating the joint use of wildlife, people, commercialization, and industrial development. But the province itself is doing nothing to sustain these same areas in the bordering regions there, which is Kananaskis Country.

MR. LUND: A point of order.

THE DEPUTY SPEAKER: The hon. Minister of Environmental Protection is rising on a point of order.

#### Point of Order Questioning a Member

MR. LUND: Under *Beauchesne* 459 would the hon. member entertain a question?

MS CARLSON: It's the wrong citation, but that's okay, Mr. Speaker. I only have four minutes left. The minister will have an opportunity to stand up and make his comments, so I won't.

#### Debate Continued

MS CARLSON: To continue on with that, I think we're starting to see that there are some strong reasons from a wildlife perspective to start to think about now protecting existing corridors and looking towards integrated approaches for sustainability of not only wildlife but of all of the other sectors that are being encroached on by these developments now.

There are in fact nine very good reasons currently existing for us to protect Kananaskis itself as a park. A lot of these have to do with recent changes that have happened in Alberta Environmental Protection in terms of the lack of follow-up in this area and the kind of manpower that has been eliminated from the protection aspect of the department. No fault of the department itself, but I would look to the minister for some corrections in this area, because I don't think the environment is something that we can just throw away or downsize or downplay because there's financial pressures on the government to correct past mistakes by that same government. Certainly we should not put Kananaskis at risk for those reasons.

In the last little while the director of Kananaskis Country has been eliminated, and that director used to report directly to the minister. Now that person has been replaced by an employee of the department who's in charge of all of the southern Alberta parks, not just this one particular part. They don't report directly

to the minister. They report to several layers down from that, and I think that's a problem. This is a park that is being encroached upon by many different pressures at this time, all of them strongly competing for the same natural resource. We have seen this government and this department and this minister particularly willing to sell off or give away the natural part of the resource in order to maintain sustainability in some other area like industrial development. So when you don't have a director in charge of that area, that's the first indication that you've got some problems and that the area is at risk. You have a civil servant who's looking at it and is responsible for all of the parks. So that's a problem.

Now the Kananaskis Citizens' Advisory Committee has been disbanded. That would be the second good reason for designating this area as a park, because the Kananaskis area is in crisis. I think there is now little ability for public input and little notice given to the public about upcoming changes that are happening in that area. That was addressed to some degree before, when there was a public advisory committee. This is an area of concern for all people who use that area and for environmentalists who are looking at the pressures being put on the wildlife in the area.

The third good reason is that there is currently no recreational policy. Although it was promised to be delivered by July 1, we've just heard in this House a short while ago that the study that was being done that in part addressed this issue has now been postponed. While we said that a recreational policy is good to take a look at, the problem is that it isn't encompassing enough. It's just too short term, and it's already been done.

3:30

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Ellerslie, but the time limit for consideration of this item of business has concluded for the day.

## head: **Motions Other than Government Motions**

### **Career Counseling in Schools**

506. Mrs. Burgener moved:

Be it resolved that the Legislative Assembly urge the government to review in conjunction with stakeholders the role, function, and responsibilities of school guidance and career counselors at the junior and high school levels to ensure Alberta's students can make informed decisions about entering postsecondary institutions or the workforce.

[Debate adjourned May 27: Mrs. Burgener speaking]

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

MRS. BURGNER: Thank you, Mr. Speaker. I just would like to conclude my remarks and allow other people to have a chance to speak to this motion and to bring to the attention of the Assembly that in pursuing this motion, we really are giving our youth an opportunity to have a voice in the decisions that are made by government, using the respected authorities that are available to assist them. I would identify that even in our own constituency we will be looking at the role of our youth with respect to education and their future access to postsecondary and work opportunities through a youth summit that we're developing in conjunction with the Growth Summit. I'm looking forward to our young people having the chance to review the discussion that occurs in the Assembly today to give us some feedback into our community input on this particular initiative. So I would urge

your support for this motion, and I look forward to hearing other debate this afternoon.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thank you, Mr. Speaker. I'd like to take the opportunity now to speak unfortunately against Motion 506. I say "unfortunately" with some regret because I'm usually very positive in terms of actions that will improve education or make life better for students, but I don't think this motion does the job.

I'd like to go back and look at the motion itself, because it's important. It asks for a review by the government and stakeholders of the "role, function, and responsibilities of school guidance and career counselors at the junior and [senior] high school" in terms of the kinds of information they are passing on to students entering postsecondary institutions or the workforce. I read it into the record because the mover of the motion seemed to spend a great deal of time talking about the context of the motion, and from the comments that were made last day and again today in concluding comments, I didn't get any kind of an understanding of where the need for the motion arose. It's even more puzzling when you look at some of the information that we have in front of us.

The motion has built into it some underlying assumptions. There seems to be an assumption that students don't have the information they need to make decisions about careers, that they don't know what careers entail, that somehow or other the kinds of possibilities out there in terms of careers are not open to them, that they don't have that information.

A second assumption it seems to make is that they don't have information in terms of what it takes to prepare for careers: the kinds of courses they might take, the kinds of activities they should engage in, all those necessary prerequisites before you make a decision about a career.

The third assumption, and I think the one that will disturb counselors and many junior and high school staff members across this province, is that counselors somehow bear the sole responsibility for these tasks and they haven't been doing the job. I think that's an unfortunate kind of assumption to have built into a motion, given the kind of activity that this government has engaged in in the last four years. I refer in particular to the kinds of budget cuts that junior high schools and high schools have had to institute and the kinds of alternate plans they've had to make. Then for a motion such as this to imply that somehow or other this particular group of professionals hasn't done the job I think is, as I said, at least unfortunate.

I would ask the government member to look at how warranted these assumptions are, and I point to these surveys done by a number of the school districts across the province. I think it would be informative to access those, particularly those surveys that ask high school students whether they have the kind of information the member seems to think they don't have. I think she would again find that informative, because I think the truth of the matter is quite the opposite.

I would refer to page 133 of Budget '97: Building Alberta Together. On page 133 the government asks for the percentage of parents, high school students and the public satisfied that high school graduates have the knowledge and skills to get a job and are prepared for post-secondary studies.

If the member would look at that piece of information, they have polled high school students. In 1996 83 percent of the high school



students said that they had the skills needed to get a job. In 1996 91 percent of them said that they were prepared for postsecondary education. That 91 percent exceeds by a percent the government's target for 1999. Again, a piece of information that seems to be contrary to the motion the member has put forward.

The second assumption, that the career guidance counselors aren't doing the job, I think is again based on the assumption that they bear full responsibility for career advising and they bear the sole responsibility for what happens to youngsters in this area. I've always assumed, as I think many people in the profession have, that career advising is a total curriculum affair, a total school affair, that it doesn't rest with one group of professionals, in this case guidance counselors.

As the member has mentioned, there are a variety of activities that are carried out in schools through student services departments, often under the leadership of guidance counselors, but I refer specifically to the career days. Most of us in this room have had the opportunity to attend one or more of those days and see the wide variety of people from professions and the workplace who come to schools and who share their information on a particular day. Many of those individuals and organizations continue that sharing on a long-term basis with schools.

I would ask the member to visit a high school, to spend some time in a student services department, and to look at the kinds of materials that are available to students in the library collections, the computer CD-ROMs that are available for their use, the kind of software that's available to advise students in terms of careers and workplace information, the kinds of programs that are in place from those student services departments. I would ask her to look at the partnership programs between high schools and junior high schools and businesses and business organizations. Again, a wealth of information where youngsters are privy to the kinds of qualifications they're going to need, the kinds of training they're going to need to meet the requirements of those professions and jobs.

Embedded throughout the school curriculum, starting in the primary grades and continuing throughout high school, are a variety of attempts to acquaint students with the kind of career information that they need. I refer particularly to the social studies programs, where time and time again references are made to careers, and the kinds of qualifications, the kinds of skills that you need to enter those careers are outlined for students and are the focus of study.

I look at the work experience programs, and I think the member did mention these. Again, very valuable experiences built into the high school program to acquaint and give students an opportunity to actually experience the workplace and to find out firsthand from those people in the workplace what it takes – the kinds of attitudes, the kind of information, the kind of background they should bring to careers – in the fields where they're experiencing work, should they wish to pursue it.

If you avail yourself of the opportunity to talk to career guidance counselors, they'll share with you the vast array of experiences they structure for students. That includes co-ordinating meetings with interested stakeholders in the community, groups who are also in the business of advising either students or young adults or people on social services. They're involved with a wide variety of community organizations in this task of making students aware of what's out there in the workplace and the kinds of qualifications they must meet to participate in that workplace. There's extensive use of computers in bringing information up to date with regards to careers and career development and putting it in students' hands.

### 3:40

The unfortunate part of the motion, I think, is the singling out of counselors. I think all you have to do is to speak to a few of them to find out how the changes in government funding have affected their work and the work of many of those that labour with them in this area. They've been affected by contracting out. In many cases students have been the losers in that effort because the ongoing contact that a resident counselor has with students is lost in many of the contracting-out agreements.

But what has been most devastating for counselors has been the different functions they have been assigned, everything including taking the place of administrators, who now find themselves busy learning about site-based management and spending time budgeting and trying to cope with budget cuts, spending much more time on those kinds of activities. Needing someone to replace them, the people they often turn to are the guidance counselors. So counselors find themselves doing a lot of different things, much of it little related to career counseling or guidance counseling. Many of them have been pressed into service in the classroom to teach. One of the local high schools here shared with me the staffing ratio, which gave them 1.6 counselors to 1,100 students. It seems to me that's a counselor/student ratio that we can't be very proud of. That someone would then have the audacity to turn around and say that counselors aren't doing their jobs seems to me to be irresponsible, I guess is the word.

The motion, though, really does beg us to look at what's happening to students and what's happening to high schools. I think a prior motion should be passed, and that's what has happened to high school, junior high school students as a result of budget cuts. There have been many changes. Counseling is one of them, but I would suspect that if you looked around at librarians, if you looked at the other kinds of support services that are in place for students, they too have suffered the same fate as the guidance counseling program. If we follow the experience of the Edmonton public school board in moving to site-based management a number of years ago, there was a drop in the number of counselors. There was a drop in the number of librarians. Those positions become more vulnerable as you move to site-based management because the positions are seen as being open to that resource being used for other purposes. It would be interesting to know what's happened in terms of the support to high school and junior high school students as a result of both budget cuts and the move to site-based management.

I think there's a prior question that the mover of this motion needs to address, and that is: how do the course of studies in K to 12 and the kinds of cocurricular programs prepare students to enter postsecondary schools? In reading the motion, and as I listened to the debate on the motion last day, I'm not convinced that the mover has done that necessary homework. I think it's unfortunate that that homework wasn't done before this motion was brought forward.

Lastly, I would think that it is really important, if we're going to have this kind of motion, for us to find out what has happened to the role of counselors in the past four years that would lead to this kind of motion being brought forward. If we were to hear from the counselors themselves, I think we would find that informative.

I go back and look at the motion, I look at the kind of information we have available to ourselves, and I really wonder why the motion has been brought forward. I have this sort of sense or feeling that somehow or other the mover was either misinformed or out of touch in terms of what's going on in junior and senior

high schools in this particular area. In some cases, as I've related the motion to people in this area, they've seen it as almost a piece of mischief in terms of their particular work. I would urge members of the Assembly to vote against the motion.

Thank you, Mr. Speaker.

**THE DEPUTY SPEAKER:** The hon. Member for Clover Bar-Fort Saskatchewan.

**MR. LOUGHEED:** Thank you, Mr. Speaker. It's a pleasure to rise today to speak in favour of the motion brought forward by the Member for Calgary-Currie, this motion calling for a review of the role, function, and responsibilities of school guidance counselors.

I'd like to comment on three statements that were made by people who are decision-makers and leaders in their communities. These are statements that I just recollect from conversations with them sometime past. The first statement went something like this: "Why don't those guidance counselors tell my son what career to go into? What are they doing anyway? They're quite useless, and maybe we should just eliminate them." The second comment went something like this: "Can you believe those counselors told my daughter she couldn't get into the commerce program at the U of A? She had an 87 percent final mark in math 30." And the third statement was something like: "I hired a student, a high school grad. He couldn't spell. He wrote: 'You sea, I finished the job. I'll meet you after lunch.' He spelled see, s-e-a, and meet, m-e-a-t." Apparently he passed English, and he was going off to university.

Mr. Speaker, I would not have recalled the incidents except that recently similar comments have been heard. I offer these examples because they illustrate the need for acceptance of this motion. The role, function, and responsibilities of school guidance counselors is not correctly understood. These examples illustrate three different aspects of the state of guidance and counseling in our schools as viewed from my perspective. They will help, I believe, to illustrate the need for acceptance of this motion, because the role, function, and responsibilities are not well understood.

In the first example, where a parent expected that his son just needed to be pointed in the right direction, there's an implication that career counseling requires little more than a brief statement of fact as to which career someone should pursue. There are other assumptions being made as well: that the student is in fact receptive to what the message is and that the counselor has had enough contact with the individual to know whatever aptitudes and aspirations he or she may or may not have. Also, there's no recognition that the counselors typically have about 500 students to be working with, dealing with everything from interpersonal conflicts to sexual abuse to threats of suicide, who take up that counselor's time. There's no appreciation that to choose a career requires a great deal of work on the part of the student. It's my experience that many students spend more time deciding the location of the grad party or deliberating about what kind of car to buy than they do about deciding which direction their lives should take after they complete high school.

The second example demonstrates a couple of things. First, the guidance counselor can be a convenient scapegoat for poor choices made by a student because of unrealistic expectations on the part of the student or the family. Secondly, there's often a lack of confidence exhibited when the answers are not in concert with the desires of individuals. When I investigated further, the student

who was advised that she did not qualify for the accounting program at the U of A in spite of her high math 30 mark did not in fact meet the required cutoff for the five-course admission average, which at that time was in the low 80s. Whether by design or oversight, this crucial bit of information was never relayed to the parent by his daughter and resulted in undue criticism of the school guidance counselor.

### 3:50

The third example demonstrates what is perhaps the most crucial problem with respect to career counseling, and that's the lack of effective linkage between the business community and the schools. The employer I was speaking with had hired a young man who said he had a high school diploma and was going to college after working for a year or two. The communication skills of the recent grad were deemed to be lacking, but when I asked additional questions of the employer, it became apparent that he had not checked the accuracy of the claims made with respect to graduation from high school. There had been no attempt to check the proficiency or in fact even the level of courses completed. The employer did not in fact understand that many high schools offer English courses that range from noncredit EMH level to advanced placement, or IB, which is the equivalent of first year university.

The third example also demonstrates another problem that exists with the relationship between the business community and the schools. When asked if the employee did the construction job adequately, the reply was: one of the best I've ever had work for me. However, it was obvious that if he had made his hiring decisions based on English competency instead of the ability to do the job he wanted to have done, he perhaps would have had a good poet but a poor plumber.

The problem, as I see it, is that the essential skills sought by employers and outlined by the Conference Board of Canada range from relatively easily assessed academic skills to more difficult personal management skills and teamwork skills. Hiring decisions based on academic skills may streamline the interview process but do not result in the acquisition of the kind of employee sought. This phenomenon is not unique to small business, because I'm aware of a major industry that insisted that welders applying for a job had to have English 30. That requirement during a time of high unemployment among welders made the hiring process more simple by eliminating great numbers of qualified individuals but may have resulted in employees more skilled at wordsmithery than welding.

At any rate, what is needed is improved linkages between the business community and the schools to facilitate the transition between school and work for the students and to ensure a provincial workforce is available to it, a continuous supply of our brightest and best moving in directions they have researched, are qualified for, and are excited about because they are moving in a direction by choice not by chance.

I do not intend only to speak about the challenges facing us in this area of career planning but would like to offer some insight into what I consider an excellent model in the province. This model was developed at Bev Facey community high school in Sherwood Park, and much credit goes to a few individuals there whose reputations are known throughout the province: Dale Gullekson, the work experience co-ordinator; Nina Hoffman, the student services co-ordinator; and Jim Sawchuk, who is the principal at Bev Facey. I should point out that other similar excellent models exist throughout the province. Some were

developed independently, and others were modeled after the early work done by schools like Bev Facey.

To briefly describe this model may do it some injustice. If I were to attempt to include all aspects of career education programs that are taking place, it would require more time or attention than my colleagues are likely to have presently at their disposal.

The Facey program is composed of several aspects. During their grade 10 year students spend an entire week of their social studies 10 class, or about seven hours, doing career planning. This career planning week includes an extensive discussion of current labour market trends and introduces students to the concept of career planning. The students do an interest inventory self-assessment, after which they identify short- and long-term goals, identify career paths of interest to them, and identify their strengths and weaknesses.

In grade 11 the compulsory CALM 20 course is taken by the students, and there is a great deal of emphasis on careers and the world of work. It is that part of the course that students most appreciate. After completing the CALM 20 course, students can pursue job shadowing opportunities provided by up to 600 volunteers in various trades, professions, and vocations. In addition, they can enroll in five, 10, 15, or 20 credits of work experience, which includes an extensive career transition component. During this time students learn résumé writing, interviewing techniques, employer expectations, and job search techniques. They also access system-sponsored, postsecondary career planning evenings. Mr. Speaker, what I have just been describing are the kinds of things that schools and staffs can implement.

I do believe that much more can be done and indeed must be done to help our young people make career choices. One very practical aspect of helping students determine where they're heading can be found in changed classroom behaviour. We often observed that students' attitudes towards their studies improved when they made a decision about where they wanted to go with their future.

I'd like to describe another resource that the students are encouraged to develop during their high school years in Elk Island public schools. This is a skills portfolio that students may develop and add to during their high school days and beyond. The chamber of commerce helped to fund this program, and businesses are encouraged to examine the portfolio to determine what the student may bring to the business. This is part of the improved linkage between government and schools which was mentioned earlier. When we look at the critical skills required of the Canadian workforce and identified by the Conference Board of Canada, we must look at ways that this skills development can be encouraged. I believe that if employers want to have available a workforce with personal management skills, such as positive attitude and behaviours, responsibility and adaptability, then they must expect evidence of those skills before making hiring choices. By examining the skills portfolio for evidence of such skills and then hiring on the basis of such, employers could help to encourage that skill development and lend credibility to the teachers' efforts to promote skill development.

Mr. Speaker, much has been said in the past about the quality of graduates of our school system, that they do not meet the needs and expectations of the business community. I believe that improved communication between the schools and the business community can help in that regard. If business holds personal management skills in high regard, then by hiring students that exhibit evidence of such skills in their portfolio, they will promote and enhance the importance of those skills.

In conclusion, Motion 506 proposes a review of the role, function, and responsibilities of career counselors. I urge this Assembly that reform is required. Although I have addressed the need for reform of other areas, such as employer approaches to hiring, I believe we must recognize that reform is required. We must help our young people to be more aware of required skills, skill development strategies, awareness of the workplace, and the appropriate choice of educational programs.

Mr. Speaker, I'll be supporting this motion, and for these reasons that I've stated, I encourage the members of this Assembly to do the same. Thank you very much.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo, followed by Calgary-Egmont.

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased to have an opportunity to rise to speak to the motion introduced by the Member for Calgary-Currie. It's been interesting listening to the observations and arguments that have been advanced on both sides of the House.

A couple of observations I want to make, Mr. Speaker. I suppose that given the very critically important role played by counselors in Alberta schools, yes, it's always appropriate to look at how we can ensure that they're providing the most useful kind of service and assistance to Alberta students. That goes without saying.

I guess what I find is that there are some themes running through the motion and, more particularly, through the debate that I'm most uncomfortable with. One is that it does seem to me that we're investing in our guidance counselors a whole set of concerns that relate to other issues in our schools. All I can say is that I hear lots from Calgary parents and often from high school students about what changes they want in education in Alberta, and I have to tell you that in all of those conversations I don't ever recall the issue of inadequately prepared guidance counselors coming up.

4:00

Now, that's not to say that there aren't guidance counselors in Alberta schools who may not be doing the job that we would want them to do, but by and large, whatever assessment I hear of guidance counselors in Alberta schools is an extremely positive one. In fact, when I think of the Central Memorial high school session that occurred in early March of 1997 - this is the one where we had representatives from, I think, 40 different school councils throughout Alberta who came to talk about the concerns that they were experiencing in their schools. I listened to, I think, 40 presentations, and not once was there mention of guidance counselors. Not one time did somebody say that the real problem in Calgary schools is that we don't have adequately trained guidance counselors or that they're not giving out the appropriate information.

We heard lots of talk in terms of concern about fund-raising issues in schools. We heard lots of difficulty in terms of lack of teachers' aides and support to teachers. We heard lots of talk and concern about overcrowded classrooms. Never once did I hear anybody express a problem in terms of guidance counselors. So when I see a motion like this come forward, I sort of have to fit this into my own scheme of things: where does this rate in terms of importance? I can only offer from my perspective and that, I think, of my constituents that there are plenty of concerns with what's happening in junior high and high schools, but career counseling is very far down the list.

There were some things that were said by the Member for Calgary-Currie that I'm really uncomfortable with, you know. On page 799 in *Hansard*, May 27 she was bemoaning the fact that "the first year of university is no time to start making a decision about a career." Well, the reality, I think, to anybody who's ever read a book by David Elkind called *The Hurried Child* – the premise of that author was the fact that we spend too much time forcing children and young people to make decisions at an earlier and earlier stage. I don't find it at all inappropriate that people start first year of university without deciding precisely what their career path is.

I think, frankly, that it's more important that people graduate from grade 12 with a good sense of self-esteem, with an ability to get along with other people, the value that I always invest in a public school system, an ability to deal with a host of challenges. When I talk to employers, what they tell me they want from a high school graduate in this province is somebody who's flexible, somebody who's able to get along with other people, somebody who's able to think on their own, somebody who's able to make independent judgment. Those are the kinds of skills that I think many employers are really looking for.

This business of career planning and feeling that we've got to somehow press our young people to make career decisions when they're in high school – many of them will. I respect that, but I also respect the fact that many people often make choices too quickly, without knowing the full range of options. For a youth growing up in a small town in Alberta who's never met a research scientist or who may not have had occasion to meet a geophysicist or an air traffic controller, it's easy to say, "I want to be a teacher," or "I want to be a nurse," or "I want to do something else." I think, frankly, that as many young people get older, have a wider range of life experience and maybe even spend a year or two at Mount Royal College or the University of Calgary, they start being exposed to a whole range of career paths they'd never even contemplated before.

I think we ought to recognize that. I don't think that's an unhealthy thing. I think that those young people should be encouraged to take a broad-based education. In fact, that's why the University of Calgary has a general studies program. Rarely does somebody start university in Calgary in a particular faculty. There's a general studies program, which respects and acknowledges the fact that many of these young people coming out of grade 12, high school, haven't yet decided on the particular career path they're going to follow. I don't see anything at all the matter with that. So I very much disagree with some notion that we should be panicking or despairing because grade 12 students still haven't decided what they want to do. Given the fact that there is such enormous fluidity in the job market and so many changes that people experience now in their career pattern, why wouldn't we focus more on ensuring that our young people get the broadest kind of education?

We heard talk about those cases where young people seem not to have a clear enough career pattern. I think the other thing that that perhaps doesn't acknowledge is the kind of challenges that guidance counselors face in Alberta schools now. In fact, some other members have mentioned some of the things: everything from teen pregnancy to drug/alcohol issues to sexual abuse. It's a tough time to be a young person. Frankly, youth unemployment is high. Many young people now see that going into postsecondary education doesn't necessarily translate into a high-paying, high-skilled job. So I think there's lots of pressure on young people. Lots of concern. The high school students I speak with

spend a lot of time talking to a guidance counselor, getting the information they require. Their difficulty isn't that they need something more from the guidance counselor but simply that they need a broader base of life experience to be able to make the kinds of decisions that are going to be most appropriate for them.

I suppose what this motion probably comes down to is a sense that business wants a bigger say in the classroom. I mean, that's really what I distill from the comments made by the Member for Calgary-Currie and some other members that have spoken to this. They think that in some fashion business doesn't have a strong enough or a big enough or an important enough role in Alberta classrooms. Well, I'd like to see some co-ordination and information-sharing between business and schools, but it just seems to me to be fundamentally wrong to say that our schools have to be more focused on teaching very narrow job skills when in fact most of these young people are not going to hold the same job for their entire working career. That doesn't make good sense to me.

Those are the comments I wanted to make at this stage. Thanks, Mr. Speaker.

THE DEPUTY SPEAKER: I'm sorry to interrupt the hon. Member for Calgary-Buffalo, but under Standing Order 8(4) I must put all questions to conclude debate on the motion under consideration.

[Motion carried]

#### Taxation of Single-income Families

507. Mr. Fischer moved:

Be it resolved that the Legislative Assembly urge the government to enter into discussions with the federal government to review the tax system to find ways to assist two-parent families where one parent chooses to remain at home.

THE DEPUTY SPEAKER: The hon. Member for Wainwright.

MR. FISCHER: Thank you, Mr. Speaker. It is a pleasure for me to bring this motion forward today. The family and its well-being is extremely important to me, as it is to many Albertans. There is no other bond that ties our society, this country, together more than the strong, vibrant family.

I believe that we as politicians have a responsibility to ensure that taxation does not discriminate or discourage families from providing an environment to raise healthy children. A strong family means strong communities and a strong country. A child is a person who will carry on what you have started. He is going to sit where you are sitting, and when you are gone, he will attend to the things which you think are important. The faith of humanity is in his hands.

4:10

The role of the family is undergoing a transition. It has for decades. I believe that we have come to a point where we need to revisit the role of the state in the development of the family unit. Motion 507 urges

the government to enter into discussions with the federal government to review the tax system to find ways to assist two-parent families where one parent chooses to remain at home.

I want people to understand that this motion should not be interpreted as wanting to force women to be in the home or to

deny them day care or the right to be in the workforce. This motion is intended to offer options to parents and provide a level playing field for all families, give them the financial freedom to allow mothers or one parent to be in the home with the children.

This motion is brought forward by a man who is presently witnessing the nurturing of 15 young grandchildren. This motion also comes from a man that believes that there is no replacement for a mother and a mother's love. It is vital in the first year of a child's life. Not a dad nor an institution, government or otherwise, can provide the love and care a baby needs to shape their personality and develop their human character. Mother's greatness is illustrated by a phrase recited by a man, Bill Sunday, in 1806: mothers fill places so great that there isn't an angel in Heaven who wouldn't be glad to give a bushel of diamonds to come down here and take their places.

Over the years, the last 30 or 40 in particular, the structure of the family has changed. However, the expectation of how the family contributes to society has not. We still expect the family to raise their children, care for the aged and disabled, and contribute to the community. I expect this, and I believe most Albertans do as well. The Canadian committee for International Year of the Family clearly articulates this role. They say that Canadian families must be recognized for the vital role they play in the economic and social life of the country. A key aspect of this role is the critical contribution made by families to the civic order, that is the glue of society, through the teaching of skills, values, and attitudes that equip their members to learn, work, and contribute to their communities and their country. When healthy and happy families are fulfilling these functions, they are doing much to prevent the social problems that cost our society so dearly in our health care system, our educational institutions, justice and law enforcement, labour and training programs.

I know that families in this day and age come in all types. Single and divorced parents, common-law couples, and married couples form the basis of families in Alberta. The Premier's Council in Support of Alberta Families produced a report in 1995 entitled *Family Structure and Family Economic Security in Alberta: Implications for Tax and Benefit Policies*. The current Minister of Family and Social Services was responsible for this report, and I urge each of you to find a copy and read it. It is a very well-thought-out report, and it touches on all of the financial issues important to families in this province.

This report indicates that families are becoming smaller. Couples choose to have fewer children and do so later on in their lives. They wait until they are better established and can afford children. To afford children partially involves providing them with material necessities. We can all understand this and expect it. However, this goes beyond the basics. We all want to provide our children with the benefits that we did not have and give them the best opportunity to succeed in life. We can provide our children with as many material objects as possible, but this will not replace the confidence and the life skills that we teach them. To afford children, I believe, also means to afford the time to spend with them and to nurture them as they grow. This was said best many years ago in the quote: the child that you want to raise as an upright and honourable person requires a lot more of your time than it does your money.

I believe that common sense tells us that raising children should be a primary concern for parents. There have also been a multitude of studies confirming exactly that. The National Foundation for Family Research and Education has analyzed these studies and has determined that children develop their life skills

at a very, very early age. It is in the first year of their life that children develop and secure a bond with their primary caregiver through extended interaction with them. This bond is the foundation on which children are able to develop healthy emotional patterns and belief systems.

When insecure bonds develop, there are a multitude of possible consequences. Some of these social problems we see in our society are disturbing to all of us. For example, since 1955 there has been an increase of over 1,000 percent in the suicide rate of children between the ages of 10 and 14. Likewise, for older children between 15 and 19 years there has been an increase of 600 percent. Between '86 and '94 the violent crime rate for adolescents increased 124 percent. I find it astonishing that 60 percent of our youth offenders who reoffend have three or more convictions. These trends must stop.

We must ask ourselves: why is this occurring? I'm not saying that every child who is cared for outside of the home will have severe emotional problems leading to delinquency and suicide, but I am saying that they have a greater potential of experiencing some sort of emotional problems affecting their ability to live healthy lives. The time spent with children at an early age is the main determinant in whether or not they are successful later on in life. Parents know this. They know what is best for their children, and they know that they want to be with their children as much as possible. I trust the vast majority of Canadians on this issue. When parents must divide their time between a career and raising children, they simply cannot spend the time that they want to spend with their children.

We need to determine our role as government in allowing parents the choice to stay at home to raise their children. We should not interfere in the manner in which parents choose to raise them. They are wise enough to determine their own needs and goals. Government should be equally wise and respect this. However, the emotional and physical health of our children is a public concern and becomes even more so when children experience difficulty and enter into the justice or social service systems. Any improvement that we can make in the lives of children must be a priority of this House.

I am pleased that the government of Alberta is proactive in developing programs to assist families and children in crisis. The redesign of our services to children and families is a prime example. Where we have jurisdiction, we have and will continue to assist families. The family employment tax credit came into effect this year and will certainly help families with children by reducing the amount of provincial tax paid by the working family. This is a positive step in increasing their financial security, allowing them to make important child care choices, but, Mr. Speaker, this is not enough. The federal government must review their income tax policies and how they influence family choice.

#### 4:20

As I mentioned, families are structured in a variety of ways, and I am focusing on the most common, the two-parent families, through this motion. There are currently many inequalities in the Canadian taxation system which make it difficult for two-parent families to make the choice freely to have one parent remain at home to raise their children. In many cases, to eliminate one earner from the family reduces the total income of the family. The average salary for one-earner families in 1994 was \$44,000 compared to \$58,000 for two-earner families. This is a sacrifice many families freely make. They forgo many of the material benefits of having two incomes to raise their children and avoid paid child care. In addition to the initial income sacrifice, they

are penalized through the taxation system, and this simply is unfair. If we place a high priority on the emotional well-being of our children, as we do, and we feel they're better off being raised by a parent at home, then why do we make it so difficult for parents to make that choice?

To outline some of the glaring inequalities, I will begin with the effectiveness of our progressive taxation system. When incomes for families are compared, one-earner families pay more income tax. A one-earner family making \$60,000 will pay \$16,148 in taxes after all allowable deductions. A two-earner family making the same amount will pay only \$9,368 in taxes after the deductions. This is a difference of more than \$6,000. One-earner families will pay a larger portion of their income on taxes than two-earner families, who are effectively able to split their income and pay the rate in the lower tax brackets. This inequality must be adjusted.

As well, families with two income earners, since they file separately, are each able to deduct \$6,456 as an individual tax credit. The earner in a one-income family may deduct the same amount as their individual tax credit but is only able to deduct \$5,380 for a nonworking spouse. This, again, is a differential of \$1,076.

The most obvious concern, I believe, is the implication of the child care expense deduction. Only two-earner families are eligible for this. It is considered a cost of employment for two-earner families. Parents are eligible for up to \$5,000 for every child under the age of seven and \$3,000 for every child between the ages of seven and 16. Although we deem proper child care to be vital for children and for society as a whole, within the tax system we do not consider in-home child care to be of any financial value. This is a contradiction. Parents should be respected for their decision to stay home to raise their children and not penalized for it. One of the most important responsibilities any individual can have through their lifetime is to raise a child. So why does the tax system penalize and thereby discourage parents from staying home with their families? Why is the total family income not considered? It does not cost less to raise a family if there's only one earner. This unfairness, Mr. Speaker, must be dealt with.

There are many alternatives to improve the taxation system. Joint filing may be an option as well as making the child care expense deduction available to all families. I believe that a lot of further discussion would be necessary to ensure that changes would be equitable. A level playing field must be reached so that government is not engineering the structure of the family through the taxation system, as it is doing now. Our system should be structured so that parents can freely choose without penalty how best to raise their children. We must give them an opportunity to do that. Our children will be better off in the long run, and our society will be better off in the long run.

I would like to finish today with this quote: the chances are that you will never get elected as Prime Minister; you will never be able to make \$10 million, stop pollution, end racial conflict, or save the world; however valid it may be to work at any of these goals, there is another one of higher priority: to be an effective parent.

Let's give them a chance. I ask all members of this House to support Motion 507. I do look forward to the other speeches.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I would like to speak to Motion 507. I would like to support it, but I do have some reservations. In light of that, I'd like to propose an amendment, which I will circulate now and return to to discuss later in my remarks.

Ms Blakeman moved that the Legislative Assembly urge the government to enter into discussions with the federal government to review the tax system to find ways to assist families where one caregiver chooses to remain at home.

I'm certainly supportive of entering into discussions with the federal government to review the tax system regarding families.

In any discussion like this I think there are a few things we need to be careful of, and one of them is language. I make note that the hon. Member for Wainwright carefully said that he didn't wish anything interpreted as a strike against child care or working parents and then proceeded to take several strikes against them.

[The Speaker in the Chair]

So I think we need to be careful in this discussion, to look for what is of most benefit to the children, to look to the structure in our society today. I think we want to be looking for equity and moving towards equity as much as possible. I think this is a situation that has developed more out of neglect than out of malice, but it certainly does exist, and it is an inequitable position for those families that have one caregiver staying at home and who is unpaid. Ultimately, it is about choice. It is about how families choose to structure themselves in these days and how they choose to move through the world raising their children or even, indeed, if they choose to have children.

Having prefaced my comments with those bookends, I think we need to keep in mind that during the last two decades we've moved increasingly to a dual-income family, where child care is paid for and is done usually out of the home. It does create an equity issue in households where one person stays home as the primary caregiver for children. This system has developed. As the hon. Member for Wainwright has pointed out, it does have a real monetary value for those households. It is something that I would like to enter into discussions on with the federal government to see if we could address this issue of equity and at the same time being careful that we are allowing people to make choices in their personal lives and in their families.

At one point we did have universality, as it regarded support for children, with the family allowance. That was changed a few years ago to the federal government child tax benefit, in which it appears it was mostly for the benefit of lower income families, working low-income families, and poverty-level families. In doing so, this was what the government of the day believed they heard from the population. I think the phrase that's been used is "the wealthy banker's wife" in that the wealthy banker's wife didn't see why she was getting her \$42 cheque every month. I point out that she could have chosen to donate that to a foster child in another country or to support any number of worthy causes in her own neighbourhood that would have benefited children. Nonetheless, that system is now gone.

We are told that the child tax benefit benefits 85 percent of the families. It does, I will note, include a further supplement of \$213 for each child under age seven where no child care expenses are covered.

4:30

THE SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Centre, but the time limit for consideration of this item of business has concluded.

### Speaker's Ruling Motion to Divide a Bill

THE SPEAKER: Prior to proceeding, the Chair would like to report on the notice of motion that was discussed a few minutes ago in the House respecting instructions to a committee to divide a Bill.

The hon. Opposition House Leader has given notice of a motion instructing the Committee of the Whole that it be allowed to divide Bill 16, an omnibus Bill. The member raised a point of order last Monday, May 26, 1997, asking the Chair to divide certain Bills, including Bill 16. In keeping with the authorities, the Chair declined to divide this or any of the Bills. This point of order is another approach to dividing a Bill by instructing the Committee of the Whole that it may do so.

In making his arguments this afternoon, the Opposition House Leader referred to various sections of *Beauchesne*, sixth edition, especially paragraphs 681 to 689. There is nothing in the *Standing Orders of the Legislative Assembly of Alberta* concerning motions to provide instructions to a committee on dividing a Bill. Like the member, the Chair has been unable to locate any previous Speaker's ruling on this most interesting question.

Under Standing Order 46 the Speaker shall apprise the member when a motion is not in order. *Beauchesne* 541 refers to irregular notices, and paragraph 566(5) concerns irregular motions. When a matter is not provided for in the Standing Orders or the "usages and precedents of the Assembly," then Standing Order 2 indicates that the Speaker is to rely "on parliamentary tradition." Often members and the Chair will refer to the practice in the Canadian House of Commons, which is the basis for *Beauchesne*. Paragraph 686(2) of *Beauchesne*, sixth edition, expressly states that "An Instruction is required to enable a committee to divide a bill into two or more bills." The citation in *Beauchesne* for this proposition is a January 26, 1971, ruling by Speaker Lamoureux in the House of Commons. That ruling says nothing about motions instructing a committee to divide a Bill before committing the Bill to committee.

At page 285 of *Hansard* for January 26, 1971, Speaker Lamoureux indicated that at third reading stage any clause or part of the Bill may be brought into question by way of an amendment proposing that the clause or part of the Bill be referred back to the committee. He was undoubtedly referring to the recommittal amendment which can be moved at third reading.

On May 11, 1977, on a point of order dealing with an omnibus Bill then before the House of Commons, Speaker Jerome considered the possibility of instructions to a committee. He stated at page 5523 of *Hansard* for that day:

it has been suggested that motions by way of an instruction to the committee, once the bill is in the standing committee, that the bill be divided, might be applicable. This is a practice which has been rather prevalent in the British House, but in our procedures it raises a very great number of serious and unanswered procedural questions, and in any case it has never really been successful.

In his ruling, Speaker Jerome encouraged members to vote to delete certain clauses at the appropriate time.

The hon. member has referred to *Erskine May* and the British practice. In this regard the Chair refers to a ruling by Speaker Fraser in the House of Commons on June 8, 1988, concerning yet another omnibus Bill. He indicated at page 16256 of that day's *Hansard* that "Canada is unique in its use of omnibus Bills." Although the British House adopts such Bills, as Speaker Fraser pointed out,

its legislative practices are significantly different from ours, not

least of all because of a much stricter control of time for debate on Bills.

Australia allows for grouping of Bills. The Chair has had a quick review done of the New Zealand practice. In that country there is a specific standing order allowing a committee to divide a Bill. We have no equivalent standing order.

There is also the question of how such a motion would be made. Motions other than government motions are to go on the Order Paper in numerical order according to a draw. This motion is clearly not a government motion, and as the Government House Leader pointed out, Standing Order 39 restricts a member to two notices of motions for Motions Other than Government Motions. Even if the Opposition House Leader did not have two notices of motions already on the Order Paper, this would be Motion 589. It is not of that class of motions that may be termed dilatory, such as adjournment motions, that may be made without notice, nor is it an amendment. The Chair would have to create a special class of motion in order to allow it to appear on the Order Paper.

The question would arise as to whether the motion was debatable. Motions for instructions to a committee are not listed as being debatable under Standing Order 18. Furthermore, there is a problem of when to make the motion, which seems to be sometime after second reading but before the committee commences consideration of the Bill.

There is a limit to the extent to which the Chair is prepared to make up rules. The Chair's role is to interpret or to provide for unprovided-for instances. In this case the Chair would have to unilaterally amend the Standing Orders to allow the motion to proceed, but the Chair does not have that authority. As indicated in the Chair's May 26, 1997, ruling, it is the House that makes the rules. The Chair notes that the member could make a motion under Standing Order 40, but that of course requires unanimous consent to proceed.

Accordingly, while *Beauchesne* may refer to instructions to the committee to divide a Bill, there does not appear to be any precedent from this House or the House of Commons for such a motion prior to committee consideration. Even the reference in *Beauchesne* at paragraph 682(2) concerning the nature of the instruction to the committee is based upon an 1882 citation dealing with a recommittal motion at third reading. In the absence of any authority and given that members may debate and amend the Bill in committee and move certain amendments to recommit at third reading, the Chair finds that the member's motion may not proceed.

MR. SAPERS: Mr. Speaker, on a point of procedural order under *Beauchesne*. I accept your ruling. However, I would ask you, then, to provide clear instruction to the Assembly as to what would be the appropriate manner in which to present a motion. Certainly your ruling could not be that a motion of instruction is forever out of order. The Standing Orders, which do prohibit more than one nongovernment motion standing on the Order Paper at one time in any member's name, certainly don't require that any nongovernment member be prescient and be able to foretell the future and be able to anticipate, when they put forward two motions, that the government would then offend parliamentary practice by packaging Bills in such a way that would require a motion of instruction. Certainly your ruling would not be prohibiting members in a peremptory way from introducing motions just on the off chance that they may have to introduce a procedural motion, so the government could not get away with abusing the standing rules.

So given your ruling, I would appreciate it if you would let the

House know what your expectations are for introducing a notice of motion of instruction to committee.

THE SPEAKER: Opposition House Leader, the government will consider that and provide further thoughts at a later date. But it should be noted that the use of the word "offend" in this case is not an appropriate word. We've already dealt with this Bill, and we've already dealt with the procedural aspects associated with this Bill. There's nothing in the Bill that the Chair has looked at in the last number of days that would fall under the category "offend."

In this case, let us proceed.

head: **Government Bills and Orders**  
 head: **Second Reading**  
**Bill 19**  
**Livestock and Livestock Products**  
**Amendment Act, 1997**

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

MR. STELMACH: Thank you, Mr. Speaker. I wish to move second reading of Bill 19, being the Livestock and Livestock Products Amendment Act, 1997.

The purpose of this Bill is to transfer responsibility from the government to the cattle industry for the livestock patrons' assurance fund. That fund protects cattle producers from payment defaults by licensed livestock dealers in Alberta.

The livestock patrons' assurance fund was legislated in 1992. The fund provides financial protection to producers from insolvent dealers. Once an insolvent dealer's security bond has been exhausted, a producer may make a claim through the fund for up to 80 percent of the remaining amount owed. The self-insurance fund is financed entirely by the cattle industry from a voluntary 10 cents per head checkoff. That is a 10 cents per animal levy that is charged at the point of sale, forwarded to the fund, and held in trust. Under existing regulations, the government of Alberta guarantees fund shortfalls. This amending legislation eliminates the government guarantee and places management of the fund in the hands of an industry tribunal.

**4:40**

The spirit of this legislation is completely in line with the Alberta government's goal of stepping out of the way of private industry to allow it to manage its own affairs. The proposed amendment is supported by the Alberta Cattle Commission, Alberta Auction Markets Association, Alberta Cattle Feeders Association, Alberta Livestock Dealers & Order Buyers Association, the Feeders Associations of Alberta, and the Western Stock Growers association. The livestock patrons' assurance fund tribunal is being expanded from three to six industry representatives who will make the final decision on claims. The new legislation will remove the \$3 million ceiling and allow the cattle industry to increase the fund sufficiently for self-insurance purposes.

Under the new legislation, coverage of sales to out-of-province dealers will end. The minister will appoint staff in Alberta Agriculture, Food and Rural Development to administer the fund, and all administration costs will be borne by the fund. This Bill will also provide enabling legislation to develop regulations for a new fund to protect livestock dealers from insolvent producers. All members of the cattle industry will benefit from this legisla-

tion. Representative associations from the industry unanimously support Bill 19 because it gives the industry the authority and the responsibility for self-insurance. Mr. Speaker, I do commend the beef industry for their leadership.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I want to make a few comments as well on Bill 19, the Livestock and Livestock Products Amendment Act. This is a real initiative on the part of the livestock sector in their continued drive to create independence between the activities in their industry and any type of government financial involvement in that sector. This provides another one of the indicators that gives us a degree of that independence, which at some point may or could have triggered questions from the international community as to the role that government plays. By moving to a fully industry-funded, fully industry-supported, and fully industry-administered mechanism in the protection of trade dollars, this is a good step that in no way could ever be considered a subsidy or a countervailable issue by any of our international communities.

I really want to commend the industry on this initiative. It provides us with kind of a model that I think we've got to start looking at as we deal with other types of risk programs for the agriculture sector.

In just looking through it briefly here a minute ago as I was preparing to get up, I did ask myself a question that I couldn't find an answer to in the Bill, and I'd like now to pose that to the minister so that he can bring that back to us by the time we get to committee stage. It's not in any way intended to delay the action. In terms of the payout and the fund that's being created, there are provisions in here that if the levies create a surplus over the year, it gets put into a fund. The question that comes up is that if in a certain particular time frame the drawdown on the levy fund that's administered by the trust group is overdrawn, where do the extra funds come from? There's a provision in the Act - I was looking at the section a minute ago - that prohibits the tribunal from borrowing money. So if in essence they end up in a situation where there's a very large package of claims put to the tribunal, how do they go about financing the transition period until they can raise the levy that has to be paid by the producers and the dealers in their transactions to overcome . . .

DR. WEST: Just think about it.

DR. NICOL: Well, the minister across says: "Just think about it." It's a matter where they have to borrow, but there's no mechanism in here because they're restricted from doing that.

To the minister over there: there's a time lag, and the patrons are not going to wait for that levy time. There has to be a provision in there, and I think if the minister would look at this and provide us with a response to that in terms of the debate in committee, we can look at possibly having some provision put into this.

Mr. Speaker, this also gives us, as I mentioned earlier, a real framework that I think the rest of the livestock sector, including some of them beyond beef - we may want to even get into looking at this in the context of some of our grain commodities in terms of whether or not this kind of perspective can be brought to bear for protection of their transactions. So I think that we want to watch this, see how it works for the next year or so, and



possibly use it as a model for a lot of the activities that are going on in the rest.

Beyond that, Mr. Speaker, I think this is a Bill that everybody should be looking at as a supportable Bill, and we should move it through as fast as we can.

Thank you.

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

MR. STELMACH: Thank you, Mr. Speaker. I will spend some time and research what options are available as to the questions raised by the hon. Member for Lethbridge-East, and I'll bring all that information forward during the discussion period in committee.

[Motion carried; Bill 19 read a second time]

**Bill 22**  
**Environmental Protection and Enhancement**  
**Amendment Act, 1997**

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. It's with a great deal of pleasure that I rise this afternoon to move second reading of Bill 22, the Environmental Protection and Enhancement Amendment Act, 1997.

The principle of this Bill is very straightforward. It's simply to remove the ability to set up a regulatory authority; rather than that, to set up a designated delegated authority. The ability for us to set up a designated authority under this Act requires these amendments. The designated administrative authority actually has less power than the regulatory authority, and that is the reason we want to make these amendments. In fact, it allows the operation of an authority to meet the regulations. They, of course, do not have the ability to write regulations, so under the designated administrative authority the regulations written by the government apply and therefore are consistent with what we want to do.

Thank you, Mr. Speaker.

MS CARLSON: Well, Mr. Speaker, I rise to speak to Bill 22, which the minister has just introduced as a very simple Bill that we shouldn't have any concerns about and that in fact gives them less power.

It seems to me that in reading through this Bill, nothing could be further from the truth, Mr. Speaker. We have significant concerns with this Bill. In fact, it reminds me a great deal of Bill 57, that was brought in in 1994. It brings forward similar kinds of issues and is in fact a very dangerous Bill. I find it unbelievable that the minister could stand up here and in two minutes or less say that it's just something small and that it's something simple and is something that should be passed in that kind of a fashion.

MR. DICKSON: Maybe he hasn't had time to read it.

MS CARLSON: Yeah, it's true. Perhaps he hasn't had time to read the Bill, and I would want him to respond to that.

I think that it's very important that members on both sides of the House spend some time reading this Bill to understand exactly what the intent of the Bill is and comparing it to Bill 57, back in 1994, and reading through the *Hansard* transcript of that time

period to see the kinds of concerns that are there not just for us but for all of the people of this province and that it is a significant problem in terms of passing this Bill. We would ask people to spend some time and some consideration here.

**4:50**

Creating delegated authorities. That the minister can delegate, giving him really the power to delegate almost any kind of power attached to the Bill, is a significant problem. We think that it's something that needs to be debated at length, which the Government House Leader doesn't like. He asked if we would be agreeing with this Bill in a simple fashion so that we could expedite it this afternoon. Well, no, Mr. Speaker, we can't, and we won't. I think that this is one Bill that we'll be spending some degree of time on in this House.

To speak to this, to talk about a delegated authority being given any powers under the Act other than making regulations, I think we need to have some background so that when we speak to this in principle, we've got a landscape against which we can compare it.

MR. DICKSON: Can you describe that for us?

MS CARLSON: Yes, I intend to describe that this afternoon. [interjection] A tag team. Don't worry; he'll get his chance. But he can't help it. He just has to jump in because this is such an offensive Bill.

So it proceeds with the delegation of government responsibilities in Environmental Protection. We spoke out against such delegation in 1994, against Bill 57, and Bill 22 does not even include some of the provisions that were included in Bill 57. So there's the potential for this Bill to be even worse, Mr. Speaker.

As some background for this Bill, in 1993 the government passed the Environmental Protection and Enhancement Act, and that was an omnibus Act that covered many aspects of environmental protection. It included the authority and the power to delegate to a regulatory board, and such a board could be given any of the powers or the duties of an inspector or an investigator or a director under the Act. The Act specified the powers of a board. This section of the EPEA was used to create the Tire Recycling Management Board and a number of other boards that have come since that time.

In '94 the government released its discussion paper on this, Delegated Administrative Organizations: A "Third Option." The first two options before this talked about government delivery of services and the private-sector delivery of services, and the objective in this instance was to cut government spending. There the plans for the delegated administrative organizations were very similar to the delegated authorities that crop up now in this Bill 22.

Under the original Bill that was introduced here, the plans for a DAO, which would be the delegated administrative organizations, were to administer selected government programs. They were to be financed by users. They could collect fees that had been approved by the minister, and they could be run by a board of directors who could be selected by both stakeholders, which would comprise at least 60 percent of the board, and the minister, up to a maximum of 40 percent. They would set remuneration for any of the members involved there. They could be run as a non profit-making organization. They would be required to submit an annual financial statement. They would be audited, if required, by the Auditor General to ensure full public disclosure, and the government would continue to make and monitor policy, legislation, and standards.

So to facilitate this happening, to achieve the goal of these DAOs, both Bill 41 and Bill 57 were introduced in '94. We didn't like either one of the Bills. Ultimately Bill 41, the Government Organization Act, was passed, and the government eventually dropped Bill 57 partly because it had already established the powers it needed to delegate the administration through Bill 41 and in part because there came to be a great hue and cry from the public in terms of opposing Bill 57.

Our concerns at that time, Mr. Speaker, included the potential for patronage appointments to the boards and the lack of monitoring for subdelegation of powers by the DAOs, inadequate appeal mechanisms for persons affected by the DAOs, and the potential for them to set excessive fees and levies. Now, while they proceeded with the DAOs, or the delegated authorities as they're now called, for a number of associations, including the Petroleum Tank Management Association, the Tire Recycling Management Board, that we mentioned, and the Alberta Conservation Association, they were created under those old powers. Now we're talking about a Bill being brought in that has problems because it reduces . . .

MR. LUND: Point of order, Mr. Speaker.

THE SPEAKER: A point of order, the hon. Minister of Environmental Protection.

**Point of Order  
Questioning a Member**

MR. LUND: Mr. Speaker, I wonder if the hon. member would entertain a question.

MS CARLSON: No, Mr. Speaker. I only have 20 minutes, and there's a great deal of information to go through here.

MR. LUND: Mr. Speaker, the fact is that the clock stops when there is a question, so the argument about using time . . .

THE SPEAKER: It's okay, hon. minister. The hon. minister is certainly within his right to rise and ask the hon. member if she chooses to respond to a question, but it's not required that the hon. member defend herself one way or the other for choosing to express the response in the affirmative or the negative.

So, hon. member, please continue.

MS CARLSON: In fact, Mr. Speaker, I'm prepared to answer as many questions as he answers for me during question period, which would be none.

MR. LUND: That's not fair.

MS CARLSON: It's completely fair. If you can't answer mine, I'm not answering yours. Sorry. You could exchange the favour tomorrow during question period, and I'd be happy tomorrow afternoon to answer any questions that the minister may have.

**Debate Continued**

MS CARLSON: Getting on with the background and the setup for the concerns for us in terms of this Bill. There are a number of potential problems under the old Bill 57 that could happen in terms of the environmental picture and landscape in this province and could also happen now under this Bill 22, which is even worse than Bill 57 because it is less restrictive than Bill 57 was

and requires less conditions than Bill 57, Bill 57 being a completely flawed Bill that was abandoned by the government at some point in the debate. Certainly we should apply the same conditions to Bill 22 and the same rationale when we're discussing it.

Some of the background, then, in terms of what could happen here with Bill 22 is that in terms of the environment, licences to operate plants such as pulp mills and chemical plants could be issued by a private corporation that could also be responsible for monitoring emissions and performance and any licence infringements. Now, this opens up a wide range of potential problems when we talk about not only industry self-regulating, which we are seeing happening in this province on a massive and increasing scale, but also them issuing their own licence to operate. We see a move towards that happening in some of the omnibus Bills that the government is bringing forward this session. I think that particularly in terms of Bill 17, there's the potential for it encroaching there. So certainly when we see a Bill on the floor of the Assembly at this time that addresses these kinds of issues, it raises red flags for us in terms of where it could go in environment.

We're already seeing a hue and cry from industry in terms of this self-regulation problem. While we see the major players toing the line in terms of environmental monitoring and in fact doing a very good job in most instances and sometimes doing more monitoring than is required by this province in keeping with the kinds of regulations and monitoring that are encouraged in other provinces and other countries, we see the potential for smaller players in the field or companies that don't have the same kinds of standards internally not complying with these kinds of standards, not complying with the self-monitoring that's required.

Even industry is starting to say that there's beginning to develop the potential for a huge problem in this province when it comes to environmental monitoring, that there are companies who do not have high standards in this regard. While the environmental ministry says that they are doing checks on these players in industry who don't conform to the regulations, they don't have somebody in those industries on an ongoing and regular basis. They're not doing consistent random spot-checks. They're monitoring them when problems are reported by people from outside of the companies, and, Mr. Speaker, that simply isn't good enough.

**5:00**

When we already have existing conditions in this province that are an open door for compounded problems to increase and where industries themselves are asking for more regulation and for some sort of participation by Alberta environment in terms of this, to say that we could now allow industrial plants to license themselves or the potential for that to develop in this province is a huge problem. We think that the monitoring issue needs to be addressed. We think that monitoring should be, once again, under the regulation and operations of this department and that the monitoring requirements should not be that all of the information be kept by the industry but that it be turned over to Environmental Protection and then be reviewed at regular and consistent intervals and spot-checks be sent out. That's not happening right now, so that's a huge problem.

Something that could happen under this Bill is that provincial parks could be fully privatized, completing the process that's begun with the privatization of campgrounds. We see this happening under our very noses, Mr. Speaker. The operation of some of those parks is now being privatized, and it is a problem when we talk about where the future of this province is going to

go in terms of environmental protection. It is not a matter of facilitating. We're seeing that an increasing number, over 50 percent, of the parks are now privatized. It's a huge problem.

The minister is shaking his head. He says that this is not an issue and this is not a problem, but, Mr. Speaker, it is. Every time we remove something from the arm of government in terms of Environmental Protection, where they're the people that regulate, that watch, that have a focus on the entire province in terms of protecting the environment, we establish a precedent that allows for further encroachment of industry and of objectives that are other than environmental protection in nature.

This ministry particularly in the past year has seen increasing encroachment by industry in areas that need to be protected. We don't even see long-term studies that are full-use studies ongoing in this province at this time. We even see a problem with the Special Places 2000 program, where if that program had been carried out and continued to be carried out under the umbrella that it was first introduced on in terms of absolutely protecting natural heritage areas and park areas and recreational use areas, then it would be a great program. But what we see happening under this minister is that the minister is removing himself from the position of looking at the long-term, overall impact of environmental areas from a total provincial picture and allowing industry to compete for those same lands and for local municipalities to have a great deal of say and control in terms of what is protected and what isn't protected.

When you look at it from a very narrow perspective, that doesn't seem to be a huge problem, but when you take a look at the areas in the province that need to be protected or at least should have strong discussion in terms of whether they're protected or not, it does become a big problem, because right now in Alberta when we talk about protected areas, there are very few areas left that don't have competing interests for their use, not just the wildlife use, not just protecting the heritage land but also dealing with oil and gas needs in this area, also dealing with grazing lease requirements and also dealing with the FMAs in terms of forest product usage. All of those are competing interests. Most of those are not compatible with each other, and particularly they're not compatible with wildlife and with maintaining the environmental integrity of many of these areas.

Now, the minister, I know, will get up and say that all of these things can be managed together and that maintaining the environmental integrity of an area can be done after it's been taken over by coal mines or by oil and gas exploration, but the fact is that it isn't true. Once you invade those areas and change the nature of the landscape, you also change the nature of the land itself, the kind of biodiversity that you have there, and the kinds of wildlife that then can inhabit the area. They are in conflict, Mr. Speaker, and this minister doesn't seem to appreciate that fact, even though there have been many, many applications . . .

MR. LUND: Point of order.

#### Point of Order Relevance

MR. LUND: Mr. Speaker, under *Beauchesne* 459, relevance. I've been listening very attentively for some time now, thinking that perhaps I might hear something that relates to the principle of this Bill. Unfortunately, there seems to be a hallucination going on, and I would want to spare the hon. member from getting too far into it, because obviously she's getting into very dangerous ground, talking about things that this minister supposedly believes,

which are not true. In fact, I wonder: if we're treating the wildlife so badly, why is it that last year this minister in fact got a national award for the parliamentarian that did the most to protect wildlife?

THE SPEAKER: Hon. minister, your citation of *Beauchesne* 459 on relevance and repetition is indeed the appropriate one. The hon. minister, however, might have read on further though. "In practice, wide discretion is used by the Speaker and the rule is not rigidly enforced." The Chair notes that the hon. minister will be in a position to adjourn the debate and conclude the debate on this particular motion. Perhaps he might want to take his pen out and keep track of all these innocuous statements and then render forth when he is in a position to close debate.

Hon. member.

#### Debate Continued

MS CARLSON: Thank you, Mr. Speaker. The minister certainly will have his chance to debate this, and it's interesting to note that he would say that he got the one commendation, but far more recently than that he also got a D minus from the world wildlife foundation, which he seems to think is irrelevant.

DR. WEST: He still got more recognition than your federal counterparts got last night.

MS CARLSON: Majority government, Mr. Minister. A majority government.

Okay. Carrying on with these competing issues that the minister seems to think are not in competition at all falls directly in line with where Bill 22 is going. When you can create delegated authorities and when you can then delegate to them almost any power, certainly there is the potential to delegate the power to decide how the integrity of these wildlife areas is going to be maintained and, in fact, sustained over the long term. So I think that when we talk about these kinds of issues, they're completely relevant when you're talking about delegating power and delegating decision-making authority to anyone other than the minister, who should have the overall best interests of the environment at heart because, in fact, he is the Environmental Protection minister.

The possibility is for future problems, too, in forestry where we have industry-run corporations that can determine themselves what appropriate amount of cutting would be allowed and whether forest management practices or reforestation are satisfactory. I think we also have the potential for problems right now in this regard when we take a look at the monitoring that's going on by a number of companies and the way that their inventories are controlled and watched and not audited by the Department of Environmental Protection. If we go any further down the line of privatizing these areas or giving these areas of responsibility to the corporations themselves, once again we run the very real risk of unscrupulous operators taking full advantage of the environmental situation we have. We talk about the potential problems of them moving outside of their FMAs, which we have seen corporations, companies, forest companies in this province doing. We've seen fines assessed to them which then are not disclosed here in the House. We see this happening in the minister's very own backyard, in his constituency. There's already a lot of potential for abuses and abuses happening in this area, and we don't want, Mr. Speaker, any more of them to happen. We don't want industry-run corporations to have the potential ever for

determining what the appropriate amount of cutting is because they have the vested interest of being profitable at heart here. They do not have the vested interest of a sustainable forest and a sustainable environment for the long term and for future . . .

AN HON. MEMBER: That's absolutely hogwash.

**5:10**

MS CARLSON: Well, I don't think it is hogwash. We have a lot of forest companies now saying that sustainable reforestation in this province talks about trees that have a diameter of two or less inches, and for wildlife, Mr. Speaker, that is not sustainable.

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

MR. DICKSON: Thanks very much, Mr. Speaker. I'm delighted to have been able to join debate on Bill 22 at second reading. The concerns, I think, are many with respect to Bill 22. My colleague just speaking a moment ago reminded us of Bill 57, which we looked at back in 1994, and the many and various concerns that arose from that.

There are a couple of particular concerns that I have with the Bill in front of us. I think that it may be that with the government introducing four and five Bills a day, we should spend a moment and reflect on the workload on Legislative Counsel and recognize the kind of drafting workload that the government is putting on these people. What happens is that when we see a Bill like Bill 22 and we see what must be some errors in the drafting of the Bill, maybe we can spend a moment in sympathy for those parliamentary draftspeople who simply haven't had sufficient time to take that innocuous direction the minister referred to earlier when he said that this was an innocent, inoffensive Bill. In fact this is something very different than that. How are we to account for the difference? It may be that parliamentary draftspeople simply haven't had time to take that intention to make a very innocuous minor change and prevent it from ballooning into something such as we see in front of us in Bill 22.

In some respects, you know, we may still be at the point of addressing the kind of concern raised by Barry Commoner, the American biologist, about the time the First World War ended, who had said:

Both the environmental and population crises are the largely unintended result of the exploitation of technological, economic, and political power. Their solutions must also be found in the same difficult arena. This task is unprecedented in human history, in its size, complexity and urgency.

When we look at a Bill like Bill 22 and we hear the assurance from the Minister of Environmental Protection that this is nothing to worry about, it's important that we take and analyze that representation by the minister. What we find, lo and behold, is that section 4(f) incorporates by reference the powers of section 2 of schedule 10 of the Government Organization Act. Curiously this is the labour statutes delegation. I'm not sure why the government chose to follow that particular schedule, but we see that there are very broad and expansive powers provided there to delegated regulatory lawmaking.

I went through the list of powers in section 2 to see which of those are going to be conferred on the new DA, the delegated authority, which is really son of DAO, as we knew it in 1994. When I look through section 2(1) of schedule 10 to the Government Organization Act, what I find are 11 different subsections all conferring different powers on the Lieutenant Governor in Council. These are the things that are going to be carried forward and incorporated by reference into the Bill in front of us. Of the

11 powers I find 10 of them would all apply here, and that's section 2(1)(b), (c), (d), (e), (f), (g), (h), (i), (j), and (k). On the face of it, it would look like all of those powers would apply. I'm not going to take time now to go through each one of those powers, but I'll just highlight a couple that are troubling.

One would be in the Government Organization Act 2(1)(b):

Authorizing a delegated person . . . to provide advice to the Minister . . . on the delegated powers, duties or functions.

Another one: "imposing conditions on the delegated powers, duties or functions." This is quite clever, Mr. Speaker, because what the Bill has done is say in section 4 – this would be the new section 35(e)(ii) – that when the regulation-making power is conferred on the delegated authority, the one thing that doesn't go along is the "power to make regulations and a power to delegate." That presumably wouldn't stop the delegated authority from imposing conditions on the delegated powers, duties, or functions. So you have the principal delegation, and then what this delegated authority can do is graft on a bunch of conditions which skirt around the margin of delegation. Nonetheless, it's still very much part of it.

Some other examples of the power that this delegated authority is going to have. It can create regulations that limit the liability of "a delegated person's employees, agents, directors or officers . . . in an action for negligence." Well, when we start limiting the power of Albertans to be able to sue – and we know how powerful litigation can be in terms of also addressing abuse of government power, addressing a breach of law by government. One might be suspicious in terms of why the government would want to give that power to limit somebody's right to sue not to the minister, not to the director, but to the delegated authority. So as we go down the tree looking at the body that's going to be making decisions, it's getting further and further away from the minister and certainly further away from the kind of accountability which at least ought to obtain in this place.

We also see that in the Government Organization Act section 2(1)(f) we have the power "to collect money by the levy of assessments, fees and charges." This is also being conferred further and further away from the Assembly, because now a delegated authority is going to be able to make those decisions. Similarly sub (g), "respecting the payment of a fee to a delegated person for the carrying out of a delegated power": that also is being shunted down the line. One could go on, and the members can read for themselves the other portions of section 2(1) that are going to be carried forward by virtue of section 4.

The other concern is with section 35 in the Environmental Protection and Enhancement Act. This is the section that allows the Lieutenant Governor in Council to make regulations, and we see that the change here is not as innocuous as the Minister of Environmental Protection would have us believe. What happens firstly is that the reference to regulatory boards is deleted and replaced by the delegated authority, and then we confer on that delegated authority really three different kinds of powers. Firstly, we give that authority all of the "rights, powers or powers of an inspector, investigator or Director." The second thing we do is we give it all of the powers of the Minister of Environmental Protection and Enhancement save for "a power to make regulations and a power to delegate." Then, of course, we've added on all of those powers in schedule 10 of the Government Organization Act.

**5:20**

So what are some of the minister's duties that go to this delegated authority which has no direct accountability in this place? This is particularly fascinating because this is where I

think the draftsman may have lost sight of the minister's commitment that this is going to be an innocuous kind of Bill. One of the things is section 12 of the Environmental Protection and Enhancement Act, which describes the powers and duties of the minister. The way Bill 22 reads right now is that the delegated authority can be made to be responsible for "the policies, programs, services and administrative procedures of the Department." Well, that would be ludicrous. That's what the minister is there for. It would make absolutely no sense for him to be able to delegate the core of his statutory responsibility to a delegated authority.

Section 12 goes on to say that the minister

- (b) shall, as the representative of the Government, maintain a continuing liaison with the governments of other jurisdictions.

Why would we subdelegate that to a delegated authority? That makes no sense at all. It should be one provincial government speaking to another provincial government, the minister speaking to another minister. What will happen with this: you have the ludicrous prospect where you have a meeting of ministers of environmental protection from across Canada, and sitting behind the Alberta nameplate isn't the hon. Minister of Environmental Protection for the province of Alberta but a group of three or four people. The chairman of the meeting is going to ask, "Well, who's representing Alberta?" and these people all put up their hands at the same time: "We're here representing the delegated authority from the province of Alberta." A ludicrous situation but one permitted by the amendments that this minister would come forward and ask us to support.

In terms of compiling, studying, assessing information relating to the environment, that could be passed on. The power to carry out and participate in research projects can be delegated as well. "Unilaterally and in co-operation with other departments of the Government . . . develop, publish and distribute educational materials," deliver programs, services. It goes on and on.

This is the kicker, Mr. Speaker. Section 12(i) in the environmental protection Act says that the minister

- shall generally do any acts the Minister considers necessary to promote the protection and wise use of the environment for the benefit of the people of Alberta and future generations.

Why would we give a power as broad and expansive and all-encompassing as that to a delegated authority? It makes no sense. When we used to deal with a regulatory board, they didn't have those kinds of powers. This is a brand new invention. This is a creation of this minister in Bill 22.

Let's look at some of the other sections that this delegated authority would be able to do in this province. Section 14, the development of guidelines and objectives "to further the protection and wise use of the environment." The minister can turn that over to a delegated authority if in fact this Bill passes.

Section 18 – and this is terrific, Mr. Speaker – allows the minister

- by agreement in writing or by regulation . . . [to] transfer the administration of a provision of this act to
  - (a) another [ministry],
  - (b) a Government agency, or
  - (c) a local authority.

Because this isn't strictly speaking a delegation and it's not caught by the saving provision in the first part, in section 4 on page 2 of the Bill, what you have is a situation where you may have this delegated authority entering into agreements with other ministers or local authorities specifying terms and conditions. Well, it would be outrageous that these kinds of things could be done by this so-called delegated authority.

At this point, Mr. Speaker, I'd move that we adjourn debate on the Bill before us.

Thank you.

THE SPEAKER: Having heard the motion by the hon. Member for Calgary-Buffalo to adjourn the debate, all agreed?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? The adjournment motion is carried.

THE SPEAKER: The Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. In light of the hour I move the Assembly do now adjourn and reconvene at 8 p.m. in Committee of the Whole.

THE SPEAKER: Does the Assembly agree with the motion as moved by the hon. Government House Leader?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? The motion is carried.

[The Assembly adjourned at 5:26 p.m.]

