

## Legislative Assembly of Alberta

Title: **Wednesday, October 20, 1993**

1:30 p.m.

Date: 93/10/20

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Dear God, author of all wisdom, knowledge, and understanding, we ask Thy guidance in order that truth and justice may prevail in all our judgments.

Amen.

head: **Introduction of Bills**

MR. SPEAKER: The hon. Member for Grande Prairie-Wapiti.

### Bill 12 Liquor Control Amendment Act, 1993

MR. JACQUES: Thank you, Mr. Speaker. I request leave to introduce Bill 12, being the Liquor Control Amendment Act, 1993.

Thank you, Mr. Speaker.

[Leave granted; Bill 12 read a first time]

MR. SPEAKER: Is there a motion to move this to Government Bills and Orders?

MR. KOWALSKI: Mr. Speaker, I would move that Bill 12 be placed on the Order Paper as a government Bill.

[Motion carried]

head: **Tabling Returns and Reports**

MRS. MIROSH: Mr. Speaker, I'd like to table with you a letter to Mr. Robert Clark, the Ethics Commissioner, requesting investigation of any alleged conflict of interest with myself and Murphy Oil.

head: **Introduction of Guests**

MR. SPEAKER: The hon. Member for Edmonton-Rutherford.

MR. WICKMAN: Yes, Mr. Speaker. I have two introductions to do today. First, I'd like to introduce to you and through you to Members of the Legislative Assembly what I call a young fighter, an individual who fought to be retained on AISH and with the assistance of myself and the efforts of the minister, who I acknowledge as being very, very helpful in this case, resolved the problem: Kris Vriend and her young daughter Sara. Kris, if you would receive the warm welcome of the House.

Secondly, Mr. Speaker, I'd like to introduce to you and through you to Members of the Legislative Assembly 55 very, very bright students from the Sweet Grass school in Edmonton-Rutherford. The 55 students are accompanied today by three adults Ms Pat Smith, Ms M.A. McLean, and Ms J. Lesmeister. If the 55 students and the three educators could stand and receive the warm welcome of members of the Assembly.

MR. SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of

the Assembly two good friends from Sherwood Park. Bill Brunlees and Chuck MacIntosh have joined us today. Bill Brunlees and Chuck MacIntosh are both individuals who have been very involved in local politics. Both were candidates in the most recent civic elections. Mr. MacIntosh is just across the boundary line in the constituency of Clover Bar-Fort Saskatchewan, and Mr. Brunlees is a constituent in Sherwood Park. They are both seated in the public gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

MR. SPEAKER: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to the Legislative Assembly Miss Cynthia Klotz, who works in my constituency office, and Nicole Lasek, who is a grade 7 student at Rosslyn junior high school. Nicole is currently studying government and is doing a review of the Legislature. My guests are seated in the public gallery, and I would ask that they rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**

### Health Care System

MR. DECORE: Mr. Speaker, the health care roundtable process has clearly told the Minister of Health that the whole health care system should be reorganized with a great emphasis on preventative health care. In fact, the seniors' roundtable process told the minister responsible for seniors exactly the same thing. Yesterday in an attempt to save one eight-hundredth of the Ministry of Health's budget, the minister cut several important services that are clearly preventative in nature. My first question to the Minister of Health is this: how could the minister ignore the advice from the roundtables, manipulated as it was, when it told the minister clearly that there should be much more – much more – emphasis on preventative health care?

MRS. McCLELLAN: Mr. Speaker, the announcements that were made yesterday were on the methodology to a commitment that we made in July of this year. What we committed to at that time was to hold the number of dollars at the 1992-93 level for allied health services. I would point out to the hon. member that four provinces in Canada, Alberta being one of the four, insure these services at that level. They are not considered required basic services under the Canada Health Act, and I think we have been as generous as we can be in offering these programs.

MR. DECORE: Mr. Speaker, my next question is to the minister responsible for seniors. Mr. Minister, why did you stand by and allow the Minister of Health to hurt seniors yesterday when you promised in this Assembly that you would consult with seniors, that you would have a formal report dealing with that consultation, and that nothing would happen to seniors until that whole process was complete? Why?

MR. SPEAKER: The hon. Minister of Community Development.

MR. MAR: Thank you, Mr. Speaker. This minister and this government are greatly concerned about issues that affect seniors in this province. We know from our past consultations and the roundtable in Red Deer that many seniors see the urgency in getting our financial house in order and that they are prepared to do their share. The allied health services that were referred to by the hon. Health minister are not direct programs that affect seniors.

However, I have spoken with the Health minister, and she assures me that there will be a process to ensure that seniors who are in need will have their problems dealt with by the health care system. Changes are required, and I am confident in the process that the Health minister is taking forward.

MR. DECORE: Mr. Minister, you've let them down.

Mr. Speaker, my last question is to the minister responsible for Health. How much more money must now be spent in the health care system to pay for institutionalization of these Albertans, Albertans who could have been looked after in their homes at a much cheaper price?

MRS. McCLELLAN: Mr. Speaker, the member opposite is the person who is letting people down by raising fears in people's minds. It was very clear in the news release that went out yesterday that if people were unduly affected by these, particularly seniors, they would be dealt with on an individual basis. We have a deep caring for seniors in this province. We have always exercised that. This is not, as the minister responsible for seniors outlined, a direct seniors program. These are programs that are available to all Albertans. They are also programs that private insurance can be obtained for. We indicated very clearly that for seniors who were unduly affected, we would work with the physical therapist involved and the client and ensure that they were not impacted unduly by this.

Mr. Speaker, the biggest danger to health care in this province is the member opposite's attitude towards restructuring and rationalizing the system. We have consistently said that we will work with the people involved. We have given 30 days' notice before these changes become effective, and I believe that will be time for individuals to deal with the individual items.

1:40

MR. DECORE: Mr. Speaker, the government has been talking about voluntary rollbacks in the health care field. The government has led Albertans to believe that if that didn't work, there would be legislated rollbacks. The government's plan, I think, is even sneakier than that, and one Calgary hospital has already figured this out. A copy of a Calgary hospital's newsletter says that it expects a funding cut from the province to equal 5 percent of its wage bill as at January 1. Madam Minister, confirm that you're not planning voluntary or even legislated rollbacks but that you're doing the cowardly thing, and that is forcing hospitals to do your dirty work.

MRS. McCLELLAN: Mr. Speaker, I will not confirm that very irresponsible and ridiculous statement.

MR. DECORE: Mr. Speaker, as hospitals have to honour the collective bargaining process, have to honour agreements, I'd like the minister to confirm that her action will result in more layoffs and more bed closures, all to the detriment of Albertans.

MRS. McCLELLAN: Again, Mr. Speaker, I will not confirm that.

MR. DECORE: Mr. Speaker, I would like the minister to tell this House something that she has been unable to tell us for many, many weeks. What is it, Madam Minister, that your experts are telling you? How many more layoffs can we have; how many more bed closures can we get before the system breaks down and becomes noneffective?

MRS. McCLELLAN: Mr. Speaker, let's get a couple of things very clear. One, the announcement on October 4 of \$122 million removed from the health care budget was about 2.8 percent of the Health budget. To call that massive, to call it slashing, to call it burning is purely ridiculous.

Secondly, we have said repeatedly in this House that we will consult with all health care providers, with people who access that system to help us develop a long-term plan for delivering health services. That is the responsible way to address this problem. I asked in this House some time ago for us all to take off our partisan hats and get down and work together to ensure that we have a health care system for us and for our families into the future, and I am still waiting for that to occur across the way.

#### **Syncrude Share Sale**

MR. DALLA-LONGA: Mr. Speaker, in its mysterious rush to sell off assets without a coherent plan, the government has once again cast doubt on the integrity of the process and those involved. You had a chance to make a clean break with the past. Albertans are demanding accountability, yet this government seems resolved to continue . . .

MR. SPEAKER: Question.

MR. DALLA-LONGA: . . . this dreaded style of making decisions in secrecy. If we had an effective . . .

#### **Speaker's Ruling Preambles**

MR. SPEAKER: Order please. Hon. member, preambles are supposed to lay a groundwork of factual information to explain what the question is about. Preambles are not to make speeches.

#### **Syncrude Share Sale**

*(continued)*

MR. DALLA-LONGA: I request your indulgence, Mr. Speaker.

My question is to the Provincial Treasurer. You knew that this was an issue. Why didn't you disclose that there was a potential conflict of interest and avoid embarrassment to those involved and to yourself?

MR. DINNING: Mr. Speaker, what the hon. member is talking about is the sale of a 5 percent interest in the province's ownership of the Syncrude equity project. What he's talking about is that the province is selling a \$150 million valued asset, 5 percent of our interest in the company. It's on our books that way. We're in the business of getting out of business in this province. What Murphy Oil is going to do is pay the province \$60 million cash at settlement date, November 15, give or take, and then an additional \$90 million paid to the province, not the province giving Murphy or taking money out of education or health care to give Murphy. Murphy is going to give the province \$90 million over five years at a 6 and a quarter percent rate of interest. I think that is a good deal for Albertans. It's a responsible action given that Albertans have told this government, "Get out of the business of business." We've done just that.

Mr. Speaker, the hon. member is suggesting that there was a conflict of interest. I would put to the hon. member that the hon. minister in question, Mrs. Mirosh, did exactly the proper thing in that she fully and totally absented herself from the discussions and from the decision related to this sale of our interest in Syncrude.

### Speaker's Ruling Ethics Commissioner Review

MR. SPEAKER: Order please. Because of the very obscure and murky preamble to the question, the Chair really didn't know what was coming. Now that we know we're talking about the sale of the interest in Syncrude, the Chair wants to caution the hon. member that there is legislation that prevents certain questions being asked while it's before the Ethics Commissioner. So the hon. member may proceed on that basis, with that caution.

### Syncrude Share Sale (continued)

MR. DALLA-LONGA: My supplementary question, Mr. Speaker. Will the minister tell Albertans what private-sector professionals were involved, were retained by the government to advise the government on the sale of Syncrude and the nature of the fees given to these professionals for the work done?

MR. DINNING: Mr. Speaker, Lancaster out of Toronto and Morgan Grenfell out of the United Kingdom were contracted by the government some two years ago to cast about, to use their extensive networks to find an interest in the purchase of all or some of our interest, 16.74 percent interest, in the Syncrude project. I look back and think of the work that they've done. They received a number of expressions of interest. They began full discussions with Murphy Oil over the late spring, early summer and came to a conclusion with us and on our behalf for that \$150 million negotiated arrangement, that I can say the hon. member across the way spoke of so glowingly when the announcement was made. He said at that time that the sale of 5 percent of the province's stake in Syncrude to Murphy is an encouraging step in getting the government out of the private sector, and I welcome that support.

As for a fee or a commission, just as in a real estate transaction the fee can be anywhere from 1 to 3 percent on a commercial transaction, anywhere in the 6 percent range on a residential transaction. A 4 percent fee was paid when we sold our interest in Alberta Energy Company back in April. The fee that is payable to Morgan Grenfell and to Lancaster is seven-tenths of 1 percent.

MR. DALLA-LONGA: Given the unnecessary questions that have been raised about the nature of the Syncrude transaction and in the interest of providing all Albertans with all of the facts, will you release the offer to purchase and, when it's complete, the purchase and sale agreement, rather than the selected excerpts which you are floating around right now?

MR. DINNING: Mr. Speaker, I know the hon. gentleman is an honourable gentleman and he would want Albertans to know the facts. The facts are that I tabled the terms of the agreement in this Assembly the day that we announced this project. We announced a three-page terms of agreement, which I filed in this Assembly quite properly. It has probably never been done before, that we would table that kind of detailed information providing full disclosure, full accountability so Albertans like the hon. member could judge the merits of this kind of an offer. I look to the comments of those in the business community such as Mr. Gobert, a well-respected analyst out of Calgary, who upon reading the terms of the agreement said that Syncrude was built for \$2.2 billion so selling it for a value equal to \$3 billion in what is a pretty sloppy oil environment is probably a pretty good deal for the government of Alberta.

The hon. member has asked me: will we file the terms of the agreement? We have done so. When the contract is signed, when it's finalized, as I promised in this Assembly the day that we announced the sale, we will file that contract in this Assembly.

MR. SPEAKER: The hon. Member for Calgary-Cross.

### 1:50 Family and Community Support Services

MRS. FRITZ: Thank you, Mr. Speaker. Given that family and community support services grants are largely preventative in nature, the submission was recently put forth that expresses a concern that the grant will be cut in the near future. In this time of high unemployment we know that would result in extreme pressure and could be devastating to the agencies delivering social services. My question is to the Minister of Family and Social Services. Are you planning any cuts to the current FCSS grants? [interjection]

MR. CARDINAL: What I spend? The '93-94 budget is \$36.6 million, and we've added \$1 million from last year's budget.

We had 300 communities before. An additional 28 communities will be able to join the program now. No, we're not canceling it.

MR. SPEAKER: Supplemental question.

MRS. FRITZ: Thank you, Mr. Speaker. I'm pleased to hear that because I believe, too, that further cuts would result in larger costs to the community.

My question is: are there any policy changes planned, for example, through taxes, to encourage more private donations that would add to government funding to the agencies?

MR. CARDINAL: Mr. Speaker, the FCSS, family and community support services, program is a unique program. I believe Alberta is the only jurisdiction in North America that has this program. The program was specifically designed to allow local communities and municipalities to operate the program. We're generally autonomous from the decision-making as to how the funding is laid out as far as the 20 percent share. It is a cost-shared program with the federal government and the province. The feds provide 80 percent of the dollars. The 20 percent portion is provided by the local municipalities. The municipalities have an option to deal with agencies that may provide a portion of the 20 percent. We would like to leave that authority at the local level to make sure there's flexibility in allowing these local organizations to be innovative so they can design programs the way they see fit for their particular communities.

MR. SPEAKER: Supplemental.

MRS. FRITZ: Thank you, Mr. Speaker. As some of the recommendations in the recent task force on FCSS related to funding, have any of the benefits been realized from that task force?

MR. SPEAKER: The hon. minister.

MR. CARDINAL: Yes, Mr. Speaker. I believe, you know, that the task force review was very thorough and made a lot of good recommendations. In fact, there were 34 recommendations made. Thirty of those recommendations have now been implemented. Four of the recommendations created some potential financial implications for local municipalities and other groups that may fund the 20 percent portion. Those four have been sent back to

the umbrella organization of the FCSS programs in Alberta to take back to the municipalities to ensure that they can participate in types of programs that may be provided in their communities and also determine what type of dollars they may be able to afford in that 20 percent category.

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

### **Cattle Marketing**

DR. NICOL: Thank you, Mr. Speaker. During the past number of years a conflict has resulted among the cattle producers in Alberta concerning the \$1.50 checkoff on each animal sold. These concerns include the high incidence of multiple levies on the same animal as it moves from a calf through to slaughter and over the way the commission spends the money. Next year the Agricultural Products Marketing Council will be administering a referendum to determine the fate of this mandatory checkoff by the Alberta Cattle Commission. My question is to the minister of agriculture. Have you taken steps to ensure that the question is fairly worded and will not bias the results?

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. Obviously we're dealing with an element of the agricultural industry that's very important, because fully 54 percent of the cattle that are produced in Canada are produced in Alberta. So we want to be very careful and very conscious that the cattle industry is involved. Yes, indeed we are working closely with the cattle industry in assisting the cattle industry. This is their own plebiscite that's going to be held. Indeed we are responding to their need whenever that may be.

MR. SPEAKER: Supplemental question.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister of agriculture: how can you justify the cost of a two-step registration and then a vote procedure that's being organized by the Cattle Commission when the Cattle Commission already has a list of producers who would be eligible to vote?

MR. PASZKOWSKI: Well, at the last discussions – and perhaps the hon. Member for Lethbridge-East knows something that I don't know.

MR. N. TAYLOR: It's quite possible.

MR. PASZKOWSKI: Well, perhaps he should share it with us as well. That would be very helpful. It might help, then, if indeed we are in this to work together to the benefit of the industry.

The hon. member seems to be pre-empting discussions that are ongoing. At this stage I wasn't aware that anyone was paying for anything, that that had been determined. So perhaps if there's something that's been determined that you know about that we don't know about, I'd appreciate hearing that.

MR. SPEAKER: Final supplemental.

DR. NICOL: Thank you, Mr. Speaker. Again to the minister: could he share with us any concerns expressed by the Alberta Cattle Commission as a result of the impact that this may have on

its effectiveness if the vote creates a voluntary checkoff as opposed to the mandatory checkoff?

MR. PASZKOWSKI: It is my understanding that the Cattle Commission is quite willing to abide by the results of the plebiscite. To the best of my knowledge they haven't expressed any concerns one way or the other as to what the results may be.

MR. SPEAKER: The hon. Member for Wainwright.

### **Pork Exports to U.S.**

MR. FISCHER: Thank you, Mr. Speaker. My question is also to the Minister of Agriculture, Food and Rural Development. The U.S. is a very valuable market for our Alberta hog industry. It is valuable not only for the overflow that may occur in processing, but it's vital to the expansion of the hog industry in this province. Last week the U.S. Department of Commerce announced the results of a review of the hog countervail duty. Could the minister explain this decision?

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

**2:00**

MR. PASZKOWSKI: Thank you, Mr. Speaker. The hog countervail case predates the free trade agreement. As a matter of fact, the duty was levied by the United States back in 1985. These duties are reviewed on an annual basis, and the case is brought before the bi-nation panel which is used to review processes such as this. Last week the United States Department of Commerce issued a preliminary decision – and I want to emphasize the fact that it is a preliminary decision – whereby the review process has indicated that for the year 1990-91 the levy will be dropped from \$22 to \$3. Now, again, I have to stress that this is a preliminary decision. It has another process that it has to go through, and it would possibly take up to three months before the final decision comes down.

MR. SPEAKER: Supplemental question.

MR. FISCHER: Thank you. What will this decision then mean to our Alberta producers, and how will it affect them?

MR. PASZKOWSKI: This is a very important decision to the pork producers of Alberta because it would trigger a refund of approximately \$400,000 initially. In addition to that, it brings down the level of countervail for the hogs that are marketed now to the \$3 level, which was determined by the Department of Commerce in the United States.

MR. SPEAKER: Final supplemental.

MR. FISCHER: Thank you. Our Alberta producers want to compete in a fair and open and nondiscriminatory market. Why is this duty still continuing after so many years of our free trade agreement?

MR. PASZKOWSKI: Unfortunately, the United States government considers tripartite programs countervailable, and that's why the duty is still continuing. Though we have won appeal after appeal after appeal, the persistence of the United States Department of Commerce seems to continue. This is the very reason that the Cattle Commission asked to be withdrawn from the tripartite

agreement. In essence they felt that if the tripartite process triggered a payment, indeed the Americans could possibly countervail the beef industry as well. Of course, that could mean millions and millions of dollars to the Canadian industry.

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

### Human Rights Commission

MR. DICKSON: Thank you, Mr. Speaker. On September 16 and again on September 30 the Minister of Community Development, the minister responsible for the Human Rights Commission, assured Albertans, told Albertans that he supported the important work of the commission, yet we see time after time public statements made by members of his own caucus that undermine the important work of the commission. Most recently a Conservative private member has said that the education of Albertans is being compromised because there are too many instructors with an insufficient command of English. That's a myth. My question to the minister responsible for the Human Rights Commission: will the minister outline today what educational program he proposes to put in place so that every member of this House understands why discrimination is wrong and what it is?

MR. MAR: Mr. Speaker, discrimination is wrong, and the people in this government, on this side of the House are firmly committed to ensuring that there is no discrimination in this province. What the hon. Member for Calgary-Buffalo has done yet once again is take a kernel of truth and report seeing a field of corn. The budget from the Alberta Human Rights Commission has been maintained at the same level as last year. There has been no reduction in the financial commitment nor will there be until the current review is completed.

Thank you.

MR. DICKSON: Well, Mr. Speaker, let's deal with the whole cob then. Will the minister ensure that the ongoing review of the Individual's Rights Protection Act and the commission is done in full consultation with all current commissioners?

MR. MAR: Mr. Speaker, that review process is going on right now. There are a number of roundtables and workshops that are occurring. There's public consultation which will take place early next year. I'm looking forward to what the Human Rights Commission has to report upon the conclusion of its review.

MR. DICKSON: I'm hoping that the minister will be directly responsive this time, Mr. Speaker.

When will the minister fill the two long-standing vacancies that now exist on the commission?

MR. MAR: Mr. Speaker, in the House the other day the minister responsible for government reorganization indicated that there would be a process of open appointments in a public process. Upon the conclusion of that process being put forward to this House, I should be pleased to act upon it and make those appointments in accordance with that open process, in accordance with the commitment to an open government.

MR. SPEAKER: Calgary-Fish Creek, followed by Edmonton-Strathcona.

### Legal Profession

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. My question today is to the Minister of Labour. It is my understanding that

the legal profession is the only profession in Alberta that allows income splitting in a professional corporation amongst children and spouses. Is this true, or do any other professionals have this capability?

MR. DAY: Mr. Speaker, my information is that there is somewhat of a unique accommodation available to the legal profession. I understand that that's a subject of some interest to the chairman of the Professions and Occupations Bureau, which falls under my jurisdiction. I would ask him to supplement the answer.

MR. SPEAKER: The hon. Member for Calgary-Varsity.

MR. SMITH: Thank you, Mr. Speaker. The purpose of the Professions and Occupations Bureau is indeed to administer and regulate legislation governing the operation of the professions and occupations. It's our intent to legislate fairly, consistently and to operate in the public interest. There are some terms of inconsistency in the legislation. We are reviewing it, and we will be tabling it as part of our three-year business plan.

MR. SPEAKER: Supplemental question.

MRS. FORSYTH: Yes. Then, my question is to the minister responsible for professions and occupations. What is this cost to all Albertans? [interjection] The chairman.

AN HON. MEMBER: You got a promotion.

MR. SMITH: Who says, Mr. Speaker, that things don't happen quickly in government? Thank you.

The impact analysis is a function of the Treasury Department. We have asked them for that impact analysis. We'll be tabling that with all the other data that will support the decision of the bureau to recommend consistency in application of the legislation.

MR. SPEAKER: Supplemental.

MRS. FORSYTH: Yes. Thank you. What corrective actions is the government taking to recapture this revenue and eliminate this discrimination amongst professionals?

MR. SMITH: The very important part of this Professions and Occupations Bureau, which regulates over 130,000 individuals in Alberta, is not to artificially extend privilege into the marketplace. That's going to be our keynote in determining our three-year business plan: to apply this legislation fairly and consistently to all professions.

MR. SPEAKER: The hon. Member for Edmonton-Strathcona.

### Advanced Education Boards

MR. ZARIWNY: Thank you, Mr. Speaker. Time and time again Albertans have been told that this government will not interfere in the autonomy of college and university boards. I have a leaked government document with new duties of chairmen of the higher education boards. It is a blatant demonstration of government interference in the autonomy of boards when now the government has taken to preparing job descriptions for chairmen of the boards and indirectly for the presidents. My question is to the Minister of Advanced Education and Career Development. Can the minister explain to this Assembly the rationale behind this incredible decision?

2:10

MR. ADY: Well, Mr. Speaker, I hope the hon. member isn't suggesting that we should be appointing board chairs without some job description. Certainly we've been hearing from across the way that we were just appointing people from wherever we might find them. Now we're developing job descriptions, and that's wrong. I don't understand where the hon. member is coming from.

MR. ZARIWNY: Can the minister tell this Assembly how this job description does not conflict with the government's stated position of not interfering with the autonomy of boards? Can he answer that question?

MR. ADY: Mr. Speaker, I'm not clear who the hon. member thinks should develop job descriptions when we are the ones who appoint the person. After all, someone must do it, initiate it. Certainly the job description will be vetted through a variety of sources to ensure that it is accurate and does reflect the description that would fit someone who would aptly fill the position.

MR. ZARIWNY: Mr. Minister, what action are you taking to come to grips with this obvious intrusion with the boards?

MR. ADY: Well, Mr. Speaker, in fairness, the minister has had a hard time coming to grips with what this whole thing's all about. Most certainly there has to be a job description in view of what we're endeavouring to do: to set up a new process for appointment of people to boards and agencies in this province. We're well about doing it.

MR. SPEAKER: The hon. Member for Calgary-East.

#### Gainers Inc.

MR. AMERY: Thank you, Mr. Speaker. Albertans realize that the sale of Gainers is high on this government's list of priorities. While we are doing everything possible to sell Gainers, I fail to see the logic in paying someone a fee on a monthly basis to find a buyer. As a real estate agent for 14 years I was not paid a monthly retainer fee to find a buyer for properties I listed. My question is to the Provincial Treasurer. Can the hon. minister tell the House why we are paying \$75,000 per month to find a buyer rather than paying a commission upon completion of a sale?

MR. SPEAKER: The hon. Provincial Treasurer.

MR. DINNING: Thank you, Mr. Speaker. Discussions with a prospective purchaser throughout the early part of the year had not come to a satisfactory conclusion, so we went out to the private-sector community to seek the advice, the marketing and sales expertise of those professionals in the private sector. We cast our net to a number of firms, including Richardson Greenshields, who had been of assistance in previous discussions on the sale of Gainers, and discussed with them a fee arrangement. Clearly they wanted more than they eventually settled on, but as a standard practice on a sale of this kind in the business, we felt that the fee arrangement that had been negotiated was a fair one.

Mr. Speaker, let's be very candid about this. The Gainers company is not what you'd call on the best-buy list in this province. [interjections] It is not a matter to be taken lightly like the hon. members across the way, because Edmontonians' livelihoods are at stake, Albertans' livelihoods are at stake, and Alberta taxpayers' dollars are at stake. We feel that by going through the likes of Richardson Greenshields with the network,

with the expertise, they will try to attract as good a quality of purchaser as we can for an asset, for the Swift name – Swift's Premium is a strong name in the meat business across this country – for accounts receivable that are strong, for a plant and real estate that have value. The hon. members may laugh across the way, but this is not an easy asset to sell, and we are anxious to do so because Albertans' livelihoods are at stake and, most importantly, taxpayers' dollars are at stake as well.

MR. SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. Can the minister tell members of this Assembly how long this firm has to find a buyer?

MR. DINNING: Well, clearly, Mr. Speaker, we have been at this for quite some time. I understand the impatience of the hon. member and the members across the way and the anxiousness to find a good buyer for this company. It's not an easy process. My hope is that we will be able to have come to a conclusion on this matter within the next number of weeks, but clearly it is a difficult transaction to bring about.

MR. SPEAKER: Final supplemental?

The hon. Member for Edmonton-Avonmore.

#### Access Network

MR. ZWOZDESKY: Thank you, Mr. Speaker. Access broadcasting is both an active partner in and an active presenter of Alberta-made programs. It is truly an Alberta treasure. Last week the minister responsible for Access cleverly sidestepped my questions regarding his plans for Access. On Monday we saw more of this sidestepping and the minister actually denying the commissioning of a report from Dennis Anderson. Yesterday Mr. Anderson himself confirmed that he did prepare a report on Access for the government. My question to the minister responsible for Access is this: will he simply confirm that he has at least received and read the report on Access prepared by Dennis Anderson?

DR. WEST: Yes, Mr. Speaker.

MR. ZWOZDESKY: Thousands of Albertans appreciated that honest answer.

Following up on that, I wonder now if he would tell us why he's keeping that report from Albertans, a report which Albertans paid for.

DR. WEST: Mr. Speaker, we have a tremendous amount of information inside that we use as working documents as we go through the review of our boards, agencies, and commissions. That document that was presented has some value in looking at possibilities for Access, but it's a working document that we'll use inside for review. We have a whole plethora of documents, not just the one that was presented by Dennis Anderson. We'll be looking at all of those in due course.

MR. SPEAKER: Final supplemental.

MR. ZWOZDESKY: Thank you. Well, given that they have all of these secret reports and that within those reports there is strong consideration, we understand, about the privatization of Access, I'd like to address this next supplementary to the hon. Deputy Premier then. Is he prepared to go to Albertans, to go through a series of

public hearings around the province to find out whether or not the possible sale of Access is indeed in the best interests of Alberta?

MR. KOWALSKI: Mr. Speaker, all men and women of this Assembly are in daily touch with all of the people of Alberta. In terms of having the widest forum of plebiscite or public hearing there is, it would be the advice that we would receive from individuals throughout this province and the opportunities that are afforded to all members to come into this Assembly and to raise these issues on a daily basis when the House sits. I can't think of a more important element of democracy than that. This is certainly much more effective and much more important than having another series of discussions that might be held in one community and another community. There is no greater plebiscite than what we have right here in this Assembly.

MR. SPEAKER: The hon. Member for Peace River, followed by West Yellowhead.

### Forest Management

MR. FRIEDEL: Thank you, Mr. Speaker. I am pleased that this government is committed to drafting an Alberta forest conservation strategy. My question is to the hon. Minister of Environmental Protection. Isn't the development of the strategy a little bit late when a good majority of our forests have already been allocated for industry use?

MR. MITCHELL: Good question.

MR. SPEAKER: The hon. Minister of Environmental Protection.

MR. EVANS: Yes, hon. member, you're right. It is a good question.

Thank you, Mr. Speaker. It is a very good question. We are initiating the forest conservation strategy in an attempt to ensure that sustainable yield and the various initiatives that we have been undertaking in the province of Alberta with respect to forestry are sustainable and meet the challenges of today and tomorrow. We have a forest industry which is the fourth largest economic generator in the province of Alberta. We have what I consider to be sound, sustainable development principles in that industry, but we have to ensure that we invite the public for input into this process and ensure that Albertans are confident, as we are, that we have a sustainable forest. That's what we're trying to achieve through the forest conservation strategy.

2:20

MR. SPEAKER: Supplemental question.

MR. FRIEDEL: Thank you, Mr. Speaker. To the minister. In these times of financial restraint I'm wondering: is this consultation practical relative to the time it takes and to the cost of the process?

MR. SPEAKER: The hon. minister.

MR. EVANS: Thank you, Mr. Speaker. I think it's very, very practical. We are talking about a two-year process through the forest conservation strategy, a continuing input process from a number of stakeholders, whether they be environmental organizations, whether they be industry, whether they be government. We all have to work as a team to deal with these forest management practices, forest management strategies that we have in the province. We hope that the forest conservation strategy itself will

deal with a number of specific issues and that during that two-year time frame the strategy and the advisory committee will come back with a number of recommendations that we can integrate into our forest land use scenario here in the province of Alberta. So I think it is extremely practical and extremely focused on partnership, which in these times of financial strain we have to work more and more to encourage.

MR. SPEAKER: Final supplemental?

The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. A leaked document from senior members of the . . . [interjections]

MR. SPEAKER: Order please. [interjections] Order.

MR. VAN BINSBERGEN: Yes, Mr. Speaker, lots of leaks.

A leaked document from senior members of the Department of Environmental Protection clearly indicates that Edson is slated to continue as the headquarters for the newly created Yellowhead forest region, which is a logical decision considering the facilities and the presence of a large staff. Yet, Mr. Speaker, we now know that the minister of transportation is exerting pressure to get the headquarters of this region located in Whitecourt, which is coincidentally his own riding. To the Minister of Environmental Protection: will the minister confirm that Edson was chosen by his department for sound "financial, fiscal and operational" reasons?

MR. SPEAKER: The hon. Minister of Environmental Protection.

MR. EVANS: Thank you, Mr. Speaker. I'm glad that the hon. member has been reading the media and is quoting some of the criteria that I chatted with the media about yesterday.

This is an important decision. As I mentioned earlier in this House, we are trying through the amalgamation of our department to amalgamate the services that we are providing in these financially strapped times. We want to reduce the number of forest areas from 10 to six. We want to reduce our district offices from about 40 to 20. We have offices in both Whitecourt and Edson. These are important offices. They will both continue to be important offices. I am analyzing the input that I have had from my department in order to ensure, hon. member, that we have an accountable system, that we make a decision as to where our district offices and our regional offices will be on very, very sound criteria. Certainly representations made by the hon. member across on behalf of his constituents or representations made by my colleagues on the government side on behalf of their constituents are very welcome in this process.

MR. VAN BINSBERGEN: Mr. Speaker, since Albertans have reasons to be concerned about the way the minister of transportation operates, how can the Minister of Environmental Protection assure us that political consideration will not decide the location of these headquarters?

MR. EVANS: Well, Mr. Speaker, I repeat: a decision as significant as the placement of divisional offices, of regional offices must be an accountable decision. These decisions must be based on solid criteria in terms of efficiencies, practicality, proximity to resource, and all of those various considerations.

Now, that being said, I also appreciate, and all hon. members do as well, that every member in this House represents his or her constituents to the best of his or her ability. This being the issue

that the member has brought forward, we should not think of it as untoward that an hon. member would be fighting for his or her constituency and constituents. It is exactly what we are elected to do in this House, both the hon. member opposite and all members on the government side of the House.

MR. VAN BINSBERGEN: Mr. Speaker, my final supplementary goes to the Deputy Premier in his capacity as Acting Premier at this moment and also as a proud opponent of patronage and parochialism.

#### **Speaker's Ruling Parliamentary Language**

MR. SPEAKER: Order. Hon. member, those are inappropriate words for a question in this Assembly.

MR. N. TAYLOR: They're accurate, though.

MR. SPEAKER: They are not accurate.

MR. VAN BINSBERGEN: Mr. Speaker, I was saying "opponent of patronage."

MR. SPEAKER: It sounded like "proponent" to me. If there was less noise coming from the opposition caucus, the Chair might be able to hear something.

MR. VAN BINSBERGEN: Mr. Speaker, I would never accuse the Deputy Premier of patronage.

MR. SPEAKER: Then the hon. member better get to his question, because there are to be none of those things in regard to these questions.

MR. VAN BINSBERGEN: My apologies.

#### **Forest Management (continued)**

MR. VAN BINSBERGEN: Would the Deputy Premier perhaps commit himself to taking his minister of transportation aside and telling him to back off?

MR. KOWALSKI: Mr. Speaker, I think all the House should know – I mean, there was a kind of mischievous nature to this last question – that the hon. member has taken it upon himself to petition me to intervene in grant applications for his constituents in recent weeks and then the hon. member stands up and makes scurrilous remarks. I know of no MLA in this Assembly who has a higher degree of public integrity in his service to the people of Alberta than the Minister of Transportation and Utilities.

MR. SPEAKER: The time for question period has expired. Before calling Orders of the Day, might there be unanimous consent to revert to the introduction of special guests?

HON. MEMBERS: Agreed.

MR. SPEAKER: Opposed? Carried.  
The hon. Member for Edmonton-Gold Bar.

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

MRS. HEWES: Mr. Speaker, I'm pleased to introduce to you today and through you to other members of the Assembly Mr. Bill

Daly. Mr. Daly, I believe, is still the president of Pensioners Concerned of Alberta. This organization has provided both seniors and legislators with excellent research and information on seniors, their needs, the consequences of legislation and program changes. Mr. Daly is in the public gallery, and I'd ask him to rise and receive the welcome of the House.

#### **head: Orders of the Day**

#### **head: Motions for Returns**

MR. DAY: Mr. Speaker, there are no written questions appearing on today's Order Paper, so I'll move on to motions for returns and ask that motions for returns appearing on today's Order Paper stand and retain their places.

[Motion carried]

#### **head: Public Bills and Orders Other than head: Government Bills and Orders head: Second Reading**

#### **2:30 Bill 206 Auditor General Amendment Act, 1993**

[Debate adjourned October 19: Mr. Mitchell speaking]

MR. SPEAKER: The hon. Member for Red Deer-South.

MR. DOERKSEN: Yes, Mr. Speaker. Do I get an opportunity to finish my debate that was left over from yesterday? Thank you very much for that opportunity.

To acquaint you with where I was in my debate, I quoted a familiar phrase earlier on, when we were talking about the principle of people having an entrepreneurship and wanting to be involved in small business, which said, "Go west, young man, go west."

MR. BRUSEKER: That's the motion; we're on the Bill.

MR. DOERKSEN: Thank you. We are on the Bill. I will retract those comments. I'm on the wrong Order Paper, Mr. Speaker.

MR. SPEAKER: The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I guess he could save those comments for another day then.

Mr. Speaker, Bill 206, the Auditor General Amendment Act, 1993, as introduced by the Member for Edmonton-Whitemud is our current topic for discussion today. The goal and the principle behind Bill 206 is to empower the Auditor General with the ability to perform efficiency audits or value-for-money audits or whatever you want to call it. The phrase I always like to use for this concept, I guess, is the idea that you've got to work smarter, not harder. I think people are expecting government to do that, and they're still waiting for that from some of the hon. members on the other side. Some are better than others, of course. What we're looking for is the government to turn to the people that we have hired, the people that Albertans have hired to do certain tasks for them. One of the tasks, of course, one of the positions we have that we hire, that we pay, that we staff is a position called the Auditor General. Now, the purpose of the Auditor General, of course, is to review the expenditures of government, all of the different departments of government right from agriculture at one end to Community Development and the minister of, well, we're not sure what on the other end. In addition to that, the Auditor



General is to review the different corporations, commissions, et cetera, that are undertaken by the government.

Now, Mr. Speaker, the Auditor General by the nature of his role has the opportunity to delve into some of these corporations in a much more thorough and forthright fashion than virtually any other individual in the province. What this Bill proposes to do is to allow that Auditor General to not only look at the books, if you will, but then to make recommendations about how we can improve those books. In a province like Alberta where we have unfortunately amassed a substantial amount of debt and we have a continuing, ongoing deficit that the government claims they are working on, we need independent assessors to come in and be able to make suggestions about how it is that government operations can streamline the business of government. Not the business of being in business – that's another topic for another day – but the business of government. So the proposed Bill 206 that would amend the Auditor General Act says: let's give this gentleman who has the mandate to look at these corporations a further mandate to then make suggestions.

Mr. Speaker, we've heard many hon. members across the way cite the recent publication called *Reinventing Government* that Osborne and Gaebler wrote just last year that talks about doing more with less and doing it smarter. There are a number of cases in the United States, where, of course, these two gentlemen in particular are based, did some research, and discovered what other states have managed to do in terms of downsizing yet streamlining and yet still operating and offering the services that are required. When you look at some of that, I guess, history, for lack of a better term, that's occurred in other places, by doing the kinds of things that have been proposed in Bill 206, the results that have been achieved are quite significant, quite substantial, and I think quite impressive, and could have a significant impact on the reduction and ultimately the elimination of the provincial deficit. That's the whole drive, the whole thrust behind Bill 206. It's really saying: let's do everything we can from as many different directions as we can to work as smart as we can to reduce our deficit, to then get it down to zero, and then finally start whittling away on our debt and get the books balanced. That's what this is attempting to do; that's where this is going. This is a small step admittedly, but it is a step in the right direction.

We look at what's happened in some different states. This is what I was starting to review, Mr. Speaker. The state of Texas in 1991 was faced with a rather large deficit, in the neighbourhood of 4 and a half billion dollars on a \$60 billion state budget. By simply trying to make these across-the-board cuts – and that's what the government seems to be saying: boom, here's \$122 million; let's cut that out of health care. Pretty soon they're going to come along and probably say: let's cut another \$100 million out of Education. Pretty soon I might expect them to say: let's cut another \$100 million out of advanced education. Pretty soon they're going to start cutting here and there and there without having a plan of where we're going. Bill 206 says: let's try to develop a plan; let's decide ahead of time before we start making willy-nilly cuts.

So what happened in Texas? They reviewed what was going on. They had a \$4.6 billion shortfall. Since June of 1991, by following a similar kind of procedure as what's proposed in Bill 206, they have now realized a saving of \$2.4 billion. They're better than half of the way there simply by being more efficient, by looking at streamlining costs: working smarter, not harder. That's the goal we're after here. More importantly, they started looking a little further on. They said: "Well, we've got part of the way there. We've got part of the way. We solved a part of the problem, but we've still got some ways to go." So they

trimmed back from a 4 and a half billion dollar deficit down to a \$2 billion deficit and said: "Well, that's an improvement, but we've still got some ways to go. What more can we do?" They started asking themselves questions like, "Does it improve customer service?" Because government delivers a lot of service to its customers – or, if you will, taxpayers – in the province of Alberta. Does it improve service? "Will it save the taxpayer dollars?" was the next question, a very logical question to ask of any government service.

Of course, that begs the question of the whole issue of privatization. Are we saving dollars by privatizing? Are we going to make money by privatizing? That, too, is a side issue, but we have to ask those kinds of questions even before we get onto an ideological bent of, "Oh, let's sell off the registries; let's sell off the ALCB; let's sell off AGT." Instead of simply having an ideological bent that says, "Let's privatize, privatize, privatize," we should first ask the questions: will it save the taxpayer dollars; will it benefit us in the long run?

Does it represent a better way? A better way can mean a number of things. A better way can mean saving dollars. A better way can be better delivery of a service. It could be faster service. "Better" is one of those subjective kind of terms that is difficult to really clearly get a handle on, but I think it represents the idea.

Does it make government more enterprising? In other words, the concept, which we talked about the other day, of small business being fairly lean, being very careful with the way they spend their money: again, that's what this is talking about. Of course, ultimately, where we're going in the future – we've seen this increasing slide into a debt pit of I think it's \$30 billion we're now in in total and a \$3 billion deficit. The question we have to ask of course is: will it build a better future for Albertans? That's what we're trying to do with this Bill. That's what the Member for Edmonton-Whitemud is trying to do with Bill 206.

Mr. Speaker, we have to look at those kinds of issues in deciding: will we support the idea of giving the Auditor General more authority, if you will, than what he's got right now? The whole purpose behind this is to do exactly the kinds of things that I've talked about: to make things better for the service delivery, to make it more cost-effective, and to do it in a nice nonpartisan fashion that I'm sure all members of the House can appreciate because the Auditor General is a nonpartisan individual who is responsible to the Legislative Assembly.

## 2:40

Mr. Speaker, I mentioned one state, Texas. The savings that have been realized in the state of Texas have also been realized in other jurisdictions in the United States as well. The state of Alabama had some task forces from both private and public sectors that went around and at the end of 1990 had implemented cost savings of \$140 million. I recognize these are, relatively speaking, smaller jurisdictions than Alberta, so if we were to implement these kinds of things in Alberta, we could save a substantial amount of money. Let's try and put some dollar figures to it if we can. If we were to say that across the board, by doing these efficiency audits, the government could realize 5 percent savings – because this is a number, I think, the Premier seems to like, so let's use the Premier's number of 5 percent for a moment if we will. [interjection] It's a nice small number that they can understand, yes. Good point.

So let's assume for a moment that we can realize a 5 percent cost saving on our total budget that is proposed for this year. If we can do that just by introducing this Bill, and if we can save that 5 percent over additional years – 5 percent on the total budget of \$14 billion this year is \$700 million. Seven hundred

million dollars just by implementing Bill 206: that's an exciting prospect, Mr. Speaker. That's an idea whose time has come. Of course, maybe 5 percent is high; maybe it's low. I'm just throwing out a familiar figure.

In Colorado, savings of \$188 million; Louisiana, savings of \$117 million; New Jersey, almost a billion dollars.

So the time has come when Albertans are saying, "We're not satisfied with the way things are going." We've recently heard, all of us I'm sure, at the doors when we were out that people are concerned about debt. They're concerned about deficit. They're concerned about the future of our education system. That was clearly evidenced, Mr. Speaker, in Calgary just this past Friday night and Saturday when in the neighbourhood of 600 individuals came out to education roundtables. They're saying: "Debt is a problem. We know the axe is going to fall; we've seen the axe fall on health care. We're concerned the axe is going to fall on the education system. What can we do to save dollars and save programs so we can save our education system?" That's what Bill 206 proposes to do. It says, let's allow our Auditor General to look at all of the different corporations, to look at all of the government operations: how many trucks we operate in the transportation department, how many foreign offices we have.

Wouldn't that be an interesting review to decide if we actually could get a real review of the cost-effectiveness of our foreign offices, Mr. Speaker? In the province of Ontario they hired a firm - I believe it was Peat Marwick - that went around and looked at the cost-effectiveness of the Ontario offices. The recommendation came back, and the government of Ontario said: "These aren't worth it. Close them down, shut them down." Seventeen offices across the world: shut them down. London, Los Angeles, Tokyo, et cetera, et cetera, et cetera: shut them all down. They got that because they had an independent assessment that looked at what they were getting for the money and they said, "It's not worth it."

This Bill 206 says let's look at all those issues, as I said, right across every department across that front bench, Mr. Speaker. Let's look at every single one of those departments, and let's see if the Education minister can deliver his education product in a more cost-effective manner.

MR. JONSON: That's what we're doing.

MR. BRUSEKER: Well, there's still room.

MR. JONSON: We'll look for your support then.

MR. BRUSEKER: I support education a hundred and ten percent, hon. minister, as I'm sure he's more than well aware.

What we're saying is let's look at all of that. Let's try to deliver the services that Albertans want and need, and let's try to do it in a cost-effective, cost-efficient, sensitive - sensitive: I'll say it again just in case they missed it the first time, Mr. Speaker - manner and yet do it wisely. That's what Bill 206 proposes. That's the goal that we should all be achieving and aiming for, and that's why everyone should support Bill 206.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Calgary-Montrose.

MR. PHAM: Thank you, Mr. Speaker. It is an honour to rise in the House this afternoon to join in the debate of Bill 206, the Auditor General Amendment Act, 1993, sponsored by the Member for Edmonton-Whitemud. My fellow colleagues have already spoken on this Bill and expressed their concerns over the superfi-

cial approach to dealing with the issue of accountability of Crown corporations in Bill 206. My comments today will also be directed in this general area.

Bill 206 is the product of good intentions and little else. As we are all aware, Bill 5 has been passed by this House and awaits Royal Assent. Bill 5 dealt with the issue of accountability of Crown-controlled organizations in a much more comprehensive manner than Bill 206. Mr. Speaker, Bill 206 proposes changes to the term of office of the Auditor General. Bill 206 would limit the term of office to one term and extend the length of that term from eight to 10 years. I cannot understand the reason behind this proposed change to the current Act. If the Auditor General wants to seek reappointment to the position after his initial term in office is complete, he would have to reapply to the Legislative Offices Committee of this Legislature. If he was the most qualified candidate for the position, then he should not be denied that position. The people of Alberta deserve the most capable and qualified person to fill this position, and the process for hiring the Auditor General right now is fair. Only one jurisdiction in Canada, namely Newfoundland, restricts their Auditor General to only one term in office.

Mr. Speaker, Bill 206 defines Crown-controlled organizations as companies whose voting shares owned by the government are greater than 50 percent but less than a hundred percent. It also proposes to move the definition for these organizations to the Financial Administration Act, under definition of provincial corporations. This could bring the government-owned commercial entities under the full jurisdiction of the Auditor General. I would question the reasoning behind the inclusion of such a provision. Government Bill 5 amended the definition of Crown-controlled organization to include a 50 percent or more interest by the government. It went a step further than Bill 206 by transferring the amended definition for all Crown-controlled organizations to the Financial Administration Act. This will facilitate more control over all Crown-controlled organizations than that which presently exists and that which the Member for Edmonton-Whitemud is proposing in Bill 206.

Mr. Speaker, the current legislation makes the Auditor General the primary auditor to every department-regulated fund, revolving fund, and provincial agency. Bill 206 proposes to give the Auditor General the primary responsibility for conducting the audit or assigning an audit agent for those Crown-controlled organizations defined in this Bill. The Auditor General himself has yet to include this provision in his recommendations. Presently the Auditor General has full access to any and all working papers generated from the audit of these entities. He also has full authority to publish any concerns regarding these financial audits in his annual report to this Legislature. All audits, whether performed by the public or private sectors, must be conducted in accordance with generally accepted accounting principles. It should not matter whether or not the Auditor General performs the audit or reviews the working papers of an audit performed by an audit agent, as he is entitled to do under section 19 of the current Act.

Mr. Speaker, Bill 206 proposes to amend the current legislation to allow the Auditor General to release financial information to the public within 30 days of completing his audit on these Crown-controlled organizations. Bill 5 requires that the financial statements of Crown-controlled organizations be published in the public accounts along with that of all other departments, funds, agencies, and provincial corporations. In fact, the public accounts just released already include the financial statements of these entities.

2:50

Mr. Speaker, it is also important to point out that these Crown-controlled organizations referred to in Bill 206 are considered to be short-term commercial holdings and as such should be left to run operations consistent with procedures and practices of the private sector. Ultimately, they have their own procedure for releasing their annual report. Why should we have the Auditor General making management decisions for these organizations?

Mr. Speaker, Bill 206 proposes to change the mandate of the Auditor General's department to include efficiency audits – simply put, an audit of a particular organization's management system. Section 19(2)(d) currently requires the Auditor General to comment on “systems designed to ensure economy and efficiency.” This implicitly gave the same power as those reforms which are proposed in Bill 206. Ultimately, the Auditor General may refer to an incident or individual transaction as evidence of a system deficiency, the differences being that the present system relates to a financial audit.

The Member for Edmonton-Whitemud is proposing efficiency audits to the management systems of the various government entities. This is not within the mandate of the Auditor General, and before we begin to consider this in the Assembly, we need to consult with the Auditor General as well as other stakeholders involved. The Auditor General has not recommended that efficiency audits be performed by his office; he has only recommended that a system for effectiveness reporting be established for departments by the government. Bill 206 therefore has missed the mark in this regard.

Mr. Speaker, Bill 206 proposes to transfer to the Financial Administration Act only those entities in which the government has an equal or greater than 50 percent interest. Bill 5 amended the current definition of Crown-controlled organization to include a greater than 50 percent interest and transferred the complete definition to the Financial Administration Act.

Under Bill 5 all Crown-controlled organizations are subject to the government's fiscal plan, including a three-year business plan and the clarification of ministerial responsibility in relation to the continuing operation of these entities. Bill 5 put in place sunset clause provisions which will ensure that government will not hold on to these commercial entities for a prolonged period of time.

Mr. Speaker, Bill 5 received my support because it dealt more comprehensively and completely with the issues raised in Bill 206. I urge all members of this Assembly to vote against this Bill 206. Thank you.

MR. SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. I, of course, stand to speak in favour of Bill 206. I have listened to the comments from the side opposite. They indicated that 206 was superficial, didn't go far enough. I think as I view the two of them, I would say that the strong point of Bill 206 is the fact that it removes from government at a greater distance the efficiency audits and having somebody look at it from the outside as opposed to somebody that's generally close to government. I think presently the government of the day is hanging its hat on the fact that they have in-house efficiencies to some degree. That's somewhat like having the fox look after the henhouse.

We can't really, I think, in a sound sense stand and speak against timely release of financial documents, which Bill 206 is proposing or asking. When I look at reviewing Treasury, agriculture, public works, Justice, and a couple of the other departments' expenditures that we have over the last couple of weeks, there can

be no doubt that there are efficiencies to be gained there. I would have to ask and I'm sure all in this House have to ask: why are we afraid to find those efficiencies? What is there there that we're concerned about?

There was not one of us as we knocked on doors and not one of us as we campaigned here very recently who didn't run into the overriding concern about the debt and the deficit. There was not one of us who didn't run into people that indicated government could do a more efficient job of actually running their show or their shop. In fact, every one of us, I'm sure, is convinced of that. This is just one small step towards that.

When we look at the deficit we've run in this province in the last eight years, certainly we can't be afraid to embrace anything that will find efficiencies for the benefit of the taxpayers of this province. I think when you look at whatever steps we make there, if they do not go far enough, then in fact there's room for improvement, and we progress and we learn from that. The question begs to be answered: why are we afraid to have a close look at exactly what we've done over the last few years? Why are we afraid to profit from making some mistakes?

Certainly we have to set aside our political protectionist attitudes and start working for the taxpayers of this province in the best way we possibly can. When we're looking for efficiencies, that's all we're doing in our proposal for Bill 206. No one in this House should be afraid of that. After all, that is one of the large mandates of our position as an MLA in this province, as a steward of the government dollars that are collected on behalf of the government every year. We can't shirk our duties there. We can't be afraid to step forward. If there is a little bit of rot in the system that has to come forth so we can get to where we have to be, so be it. Let's face it and get on with it.

I've heard chat constantly since we've sat in this House about openness. The side opposite has chatted extensively, to the point where their lips have almost fallen off, about this open government. Let us be open. Let us show the people that we're not afraid to confront some of the errors we've made in the past, and let's move ahead.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Olds-Didsbury.

MR. BRASSARD: Thank you, Mr. Speaker. Bill 206 proposes to move commercial entities whose voting shares owned by the government are greater than 50 percent but less than 100 percent from the Crown-controlled organization's definition in the Auditor General Act to the provincial corporation's definition in the Financial Administration Act. This would, in essence, give the Auditor General the authority to assume audit for these entities or assign an audit agent to perform the audit on the Auditor General's behalf. Currently the Auditor General has access to the working papers from the audit of these commercial entities and can publish any of his concerns regarding these entities in his annual report to the Legislature.

Bill 206 also proposes extending the term of office of the Auditor General to 10 years without eligibility for reappointment. A brief survey of other jurisdictions shows that there was only one jurisdiction, Newfoundland, that did not allow their Auditor General to seek reappointment.

Bill 206 proposes to give the Auditor General the right to publish audit statements from Crown-controlled organizations and provincial corporations to the public. The decision to release the financial statements from commercial entities has always been the sole responsibility of management and should remain that way.

Bill 206 proposes to include efficiency audits within the mandate of the Auditor General. Currently the Auditor General looks for economy and efficiency in the financial accounting of an entity. To perform these efficiency audits would constitute a fundamental change in the mandate of the Auditor General.

Perhaps this Bill should have taken the whole issue a step further and suggested that all audits be performed by the private sector with the Auditor General performing test audits to check for accuracy in the financial reporting as well as efficiency in the management systems. This would eliminate any potential for a conflict of interest and may result in significant savings due to the contracting of private audit agents. Efficiency audits are a management decision. The Auditor General is concerned with the fiscal integrity of government entities. The Auditor General would require more staff and program dollars to perform this function. Is this really acceptable in this time and age?

3:00

Bill 5, the Financial Administration Amendment Act, addressed the main concerns of Bill 206 in a more detailed and comprehensive manner. Under Crown-controlled organizations Bill 5 expanded the definition of Crown-controlled organizations and placed it under the Financial Administration Act. As a result, all Crown-controlled organizations are subject to increased controls that were previously not applied. This is a far more comprehensive proposal than put forward in Bill 206.

Under power to obtain information Bill 5 gives the Treasury Board the power to obtain information from Crown-controlled organizations, which may include such information as budgets and business plans.

Under contents of public accounts Bill 5 requires that the financial statements of Crown-controlled organizations be included in the public accounts. We have witnessed in the public accounts and here in government the resolve to open up government by the inclusion of this information this year.

Under creation of provincial corporations and Crown-controlled organizations Bill 5 requires the approval of the Lieutenant Governor in Council to incorporate, acquire, dissolve, liquidate, wind up, or dispose of these provincial entities and their subsidiaries.

Under limitations Bill 5 has put in place sunset clauses that automatically apply to all provincial agencies and Crown-controlled organizations. Every five years this Assembly will have to review the mandate of these entities.

Bill 5 represented a more comprehensive overall coverage of the issues before this House this afternoon. It deserved and received the support of all members of this Assembly when it passed third reading unanimously. Bill 206 does not go far enough in its attempt to address these issues, and I will not be voting for Bill 206.

MR. SPEAKER: The hon. Member for Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Speaker. I'd like to speak on Bill 206 very briefly. I want to add that I will not be supporting Bill 206 for many of the reasons mentioned by my colleagues. However, I do want to encourage my colleagues to consider the efficiency audits, because I think they do have some merit and it does have some potential for saving money in operational efficiency. So I will encourage my colleagues and the minister to examine the particular efficiency audits that the Liberals have suggested and see if we can't adopt some of them into practice.

Thank you.

MR. SPEAKER: The hon. Member for Edmonton-Whitemud to close debate.

DR. PERCY: Thank you, Mr. Speaker. I'd like to cover a number of points that have been raised in discussion of this Bill. First, I'd like to reiterate that at this stage we're voting on the principle of the issue, and some of the concerns that have been raised about the length of the mandate, renewability, et cetera, are all issues that can be dealt with through amendment in Committee of the Whole.

Also, the issue of Bill 5, which I spent some time speaking to, I feel is a bit of a red herring in that this Bill was written in late July, early August, well before we saw what Bill 5 would look like. In any case, this is a complement to not a substitute for Bill 5 in that it broadens and empowers the Auditor General to not only look at the financial operations of an entity but whether or not there is value for service. So I do not see that there is any broad conflict, and I would assume that we would assure that the elements of Bill 5 would be incorporated in an amended Bill 206. I do not see those as attacking the principle explicit in Bill 206. It's very simple. We need value-for-money audits in the provision of government services. I think it's that straightforward.

I was somewhat surprised to hear some of my colleagues on the other side speak in a sense with such great certainty that government departments in fact do manage resources well and that within the government departments the management systems in place there really do ensure that resources are used efficiently and that objectives set are realistic and are at the top of the envelope rather than at the midpoint of the envelope. I think we do need in a sense to give the Auditor General the capability of adopting value-for-money audits. This doesn't require the Auditor General to do that. It in fact gives the Auditor General the capability to do so if he chooses to go beyond assessing the management system in place and actually examining whether or not the system provides value for money.

As I mentioned in my comments when I first introduced this Bill, there are very few times when there are free lunches, and there are some margins here where there is a free lunch. If we're dealing with savings of 4 or 5 percent and we can achieve those economies without having to lay off government workers, without having to cut off services, I would think it would be something that all members of this House would be in favour of. If there is fat in a system and you can remove that fat and you can preserve the level of services and not have to reduce employment, everyone is better off.

As for the issue of whether or not this, then, requires more resources for the use of the Auditor General, certainly if we spend an extra dollar on the Auditor General's department and it yields a savings of \$5 in return, I would think that would be a reasonable investment by anybody's criteria. Sometimes you do have to get good audit systems in place if you want to save money and prevent mistakes from occurring.

I was somewhat disappointed by the tenor of some of the comments I heard across the way. On occasion some of my colleagues across the way say, "Well, we hear a lot from members on this side about the past but nothing about the future." This Bill is about the future. This Bill is about saving money in the future. It's about putting systems in place now to prevent the fiascos that have emerged in the past. It's brought forward in a positive vein. It's not dealing with past fiascos. It's saying, "Let's get an independent, arm's-length, value-for-service audit function in place," because it will prevent some of the mistakes of the past from occurring again.

Some of my colleagues in their comments mention that they were a bit surprised that there wasn't as much input from the Auditor General or that in some sense this precluded – and I was a bit surprised at the comments – the role of the Legislature. Well, the whole purpose of this Bill is to come forward to the Legislature and say, "Let's change the principle by which these audits are conducted and at least allow the Auditor General not only to look at the legality of the expenditures, the financial tracks, but the efficiency with which those expenditures are undertaken." I think it is essential.

Let me reiterate a point that I made in my opening comments. As this government moves in the direction of introducing three-year business plans, there will be a need to assess the objectives and the performance of government departments in meeting those plans. As it presently stands, the Auditor General will assess the systems within those departments to achieve those objectives set out in the plan, but he will not be able to go in and root around for himself. He will rely on the existing documents within the department. I really believe we need outside scrutiny, the threat of outside scrutiny to ensure that these resources are properly used. I do not see this, then, in any way being inconsistent with an open government, a responsive government. It doesn't require the Auditor General to do this unless he or she thinks it's required.

Issues related to term, as I say, are issues that can be addressed within amendments.

Again, as we move into the realm of three-year business programs and as we move into this issue of net budgeting, which has been accepted so easily and so gracefully here without, I think, a full understanding of what it implies, net budgeting will inevitably lead to administrative bloat. There will be departments that will use user fees simply to finance administrative superstructure, to finance capital expenditures, and it will be very difficult to get a handle on that. Now more than ever we need value-for-service audits if we're going to go down the business plan route. Again, this is costless from the perspective of society, because it will generate savings. If we're able to save 5 percent, we have the potential of saving \$650 million this year and in subsequent years. It's a savings we should look at. It is realizable. It has been achieved in other jurisdictions.

### 3:10

Now, I'd like to conclude with one point on this, and this is somewhat of a disappointment to me. This is a private member's Bill. I've heard it referred to a number of times as a Liberal Bill. I'm proposing this as a private member, because it is a good idea. I think it will save money. I think to an extent we're starting to polarize positions, Mr. Speaker, in the sense that any Bill now that comes forward from a private member on this side is seen, then, as an opposition Bill. This defeats the whole purpose of the parliamentary reforms that were introduced. It poisons the well. It means that ideas will be assessed yet again on grounds of partisanship. I would hope that as we debate these issues, we try and set aside whether or not – this isn't meant to score political points. It is really dealing with the fact that this province has a significant deficit, a large debt, and that there are mechanisms that have been used in other jurisdictions that we could apply here.

Now, the reason I bring this point up is that I think if we're going to, especially in the Second Session, properly use the parliamentary reform . . . [interjections]

MR. SPEAKER: Order please. When the Speaker stands, every member is supposed to sit down.

The hon. Member for Calgary-Currie is rising on a point of order.

## Privilege

### Referring to an Error

MRS. BURGNER: Mr. Speaker, I need to beg the indulgence of the House to inquire. I believe it's a point of privilege in that the hon. member is referring to an error I made in my speech when I debated this issue as a new member, when my researcher had cited a Liberal Bill. I was corrected in this House, and it has now been referred to a number of times in the debate from the opposition. I stand humbled and apologetic for the error. I should have known better, but I do not believe it is further need for comment and public embarrassment to me.

Thank you.

DR. PERCY: I'd like to reply to that point of privilege, Mr. Speaker. In my comments just now I was in fact referring to the comments from the hon. member from Red Deer who referred to the Liberal position. It was that I was referring to, and I was not referring to the comments of the hon. Member for Calgary-Currie. It was the Member for Red Deer-North?

MR. DOERKSEN: South.

DR. PERCY: South. A 50-50 chance.

### Debate Continued

DR. PERCY: I would just like to conclude that as we proceed into the Second Session and as new Bills emerge that were done in the context of the parliamentary reforms, I would hope, then, that all members on this side and on the other side view these in terms of their merits because this gives us the opportunity to work collectively to achieve certain goals. Again, I do accept the comments of the hon. Member for Calgary-Currie and from Red Deer-South. I'm sure that in fact these issues are going to be judged on the basis of their merits.

Having said that, I would just like, then, to conclude my comments on this and say that I would hope we would support this Bill.

Thank you, Mr. Speaker.

MR. SPEAKER: Debate has been concluded on Bill 206. So the motion for second reading by the hon. Member for Edmonton-Whitemud is before the Assembly. All those in favour of second reading, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Call in the members.

[Several members rose calling for a division. The division bell was rung at 3:15 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Henry	Sapers
Bracko	Hewes	Sekulic
Bruseker	Kirkland	Soetaert
Decore	Leibovici	Vasseur
Dickson	Massey	White

Germain Hanson	Nicol Percy	Yankowsky
Against the motion:		
Amery	Fritz	Mirosh
Black	Gordon	Oberg
Brassard	Haley	Paszkowski
Burgener	Havelock	Pham
Cardinal	Herard	Renner
Clegg	Hierath	Severtson
Coutts	Hlady	Smith
Day	Jonson	Sohal
Dinning	Kowalski	Stelmach
Doerksen	Laing	Tannas
Dunford	Lund	Thurber
Evans	Magnus	Trynchy
Fischer	Mar	West
Forsyth	McClellan	Woloshyn
Friedel	McFarland	
Totals:	For – 20	Against – 44

[Motion lost]

### Bill 207 Children's Rights Act

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

MRS. HEWES: Thank you, Mr. Speaker. A few minutes ago on Bill 206 somebody mentioned the future. Well, this Bill is about the future. It's certainly about the future. No one can deny that. I'm most proud to have an opportunity to introduce it again.

Mr. Speaker, the intent of the Bill is to support the UN convention on the rights of the child. The Bill itself is a carbon copy of that convention. It's a convention that was adopted by the General Assembly of the United Nations in 1989, exactly 30 years to the day after the adoption of the UN declaration on the rights of the child in 1959.

This Bill, this convention defines us as a nation, as a province. It defines what we are as a society, that we value without equivocation our children, that we are committed to their rights to grow up in a caring, safe environment, in an environment that they can trust and one that will be consistent over time. The Act, Mr. Speaker, simply brings into one document not only the civil and political rights of children but also their economic, social, and cultural rights.

The convention is totally contained in the Act as it has been presented to you. It sets out the government's obligations towards a child. They may be of a direct nature, providing education facilities, ensuring proper administration of juvenile justice. They may enable parents, the wider family, or guardians to carry out their primary roles and responsibilities as caretakers, protectors, and care givers. The convention, Mr. Speaker, is an instrument to be used very skillfully and systematically if it is going to be in any way effective. It will oblige all individuals and organizations working with or for children to take notice of this approach and in particular to undertake an in-depth and ongoing self-education process as to what the rights of children really are and what kinds of actions are required to promote and defend those rights.

3:30

The majority of articles fall directly under provincial legislation and jurisdiction. Alberta legislation, as we understand it, is in compliance with the convention. None of our current legislation needs to change, but it does mean that the government's going to

have to care for its children and may need to implement policies to deal with issues that our current legislation doesn't address, things such as poverty, counseling programs for abused children, and so on. Neither the existence nor the content of the convention denies or reduces the importance of the family; quite the contrary. Furthermore, the convention is not concerned with regulating interaction within families nor is it a checklist of claims, however legitimate, on the part of children vis-à-vis adults. In the last resort it's a catalogue of situations and guidelines that governments must be prepared to accept, in theory at least, as falling within their individual and collective responsibility.

[Mr. Deputy Speaker in the Chair]

It's apparent that our Bill on the convention is in keeping with the government's stance on the family, in particular the family grid. Mr. Speaker, you will remember that the government some two, maybe two and a half years ago developed a family policy framework for the province of Alberta. This framework was to be the test against which all programs, all policies, all legislation of this government in whatever department were tested to ensure that they were in conformity with this policy that enhanced family life. The family grid comparisons are very good comparisons to make with this convention on the rights of the child. The family grid comparisons 1 and 2 of this one, and I can read directly from it, recognize and support families as fundamental to the strength and stability of society and support and supplement the ability of families to fulfill their essential roles and responsibilities.

When we compare that with the convention, the fifth paragraph in the preamble says, and I quote:

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all of its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.

Article 3, section 2, speaks of ensuring the child protection and care for the child's well-being,

taking into account the rights and duties of [the] parents, legal guardians, or other individuals legally responsible . . . and to this end, shall take all appropriate legislative and administrative measures.

Unfortunately, Mr. Speaker, I have to tell you that although our federal government in Ottawa ratified the convention – the formal signing took place in December of 1991 – to date Alberta is the only province that has not ratified this convention, the only province in our nation. Why Alberta would be the sole province to deny ratification of such a document is embarrassing to me and to many in our communities who work with children and care for children. It's frustrating and it's disappointing. Why haven't we done it? The provincial government needs to decide what they're going to do about this convention. Each province that is in agreement is expected to submit a report to the federal government related to their ratification status. We need to know if Alberta is going to submit a report. If not, why not?

We have interesting and positive initiatives all across this province of people who are concerned about the care and the environment that we create for our children. We have a Child Welfare Act that's been in existence for some many years here in the province. We've had the most recent report from the Children's Advocate. We have a group in Calgary, Communities for Children, eager to take more responsibility in their city and surrounding neighbourhoods for children's well-being. We have the excellent initiatives of the ATA in developing dialogue regarding children in poverty. So when these things are happening, we wonder why and when Alberta is going to submit their report and take action. We are concerned that the Alberta

government may be delaying action and ratification on misinformation and what we believe to be a possible misunderstanding of what the particular articles in the convention set out to do.

There have been a number of concerns raised to me with respect to specific articles which are contained in our Act that need to be raised, and hopefully this exercise will serve to help members and ease any concerns that still exist. Some have expressed fears that the convention will prejudice the authority of parents. Concerning the respect and the recognition of parents, the authors of the convention have no intention of undermining it. This is stated in a number of passages, such as article 5:

States Parties shall respect the responsibilities, rights and duties of parents.

Article 18(1) and 18(2) quite clearly state that the upbringing of children is the primary responsibility of parents. The convention does not deny that the family is "the natural environment for the growth and well-being of all of its members and particularly children." From the preamble, Mr. Speaker.

The convention also sets standards that enhance family life, reaffirming in the preamble that the child, and I quote, "should grow up in a family environment." The convention also recognizes, however, that some families, regrettably, tragically, for a variety of reasons, cannot or will not provide that type of environment for children, so they must be protected and nurtured by others.

The convention, Mr. Speaker, is pro-family. It is the first convention in the history of conventions to have an entire article on the family, which places the states as secondary to the family. As of March 1992, 146 countries, I believe it is, have signed or ratified, but of those who have signed, not one nation, not one country has placed a reservation that the convention is antifamily. The Holy See has said that the convention is in accordance with their policies on families and children.

What the convention asks us to do, Mr. Speaker, is to practise thinking about the child as an individual. This is perhaps the most contentious section of the convention: giving children and young people the right to freedom of expression and freedom of conscience, association, and privacy. These may appear to be in conflict with the rights of parents to guide and control their children. This is by no means the intention of these articles, because one of the underlying principles of the convention is that no one, including children, can exercise these rights without respecting the rights of others. Of course, these questions only arise once children are old enough to understand the concepts behind these articles. The UN convention on the rights of the child is a document whose intent and spirit means to safeguard children in especially difficult circumstances, children who are victims of hunger, abuse, neglect, and war.

Under the convention, any restriction placed on a child's exercise of his or her rights owing to immaturity or to conflict with parental rights needs to be justified. Articles 12 through 16 refer to the right to freedom of expression, religion, association, and privacy. All are guaranteed in the Charter, Mr. Speaker. Any one disagreeing with these articles in essence is disagreeing with some of the fundamental principles of our Charter of Rights. Article 13, which speaks to the right of freedom of expression, is intended to emphasize the importance of respecting the rights of others. If young people do not feel they have this right, how do we teach them this concept? How will they learn that they can only exercise a right while respecting the rights of others? The convention reaffirms the responsibility of the parent to teach their children the implications of this concept.

Article 14 describing "freedom of thought, conscience and religion" does not mean that parents do not have the right to teach

their children to worship according to the religion they themselves profess. On the contrary, it safeguards the right so that a child is free to practise the religion of his or her parents, a freedom that has been denied children in many countries of this world. It also means that children must respect the rights of other children to practise their own religion.

### 3:40

Some have even expressed concern that the convention would render parents helpless if the child unknowingly got involved with dangerous organizations such as a cult. Protection from this is found in article 16, which allows for a parent to object to a child joining such an organization. Intervention could be deemed justifiable and in the best interests of the child.

Article 17 likewise, Mr. Speaker, has been misread, some believing this article means that the mass media was entrusted with the responsibility for providing children with information and material for social, spiritual, and moral well-being and physical and mental health. That's blatantly untrue. This article is simply an appeal for greater media responsibility in assimilating information and material that promotes this well-being.

Article 19 similarly is misunderstood by some to mean that the convention would not allow parents to discipline their child. It has nothing to do with discipline. It's speaking of violence and the state's response to protect the child from all forms of violence: mental, injury, or exploitation, including sexual abuse. The provincial government defined a long time ago in the Child Welfare Act what constitutes abuse as well as how the state will deal with it.

Article 24 has been questioned regarding the rights of the unborn, or preborn, child. It was never the intention of the convention to address this question but rather to focus on children in difficult circumstances. The convention aims to protect millions of children living with hunger, abuse, and neglect. The question of the unborn child is beyond the scope of this convention. Some have also interpreted this article that it would allow young girls access to abortions without parental approval. Article 5 says parental authority is paramount and would overrule article 24.

Article 28 speaks to the right of the child to education. It's also been misinterpreted to mean that there'd be no at-home schooling. Subsection (a) reads: the state shall "make primary education compulsory and available free to all." It doesn't elaborate further as to where the education should take place. As long as the curriculum is being met, parents are free to access their choice of schooling.

Mr. Speaker, I just want to comment on why the Bill is needed. People in this Assembly have expressed opposition to this Act and to similar Bills that have been introduced from time to time in the House. The common theme used to express opposition is that we have already adequate legislation on the books now to protect the rights of children. One only needs to look at the statistics and the circumstances in which children are living now to know that our current laws are failing the children of Alberta. As an example of government legislation, the government no doubt would point to the Child Welfare Act as adequate protection, yet year after year we try to explain that this Act only protects those children who are receiving services under the Act, children who are either under temporary or permanent guardianship of the province. It excludes countless thousands of other children: children who are disabled, children who live in poverty and violence, children who must deal with abuse and neglect. The Children's Advocate's report has directed us to pay attention to that, that the Child Welfare Act we now adhere to does not protect those thousands of other children.

We know that one in six Alberta children lives in poverty: 120,000 children in this province; 30,000 in Calgary, 40,000 in Edmonton. It's evident that the numbers of children in poverty and living in difficult circumstances are on the increase. It points out in *Children in Poverty: Toward a Better Future* – that's the Senate report – that all too frequently poor children grow up to be poor adults, and the cycle is repeated. Part of this process, of course, is attributed to the rates of school dropouts among poor children and adolescents. The report also forecasts that over the next 20 years 187,000 students across the country will leave school due to poverty alone. These high dropout rates will cost Canadians an estimated \$620 million in unemployment insurance and an additional \$710 million in social assistance payments, to say nothing of the human pain and tragedy that's connected, the waste. If these dropouts were eliminated, the research estimates that federal and provincial income taxes could rise by \$7.2 billion and consumption taxes by \$1.1 billion. Incomes would be \$23 billion higher if poverty-induced dropouts had gone on to complete an average level of education.

Mr. Speaker, the Senate report also found that 51 percent of aboriginal children are living in poverty, and that's a comment that our Minister of Family and Social Services has often made. To his credit, he tells us of the steps he is taking and will take to correct it. That figure is not significantly different for children living on reserve or off reserve, and I think that's a terrible indictment of what's happening with children in our country and in this province. Two years ago we saw the Cawsey report on native reform and its condemning information with respect to native children. Despite the very credible recommendations about aboriginal youth and the needs that are evident within this population, there's still been very little action from the present government. It's obvious from the Cawsey report that despite the evidence and all of the reports and the research, the situation for thousands of children in our province has not changed.

One need only look, Mr. Speaker, at the latest behaviours and responses from the government to understand how desperately Alberta children need Bill 207. We recently saw the report of the Children's Advocate on child welfare. It's a comprehensive and scathing indictment. The 18-month review produced over 300 recommendations and revealed startling problems in the quality and service of delivery, including: the system is so poorly managed that no effective, coherent, or comprehensive system of children's services currently exists in the province.

From the report: an atmosphere of management by fear . . . budgetary concerns, not client needs are driving the system . . . Increased allegations of children abused while under government care . . . high staff turnover in child welfare.

Despite these tragic and disturbing revelations, the response we've had from the minister is that he's going to crack down on parents and make them more responsible. It seems to me, Mr. Speaker, that this is too narrow and superficial a focus. We are hopeful that the minister will look deeper and will bring to us some more in-depth recommendations. We have yet to find out whether or not the recommendations of the Children's Advocate have been accepted by the minister.

I have many more things, and I will take the opportunity to speak to them when closing debate.

MR. DEPUTY SPEAKER: Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Speaker.

The primal and inescapable natural family triangle – mother, father, children – is the most basic universal fact of our existence. . . . Each of us is born of a mother and begotten by a father, and is

therefore bound within the natural family like a pea in a pod, each stamped for life with the imprint of this reality, which is the same for all, yet different for each. The natural family is thus universal – a fact too seldom emphasized – and it never changes, for the good reason that this primal life reality doesn't change. In turn, the essential fact of and fundamental reason for the existence of the natural family in the first place is that it is the only entity in human history that has ever been dedicated, with utter partiality, to the nurturing and protection of children.

This quotation, which says it better than I ever could, was quoted from William Gairdner's book *The War Against the Family*. This very nature of the family was ordained by God from the beginning of time. I will stand in this Assembly to defend the family as so defined at any time.

This Bill as presented by the Member for Edmonton-Gold Bar is well-intentioned, and I do not dispute her motives. This Bill purports to protect the rights of children and is delivered in a polished package which is full of compassion and caring for children. However, in its wake it destroys the authority of the parents, who are the natural care givers, and hands it over to the state.

3:50

Are you aware that your young teenage daughter, who is sometimes an adult and sometimes a child, can now access contraceptives from the local health unit without your permission and without your knowledge? Does it concern you? British Columbia, a province that passed this convention, has followed up with an Act that gives minor children the right to have medical procedures conducted without the consent of the parents. Does that not concern you? Mr. Speaker, I am the father of four children. It is my responsibility and that of their mother to care and provide for their well-being, to ensure they are educated and ready to be on their own at the appropriate time. I will never permit the state to usurp that authority from me. It is a shame that so many people today are only too glad to hand these responsibilities to the state while they selfishly chase their own pleasures and desires. It will not help us encourage them to accept responsibility if we continue to openly promote the state as the responsible party.

The convention is a legal document which sets out the legal standards and obligations on a given subject. In this particular convention children's rights are addressed. Those countries agreeing to ratify a convention agree to abide by the standards. Canada signed the convention on May 28, 1990. It is noted, Mr. Speaker, that this country did not sign the convention unconditionally. Canada placed two reservations and one statement of understanding. One reservation concerned the detention of young offenders, while the other addressed the adoption of children. It was also at that time that all provinces were asked to bring their legislation in line with the standards of the convention. The convention was ratified by Ottawa on December 11, 1991.

The UN convention on the rights of the child is well-meaning in that it endeavours to protect children from economic and sexual exploitation and secures the social, economic, cultural, civil, and political rights of children around the world. This particular convention was created because the community of nations which comprise the UN recognized the need for children to obtain care and special consideration because, as a group, children are more vulnerable than other human beings.

However, Mr. Speaker, let me address some of the specific articles contained in this convention that are highly controversial and may be subject to various interpretations. Article 12 grants the children the right to be heard in court or elsewhere. This could lead to a rise in the number of children divorcing themselves



from their parents. It has already happened in Sweden and in the United States.

Article 13 states that children

shall have the right to freedom of expression . . . to seek, receive and impart information . . . of all kinds . . . either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

Critics fear that this seems to state that a parent might not be able to confiscate pornographic media from their children, that parents might not be able to select what television and toys are appropriate. It should be noted that no allowance is given for parental objections based on the family's standards of decency and morals.

Article 14 grants children "freedom of thought, conscience and religion." Some critics believe it will prohibit parents requiring that a child participate with them and be trained with them in religious and moral matters.

Article 15 grants children the right to "freedom of association." Like many of the articles contained in this convention, Mr. Speaker, the wording is very vague. This could undermine the discretion of parents over their children's friendships and memberships in clubs or gangs.

Article 16 brings into question the issue of discipline. The article states:

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

I'll come back to the matter of discipline shortly.

Article 18 states:

All appropriate measures [should be taken] to ensure that children of working parents have the right to benefit from child-care services and facilities.

This appears to mandate a universal, state-controlled child care system, a system which no government can afford.

We must be ever mindful of why we are here in this Assembly today. On June 15 Albertans voted for a government which could get its fiscal house in order. In this year's budget we have already seen how some programs need to be cut in order to fulfill the mandate. Therefore, it is my belief, Mr. Speaker, that any new programs created will impede the progress of the four-year plan. Furthermore, this article could appear to be discriminatory against families where one parent chooses to stay at home to raise the children. Whatever happened to parental responsibility?

Article 19 gives the state the right to take all

measures to protect the child from all forms of physical or mental . . . abuse, while in the care of parent(s), legal guardian(s), or any other person who has the care of the child.

Mr. Speaker, this once again brings up the question of discipline. My parents used the corporal form of punishment, and it should be obvious to anyone in this House that my self-esteem has not suffered. They provided a proper balance of discipline and love. Many people hold the view that corporal punishment is inappropriate. I hold that our current trend of permissiveness is equally inappropriate. This highlights the real difficulty in interpreting many of these articles. If they were left up to me to interpret, I would have no problem with this Bill. However, as we will see shortly, court interpretations based on community standards are not the standard that is acceptable to me.

Article 27 requires the state to

recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

This prompts one to ask: what is an adequate standard of living for spiritual, moral, or social development? Who will define what that means? Mr. Speaker, the courts are making decisions based on their merits versus community standards. A recent decision concludes that the act of masturbation while watching a stripper

do her thing is acceptable within community standards. Does that not alarm anyone? That does not agree with my concept of acceptable standards.

This government must continue to respond to the needs of all Albertans, including our children, with as little intrusion into their private lives as possible. Therefore, it is for these reasons that I cannot vote in favour of this Bill. I firmly believe that when the state extends its arena intrusively into the home, it is extending its authority too far.

MR. DEPUTY SPEAKER: Edmonton-Highlands-Beverly.

MS HANSON: Thank you, Mr. Speaker. I rise to vote in favour of Bill 207. Until fairly recently in our history, society assumed that children had no rights other than those that their parents or guardians decided to give them, to grant them. The need to extend particular care to the child has since been recognized. The Geneva Declaration in 1924 and the Declaration of the Rights of the Child in 1959 marked a trend towards recognition of children as human beings in need of protection but also having the right to certain care as well as certain protection from society. Most countries, at least in the developed world, have determined that the public and the government as well as the family have an obligation to protect children, to protect them from hunger if their parents are unable to provide adequate food and to protect them from abuse if they are in danger from any source.

4:00

Some of the earlier indications that the public had an interest in protecting children go back to the 19th and early 20th century when a law was passed compelling parents to send their children to school until they were a certain age instead of keeping them home and making them earn their keep, allowing them an education so they could leave home at a certain point and become independent people and have the resources to do that. The law was passed that a truant officer had the mandate to visit a home and check on whether parents were deliberately keeping a child or children away from school. More recently, in response to public concern about children, government and society in general have expanded their responsibility to the issue of child poverty.

According to a recent study, there are 120,000 poor children living in poverty in Alberta today. The United Nations, I understand, was thinking mainly about Third World children when it developed and passed the convention on the rights of the child, but having spent 20 years working in Edmonton's inner city and being familiar with social conditions of many other cities right across this country, I know there are many similarities between inner-city conditions in Third World countries and conditions that exist in Canada.

There are many immigrant families in Canada where both adults and children are struggling to adapt to a new culture, to new attitudes and practices around school attendance, health care, dress, social behaviour. Many people who were born in rural and remote areas of Canada have similar difficulties when the family moves to the city. The issues are much the same as those of immigrants: poverty, poor housing conditions, culture shock, the need to repair the results of substandard health care.

Child prostitution appears to be increasing in Alberta cities, and most young people working the streets are runaways, generally from abusive families. They're often families in crisis resulting from a struggle to survive and adapt to a totally new environment. We have to be sure that children are protected from this kind of condition.

The connection between poverty and leaving school early is well documented. As the previous speaker mentioned, over the next 20 years there will be close to 190,000 children across this country leaving school as a result of poverty. Can you imagine the social and economic damage from that? Aside from the cost of unemployment insurance, social allowance, health care, and policing, all these young people will have no marketable skills in a world of shrinking markets for untrained labour and increasing demand for technological skills. This is not to mention any social damage that that will cause.

In Bill 207, article 3 is of interest because it requires public and private institutions and the court to keep the best interests of the child in the foreground. This has not always been the case. We've tended to overlook the interests of the child, a common example being in custody disputes between divorcing parents and in many, many other instances.

I know some people object to Bill 207 on the basis that it appears to threaten the authority of parents, but in many places it is recognized that the family has full authority and should have. Parental responsibility is highlighted and recognized, particularly in article 5.

It seems to me that one of the most important shifts in our attitudes about children in recent years has been the notion that we now tend to think of the child as an individual and not as an appendage or a possession. Even 30 years ago or so, when I was bringing up my kids, a lot of people talked about them as "mine" and "this is what I want this person to be." I feel that attitudes have changed a great deal with this shift in thinking about kids.

To quote from the preamble of the Bill, the family is the natural environment for the growth and well-being of all its members and particularly children.

In the constituency I represent there are a number of people who for a variety of reasons have great difficulty in providing a secure, loving home for their children. In these circumstances children often come into government care. At this point the minister becomes responsible; he in effect becomes the parent of the child. To grossly understate the matter, the government of this province has a very poor record in that regard. It was as a result of numerous tragedies that the advocate's review of child welfare was commissioned and submitted several months ago.

We in this province need to undertake to learn what the rights of children really should be and what kinds of actions are required to promote and defend these rights within the province of Alberta. I urge the Assembly to support this Bill as a gesture of good faith to promote the rights of children.

**MR. DEPUTY SPEAKER:** The hon. Member for Calgary-Cross.

**MRS. FRITZ:** Thank you, Mr. Speaker. As I rise to speak to Bill 207, I want to be very clear that I have the highest respect for the presenter of the Bill, the hon. Member for Edmonton-Gold Bar. I know the hon. member has the rights of children at heart when putting forward this legislation, and I, too, share a common concern for the rights of children. Indeed, when I first read the title of Bill 207, I was very interested in the contents. As I read through the Bill, I began to realize the contents sounded similar to the United Nations convention on the rights of the child. Upon further investigation, I was disappointed to learn that Bill 207 is an exact replica of the convention. The United Nations convention is a legal document which sets out international standards and obligations on the rights of children. It should be understood that Canada did not ratify the convention unconditionally; two reservations and one statement of understanding were placed on its ratification. It is well known that the convention contains many articles which are highly controversial. The basis of that contro-

versy lies in the application of the articles on a global, international basis. So the hon. Member for Edmonton-Gold Bar can understand my surprise in discovering that Bill 207 did not apply in a more personal way to the rights of children living in Alberta.

I believe that many of the articles contained in the Bill can be regarded as very useful. However, for obvious reasons, other articles are not. Article 5 has already been discussed in debate, and it reads as follows:

Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Mr. Speaker, article 5 appears to be a complete contradiction of article 13, which states:

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

And further,

The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others; or
- (b) For the protection of national security or of public order . . . or of public health or morals.

The reason I cited those two articles, Mr. Speaker, is that I've read the Bill a number of times and I feel they're the most important. More than anything, article 13 undermines, I believe, the rights of children by allowing them complete freedom to purchase or rent pornographic or violent literature and videos. Regrettably, pornography is a big business which continues to expand and remain uncontrolled. Canada's primary source of pornographic media is the United States, and the largest consumer group for this material is young males between the ages of 12 and 17. It has been well documented that there is a direct link between pornography and violence. The wide availability of both video cassette recorders and video tapes combined with the difficulty of law enforcement in this area results in a situation where youth are often able to view adult videos without restriction. The fact that article 13 allows youth the right to access and view this information regardless of frontiers is inexcusable. A lack of provincial standards and control of sexually explicit adult videos allows the problem to be easily dismissed. Without clear restrictions, customers and video store owners rely on the distributor to determine the accessibility of videos. The onus has been placed on store owners and their employees to decide who is allowed to rent. We must keep in mind that these stores are not libraries but rather make renting and selling of adult videos a profitable venture. Clearly this is an ineffective method for monitoring who can and cannot have access to adult videos. Unless changes can be made, it is unacceptable to give children the right to access this information without restriction through Bill 207.

**4:10**

As well, I was also disappointed in Bill 207's lack of sensitivity to the magnitude of allowing children the right to purchase hate literature in such forms as trading cards. Children are continually confronted with trading cards which promote violence and hatred, and I believe article 13 gives children the right to purchase this form of art without restriction or control. Although this literature is distasteful and destructive, children who are the targeted market for these cards neither realize nor understand the seriousness of the messages given. No matter how subtle they may be, these trading cards are not unlawful and are readily available.

Consideration of these concerns must be addressed before we can even think of ratifying the convention as outlined in Bill 207. Over time basic changes like reshaping attitudes within the Alberta community must occur if we are to overcome societal disfunctions that I believe have become harmful to children. I believe we must take immediate action by reorganizing and co-ordinating existing resources in our community to promote and enhance the rights of children. The result of such an action will be a substantial improvement to effectively respond to children's rights rather than a Bill which may be well intentioned but actually has the potential of being undermining.

In closing, Mr. Speaker, I will not support Bill 207. It reflects and embeds the UN convention on the rights of children, which I believe is a frozen concept that prevents the recognition of new knowledge and insights that relate to Alberta children in the '90s.

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

MR. SAPERS: Thank you, Mr. Speaker. I rise this afternoon to speak to the necessity of passing Bill 207. You know, not all families are created equal, and certainly not all families provide the safe, secure environments the Member for Red Deer-South conjures up. The Member for Red Deer-South seems to ignore the existence of incest, child abuse, inconsistent and inappropriate parenting, and harsh physical discipline. The arguments against Bill 207 fail to recognize that the UN convention is in fact a celebration of the family and the role of the child within the family. To suggest that Bill 207 undermines families quite simply is misguided. I would invite the Member for Red Deer-South or, for that matter, any other member that I hear heckling – who would blindly protect the rights of adults to abuse, to exploit, to degrade, or simply to ignore the needs of children – to accompany me to the shelters, the hospitals, the jails, or the streets where these children end up.

Now, some concerns have been raised about access to pornography, but the Member for Calgary-Cross fails to recognize that, firstly, once proclaimed, Bill 207 would not exist in a vacuum. No, it would exist in harmony with other existing legislation, both federal and provincial and, in fact, with some other Bills that this side would hope to see passed. Secondly, Mr. Speaker, the hon. member also forgets that the Criminal Code, which is federal legislation, which already regulates access to pornography and the involvement of children in pornography, would take precedence over any provincial Bill.

Mr. Speaker, at a time when children are being viewed by some as the enemy, being considered an economic burden whose education costs too much, whose social needs are too expensive, whose health needs are not a priority, whom some are all too eager to brand criminal and lock away for years or condemn to harsh discipline simply because of the circumstances they find themselves in – at such a point in time in our province's history, it is vitally important that this government, the government of Alberta, make a strong public and binding commitment to the rights of children. The government has a special role to play in children's rights, because our children are perhaps the most vulnerable of us all. Only the government can take the long view that is required for preventative programs to have any meaning or any true impact. Prevention by its very nature must be broad-based and must be long term. Preventative programs will flow naturally from this proposed Bill. Prevention of poverty, of disease, of illiteracy are the best ways to protect the rights of children. Living in poverty, on the other hand, is the best way to condemn children to ill health, illiteracy, and a desperate future. Being poor is statistically linked to low birth weight babies, and

low birth weight is the internationally recognized predictor of living a life of poverty.

### Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: I wonder if hon. members could remember that this is not committee, this is the full Assembly, and not to carry on conversations at length with one another. Let the hon. member speak.

MR. SAPERS: Thank you, Mr. Speaker. I appreciate that.

### Debate Continued

MR. SAPERS: Protecting the rights of children means ensuring more prenatal counseling, more frequent prenatal and postnatal health care visits and access to quality physical and mental health programs. Not protecting the rights of children means more costly health interventions and increased early school leaving and more likelihood that the cycle of poverty itself will be perpetuated.

I'd like to make reference to a couple of specific articles of the proposed Bill. Article 23 reads:

a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance . . .

DR. WEST: They're getting more like the NDP every day.

MR. SAPERS: Mr. Speaker, perhaps the hon. member would like to rise and participate in the debate when I'm finished.

MR. DEPUTY SPEAKER: I think you can leave that until the time when he should rise.

MR. SAPERS:

. . . and facilitate the child's active participation in the community.

Now, mentally or physically disabled children in Alberta should have the right to be cared for in their own home if that is most appropriate or, for that matter, in an institution if that is more appropriate. The resources necessary to accomplish this must be made available. Disabled children deserve dignity, and their parents deserve the necessary community support to care for their children.

Children under institutional care must have society on their side. If parents are not able to live with their children most of the time, then the government must legislate the rights of a child to be cared for in a specific manner. All care givers for a child must deal with that child in a way which respects these rights.

Article 24 reads:

recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.

No child, Mr. Speaker, should be deprived of the right to access health care services. This is especially important in light of the future provision of health care because of recent budget concerns and cutbacks. Because of these concerns, access to health care has already been reduced from the level we enjoyed yesterday and will be further reduced tomorrow. Children should not be made to suffer for the financial position of their parents or their government. This right should be entrenched.

The right of access to mental health must also be made clear. Parents should be able to access this health and also maintain guardianship. Adolescents have a need which is at least as strong as that of younger children. However, help is often less available for these children.

Moving to public health, public health must be a strong component of our system and must be entrenched. The need for public health underscores the requirement for education and

support for families with children who are dealing with mental illness. Public education and prenatal care are important in the prevention of both physical and mental illnesses. Programs to prevent such problems as fetal alcohol syndrome must be supported in order to protect the rights of unborn children. Particularly in the inner cities this need for education exists. The need for education regarding child nutrition and general hygiene are foremost. Even in Alberta today some children rely on society to protect their rights, and this protection is all too often sadly lacking. It is about time Alberta joined the rest of Canada and indeed the majority of the rest of the world in formally recognizing the rights of children in general and in particular recognizing the rights of children to have access to effective mental and physical health services.

I urge all members to support Bill 207.

4:20

MR. DEPUTY SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak this afternoon on Bill 207, the Children's Rights Act. I would like to say, first, that like all colleagues in this House, I am concerned that children are able to grow up in a healthy, responsible, and loving environment.

Children are a vulnerable group in our society because they don't have the right to vote in an election. Consequently, they are not seen as a constituency. Because of their relative inability to defend their rights, it is appropriate for governments to support their protectors. I am greatly concerned about children who are not free from any form of physical, emotional, or economic exploitation. Children are the shining light in this province's promising future. They are a group which warrants this government's attention.

I can tell you this government is very much committed to our children and will work diligently in order to raise these hopes for the future. Support from this government will be evidenced in many ways. All departments of this government, especially the ministries of Family and Social Services, Education, Health, Community Development, Justice and Attorney General, as well as Labour, monitor policies and uphold this government's outstanding record for setting standards.

The Child Welfare Act has legislated authority governing the development and delivery of protective services for Alberta's children in need. Its underlying principles and values are very much in keeping with many articles in the convention as stated in Bill 207. The Act reflects the beliefs Albertans share about our children, families, and community. There is no question that most Albertans believe families and the community have the primary responsibility for rearing children. Albertans understand families come in all shapes and sizes in this era. Nevertheless, we believe a family setting is the most desirable for children to reach their highest potential. If this cannot be possible, then government should assume this role. This is where statutes like the Child Welfare Act enter the picture. The Act calls for a Children's Advocate to take on the traditional role held by the parent.

As the Member for Calgary-Cross noted, there are other specific policies: the Alberta School Act, the Public Health Act, as well as the Employment Standards Code. In addition, there are commissions and committees which further examine important issues faced by young Albertans. The Premier's Council in Support of Alberta Families, chaired by my colleague the Member for Bow Valley, acts in an advisory capacity by studying how various government policies impact children and families. As

well, human rights are protected at both the federal and provincial levels through the Charter of Rights and Freedoms and human rights commissions.

As I see it, the U.N. convention tries to set basic rights for children living in the developing world. The convention is well-meaning, because in reality most children in the world are not fortunate to enjoy the standards we have set here in our country. True, children are born not with rights but with threats. The reality is that in the majority of countries children lack food, clean water, shelter, or medical care. In fact, each day more than 38,000 children die from a lack of basic necessities. Moreover, we can be grateful for the fact that Alberta children do not have to cope with the devastating effects of war, be forcibly recruited into the armed forces rather than be required to attend a school. Our children are fortunate to not be forced into prostitution or sold into slavery. None of them have to face the dangers that seven million homeless children in Brazil do. Amnesty International reports that children are being arbitrarily detained and tortured in 32 countries.

I concur with the Member for Calgary-Cross when she believes that this Assembly should look at making specific improvements in standards for children living in this province. Although Alberta and Canada have impeccable records, we must ensure that our leadership role in this area does not falter. However, I do believe many articles of this convention are not only vague but interfere with many of the traditional roles this society has designated for parents. The question of discipline is addressed explicitly in articles 16 and 19. In general, parents administer discipline for one simple reason: they want their child or children to be responsible and protected from a society which at times can be deemed unsafe. Parents want their children to grow up and become good, responsible citizens in our society. A child who comes home late, does not do his or her chores, or even steals should learn from their mistakes and acquire the ability to be responsible. In such cases, corporal punishment or having privileges revoked might be justified. It must be noted that I do not believe parents should beat their children black and blue, but then again parents must not be submissive either. Except in cases where there has been a history of abuse, government involvement must be seen as an intrusion on parental responsibilities.

No matter how good our record, there is room for improvement. This government must make meaningful changes for better loving and caring environments for our children to grow up in. This afternoon, Mr. Speaker, I would like to concentrate the rest of my speaking time on two issues which affect children and could use improvement. They are the issues of access and maintenance enforcement.

I am convinced children's rights are being violated when their right to visit their noncustodial parent is denied by the parent who has custody. Our children should not be caught in the crossfire and used as weapons during a divorce battle. Mr. Speaker, when about one in every three marriages ends in divorce, this is a real issue which this government should address. The existing system's inability to enforce access rights for noncustodial parents leads to many serious consequences. Denial of access undermines the relationship between the noncustodial parent and the child. This brings into question the effectiveness and administration of the existing justice system. But the problems do not end here. Oftentimes a connection can be made between the denial of access and problems with the collection of support payments. If a noncustodial parent is denied his or her access, maintenance payments may be withheld in retaliation. This, too, is not in the best interests of the child.

As the Member for Calgary-East stated in his statement on October 7, 61 percent of all female-headed single-parent families, or 10 percent of this province's population, live in poverty. One

possible remedy for this problem would be to improve the system for collecting child support and alimony payments. Stricter penalties should be imposed on able paying parents whose child support account is in arrears. Both society and the courts are of the opinion that children have the right to see and be loved by their noncustodial parent. Court orders to access and maintenance should be strengthened. When access and maintenance orders fail, we fail the child. These two issues are but a few of the specific concerns which face Alberta children.

The Children's Rights Act is a nice, safe gesture which calls attention to the fact that there are children suffering right here in our own province. But it is an empty gesture when the opposition argues loudly about a child's rights but ignores the steps this government has taken. We do not need this Children's Rights Act because we are well beyond it. This government is and shall continue to be committed to keeping Alberta's reputation, statutes, commissions, and programs strong. While the opposition declares rights for children, this government has taken concrete steps to protect and promote the family. Perhaps it is time for the opposition to lay aside the rhetoric and follow the government's lead with policies for real solutions to the problems faced by Alberta's children.

Thank you.

MR. DEPUTY SPEAKER: Edmonton-Centre.

MR. HENRY: Thank you, Mr. Speaker. I've listened with great interest to the debate, and I've tried to listen to the merits of the debate. I have a number of comments I'd like to make, perhaps some in response to comments I heard from the other side of the House.

First, Mr. Speaker, I'll just refer members very quickly to *Beauchesne* 659. I recognize there's been some discussion about the individual clauses of this Bill, and we're in second reading and are discussing the principle of the Bill. However, my point:

The second reading is the most important stage through which the bill is required to pass; for its whole principle is then at issue and is affirmed or denied by a vote of the House.

It goes on to talk about what we should be debating and whether it be clauses or not.

4:30

Mr. Speaker, I think it's important. There have been comments made on the other side of the House, and I acknowledge the comments from the Member for Calgary-Cross and Red Deer-South with regard to the provisions that the Canadian government put on this Bill and the understanding when they passed the convention. What we're discussing here is the principle of the Bill, and the principle of the Bill is very clear: to guarantee the rights of the child. We are going to vote on the principle of the Bill today or another day, and there are chances to make those kinds of amendments.

What I've heard on the other side is that yes, this is a good Bill, but . . . One of the major reservations has been that it does not include the conditions that were put on the convention by the Canadian government. There's going to be ample opportunity. If members vote for this Bill, they're voting for the principle of the Bill. If there are flaws in the Bill – and nobody has any perfect piece of legislation. I'm sure any minister who comes forward doesn't say, you know, this is the most perfect piece of legislation. There may be improvements and amendments to be made, and that's what we're here to do. If members have amendments to make that would improve this Bill or bring it more in line with what members are comfortable with, with regard to what the

Canadian government has established, then I encourage members to do that.

Referring back to *Beauchesne* again, in 628, I'd like to frame my comments on this. I think a number of the comments that have been raised by members – and I certainly don't question the motivation or question the reason members would get up. I think they're sincere in objecting to this Bill, but I hasten to point to the section on preamble. There is a preamble in this Bill, Mr. Speaker, and I'm quoting *Beauchesne* 628:

The purpose of a preamble is to state the reasons and intended effects of the proposed legislation.  
Then it goes on again.

Let's be clear what a preamble does in a Bill. A preamble is part of the Bill, and if this is passed, it will become part of the legislation. The preamble tells the courts and tells those who will interpret the legislation which framework they should use when they're making that interpretation.

I've heard members on the other side get up and say, "Well, I don't object to this, but I object to how it might be interpreted or how it might be used or misused." I acknowledge those kinds of fears, and there are fears on both sides of the House. Whenever you bring in a piece of legislation that is a broad piece of legislation, there are concerns about how it shall be interpreted.

Let me refer specifically to the preamble. I'm on the fifth paragraph. These are things that parties to this convention state, and I point out for the Member for Red Deer-South:

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community.

So what this part of the preamble is saying is that anything in this Bill should be interpreted in the light of that particular value statement or that particular parameter, which I think most if not all members in this House would agree to.

I go on:

Recognising that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding.

I'm skipping; you can go through the preamble. The point I want to make to some of the members who have spoken, who have said, "Yes, but; I agree with the intent, but I have some problems with how it might be used," is refer to the preamble. The preamble is there, and according to *Beauchesne* and according to the tradition in our courts, the preamble sets the stage by which something will be interpreted. It is very clear that this is meant to be. You're not going to find members on this side of the House, and certainly not myself, standing up and negating the value of the family or the importance of the family or the importance of the parent.

Mr. Speaker, I take my role as a parent very, very seriously, and I take my responsibilities and my rights as a parent very seriously. I think to imply that to support this Bill would be in contradiction of that is a grave error. So I encourage members to rethink before we get to a vote that maybe this is supportable in principle. That doesn't necessarily mean that you have to vote for it in third reading, but in principle this is supportable because of what the framework to the preamble establishes for the Bill. You can read through it, but it does say that the family is paramount, does say the family is "the fundamental group of society." That's a paraphrase, I believe, of what the Member for Red Deer-South stood to say, "Yes, but . . .", in this House.

So re-examine that and reconsider that. There's lots of opportunity in committee to make amendments to the Bill. If the Member for Calgary-Cross wants to bring the Bill more in line with what the Canadian government did, then that opportunity will

be there. Voting for the Bill in principle does not take away from that opportunity and certainly does not take away from the comments. I respect that the Member for Calgary-Currie is coming from a sincere wish to do what she believes is right.

There's been a lot of suggestion, not only in this House but in other discussions, that the Bill could be misused and it could force certain things among legislators. Well, in every other Legislature in this country this Bill is part of the legislative package. I challenge the members who are saying that this Bill is going to be misused to show me somewhere, show me just one – all I want is one – court decision that has changed legislation in this country in any one of the nine provinces or the national government as a result of this piece of legislation. Just show me one piece. The hon. Member for Edmonton-Gold Bar pointed out in introducing this Bill that nothing needs to change in terms of legislation in Alberta. I believe that to be accurate. So if you're worried about this taking away parental rights or changing legislation or requiring the government to legislate more programs, then show me an example elsewhere in the country where they've actually adopted this.

The example the hon. Member for Red Deer-South brought forward with regard to the B.C. example of children not having to have parental consent for medical treatment – I believe it was surgery and treatment. Frankly, as a parent – and I recognize his concern as a parent – I would struggle with that piece of legislation as well, but I don't believe that legislation followed from this Bill. That legislation followed because of the government that's in power in British Columbia. It did not follow because somebody took it to the courts and said, "You've got to have this piece of legislation because of this Bill." It simply couldn't happen, especially given the preamble.

I want to refer to some sections, if I may. I know that's not usual in second reading, but we've been fairly loose here. Maybe I'll just go through them. Article 12 talks about the child, those who can form their own views, being capable to express those views in matters affecting that child. Well, I would suggest, Mr. Speaker, that we already have that in Alberta the last time I checked. In my role as executive director of the Canadian Mental Health Association and in the time I spent in Lacombe as the director of family services, I can tell you that more and more, judges are making the decisions and looking at individual children.

Now, when we're talking about custody cases and those unfortunate circumstances that the Member for Calgary-Mountain View raised, in those situations where you have a child being tugged back and forth, judges in our province and across the country have allowed the child, if the child is old enough and understands the situation, to express their view in court. That's already happening. It is happening. All this is saying is that where, again in the judgment of the judicial authority, children are capable of forming an opinion and being able to express themselves, they should have that right. I think one of the reasons judges have started to allow children to express their views in custody cases in the courtroom is that too many children were being used in this province as pawns back and forth between parents who couldn't, frankly, get their act together and think of the child first. We'll talk about that another time.

#### 4:40

Article 13 was raised by the hon. Member for Calgary-Cross. I have two responses to that, and these are genuine responses. Number one, I share the concern. Pornography has got to be stamped out. Whether we're talking about hate literature, whether we're talking about violence, pornography should not be tolerated. I want to see us in this Legislature – one of my objectives in the

next four years is for us to go further than we've gone. I share that with the Member for Calgary-Cross. There is a Bill, I hasten to point out to her, on the Order Paper: I believe it's Bill 248, an amendment to the Amusement Act. The situation right now is that if a child wants to go into a movie theatre and watch a restricted movie and that child is 13, 14, or 15 years old, that's against the law in this province. Yet the same child can walk down the same street and go into a video store and get the video. I mean, one of the things we need to start doing in this Legislature is putting aside some partisan issues, and this is a Bill that has been on the Order Paper for four years now. For four years this Bill has been in place, and I would welcome a motion from the other side of the House to move that Bill to the top of the Order Paper so we can get a vote on it right away. Believe me, I will do everything I can to convince my colleagues on this side of the House to give unanimous consent to that motion so we can bring it up. Let's vote on it, and let's deal with that issue. That's one thing that we can do in this Legislature.

However, I hasten – again, I'm doing a lot of hastening – to point out one more time that although the child has the right to freedom of expression, et cetera, in the article, it is very clear in the article – and again, I share the member's concern. I'm quoting section 2, and this qualifies that article.

The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect . . . or reputations of others; or
- (b) For the protection of national security or of public order . . . or of public health or morals.

So, as the Member for Red Deer-South suggested, this does allow a parent to confiscate, if we want to use that word – I'm not sure he used that word – to remove pornographic material from a child who perhaps is not ready to make that moral judgment and doesn't know yet that that's wrong. If we in this Legislature take our responsibilities and try to interpret moral standards in our province and pass some legislation with regard to what's acceptable and what's not, this allows that to happen, and very clearly allows it. So I'd ask the member to reconsider that one as well.

Article 16 talks about "no child shall be subjected to arbitrary" – and here's the key word – "or unlawful interference with his or her privacy, family, home or correspondence." The Member for Red Deer-South raised the issue of corporal punishment. I respectfully agree and disagree with regard to disciplining a child. As I said earlier, I take my responsibility as a parent very seriously. I'm going to read into the statements the member made that I believe the member distinguishes, when we're talking about corporal punishment, between spanking and that form of corporal punishment and, on the other side, beating and drawing blood. We're talking about two different – I'm hoping that's what we're talking about. I think everybody in this Legislature would say that that's child abuse on the one hand. No parent should be allowed to do that to a child. We have a responsibility as a society to ensure that a child is not maimed, and I'm talking about child abuse as defined in our Child Welfare Act.

However, on the other side, frankly I believe it to be a value judgment in terms of whether you spank your child or not. I, as a value judgment, don't spank my children. I don't believe they should be spanked. I don't believe in corporal punishment in my household. I believe personally, as a value, that violence begets violence. However, I understand and I appreciate the other side. I don't believe as a parent I have a right to tell another parent how he should bring up his children within the bounds of what our society has said is acceptable.

Again, I do not believe the state has a right to tell you that you cannot spank your child. I do believe that I will never have my

children spanked. I should put something on record. I believe that I'm a very attentive parent. I have very high standards for the behaviour of my children, and they meet those standards most of the time. But I think there's a value judgment there, and our society allows for that.

What we're talking about here is unlawful interference. In fact, this could be interpreted, Mr. Speaker, as exactly the opposite way. Again, if you look at the – it talks about lawful. Then put it in the context of the preamble. This would never, ever, ever allow a state, a government, a province, or a national government to move in and say that you as a parent do not have the right to use corporal punishment. It does say that you shall not abuse your child, but it says again: within lawful.

I'd like to refer to article 19 as well.

States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect [et cetera].

It's very, very clear that what this is talking about – again looking at the context of the preamble and the context of the family unit – is that the state has a responsibility. We're talking about violence. We're talking about ensuring that there is no injury, abuse, or neglect.

If we buy some of the arguments, Mr. Speaker, that I think were made not taking into account the preamble and the role of the preamble in the legislation, if we buy some of the arguments about how this might be interpreted, I purpose that this could give you more arguments to say that if you never, ever want any sort of state role in terms of children, then we would repeal the Child Welfare Act. Then in fact we would repeal the School Act, because the School Act gives the state and the province a role in terms of caring for our children and in terms of acting as the parent when the school has custody or has the children in attendance.

I believe that when 146 countries, nine provinces, and one federal government have chosen to pass this – and we've not seen any radical pieces of legislation change; we've not seen one court challenge in our country that has been successful – I can't understand why somebody would not support this Act.

I also want to point out article 19(1). The wording is not dissimilar to the wording that's in our Child Welfare Act. Our Child Welfare Act, I think most members would agree, is one of the least intrusive Acts in our country. Whether you agree it should be or not, it is one of the least intrusive Acts in our country. It talks about violence or injury or abuse or neglect. It uses very, very similar, if not the same, language.

Section 18 talks about child care, and I agree that parents have responsibility for children. It states:

States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities . . .

and this is the important part

. . . for which they are eligible.

If you look at the preamble defining the role of the state and defining the role of the family, this doesn't say that you're going to be able to use this. Believe me, there are enough people in this country who desperately believe we need to have a national child care program that if you could force this by this piece of legislation, we'd be in the Supreme Court right now, because the Canadian government has adopted this. It doesn't do that, especially when you look at the role of the family as defined in the preamble.

Also, very quickly, section 13. I recognize "the child shall have the right to freedom of expression." I may have alluded to this. Yes, I have brought that one up.

My time is just about up. I'd ask members on the other side – and in fact any on this side, if there are any – who aren't going to support this Bill to re-examine that. We're talking very clearly about voting in principle. There are amendments that can be brought forward, and you may find support on this side of the House for some of those amendments.

I am very tired, Mr. Speaker, of an Assembly that is dictated totally on partisanship. Let's put aside our partisan hats. Let's look at the piece of legislation again, and if you have amendments, bring them forward. Let's try to get this going and fall in line.

Thank you very much.

4:50

MR. DEPUTY SPEAKER: Order. Calgary-Shaw, it's the custom of the House that members in Assembly sit in their places.

MR. HAVELOCK: My apologies, Mr. Speaker.

MR. DEPUTY SPEAKER: Okay.

Bow Valley.

DR. OBERG: Thank you, Mr. Speaker. It gives me great pleasure to stand and speak on this Bill, and I would like to applaud the member opposite me for bringing it forward. I truly believe that her motives are looking after the child and the possible abuses that can take place, and I commend her for that. Equally, I commend my colleagues. Although coming from a completely different point of view, I do not at all question their motives and that they feel child abuse is a very harmful problem to our society and that they ultimately want what is, in their mind, best and correct for their children. I do not in any way imply motives to either of these speakers on it, and I think they are different ways to an end that we are all looking for.

[Mr. Speaker in the Chair]

If you may indulge me, Mr. Speaker, I would like to give a historical account of what has happened on the UN convention on the rights of children. Canada ratified the UN convention on the rights of the child on December 11, 1991. All provinces and territories except Alberta agreed to Canada's ratification at that time. Alberta has changed several of its statutes pertaining to the rights of illegitimate children so that all Alberta laws would be consistent with what the convention requires. In regard to constituent inquiries about Alberta's position on the convention, we have said that the convention will be interpreted by this province in a way that is consistent with the government of Alberta initiatives in support of Alberta's families. The Alberta government reviewed the UN convention in December of 1991 but did not reach a final conclusion on whether to agree with Canada's ratification.

I would now like to state verbatim the reservations that were deposited at the time of Canada's ratification of the UN convention on the rights of children.

(i) Article 21

With a view to ensuring full respect for the purposes and intent of Article 20(3) and Article 30 of the Convention, the Government of Canada reserves the right not to apply the provisions of Article 21 to the extent that they may be inconsistent with customary forms of care among aboriginal peoples in Canada.

(ii) Article 37(c)

The Government of Canada accepts the general principles of Article 37(c) of the Convention, but reserves the right not to detain children separately from adults where this is not appropriate or feasible.

I would further like to repeat the statement of understanding deposited by the government of Canada at the time of ratification.

Article 30

It is the understanding of the Government of Canada that, in matters relating to aboriginal peoples of Canada, the fulfilment of its responsibilities under Article 4 of the Convention must take into account the provisions of Article 30. In particular, in assessing what measures are appropriate to implement the rights recognized in the Convention for aboriginal children, due regard must be paid to not denying their right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion and to use their own language.

Mr. Speaker, I would now like to approach this Bill wearing three hats but only one bow tie. First of all, as a medical doctor I would like to state to the Assembly some of the contacts that I have had with regard to child abuse. In 1992 I organized a child abuse seminar in Brooks that was open to the public. We drew approximately 250 to 300 people to various speakers talking about child abuse to inform and educate the public on the threat and the incidence of abuse. The theme at that time was Child Abuse: Not a Big City Issue. We in rural Alberta tend to feel that child abuse is something that only takes place in the urban areas, and this is definitely not true. There is a large incidence of child abuse in rural areas.

Secondly and most recently, in September of this year I opened the child abuse education program jointly sponsored by the Boys and Girls Club of Edmonton and the Junior League of Edmonton. I felt that this was an exceptional program to educate the public on the horrors of child abuse.

I would also ask the indulgence of the Assembly to relate other incidents of child abuse that I have been involved in. As a medical doctor, I have personally been the first contact on several cases of child abuse, and I find this extremely distressing. I have also seen firsthand what happens to children when they grow up and are forced to deal with the horrors that happened in their childhood. One such episode involved a ritual murder that occurred in another country. The lady came to me expressing concern about what had happened and asked to undergo hypnosis so she could recall the episode. She was dealing with it herself in her own way, but again it was an extremely distressing event for both myself and her.

Although the members who spoke previously graciously offered to take us on a tour of the town, I feel that having firsthand experience in a lot of the issues that are involved with this, I would like to give my ideas on that, and subsequently I have.

Secondly, the second hat I would like to wear this afternoon is that of the chair of the Premier's council on the family. The Premier's council on the family was an honour bestowed on me by Premier Klein earlier this year. I feel it is extremely important to me as an MLA, as a parent, and as an individual, and it's a task I take a lot of pleasure in and a lot of pride in. I would like to now give the Assembly the council on the family's opinion on the United Nations convention on the rights of the child. The Premier's council in 1990 reviewed the UN convention and the concerns and support expressed by individual Albertans and community groups in relation to the convention and a substantial amount of related material. The council then recommended that the convention should be ratified but with a reservation stating a concern that parental rights and responsibilities are not defined clearly enough in the convention. The parents' rights to provide guidance to the child in areas such as religious training and access to the media and the parents' rights to use reasonable punishment to correct the child are somewhat ambiguous in the convention.

If a country or state ratifies a UN convention, then they agree to abide by its standard. Each ratifying country is required to

make a report to the UN committee on progress toward implementation of the convention. The convention is not a static document but can be changed. Proposals for changes to the convention are submitted to the UN by member states, reviewed, and if accepted, each ratifying member state decides whether or not to ratify the amendment as well.

Most importantly, the UN convention is not intended to be used as a piece of legislation but rather as a set of guiding principles against which current and future legislation should be compared. Alberta should not make the UN convention part of the legislation of Alberta taking precedence over all other legislation, because it would immediately generate legal challenges in these and other areas. The broad structure of the convention that allows it to be used to guide the development of legislation in many different countries would make it a nightmare to implement as a piece of legislation in any one jurisdiction.

Subsequently, in my second hat as the chairman of the Premier's Council in Support of Alberta Families, I would recommend that Bill 207 is not the best way for Alberta to ratify the UN convention on the child due to its intent to take precedence over existing legislation and policies.

If I may, Mr. Speaker, I would like to don my third hat of the day, and that is as an MLA. As an MLA I feel I am responsible for making and supporting legislation that will have effect, hopefully positive effect, on my constituents and subsequently the province of Alberta. The words that I see in the UN convention are things such as "promote and encourage," "effective and appropriate," "take appropriate measures." These are terms that can be interpreted numerous different ways by numerous different people. Indeed, I have taken these terms and asked several different people what their interpretations of them are, and in each case I've come out with a different interpretation.

5:00

I am extremely committed to the problem of child abuse, as I have related earlier, and I feel as an MLA that it is not contingent upon me to take a risk to put this in for possible misinterpretation through legal cases and subsequent court challenges. If I may be allowed to relate what was just spoken by a member across the way, and I quote: I have not yet seen one court case successful. Mr. Speaker, when it comes to child abuse and children's rights and the possibility, I do not really feel that court is the place where these conventions should be interpreted.

In summary, Mr. Speaker, I would commend the hon. member across the way for introducing this Bill. I commend her for her commitment to children. I commend her for her commitment to children's rights. I feel that it's an extremely important part of society. I would also like to repeat my statements about my colleagues. I feel that their intentions are entirely honourable. They feel that by speaking against this Bill, they are promoting the cause of child welfare and child rights and preventing child abuse in the family. I think we are taking different approaches.

My personal approach first of all as a medical doctor, second of all as chair of the Premier's council on the family, and third of all as a responsible MLA for Bow Valley is that I feel that this convention cannot be put to the test in the courts. I feel that taking the risk of a possible interpretation as is laid out by terms such as "promote and encourage," "effective and appropriate," and "take appropriate measures" should not be challenged in the court of law in that it might lead to renegeing on things such as child pornography, child abuse laws. I do not want to see that happen. With that, Mr. Speaker, you have my feelings from three different hats.

Thank you.



MR. SPEAKER: The hon. Member for Calgary-Egmont.

MR. HERARD: Thank you, Mr. Speaker. I, too, have a great deal of respect and admiration for the Member for Edmonton-Gold Bar. I can't argue against the principles encompassed in the convention on the rights for children. I think this province has been at the forefront of expressing the value of families and the rights of children.

I have a problem with supporting legislation that will ultimately be interpreted by lawyers and judges. We've seen in the U.S. jurisdiction what can happen when lawyers and the justice system there get involved with the rights of the child. We've seen children divorcing parents, and that's just a mild example compared to some of the other ones we've heard here this afternoon.

This government believes in the family and the rights of children, but it also believes in less legislation, not more legislation, less regulation, not more regulation. I can agree that perhaps some of our existing laws protecting the rights of children in this province do need upgrading, so let's devote our energies to fixing what we already have and making it better, not introducing new legislation. While Bill 207 may fill the need for token support of an international standard, I don't believe it's needed in terms of legislation in this province, and I urge all members to vote against this Bill.

Thank you.

MR. SPEAKER: The hon. Member for Edmonton-Gold Bar to close debate.

MRS. HEWES: Yes, Mr. Speaker. I want to thank all hon. members for their comments this afternoon, members from both sides of the House, those who support and those who evidently do not. I believe that the comments have been made sincerely, and hopefully they will lead to greater dialogue.

Mr. Speaker, I must say, however, that I'm disappointed with the response from the government side of the House. I think it's unfortunate that members – we heard twice today during question period that we want a spirit of nonpartisanship and co-operation, and I felt this was certainly one Bill that would have no difficulty in inspiring co-operation from the government side of the House because it is something that we should all share in.

Just a couple of comments directed to the remarks that have been made. The Member for Red Deer-South spoke to articles 12 through 16. These rights are already protected in the Charter of Rights and Freedoms of the government of Canada. By referring to those, I'm puzzled as to whether or not he supports the Charter of Rights and Freedoms. I think that should be of concern to every member of this House. Mr. Speaker, there's no question from the comments raised that people are concerned about family rights and responsibilities being usurped, family authority. There's of course no intent, and other speakers have reinforced that.

Mr. Speaker, I'd just like to remind us that we do have responsibility in this House for thousands of children in our world and our province who are neglected and abandoned and hungry and exploited. We have a collective responsibility in this House for the children of Alberta, and I would like to think that we are prepared to take it. Canada, yes, did ratify this convention. The Bill that has been submitted today simply ratifies it on the part of the province and brings us into conformity with all of the rest of the nation. Schedule 1 is the convention itself. We do not have choices about leaving out one or more parts of the convention. It is a whole document and entity and simply appears as a schedule attached to the Bill. We do have the option, as the government of Canada took, to put some caveats or some commentary on our

ratification of it, and that is in fact still possible. Yes, this country ratified it, as they should, and every other province ratified it, as they should, and so I submit should Alberta.

Mr. Speaker, Alberta's record, in spite of what the Member for Calgary-Mountain View suggested, is not impeccable. Sad, tragic to say, but it is not impeccable. I think our Minister of Family and Social Services in his comments about child welfare acknowledges that and hopefully is making efforts to make the necessary corrections. All of us in this House acknowledge our responsibility there.

Just to remind the hon. Member for Calgary-Mountain View that there have been many reports commissioned over the last 20 years on the problems that children have in Alberta. They go back to 1972, 1979, 1981, 1984, 1986, and now this year. So we've had concerns over many years about how Alberta manages its child welfare. Mr. Speaker, I am encouraged that the minister tells us that he will be bringing in a report on child welfare in the very near future.

Mr. Speaker, I'd just like to make a couple of comments about the compounding effect of other things that are happening in our province. The cuts to social assistance that have happened will have a resoundingly negative effect as well on Alberta children. There's no doubt that children have been very hard hit by these cuts. These are cuts to school supplies, cuts to transportation costs for children going to school. These threaten the children's chances for an education, increase the incidence I'm sure of dropouts, but undermines an already shaky self-esteem that exists in children who are raised in poverty. Cutting the fees for school supplies and bus passes I suggest is tragic and is painful to the children of this province. We cut housing accounts for people on social assistance. What does that do? Then the food allowance has to go to pay for the rent, and the children go to school even hungrier than before.

#### 5:10

We have begged here for school lunch programs, not that the government should do these but that the government should provide some leadership to our communities that are prepared to provide hot lunches if schools can be encouraged to co-operate. We've begged for Head Start programs to help children in deprived circumstances. Mr. Speaker, now the education roundtables are in the same game, and we can only anticipate that children who are disabled, children who need that advantage of kindergarten in order to compete in school and in grade 1 – their programs are on the chopping block as well.

Mr. Speaker, poor children are much more likely to come from single-parent, female-headed families. More and more of these children are coming to our attention. They're coming to our attention every day, and there's a higher level of acuity in their needs than there ever has been. As these children grow up, many in poverty, many hungry, they're less likely to finish school, less likely to continue in education, less likely to become productive and happy and joyful members of our community.

Mr. Speaker, in closing I would just like to say that our caucus has been over some years and will continue to be firmly committed to improving the conditions and status of children in Alberta and Canada. That's why we've introduced this Bill once again, why we've urged and will keep on urging, I expect, this province to ratify the convention and to pass the Bill. Ratifying the convention means that child advocates would have an internal, legal document with which they could safeguard and increase the well-being of children. It would also hope to ensure that children, as the preamble states, would

be fully prepared to live an individual life in society . . . in the spirit of peace, dignity, tolerance, freedom, equality and solidarity. That's the intention of the convention from the United Nations and of this Bill.

Would life in Alberta be different for children? Would it be different if we passed this? Yes. I don't think there's any question. It would be different. This Bill gives a definite message to all those who care for children, whether they are parents, whether they are guardians, whether they are teachers, health care workers, or workers in our community. It's a very definite message that we must, for our children, create an environment of trust and commitment to them.

Mr. Speaker, we can no longer ignore the abused children. We can no longer ignore the needs of children who have mental health problems, who are hungry, who live and are trapped in soul-destroying poverty, children who are denied opportunities to thrive and succeed. Of course I'm emotional about it, and I think we should be. Of course I am passionate about it, and we must be. If we don't pay any attention, who will? Who will take up the cause? We have to respond to the children of this province and to all children. I challenge members. This Bill is a Bill we need to pass in this province. Do not let us be regressive. Let us be progressive about the needs of our children.

MR. SPEAKER: Order please. The debate has been concluded on Bill 207. On the motion for second reading, proposed by the hon. Member for Edmonton-Gold Bar, all those in favour, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: Call in the members.

[Several members rose calling for a division. The division bell was rung at 5:15 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mr. Deputy Speaker in the Chair]

For the motion:

Abdurahman	Henry	Percy
Bracko	Hewes	Sapers

Decore	Kirkland	Sekulic
Dickson	Leibovici	Soetaert
Germain	Nicol	White
Hanson		

Against the motion:

Amery	Friedel	Mirosh
Black	Fritz	Oberg
Brassard	Gordon	Paszkowski
Bruseker	Haley	Pham
Burgener	Havelock	Renner
Calahasen	Herard	Severtson
Cardinal	Hierath	Smith
Clegg	Hlady	Sohal
Coutts	Kowalski	Stelmach
Day	Laing	Thurber
Dinning	Lund	Trynchy
Doerksen	Magnus	West
Dunford	Mar	Woloshyn
Evans	McClellan	Yankowsky
Forsyth	McFarland	

Totals:	For – 16	Against – 44
---------	----------	--------------

[Motion lost]

MR. DEPUTY SPEAKER: Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. I move that when we reconvene this evening at 8 o'clock, we do so as Committee of Supply to consider the estimates of the Department of Education.

MR. DEPUTY SPEAKER: All those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

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

SOME HON. MEMBERS: No.

MR. DEPUTY SPEAKER: Carried.

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