

Legislative Assembly of Alberta

Title: **Tuesday, October 25, 1994**

1:30 p.m.

Date: 94/10/25

[Mr. Speaker in the Chair]

head: **Prayers**

MR. SPEAKER: Let us pray.

Our Father, we confidently ask for Your strength and encouragement in our service of You through our service of others.

We ask for Your gift of wisdom to guide us in making good laws and good decisions for the present and the future of Alberta.
Amen.

head: **Presenting Petitions**

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

MR. DICKSON: Thank you very much, Mr. Speaker. I seek your leave this afternoon, sir, to present a petition signed by 224 residents of Claresholm and the surrounding area. The petition urges the government

to ensure that no hospital beds are closed in South Western Alberta by an unelected Regional Health Authority without adequate consultation with residents.

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

MR. DUNFORD: Thank you, Mr. Speaker. I beg your leave to present a petition signed by 25 individuals, I believe all from the city of Lethbridge, wishing to show their strong opposition to the proposed amendment to the social care facilities.

head: **Reading and Receiving Petitions**

MR. SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Yes, Mr. Speaker. I'd like to ask that a petition I filed last May 25 talking about the great heist of the Sturgeon hospital being moved out of the Sturgeon district and moved into St. Albert be read.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to reconsider the inclusion of the Sturgeon General Hospital within the Edmonton Region and to allow the Sturgeon General Hospital to serve its customers from the City of St. Albert, the MD of Sturgeon, the Town of Morinville, the Village of Legal, the Alexander Reserve, the Counties of Athabasca, Barrhead, Lac St. Anne, Parkland and Westlock.

MR. SPEAKER: The hon. Member for Edmonton-Beverly-Belmont.

MR. YANKOWSKY: Thank you, Mr. Speaker. I rise to request that the petition that I presented on June 1 be now read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government not to alter the level of support for all benefits for Alberta's seniors until seniors have been consulted and have agreed to any revisions.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I would ask that the petition I presented in the Legislature on May 30 regarding the maintenance of the Alberta Children's hospital be now read and received.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government to maintain the Alberta Children's Hospital in Calgary on its current site and as it currently exists as a full service pediatric health care facility.

head: **Notices of Motions**

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I give notice that tomorrow I will move that written questions stand and retain their places on the Order Paper.

Also I wish to give notice that I will be moving that motions for returns stand and retain their places on the Order Paper with the exception of motions for returns 209, 210, 211, and 214.

MR. DAY: Mr. Speaker, I wish to give notice that at 4:30 this afternoon I'll seek unanimous consent of the Assembly to waive Standing Order 38(1) in order to present the following government motion:

Be it resolved that the change to the membership of the following committee be approved by the Assembly: on the Standing Committee on Public Accounts that Ms Haley replace hon. Mr. Lund.

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, I'm filing with the Assembly today the government's response to the recommendations of the Auditor General in his report released yesterday for the year ended March 31, '94. This filing indicates that the government is accepting all of the recommendations related to the Executive Council and those recommendations associated with the Treasury Department. The remaining 18 numbered recommendations have been referred to ministers for review and for consideration, and a further filing will be made available to members of the Assembly later on in November after that review has taken place.

MR. JONSON: Mr. Speaker, today I have the pleasure of filing the following four items with the House: the June 1994 grade 12 diploma examination results; the document entitled How Are Students Doing?, achievement test results; appropriate copies of the roles and responsibilities synthesis report; and, finally, the appropriate number of copies of the funding framework for school boards discussion paper.

MRS. McCLELLAN: Mr. Speaker, I'm pleased to table today the financial statements of the Alberta Cancer Board for the year ended March 31, 1994.

MRS. BLACK: Mr. Speaker, pursuant to section 11(2) of the Petroleum Marketing Act and section 3(9) of the Take-or-pay Costs Sharing Act I wish to file with the Assembly four copies of the 1993 annual report of the Alberta Petroleum Marketing Commission.

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

MR. MAR: Thank you, Mr. Speaker. I'm pleased to table today the annual report of the Alberta Sport Council and the Recreation, Parks and Wildlife Foundation for 1993-94. Additional copies of these reports are available in my office.

MR. SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Yes, Mr. Speaker. I'm very pleased to table in the House a request by members of my constituency that states:

We, the Ardrossan Elementary School Advisory Council urge the Legislature of the Province of Alberta to amend the Alberta School Act to mandate the right of access to fully funded kindergarten programming to a minimum of 400 hours per child per school year.

Also, Mr. Speaker, I would like to table on behalf of the Rudolph Hennig School Advisory Council the following:

We, the Rudolph Hennig School Advisory Council, urge the Legislature of the Province of Alberta to amend the Alberta School Act to mandate the right of access to fully funded kindergarten programming to a minimum of 400 hours per child per school year. Resolution passed unanimously, the 12th day of October 1994 at Rudolph Hennig School, Fort Saskatchewan, Ab.

Thank you, Mr. Speaker.

head: **Introduction of Guests**

MR. SPEAKER: The hon. Minister of Advanced Education and Career Development.

MR. ADY: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you to members of the Assembly two distinguished guests. Seated in the members' gallery we have Professor Xu Yu and Miss Chen Yuan, who are members of the management science staff of the Xian Jiaotong University in the People's Republic of China. They are spending six months attached to the Faculty of Business of the University of Alberta under the Canada/China management education program. Miss Chen and Professor Xu, would you please rise and receive the warm welcome of this Assembly.

MR. SPEAKER: The hon. Member for Edmonton-Highlands-Beverly.

MS HANSON: Thank you, Mr. Speaker. With your permission I am pleased to introduce 23 students from McCauley school in Edmonton. They're very well behaved and very bright, as I discovered a few minutes ago. They're accompanied by their teacher Nancy Weber, and she is helped by Dana Clarke, Angie Tremblay, and Betty Johnson. Would you please rise and receive the welcome of the Assembly?

MR. TRYNCHY: Mr. Speaker, it's a very special day today because we have some 75 special young Albertans with us and an extra special day because we have one of them keeping an eye on me, and that's our grandson Jeffery. They're from Mayerthorpe elementary school, grade 6 students. They're here to see the Legislature in action, and they're accompanied by their teachers Mr. Roy Barker, Mrs. Lori Rutledge, Mrs. Jacqui Kezar, and Mrs. Darla Masterson along with parents Mrs. Maureen Pollack, Mrs. Judy Blake, Mrs. Leslie Cowley, Mrs. Gloria Kirsch, Mrs. Diane Hagman, Mrs. Karen Geinger, and Mrs. Georgina Katzel. They're accompanied also by their guidance counselor Mr. Glen

Wilcox. They're seated in both galleries. I'd ask them to stand and receive the warm welcome of this Assembly.

1:40

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

MR. BENIUK: Thank you, Mr. Speaker. It's my pleasure to introduce to you 17 dedicated students from St. Gerard school located in my riding. They are accompanied by their teacher Luanne Paproski, and they're seated in both galleries. I would ask that they rise and receive the warm welcome of this House.

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

MR. DOERKSEN: Thank you, Mr. Speaker. I'd like to introduce to you today and through you to the members of this Assembly two special people from Kelowna, B.C., who have come to experience the Alberta advantage on their own. I would ask Volker and Lois Johnas to please stand and receive the traditional welcome of the Assembly.

head: **Oral Question Period**

MR. SPEAKER: The hon. Leader of the Opposition.

Energy and Utilities Board Appointment

MRS. HEWES: Thank you, Mr. Speaker. Under section 30 of the Oil and Gas Conservation Act the cabinet is responsible for approving and amending permits issued by the Energy Resources Conservation Board, that's the ERCB, for development of energy resources. The Act says, and I quote:

- (7) A permit granted pursuant to this section
 - (a) shall be referred to as an "industrial development permit",
 - (b) shall be in the form prescribed by the order of the Lieutenant Governor in Council authorizing the granting of the permit.

My first question is to the Premier: can the Premier indicate whether the former Deputy Premier and economic development minister was responsible for approving or amending any ERCB industrial development permits under this section 30?

MR. KLEIN: Well, Mr. Speaker, these industrial development permits were considered and always have been considered to be very, very routine, and I don't think that the minister in any way, shape, or form would have had day-to-day involvement or even conversations or substantial involvement with the ERCB relative to these permits. There's nothing in regulations requiring these permits to go through ED and T. They could just as easily I guess go through Energy, and perhaps that's where they should be in the future. Basically these OCs authorize use of fuel stock in a facility like a refinery, and it's to ensure that the fuel is being used efficiently, and I can't see where the minister would have been substantially involved in those kinds of decisions. It was a routine approval process. But the matter has been referred to the Ethics Commissioner, and I will abide by his ruling.

MRS. HEWES: Not routine and are required through ED and T.

Mr. Speaker, I'd like to table at this point copies of the ERCB industrial development permits and amendments that were passed through order in council and the detail on those OCs.

MR. KLEIN: Well, they're all public record. [interjections]

MRS. HEWES: Well, perhaps the Premier doesn't understand the amount of detail that does go along with them, and I'm sure he'd like to see that.

Mr. Speaker, my second question is again to the Premier: since industrial development permits are approved by the minister, doesn't this, then, require contact with the ERCB in, your term, "some way, shape, or form"?

MR. KLEIN: Mr. Speaker, I guess the question is: is that involvement and that contact substantial, and indeed was there any contact by the former minister in question?

MR. DECORE: It looks like there was.

MR. KLEIN: Well, you know all about adjudication, Mr. Justice. You know all about adjudication. Let the Ethics Commissioner determine this. I mean, you are the people who referred it – or am I mistaken? You referred it to the Ethics Commissioner?

MRS. HEWES: I did indeed.

MR. KLEIN: You did indeed. Well, let him adjudicate this matter, and I will abide by his decision.

MRS. HEWES: Mr. Speaker, the Premier's argument has been that there has been no significant involvement. Quite to the contrary. It's clear that the Deputy Premier and former minister was in fact significantly involved with the ERCB. I'm asking the Premier: will he now rescind that appointment?

MR. KLEIN: Mr. Speaker, there is nothing to rescind because the order in council has not been signed. So there is nothing to rescind at this particular moment – at this particular moment – but I have said quite clearly that if the Ethics Commissioner rules that there has been substantial involvement and that there is in fact a conflict, then I have no choice but to abide by his ruling.

MR. SPEAKER: Second main question.

The hon. Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. The Auditor General's report condemns the government's lack of accountability in the management of lottery funds. In particular the Auditor General is critical of the lack of accountability in two particular areas: one, the expenditure of lottery funds and, two, the failure of the former minister of lotteries and his department to produce a three-year business plan. This is the same individual who is now being proposed as the chairman of the Alberta Energy and Utilities Board. So my first question is to the Premier: why would the Premier allow the former lotteries minister to break yet another government promise by failing to produce those three-year business plans that the Auditor General says are so critical?

MR. KLEIN: Mr. Speaker, I think the important question that should be asked is: what are we going to do in the future? You know what we're going to do? We're going to do like we have done in the past, and in the past we have accepted thus far 91 out of 92 of the recommendations of the Auditor General. Relative to this recommendation, we're going to accept his recommendation. So stay tuned.

MR. BRUSEKER: Better late than never.

MR. SPEAKER: Supplementary.

MR. BRUSEKER: Thank you, Mr. Speaker. I guess what it shows, though, is that a broken promise is not particularly important.

Why would the Premier appoint as a chairman of the Alberta Energy and Utilities Board someone who has been shown to have failed in his responsibilities in a previous position? You're rewarding him for a bad job done before.

MR. KLEIN: It's too bad the Auditor General didn't have the authority to do an audit of the Liberal Party, because if you want to talk about failures, I mean, he would come up with so many failures. This is the only party that conducts a leadership campaign where you have to phone Halifax to vote in Alberta.

MR. BRUSEKER: Well, that's two questions so far that the Premier's been afraid to answer. Let's try the third one.

Given the former Deputy Premier's penchant for politicizing programs, as mentioned in the Auditor General's report, like the community facility enhancement program and CTAP, which is the community tourism action program – and I'd like to table four copies of a memo from the Deputy Premier to the MLA for Wainwright that shows involvement – what assurances can the Premier give Albertans that similar tactics of politicizing programs will not be employed by this individual as chairman of the Alberta Energy and Utilities Board?

MR. KLEIN: Mr. Speaker, he just opened a can of worms, because I'll tell you that if you want an itemized statement of all the CFEP dollars that have gone to this member's constituency, I'll be glad to provide the Legislative Assembly with that material.

1:50

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

DR. PERCY: Thank you, Mr. Speaker. The Premier wants it both ways. On the one hand, he asserts that the former Deputy Premier had no hands-on knowledge or connections with either the PUB or the ERCB. On the other hand, the Premier alleges that the former Deputy Premier is qualified to take over leadership of what had been, at least in the case of the ERCB, a world-renowned institution. So I'm going to refresh the Premier's memory with regards to the qualifications that the selection committee was looking for as they searched for a chair. My first question is to the Premier. Can you tell Albertans how your candidate, your friend, your man for the chair of the AEUB meets the requirement – and I quote, Mr. Premier – that he possess "senior level experience in the energy and utilities sectors" since you've already denied he has experience in those areas?

MR. KLEIN: Well, Mr. Speaker, if you will indulge, there's a story, you know, when I was growing up. For a short period in my early life I lived in a small town called Mirror. Now, Mirror was a divisional point for the CNR, and that's when they had to move coal from Nordegg and wheat from the prairies and move cattle, and there were great yards. My stepfather at that time was a hogger, which means he was a locomotive engineer. There was a fireman and there was a brakeman and there was a conductor and there was a switchman and there was a callboy. My older brother was a callboy, and it was his job to be on duty night and day to make sure that he called up the train crews. Well, later on . . . [interjections]

MR. SPEAKER: Order please. The Chair does recognize that the Premier was answering.

AN HON. MEMBER: Say it with a straight face.

MR. SPEAKER: Absolutely a straight face. We're into another situation like we had yesterday, where the opposition would like to have it both ways. The hon. Member for Edmonton-Whitemud asked such an incisive question – it was a comment on something – and the Premier is commenting.

MR. KLEIN: And there was a callboy. Now, I know that years and years later the Prime Minister of Canada called a lady by the name of Bettie Hewes to assume a chair. Now, I know that she wasn't an engineer and she wasn't a fireman and she wasn't a brakeman. She wasn't a conductor, she wasn't a switchman, and she sure wasn't a callboy. Nonetheless, she got the job. Why did she get the job? It was because of her charming smile, her eloquence, her good looks, her charm, her political smarts, and her administrative ability. That's the reason Mr. Kowalski was assigned these same duties.

DR. PERCY: Mr. Speaker, where I come from a job description actually means something; it's not a political plum.

Mr. Premier, can you tell Albertans how your man, your friend, your candidate for the chair of the AEUB meets the requirement, and I quote, of a successful track record and "the capacity to understand . . . complex . . . issues related to the regulation of energy exploration, production and transportation and public utilities" since you have denied repeatedly that he has any knowledge of such issues?

MR. KLEIN: I don't know: minister of the environment, minister of public works, a former deputy minister in this government relative to transportation, a former executive assistant. My gosh, this man has a wealth of knowledge in virtually all areas of government.

MR. SPEAKER: Final supplemental.

DR. PERCY: My final supplemental, Mr. Speaker, is to the Premier. Why would you appoint as chair of the AEUB an individual whose career in every position he has held has been directed to furthering the aims of the Progressive Conservative Party of Alberta and whose name is synonymous with pork barrel politics?

MR. KLEIN: I guess we couldn't find any good Liberals, Mr. Speaker.

Lottery Funds

MRS. BURGNER: The Auditor General's report that was tabled actually had some significant issues for Albertans, and I would like to focus on the particular recommendation with respect to lotteries and put it in an area of discussion that is more pertinent to Albertans. My question is to the minister responsible for lotteries. There is discussion now from the Auditor General critical of our distribution of lottery revenues, and I would like the minister to clarify for Albertans how that process is going to change in response to the Auditor General's recommendation.

MR. SPEAKER: The hon. Minister of Municipal Affairs.

DR. WEST: Yes. The Auditor General did outline that there had been some discrepancies in the reporting and the accountability of lotteries and that that could be tightened up. So as the government we accept the Auditor General's recommendation, as the Premier has indicated, and I intend to bring forward recommendations to cabinet that will ensure that all funds generated through lottery activity are reviewed and approved by the Legislature through the normal budget and estimate procedures. I also agree that a three-year business plan needs to be in place for lotteries, as it is with all other departments of this government.

MR. SPEAKER: Supplemental question.

MRS. BURGNER: My supplemental question is: how will that translate to Albertans? What does the future of lottery funds for Albertans mean now?

DR. WEST: Albertans have been asking continuously for accountability, so it means that there will be an accountable process as with all other dollars generated in the province of Alberta that come through the government. They will be accountable in that process. There'll be transparency in how the operation goes with Alberta lotteries and any other funds generated. As far as the funds themselves Albertans in the future will have a say in where they go and how they're distributed, and those amounts will be there and authorized by this Assembly.

MR. SPEAKER: Final supplemental.

MRS. BURGNER: Thank you, Mr. Speaker. In the press release that came with your appointment as minister responsible for lotteries, there was reference to a community-based lottery council. I wonder if the minister could explain to the House the interpretation and the meaning of that description.

DR. WEST: Yes. A community-based lottery council will incorporate the principles of, again, accountability and the involvement of Albertans throughout this province to make decisions on where these funds should be used within our society and our communities. After all, all these funds are generated by Albertans who are expending their own dollars not only for a chance to make some more but under the understanding that they will be used responsibly back in our society in various areas.

I'd like to also announce that the hon. Member for Lacombe-Stettler will be helping me in putting together some thoughts and bringing people together to develop the community-based lottery council, and I'm looking forward to that.

MR. SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

2:00

Highway Construction

MRS. ABDURAHMAN: Thank you, Mr. Speaker. Yesterday the Auditor General condemned the Minister of Transportation and Utilities' method of approving low priority highway projects. This minister is quoted as stating:

Whether they were cousins or brothers or sisters or neighbours, they all received work . . . That's the way that was done.

To the minister: Mr. Minister, why did you personally approve nonpriority projects to the tune of \$16.3 million?

MR. TRYNCHY: Mr. Speaker, I read the report, and it's a report that's worth taking notice of. As we go through our

highway construction season, we have some 400 requests that come to our table. We send those over to the department, they're reviewed, and they're categorized. We put the ones that the department brings forward – and I'm looking at the sheet that she's relating to. We take those that are necessary to be done, and we have a priority where if it's a paving job to protect the base course, that is done. If it's a base course job which can be delayed because you don't have to have it on the gravel at this time, that is delayed.

We also had another condition that when we had our '93 priorities sent forward, we were advised by the Provincial Treasurer that we should reduce our priority, reduce our projects by some \$40 million. So it was at that time that we had to reduce those that could wait for another year.

MRS. ABDURAHMAN: Mr. Premier, we're waiting and staying tuned to this comedy of errors.

To the minister of transportation. Given past threats made by you, the Minister of Transportation and Utilities, against the Member for Redwater to cancel pavement projects in his riding, which I table at this time, what assurance can you as minister give Albertans that paving projects will be based on need and not political whim?

MR. TRYNCHY: It's unfortunate, Mr. Speaker, that the Member for Redwater is not in the House, because we've had a discussion, and I might add that . . . [interjections] Well, I'll take that back. I will not mention the hon. member's name.

Mr. Speaker, I have in my hand 150 requests for highway construction in the province of Alberta, and all those that were presented by the member for Fort Saskatchewan or her district or Redwater or his district have been approved. So what she's referring to is just nonsense.

MRS. ABDURAHMAN: Mr. Speaker, I'm the Member for Clover Bar-Fort Saskatchewan.

Mr. Speaker, to the Premier: since the Premier took action last week to remove one minister for inappropriate action, will the Premier do the right thing now and remove this minister, who has demonstrated the same behaviours and actions, from Executive Council?

MR. KLEIN: I told the press yesterday, Mr. Speaker, that there will be no cabinet shuffles this week.

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

Education Restructuring

MR. JACQUES: Thank you, Mr. Speaker. I'm fortunate that my constituents have not been outraged for some months, because they have not had to witness the conduct of the opposition. I'm sure that I will get many phone calls tomorrow and this evening.

As chair of the committee that has been meeting with stakeholder groups on the subject of the funding framework for public education in this province, we have had many representations, and despite the comments from the opposition we do listen and we do act. My question is to the Minister of Education. During our recent meetings we have had numerous requests, particularly from parent advisory councils, to have an extension of the October 31 submission deadline. My question, Mr. Minister, is: have you given any consideration to that extension, and if so, what date are you considering?

MR. JONSON: Mr. Speaker, the hon. member is quite correct in that there have been well-attended meetings held throughout the province dealing with this important matter, and at those meetings the various proposals have undergone considerable scrutiny and examination. Given the representation that has been made, yes, the deadline for written submissions will be extended until November 15, and notification of that will go out today or tomorrow.

MR. SPEAKER: Supplemental question?

The hon. Member for Edmonton-Ellerslie.

Economic Development

MS CARLSON: Thank you, Mr. Speaker. The Premier thinks that he has eliminated duplication. In fact, he has invented quadruplication. We now have a minister for economic development, a parliamentary secretary for economic development, a chairman in charge of the Alberta Research Council involved with economic development, and a brand new minister for science and technology, also economic development. To the Premier: why does it take four Tories to do one job?

MR. KLEIN: I guess for the same reason it takes four Liberals to change one light bulb.

Mr. Speaker, the simple fact is that we have reduced our cabinet from 26 to 17. There's a fundamental point that needs to be made here. As we are moving along so successfully in our agenda, much to the chagrin of the Liberal opposition, phase 2 of the program is now kicking into place, and that is economic growth and prosperity and selling the Alberta advantage. The emphasis – and I'll make this quite clear – will now be on promoting that Alberta advantage to create economic growth and prosperity.

MS CARLSON: So how much does it cost to pay four Tories to do one job?

MR. KLEIN: There has been no – other than the minister being elevated to a minister with rather than a minister without and I think \$1,800 a month for the added duties for the Legislative Secretary for economic development, it hasn't been a big money item, Mr. Speaker.

MS CARLSON: Well, then, Mr. Premier, are you going to have to spend another \$98,000 to re-educate this new minister in a redundant portfolio?

MR. KLEIN: The portfolio is anything but redundant. This hon. member who will be the Legislative Secretary for economic development is a very, very quick learn indeed, as the hon. member will soon find out.

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

Federal/Provincial Fiscal Relations

DR. L. TAYLOR: Thank you, Mr. Speaker. My questions are to the Provincial Treasurer. The CEO of the Bank of Commerce has called Canada's debt a serious national emergency. The political reality is that transfer payments are going to be massively cut. That means that individual provinces need to have more say over their own destiny. The minister stated recently that he is unwilling to take control of our income tax structure in Alberta in spite of the fact that Alberta contributes an estimated \$2.5 billion

more to Confederation than it receives back in transfer payments. As the drain on Alberta has been about \$160 billion over the past 30 years, what plan does the minister have to stem the excessive flow of Albertans' resources to Ottawa?

2:10

MR. DINNING: Mr. Speaker, there's one clear way to stop that flow, and that is for the federal Liberal government to get its fiscal house in order. I look at the federal Minister of Finance, and on behalf of the government of Canada he's promised to eliminate the deficit. He's promised to get the deficit down to 3 percent of GDP, or \$25 billion, by '96-97, and he's going to do it – and I quote – come hell or high water. The third thing he promised to do was to achieve the bulk of his savings by cutting spending, not raising taxes, by cutting spending. By God, I think the federal Liberal Minister of Finance has the makings of a good Tory.

Mr. Speaker, I know Mr. Martin and I know the Prime Minister, both of whom are men of their word. We believe that what will stem the flow, the unnecessary flow of dollars from Alberta to Ottawa is getting their fiscal house in order, getting rid of waste, duplication, overlap, and the inefficiency of government, and we're convinced that they can do it, and we're going to get them to keep their word come hell or high water.

DR. L. TAYLOR: It has been suggested recently by Mr. Axworthy that transfer payments will be cut by at least \$300 million. Does the minister have a plan to prevent further inequities in the ratio of payments?

MR. DINNING: Mr. Speaker, I'd say that it is a bit of a hypothetical question, but our advice to Ottawa would be that they might start at the top, just as we did, by reducing Members of Parliament's salaries and pensions and ministers' salaries and ministers' pensions, that they go after the waste and overlap and duplication in government operations, that they take a close look at the likes of the National Capital Commission, the CBC, the public works department, the agriculture department, the fisheries department. Those are the areas where they need to make brutal cuts, and the boys and girls across the way know all about brutal cuts because the former leader of the Liberal Party promised to make brutal cuts. Fortunately Albertans weren't quite willing to accept the way he was going to do it and decided to go with the Progressive Conservative approach under Premier Klein, and we've made some progress that we believe Ottawa could easily and should quickly emulate.

DR. L. TAYLOR: Since the minister is willing to control our corporate tax structure, could he explain why he is unwilling to do the same in the individual field other than referring to the cost of a hypothetical bureaucracy?

MR. DINNING: Well, Mr. Speaker, the hon. member knows that I wouldn't want to chide him or trivialize his question, but I think he'd agree that the federal government still collects and will continue to collect personal and corporate income tax that is due and payable to the federal government as a legitimate, as a sovereign taxing authority. As I say, I don't want to chide the hon. member, but our concern is that that kind of unnecessary waste, overlap, and duplication is something that Canadians and especially Albertans want to see eliminated. If we could have it done by Ottawa or more appropriately perhaps by a national tax collection commission that's made up of all 11 or 13 governments

in this country, if it could be done that way to collect all taxes, it seems to me that that's an appropriate way to go.

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

Electoral Boundaries

MR. COLLINGWOOD: Thank you, Mr. Speaker. Yesterday the Minister of Justice took exception to our selecting a statement from the Court of Appeal ruling on Alberta's electoral boundaries which said, quote:

We think that a new and proper review is essential before the . . . mandate of the present government expires, and, we hope, before the next . . . election.

Nor did the minister appreciate our quoting from page 24 of the decision: "This cannot be permitted to continue if Alberta wishes to call itself a democracy." To the Minister of Justice: now that you have had time to review the court's decision and to see these statements for yourself, will you commence a new and proper review of electoral boundaries as recommended by the Court of Appeal?

MR. SPEAKER: The hon. Minister of Justice.

MR. EVANS: Well, thank you very much, Mr. Speaker. First of all, I have no problem whatsoever with any of the hon. members on this side of the House or the other referring to particular provisions in the judgment. The point I was making yesterday was that you can't encapsulate a 29-page judgment in one sentence.

Now, if you want to be specific here, you can look at the first paragraph of the judgment, because it's the most salient to the question that was before the five-member Court of Appeal panel. It states that the government invited the Court of Appeal "to say that the present electoral boundaries of Alberta are constitutionally valid." That was the question before the Court of Appeal. The answer: "Despite some hesitation, the Court has again decided to refuse to condemn Alberta's electoral boundaries."

Now, the court went into a number of other issues that are very important to our electoral boundaries, Mr. Speaker, and they did talk, as I mentioned yesterday, about the changing demographics of the province of Alberta, the fact that we are moving from a primarily rural province into an urban province and that we have to deal with that. Yes, indeed, we have to pay very careful attention to the recommendations that are made by the Court of Appeal.

I would also point out to the hon. member and to Albertans generally that a provision that was considered by the Supreme Court of Canada about effective representation is referenced in this judgment as well – and that is on page 17, Mr. Speaker – in which the court says:

It is one thing to say that the effective representation of a specific community requires an electoral division of a below-average population. That approach invites specific reasons, and specific facts. The constitution of Canada is sufficiently flexible to permit disparity to serve geographical and demographic reality.

We are looking at the recommendations that have been made. This is not the judgment, Mr. Speaker. They are important recommendations that were made by the Court of Appeal, and we are analyzing them, and we will get back to hon. members just as quickly as we can. These recommendations deserve the time and effort to review them thoroughly.

MR. SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you. Mr. Speaker, despite the legal talk of the minister, the recommendation is for a new review of electoral boundaries. To the Minister of Justice: then if you're not prepared to immediately launch this review as recommended by the Court of Appeal, is your message to Albertans that you care more about the Progressive Conservative Party's chances in the next election than you do about democracy in the province of Alberta?

MR. EVANS: Mr. Speaker, it's very interesting that the Court of Appeal recommended that we consider some changes between now and the time of the next election, or the end of this mandate. The hon. member opposite would have us encapsulate all of those recommendations and do something immediately, today. We don't operate that way. We analyze, and we're going to do what's right for the province of Alberta.

MR. SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the Premier then: Mr. Premier, why is that when it comes time to save face, you accept recommendations like that of the Ethics Commissioner or that of the Auditor General, but when it comes time to save your party, you have to review the recommendations?

MR. KLEIN: It has nothing to do with saving our party. We're doing a very, very good job of that notwithstanding the lines on boundaries. The latest polls show us at about 62 percent, Mr. Speaker, and I see that the Liberals with their very exciting leadership campaign are down around 22 percent, so we must be doing something right.

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

Child Poverty

MR. AMERY: Thank you, Mr. Speaker. Recently a federally funded report from the Canadian Institute of Child Health stated that poverty for children under seven years old went from 13 percent to 21 percent nationally and from 7 percent to 23 percent in Alberta. What can the Minister of Family and Social Services tell the House and Albertans about this report?

2:20

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

MR. CARDINAL: Thank you very much, Mr. Speaker. First of all, I'd like to advise the Assembly and Albertans that this particular report was done during the years 1981 and 1991. Of course, since that era we've made many changes in the whole process in Alberta. In the past 18 months alone the welfare caseload dropped by 44 percent.

MR. AMERY: Mr. Minister, what is being done in Alberta by your department to address the problem of child poverty?

MR. CARDINAL: Mr. Speaker, as we review and restructure the whole department, our number one priority is to provide a better quality of service and to work towards ending the poverty of people in Alberta. From the clientele we have and, I believe, Albertans in general I find that a good job and a good income is the best way to work toward ending poverty. That is why our

government works hard. That is why, in fact, the Premier made some of the moves to work towards job creation, continued economic diversification. That is the way to work towards ending poverty.

In areas, of course, where there is high unemployment, in northern Alberta, we do have short-term programs like the Alberta job corps, the employment skills program, the Alberta community employment program. That's worked well in northern Alberta. In addition to that, we managed in the past year alone to provide funding for 12,000 students that were living on social assistance prior to last year, attending various forms of training programs and, while they're doing that, receiving 30 percent more dollars going to school than on social assistance.

MR. AMERY: Mr. Speaker, could the minister inform the House and Albertans what income figures were used in this and other studies?

MR. CARDINAL: The income figures used in that particular report are interesting, because the figure used, Mr. Speaker, for low income, Edmonton, Calgary, Toronto, Ontario, was \$30,460 for a family of four. What was not taken into consideration is that, as an example, housing costs in Edmonton are a lot cheaper than they are in Toronto or Vancouver. In addition to that, our personal income tax is lower; we don't have a sales tax. Therefore, that figure used is not really a figure that should accurately measure poverty lines. We believe in getting people off welfare and back into the work force, eliminating our deficit, and having a competitive work environment.

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

Heritage Savings Trust Fund

MR. SEKULIC: Thank you, Mr. Speaker. In the 1993-94 Auditor General's report, released yesterday, the Auditor General, in referring to the Alberta heritage savings trust fund, states, and I quote:

The need for a review was reported in both the 1991-92 and 1992-93 annual reports of the Auditor General. The government accepted the recommendation following the 1991-92 annual report. The review, however, has not commenced.

To the Provincial Treasurer: how many times does the Auditor General have to recommend a review of the heritage fund before you and your government take action?

MR. DINNING: Well, Mr. Speaker, the member who asked the question attended, with the Member for Edmonton-Whitemud, a budget roundtable in Red Deer, where exactly this process began. There were a number of our MLA colleagues from across the province who were there for the Saturday morning discussion not only about the heritage fund but looking at the entire asset and liability side of the government's finances. I know that the hon. member was there, because I attended one of his breakout sessions where he made some very flattering, I might add, comments about the fiscal management of this government.

MR. SEKULIC: Mr. Speaker, I'm sure the Provincial Treasurer is taking my comments out of context.

On that point, given the sentiments expressed by many members of the budget roundtable in Red Deer about using the heritage fund to pay down the enormous debt that you and your govern-

ment have accumulated for the province, why aren't you taking immediate action?

MR. DINNING: Mr. Speaker, we have made a commitment to not only review the heritage savings trust fund but review both the asset and the liability side of the balance sheet of the province. That process began in Red Deer. I expect that in the next few days we should be able to advise members of the Assembly and advise Albertans that an independent valuation of the financial assets of the heritage fund will be undertaken to take that important next step in the heritage fund review.

MR. SEKULIC: My final supplemental, Mr. Speaker, is to the chairman of the Standing Committee on the Alberta Heritage Savings Trust Fund Act: how and when will you take action on the Auditor General's recommendation?

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

MR. DUNFORD: Thank you, Mr. Speaker. I'm sure the member is aware as most other members are that as the chairman of the Standing Committee on the Alberta Heritage Savings Trust Fund Act, it is our responsibility to evaluate the report of the heritage savings trust fund. We did that last year. As soon as this session is out, we have a schedule put together, and we will do that once again. We'll be more than happy to present a report some time in February or March on the 1993-94 heritage savings trust fund, just as we're asked to do, and we will continue to do a great job in it.

MR. SPEAKER: The hon. Member for Bonnyville.

Lottery Funds (continued)

MR. VASSEUR: Thank you, Mr. Speaker. The adoption of video lottery terminals here in Alberta has been met with both admiration and skepticism. One thing we do know is that these machines do raise millions of dollars for the province and in the process greatly decrease the ability of community groups to run their local charities. These community groups should receive a percentage of these funds so that they can continue on with their important work. My question will be directed to the new minister responsible, since the Premier is not here. On October 15 a large group of mayors from northern Alberta met in my constituency to discuss the possibility of sharing this windfall. Why, Mr. Minister, was I, after being invited by this group, told by the Premier's office that I couldn't attend this important meeting?

DR. WEST: Mr. Speaker, I am not aware of any such direction from the Premier's office.

MR. VASSEUR: Well, Mr. Speaker, that was confirmed from the Premier's office.

Is it this government's version of open and accountable government to bar duly elected representation?

DR. WEST: Mr. Speaker, I just made a statement here in a question before about accountability and where we will be going with lotteries, video lotteries, the Gaming Commission, and what have you, and when we are through our deliberations as a government here, I trust that Albertans will have trust in us for full accountability, transparency, and all members in this Assem-

bly, including the member asking the question, will at that time be able to discuss lotteries to their fullest during estimates.

MR. VASSEUR: Following this meeting, Mr. Minister, will you then commit that you will share this windfall with the communities?

DR. WEST: I also said in my answers that these moneys that are coming from lotteries and various forms of gambling in the province are indeed Albertans'. Every person that goes forward for a chance to win at something should also have those earnings that come to this government redistributed back to them in some form. I look forward to working with the Member for Lacombe-Stettler and others in this Assembly to come up with an idea to form a community-based council and a direction where we can distribute those funds fairly and equitably to every walk of life in this province.

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

2:30 Hospital Services for Foreigners

MR. SAPERS: Thank you, Mr. Speaker. Some Alberta hospitals are gearing up to provide health care services specifically for wealthy Americans. They say that they need to do this because they need the profit just to keep their doors open. To the Minister of Health: if Americans can get quick surgery by paying for it, how soon will it be before Canadians with money will be able to go to the front of the surgery line?

MRS. McCLELLAN: Mr. Speaker, we have made it very clear in this Legislature on a number of occasions that this government is firmly committed to the Canada Health Act and to the principles and tenets of the Canada Health Act.

MR. SAPERS: With that answer in mind, Mr. Speaker, then why would this minister even consider allowing hospitals to treat Americans for cash when Alberta citizens have to line up to wait for their turn in the hospital?

MRS. McCLELLAN: Mr. Speaker, a number of visitors to our province from the United States of America and indeed from other countries do receive treatment in this province. I would remind the hon. member that we have probably one of the fastest growing and largest tourist industries in this province that attracts visitors from all over the world. Surely he is not suggesting that we deny them treatment when they're here.

On the issue of whether hospitals should encourage persons to come from other countries for treatment, I think that's an issue that perhaps should be discussed further, but certainly I would not in any way consider that we should deny treatment to other countries. In reciprocal agreements with other provinces we do share services, and I believe in some cases on borders - we do with the United States. Those are quite different circumstances, Mr. Speaker.

MR. SAPERS: A fifth minister of economic development.

Mr. Speaker, is the minister planning to reduce the rate that hospitals must charge for all out-of-country patients in order to entice these wealthy American citizens to have their surgery done in our underfunded hospitals?

MRS. McCLELLAN: Certainly not, Mr. Speaker.

I must say in answer to the preamble that, yes, I'm proud to be a member of a government who does believe in the Alberta advantage, and I think that's shared by all members on the government side of the House.

Mr. Speaker, we have a rate that we allow our hospitals to charge out-of-country users of our system. It certainly is significantly higher, and there has been no directive from this Minister of Health to any institution to lower that rate.

head: **Members' Statements**

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

Labour Force Development

MS LEIBOVICI: Thank you, Mr. Speaker. The Canadian Labour Force Development Board was announced in January of 1991. This board is a national not-for-profit organization and is a partnership amongst government, labour, and business representing over 89 organizations. The Canadian Labour Force Development Board is committed to ensuring the development of a skilled labour force with input from the stakeholders regarding training and labour market concerns. It's one of the best investments that can be made in Canadians.

Currently there are provincial and territorial boards which provide regional leadership and a unique provincial focus. These provincial boards provide direction to the federal government on issues such as promoting national standards for training. New Brunswick, Nova Scotia, Newfoundland, Saskatchewan, Ontario, Quebec, and British Columbia have made positive strides in the development of such boards. Alberta, however, has not yet established such a board nor is Alberta represented at the national level. I'm informed that Alberta has been requested several times to attend but has declined. Mr. Speaker, this government needs to develop and invest some time and energy to facilitate the development of a highly skilled labour force in order to increase the economic opportunities of all Albertans.

Recently this government established a Ministerial Consultative Committee on Labour Market Development and Training. This committee is mandated to explore options which may lead to a partnership to advise government on labour market development. Yet this government is still considering how it wants to proceed, and daily cutbacks and layoffs occur. This province is losing valuable time as its work force needs assistance now in adjusting to the marketplace as a result of these cutbacks. At the Premiers' Conference in Toronto the Premier attended and agreed to place a high priority on skills training and worker adjustment programs. I challenge this government to establish a provincial labour force development board – stop wasting time – and to appoint a representative to the national board.

Thank you.

MR. SPEAKER: The hon. Member for Lesser Slave Lake.

Breast Health Awareness Month

MS CALAHASEN: Thank you. October is Breast Health Awareness Month, and I would like to take this opportunity to draw attention to this important event because 450 Alberta women will die from breast cancer in 1994. An additional 1,400 cases will also be diagnosed. Breast cancer is the greatest cause of premature death for Canadian women. As you can see, I'm wearing a pink pin, as are other members of the Legislature. This pin commemorates those women who have died from breast

cancer and is a symbol of hope in the ongoing search for a cure. Reducing deaths from this disease must be an important priority if we are to improve the life span of Alberta women. We must develop a total program including prevention, effective screening, and treatment.

I am thankful that we have such excellent services in this province. I want to applaud the efforts of the Canadian Cancer Society and the Alberta Breast Cancer Foundation for their extensive efforts in education and research. We should also note the fine work of the Alberta Cancer Board in providing quality treatment, conducting research, and operating the screen test program. Alberta is one of five provinces with a provincial breast screening program. We must make sure that effective screening is available to all Alberta women who need it. Coming from a rural area, I am pleased that Alberta has developed a mobile unit with this screen test program to assist women who live outside urban centres. Alberta has been chosen as one of the sites for the breast cancer information projects funded by the federal government. The breast cancer infolink is operating out of Calgary and will provide accurate and up-to-date information for women across the prairies.

We have done a lot, but we must continue to do more. As individuals we must take personal responsibility through proper health habits and self-examination. We can also support the activities of the many community organizations working in support of education and research into breast cancer. Even if you're not personally fighting the battle, you can do your part to win the war against the number one killer of women between the ages of 35 and 55.

I would urge all members and all Albertans to support breast health by supporting breast health month.

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

Energy Awareness Week

MR. COLLINGWOOD: Thank you, Mr. Speaker. The 10th anniversary of Energy Awareness Week, October 23 to 29, 1994, focuses our attention on the economic and environmental benefits of cutting our consumption of energy. By improving energy efficiency, we can cut our emissions of gases that contribute to global warming in a cost-effective manner and create jobs in the process. I would like to congratulate those companies and institutions who have been given recognition as energy innovators and also thank the many organizations in Alberta which both make us aware of the need to conserve energy and show us how it can be done.

Regrettably the Alberta government is neither on the list of energy innovators nor a sponsor of Energy Awareness Week. Having disbanded the energy efficiency branch earlier this year, the government has forgotten that it should at least act as a role model. The government's clean air strategy for Alberta recommended many worthwhile measures to reduce the emissions of pollutants and promote energy savings. The clean air strategic alliance, an alliance between government and industry, has responsibility for implementing the strategy. It needs strong government leadership and direction to be effective. Utility companies are encouraging the public to be power smart, but the government itself is moving very slowly to improve energy efficiency in buildings financed by taxpayers' dollars. While private industry accepts a payback period of three to five years as an economic standard for energy efficiency measures, the Alberta

government seems restricted by an annual accounting system that ignores long-term benefits.

2:40

We are already halfway to the target year of 2000, by which time Canada has promised to reduce its emissions of carbon dioxide back to the 1990 levels. A government sponsored voluntary challenge program to improve energy efficiency will help achieve this goal, but it must be implemented soon if we are not to lose the expertise of those who formerly worked in the energy efficiency branch and are now dependent on private business.

The energy innovator awards have been given to Brian Staszewski of the Environmental Resource Centre, Edmonton Power for retrofit of their downtown office, University of Alberta, University of Alberta hospital, Royal Alex hospital, Edmonton Centre, Londonderry centre, West Edmonton Mall, and Amoco Petroleum.

Thank you, Mr. Speaker.

head: **Orders of the Day**

head: **Public Bills and Orders Other than**

head: **Government Bills and Orders**

head: **Second Reading**

Bill 215

Non-smokers Health Act

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

MRS. SOETAERT: Thank you, Mr. Speaker. I would like to speak to Bill 215, that the hon. Member for — where's he from again?

SOME HON. MEMBERS: Edmonton-Glenora.

MRS. SOETAERT: Edmonton-Glenora has submitted. Thank you very much.

MR. DAY: Have you read it?

MRS. SOETAERT: I have read it in fact, and in fact I remember what I wanted to talk about just now, about why I think this Bill is a good idea. Whew. I want to tell a story that takes me back, kind of like the Premier did today, about how I was thinking — I truly was looking at this Bill. If we can discourage our young people from smoking, I think, then, that any Bill, especially this one, has some good suggestions for it. I have to tell you that if we raise the age to 18, which is what this Bill suggests, it would certainly help a lot of the high schools out of some of the dilemmas they face.

I have to tell you about the high school that I taught at. There was a problem with young people smoking, and though they're legally allowed to smoke, they were not allowed to smoke on school property, which I quite agreed with. However, it left them smoking in the farmer's field next to the school or on the edge of the highway, and it was a narrow highway because we didn't get much money for our highway out there. So they were quite close to the edge. A little dig there.

MR. DAY: Who's the MLA?

MRS. SOETAERT: The Member for Redwater is the MLA for that area. That may be why it's narrow. [interjection] Well, the minister asked. I only answered.

So there's the problem of these young teenagers being near the highway or smoking in the farmer's field. The board decided to put in a smoking area for the students. They got a smoking area. However, what was ironic was that anyone who worked for the board could not smoke on school property. So these students now had a smoking area which, number one, doesn't appeal to the public. It certainly didn't appeal to me, and it created a lot of conflicts. Even people who worked there were not allowed to smoke in that area, but the students were because the board felt it would be safer than having them on the road or on someone else's property.

Now we're faced with these kinds of dilemmas, and this type of Bill would help get rid of some of these dilemmas because it would be easier for school administrators to say: "I'm sorry. The age is 18, so you can't smoke." It would certainly take these people and give them a chance to put down rules for their school that all children would have to adhere to because the age would be under 18.

Now, I personally would like to support this Bill. I urge the government to support it. Most likely they'll come up with their own nonsmokers' health Act that'll be a watered-down version of ours. That tends to be the order of the day over there, unless it's a bad Bill, but that's not what we're on today. We're on a good Bill, the Non-smokers Health Act.

I would like to say that this Bill includes a provision which would prevent any person from smoking in an enclosed public space, and I quite support that. The Bill is designed to reduce the number of children under 18. I've brought that point out. It will also ensure that all employers provide a smoke-free area for employees, and this will include providing an appropriate area on the worksite for employees to take breaks. In fact, a constituent of mine was the one who took McDonald's to court on the smoking issue at work, the big M place. Remember her? Heather, I think her first name was. [interjection] Yes. What's her last name?

MR. SAPERS: McDonald.

MRS. SOETAERT: McDonald. Yeah, Heather McDonald sued McDonald's, and she won because they didn't provide a safe environment for her to work, because there was too much smoke in the area where she worked. She had a good case. She had lost her husband because of secondhand smoke, and she herself was not well because of secondhand smoke.

I think as legislators we are called to address some of these issues that are affecting the health of our system and in the long term save dollars, which seems to be the bottom line of this government in so many things. Well, this in the long run would save us health care costs, which are astronomical but certainly can be controlled in better ways than they are being done presently.

Anyway I would like to urge all members to vote for this Bill. I will support it wholeheartedly, and I commend the Member for Edmonton-Glenora for bringing it forward.

Thank you, Mr. Speaker.

MR. SPEAKER: Order please. Before the hon. member resumes her seat, would she care to move second reading of this Bill on behalf of her colleague?

AN HON. MEMBER: I'd be happy to.

MR. SPEAKER: The first speaker should do that.

MRS. SOETAERT: I'll gladly move second reading of Bill 215, the Non-smokers Health Act.

Thank you, Mr. Speaker.

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

MR. SOHAL: Thank you, Mr. Speaker. I would like to begin today by stating that I am in favour of the principle behind this Bill, but because of many concerns that I have, I am unable to give it my support. I sympathize with the rights of nonsmokers. I am well aware of the potential harmful effects of secondhand smoke. They say that smoking is killing one in four men and more than one in 10 women across the prairies. Any steps which the government can reasonably take to encourage the protection of nonsmokers and discourage our young people from becoming smokers would almost undoubtedly be well received. However, legislation such as this is not only unfeasible, but it would not serve the objectives of reducing teenage smoking or reducing secondhand smoke.

Decreasing youth smoking is a legitimate and desirable goal. However, the federal government has already raised the legal purchase age to 18. We don't need to duplicate this initiative. As well, the provincial government has kept the price of cigarettes high, which is a proven deterrent to youth smoking. The National Clearinghouse on Tobacco & Health says, and I quote: of all of the initiatives introduced to reduce smoking in Canada, none is considered to be more effective than increasing the price of cigarettes through taxation. Young people have less money; therefore, the price of cigarettes has an even more pronounced effect on youths. It is especially important that we keep our prices high here in order to discourage young people from smoking.

Furthermore, this government has started its commitment to the reduction of regulation as well as duplication. This Bill contradicts both of these convictions. While I realize that regulations are necessary to a certain extent, if at all possible they should be kept to a minimum. This Bill goes far beyond acceptable limits of regulation.

As we all know, fiscal restraint is a necessary fact of life. Therefore, before passing legislation, we need to ask ourselves: can we afford to do this, and is this proposed legislation necessary and helpful? The implementation of this legislation would be very costly and in many cases redundant. Recently it has been found that over 60 percent of Alberta's surveyed respondents are employed in a workplace which has some sort of smoking policy; 57.5 percent said that their immediate workplace was completely smoke free. With society's rapidly changing attitudes towards smoking in the workplace, I would maintain that there is every indication that the number of workplaces with this smoking policy will eventually continue to rise. I think that most of us would agree that voluntary smoking regulation and policy development is preferable.

2:50

The potential costs of implementing the regulations outlined by Bill 215 are enormous. I believe that the cost of policing workplaces, hiring inspectors, adhering to regulations such as ventilation requirements, as well as the cost involved in developing the bureaucratic structure necessary to implement, enforce,

and administer this proposed legislation exceed the potential benefits of this Bill. I do not believe that these costs can be justified when the trend is already moving Alberta towards smoke-free workplaces and designated smoking areas.

In addition, the Bill is ridden with federal and provincial duplication. The federal government has already passed legislation which increases the minimum age requirement for purchasing cigarettes from 16 to 18. Including this age minimum in this Bill is unnecessary. It has no real effect on the current Alberta situation. Not only is there federal legislation with regards to youth smoking, there are municipal bylaws that make it possible to revoke someone's licence if they violate the law. Last winter the suspension of an Edmonton business licence illustrates that municipalities will punish violators. Tay's Foods' tobacco licence was suspended for three months when it was found that the owner's wife had sold cigarettes to a 12-year-old girl.

There may be room to decrease bureaucracy and regulation through the municipalities and the federal government reducing their overlap in this area. We certainly don't want to add to the regulation by adding a third bureaucracy to the issue. While some members may maintain that the section of Bill 215 on the sale of cigarettes to minors reaffirms the federal Bill, concurrent legislation is not appropriate in times of fiscal restraint. The entire section regarding the sale of cigarettes to minors should therefore be completely removed.

Independent of excessive regulation and duplication, this Bill has other shortcomings. For example, the fines that employers and offenders face are not appropriate. Employers can be fined up to \$1,000 for the first violation and up to \$10,000 for a second violation if someone is found smoking in a nondesignated area, compared to the \$50 or \$100 fine that the actual offender will receive. This fine is definitely out of line. Responsibility for the offence should lie predominately with the violator, not the employer.

I do see the advantages of the government of Alberta setting an example by implementing a policy which advocates smoke-free workplaces. I think it is possible to achieve this without legislation. We could, for example, phase in a designated smoking area policy. Not only would this policy be less costly to implement, but it would not be so thoroughly ridden with the regulation and duplication which renders Bill 215 so cumbersome.

I would like to ask all members to consider the criticism that I have put forth when determining their position and to defeat Bill 215. I would like to say again that if another member proposes a Bill for a motion that will truly help decrease youth smoking and protect people from secondhand smoke, I would be pleased to support it.

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

MR. SAPERS: Thank you, Mr. Speaker. I'd like to thank my colleague from Spruce Grove-Sturgeon-St. Albert for introducing the Bill on my behalf, and I'd also like to thank members on both sides of the House for the expression of bipartisan support that this private members' motion has already received. I just hope that the support that's been expressed to me privately will manifest itself into votes in the Chamber.

It's important to start off by referring to the reason why this Bill is coming forward, with all of the issues facing health care in the province, why it is that we find ourselves debating a Bill about nonsmokers' health. Well, Mr. Speaker, the provincial government has said on many, many occasions that they are committed

to a wellness model of health and health care, that they believe in preventative health, that the government wants to become engaged in health promotion and are looking for new ways to prevent illness and disease and really are committed to a population-based health system, a system that in the long run would not only make our population healthier but would make our system more efficient and keep health care costs down.

Now, there is in my mind nothing more significant that could contribute to all of these very worthwhile aims than the prevention of young people from starting to smoke. In fact, smoking and smoking-related disease burdens our health care system probably greater than any other activity. It's been estimated that for some cancer patients who have contracted their cancer as a result of smoking, their lifetime cost of treatment can easily exceed \$250,000, a quarter million dollars per person.

The Member for Calgary-McCall just asked the question: can we afford this kind of legislation? Can we afford preventative health legislation? Well, Mr. Speaker, the more appropriate question is: could we afford not to have preventative health legislation? Could we afford to turn our backs on this kind of burdensome cost? The government has just proposed Bill 46, a Bill that would allow the government of Alberta to sue its citizenry for third party liability costs if they're considered to be wrongdoers so that the government can recover health care costs. Now, why would the government on the one hand think it would be okay to introduce that kind of legislation and on the other hand argue against a Bill such as Bill 215 which really doesn't have any front-end costs. In fact, if you look at the argument from the Member for Calgary-McCall, you'll see that there's a logical inconsistency there. If it's true that in fact workplaces are already voluntarily complying with having no smoking on their premises, then the policing costs proportionately would also go down. There wouldn't be any burdensome bureaucracy borne as a result of this legislation. It would be driven by violations, not by the norm.

Mr. Speaker, it seems to me that if only 100 people – only 100 people – do not become ill as a result of this legislation, besides the misery that will have been prevented, then we will have saved at least \$2.5 million in health care expenses. Now, this amount of money could be used to fund home care, health promotion activities, or other lifesaving surgery for those who are otherwise facing long waiting lists.

Mr. Speaker, this Bill does not come to the Legislature without some history. In the fall of 1993 Bill 239 was before this Assembly. This Bill was sponsored by myself. It provided for smoke-free workplaces only, and it also allowed for separately ventilated areas, but this Bill did not go far enough. In the same session Bill 258 was presented by the Member for Rocky Mountain House. This Bill restricted access of tobacco and tobacco products to minors. What the present Bill 215 does is it combines the best of both of these previous Bills and recognizes the action already taken by the federal government. Bill 215 is the blending of good ideas that originated from both sides of this Assembly. I think those are the kinds of ideas that Albertans really want to see endorsed by the politicians that they have entrusted.

3:00

Mr. Speaker, this Bill prohibits smoking in the workplace. It prohibits smoking in public places. It prohibits the sale of tobacco to those who are under 18 years old. It prohibits the sale of so-called kiddie packs. Those are packages of cigarettes bundled in amounts less than 20 so that they can be sold at a lower cost to children. This Bill requires retailers to be licensed in order to sell tobacco products, and it requires signage advising of smoking

regulations and smoking risks. This Bill, furthermore, provides for penalties in the form of fines, very appropriate fines, I would argue. These fines range between \$50 for an individual caught smoking in a public place to \$50,000 for a retailer who has violated the provisions of this Bill for a third time.

There are currently 4,000 compounds in cigarette smoke, many of them known to be pharmacologically active or carcinogenic. There are also many unidentified additives in cigarette tobacco, which tobacco companies themselves refuse to disclose to the public claiming trade secrets. No one knows for sure what the result of this witches' brew of additives is, but we do know the impact on the health of our populations. Dr. Gerry Brosky, who is a professor of family medicine at Dalhousie University, has said that this combination of carcinogens and pharmacologically active chemicals contributes to not only the ill health of those who smoke but of those who inhale the secondhand smoke as well as the unborn who are in the wombs of mothers who smoke or in the presence of secondhand smoke.

Mr. Speaker, there are several kinds of ways that smoking can kill. Cancer of the larynx, for example. In 1993 there were an estimated 1,370 new cases of cancer of the larynx and almost 700 deaths in this country as a result of that form of cancer. Smoking is known as the major cause of this relatively rare form of cancer. Over the past 35 years even though this form of tumour is rare, the rate of increase has been over 70 percent linked to smoking.

Oral cancer. Smoking is by far the major cause of cancers of the tongue, mouth, and pharynx, the cavity behind the mouth and the nose.

Leukemia. There is growing evidence that smoking cigarettes may boost a person's risk of getting leukemia by 30 percent or more. Results from 15 U.S. studies suggest that smoking may account for 14 percent of all adult leukemia cases. Cigarette smoke contains benzene, and this in itself is a known cause of leukemia. About 3,100 new cases of leukemia were diagnosed in this country last year.

Childhood illnesses. Mr. Speaker, fathers who smoke may have an increased risk of having children with brain cancer and leukemia according to researchers at the United States National Institute for Environmental Health who studied the effect of smoking on sperm. Other researchers have found that children whose parents smoke are three to four times more likely than other children to develop serious infectious diseases requiring hospital treatment.

Cataracts. Smoking more than a pack a day doubles the likelihood that a person will develop vision-clouding cataracts according to a study done by Johns Hopkins hospital.

Finally, gum disease. People who smoke are at least twice as likely to have gum disease, and gum disease hits smokers earlier and harder according to Tufts University Dental School in Boston.

Mr. Speaker, there is absolutely no doubt that smoking is linked to these ailments and many more, and the costs attendant to treating those ailments are well known to professionals within the health care field.

Of particular importance are the provisions of Bill 215 which address the growing trend of young people to begin smoking, and of significance are the number of young women who begin smoking at an earlier and earlier age. I specifically mention young women because lung cancer, it is estimated, will overtake breast cancer this year as a major killer of Canadian women. Statistics Canada has estimated that 5,600 women will die of lung cancer in 1994 and 5,400 will die of breast cancer. This increase

is blamed, Statistics Canada claims, on the growing number of women who smoke.

Now, lung cancer is expected to kill an estimated 11,000 Canadian men, but the percentage increase in fatality rates shows no major rise. The particular rise is amongst women and young women. Lung cancer represents about one-third of all known cancer deaths.

According to Dr. Elizabeth Kaegi, a noted cancer expert, and I quote: we're expecting the lung cancer rates among women to continue to increase, and we're very concerned about that. Most discouraging is the fact that lung cancer is preventable in most cases. In fact, according to Statistics Canada reports, they estimate that 85 percent of lung cancer cases are caused by smoking and therefore preventable. Dr. Kaegi has said that antismoking campaigns appear to have less effect on women than men and young women continue to take up smoking at a high rate. She goes on to say that perhaps pressure to increase the price of cigarettes and wrap them in plain packaging should help discourage teens from picking up the package. I would say, Mr. Speaker, that it is our responsibility to do everything we can in this Assembly to ensure that young people are discouraged or at the very least not enticed to begin to smoke.

Mr. Speaker, I'd like to just turn for a minute to a press release that was issued on Friday, May 13, 1994, by Action on Smoking and Health, and in part this press release reads:

'The Alberta government is ignoring the major source of addiction among children in this province' said Les Hagen, executive director. 'Controls on sales to minors would give kids a chance to grow up smoke-free and would assist the Alberta government with its health reform initiatives' Hagen added.

'Over 10,000 children start smoking each year in Alberta. How many children need to become addicted before our government takes action?' said Faith Blight, associate director. 'Eight provincial governments have recognized the need to protect children from the clutches of the tobacco industry, and we urge the Minister of Health to take immediate action' Blight added.

Mr. Speaker, this is a perspective that is shared far and wide by the representatives of the health prevention and health promotion community.

Now, while Alberta is spending \$2.8 million on cancer research this fiscal year, we have some of the most lax antismoking legislation and nonsmokers' rights protection legislation anywhere in Canada. It is true that the federal government has taken some much needed initiative in this area, and it is true that some municipalities have bylaws that would regulate this area, but there is no provincewide standard nor is there any leadership shown from this Legislature. I think it's about time for that to stop.

The federal Tobacco Sales to Young Persons Act passed in February of '94 does increase the legal age for the purchase of tobacco products from 16 to 18, therefore being companion to this legislation, to the provisions in Bill 215. Alberta has never before relied on Ottawa's legislation to do the right thing for Albertans nor should Alberta rely on that today. This legislation is complementary to the federal legislation, and it should be seen as a strong message to all municipalities as well to promote bylaws regulating smoking in public places and then enforce them.

On May 13 of this year Saskatchewan passed similar legislation, and of note in this debate, Mr. Speaker: it was a government backbencher who introduced a private member's Bill in the Saskatchewan Legislature which resulted in new law in that province. I think that can be instructive to us as well. Alberta along with Quebec remain the only provinces without legislation to protect those under 18 from becoming smokers. Particularly

lax in Alberta are our regulations pertaining to secondhand smoke. Ontario recently introduced Bill 119 in their Legislature, which is entitled the Tobacco Control Act, and this will institute plain packaging for tobacco products. It seems to me that while that's not an element of this Bill, Bill 215 does allow for regulations, and I would suggest that it's something we would want to have a look at.

Edmonton and Calgary perhaps have the best known bylaws and some of the strongest bylaws in this province regarding municipal enforcement of nonsmokers' health.

3:10

Mr. Speaker, once again turning to ASH, the Action on Smoking and Health group. They claim that young smokers are buying cigarettes at about the same rate they did before the federal legislation was enacted in February. Now, despite the existing legislation, many young teens are still able to buy cigarettes from small outlets and vending machines. This is particularly troublesome in those municipalities which do not have their own bylaws or those vending machines which are generally out of public view or the view of supervising adults.

This Bill is clearly in the best interest of Albertans, and I know that my colleagues in the Legislature will be able to put aside their partisan concerns and see that clearly. Mr. Speaker, if members do have concerns about specific sections of this Bill, I would encourage them to bring forward amendments in subsequent debate. There is no legislation which is perfect at first drafting, as the government well knows. It seems to me that this Bill could benefit from a robust debate, a constructive debate, and a debate which would lead to the best protection for Albertans and perhaps the best legislation anywhere in the country.

I ask all members to support health in Alberta, to support doing the right thing, and to support this Bill. Thank you very much, Mr. Speaker.

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

MRS. BURGNER: Thank you, Mr. Speaker. I am pleased today to rise in support of the principles that have been articulated.

MR. HENRY: Ah, here we go.

MRS. BURGNER: I'm just starting.

I do believe the principles that have been spoken to are valuable and they are concerns for our health and our community and there is a broad base of support for them. However, I don't support the Bill for two reasons, and I think they are consistent with the Conservative philosophy: there is an increase in regulations, and it will duplicate other government regulations that are already working within the community.

Last year the federal government passed legislation, as was just spoken to, raising the legal age, and we don't need to pass the same legislation. Secondly, with regards to the designated smoking areas, the private sector is already voluntarily looking, and consequently more likely to do it effectively, into this, and we've seen a broad increase in the number of nonsmoking and nonsmoking-designated areas both in the workplace, recreational, et cetera. I can't support increasing the cost in any area of government without the real significance available to taxpayers. In this case, where it's happening in the private-sector model, I don't know that we need to turn to tax dollars to reproduce something that is growing socially out of a conscience within the community.

This is a deregulatory government, and we have undertaken the task of reducing regulations wherever possible. Some of my colleagues, as you know, are working very hard in that particular deregulation initiative, and therefore it would seem a little inappropriate to systematically duplicate that by adding regulations in this other area.

We also have to look at whether or not current regulations are actually going to meet the needs of the nonsmoker, and there are regulations that are in place. We do not have the test on this Bill of whether these regulations would be essential, would be effective. Bill 215 in my opinion does not meet those obligations. There are more effective ways to support the principles and protect people from secondhand smoking and reduce teenage smoking, which are, as I said, very laudable principles to uphold.

I would like to take a few minutes to discuss the principles expressed in this Bill and show for the record how the government is assisting in attaining these principles. I would like you to keep in mind that we're talking about designating smoking areas, and that is an idea that I wholeheartedly endorse.

We have to be careful about attacking people who have grown up in an area where smoking is acceptable. It would not be, in my opinion, socially acceptable to pit one generation against another, and therefore I think one of the ways of dealing with the educating of the community and moving them from a smoking model to a nonsmoking model is not through force and coercion and legislation but through the social conscious that comes from public education. We can't tell people to stop smoking any more than we can tell them to stop drinking or eating certain foods, but we've seen in changes in lifestyle attention to those areas of personal responsibility, and they've been done on a broad base across all sectors of the community without legislation.

I do think there is a responsibility to protect people from secondhand smoke, and I am convinced that the social initiatives that are taking place – and the member opposite spoke to a number of those in reflecting on bylaws that were in place – are things that are happening very effectively. We've seen businesses address voluntary smoking areas or restricted work policies with respect to smoking in the workplace, and again these are done through the effective use of the resources available within commerce and industry and our social circumstances.

I will say that I have some serious concern with respect to teenage smoking. I find it interesting that the nonsmoking areas that we designate our schools – we still have students on school sites that are smoking, but given that school boards have already initiated policies designating schools' nonsmoking areas or designating nonsmoking areas within the school, I think those should be extended because it's within the privy of a school board to do so. Again, it's one area of working with persons who are responsible for that particular policy and encouraging them to take it on as an initiative rather than creating an entire legislation which would have to be regulated. While the hon. member did speak about the fact that this particular Bill would be implemented without significant cost, regulations and therefore the monitoring of regulations does carry with it a significant amount of resources, and I just don't feel that that's the best use of our tax dollars.

I can speak to my own experience years ago when I worked for Wardair. People smoked on those airlines considerably, and you would have very difficult situations on a 10-hour flight where the air was certainly not healthy by the end of it. It's just been within the space of about 10 years that they've moved from voluntary nonsmoking areas to complete nonsmoking components of a number of our major airlines. We're now working significantly

through the airline industry to look at nonsmoking flights in the international market and actually raising some questions dealing with developing a client base in the Far East, where smoking as a cultural experience is much more widely accepted. But the industry is taking the initiative because they are supplying a service to the community and the buyer will go where they are best served.

So I urge the member opposite to recognize that there are initiatives that are taking place that don't require government to come in and run the whole show. They're done effectively. They perhaps are not as instantaneous, and the results may not happen overnight, which may be something that the hon. member would perceive as the immediate solution, but they also are taken in conjunction with a lot of initiatives across the country and within business and industry. I think that's an appropriate way to watch how the initiative can be resolved. I think you also have to understand that as one industry after another develops policy and encourages nonsmoking and becomes more sensitive to secondhand smoke, you have the effect of the public being educated alongside it. That's not something that necessarily happens with a sudden social change in legislation.

This Bill does have an excessive amount of regulation and provisions for inspectors, and as I've mentioned, I do believe they would be very expensive and would interfere unnecessarily in getting business done in Alberta.

3:20

In 1990 an Alberta survey done by the Population Research Laboratory at the University of Alberta showed that about 64.4 percent of those surveyed reported that they had a workplace policy of some area designated to deal with nonsmoking and effectively changed the policies within their organizations. If you consider it, that is close to two-thirds of the work force. Once more, if Bill 215 passes, we would then be duplicating existing bylaws and regulations that employers have put into place, which again is not consistent with the mandate of this government. If we had, if you could perceive or follow it through, places that are currently designated nonsmoking areas completely base free, would they have to then designate smoking areas in order to accommodate the flexibility that the Bill would like to see? It would sort of be seen as a step backward if we've been successfully able to eliminate from a voluntary component nonsmoking in a worksite to have to then turn around and reverse that.

I'd also like to mention the compliance that we see in the restaurant industry and other service and tourist scenarios. Certainly in my experience nonsmoking areas in the restaurant were not very popular or necessarily even the nicest places to sit, and through a voluntary component, through various restaurant associations developing public education, we've seen that the nonsmoking restaurants have increased in the area of volume the designated space within sites.

There was mention made of city bylaws, and I think it was worth recognizing the work done in Edmonton and Calgary on that. We see it in a whole context. It's not just the nonsmoking component. It's the menu that's offered in the restaurants. It's the restaurants that have more sensitive attention to liquor licences and what's served on site. Again I refer to the fact that in socially educating those to move from a smoking mode to nonsmoking and the sensitivity that's required to work and socialize with colleagues who continue to smoke, what we don't want is a society pitted against one another but an evolution that will bring us to – my own personal preference would be a 100 percent smoke-free zone. I feel more and more confident that by

having the marketplace, the consumer, the people who utilize the working place, the social conveniences of restaurants and public areas, the airlines, other areas in transportation, that that growth in the social area is happening.

I personally do support the discussion that moves us away from nonsmoking of our youth, yet I am concerned that legislation is not the initiative that we require. We have struggled federally with, you know, the serious ad campaigns to promote nonsmoking, but I've spent a lot of time talking to young people who continue to smoke, and it's just not working effectively in an ad campaign, in the tax issue. I think that one of the components we have to deal with is more involvement with industry, but I think that the conflict there is an industry-based one. I don't think that socially changing the smoking regulations within a province is going to deal with that issue because the smoking lobby is very powerful. I don't feel that the Bill gives us the strength to deal with the industry in a positive way, and I personally feel that that is the area where we will be more successful.

I do applaud the hon. member for putting this on the table for continued public discussion. I think that society has to be aware that legislators are continuing to grapple with it as a social problem, that it is not something that we take lightly, and that we are recognizing through merit and public recognition some of the other initiatives that have occurred out of the marketplace.

The Department of Labour has been a facilitator in assisting employers in developing nonsmoking policies, assisting them with questions that might be required to be addressed as employees face that issue. I feel that's a role that government can play: assisting companies or employees, the labour market in identifying how you go about establishing nonsmoking areas. I do believe we have moved a long way in this area, but it's more effective for government to facilitate a private initiative than to set up a whole bureaucracy in order to develop something that is happening across the industry.

I don't know how this Bill would be monitored, and I think that's another serious concern for myself. I don't know whether you would have to have employers and employees allowing inspectors free rein in an industry or business to come in and monitor, to check for violations. There's an issue of confidentiality, interruption of business. It would be hard to imagine, given the growth of industry and business in Alberta, how on earth we would develop a monitoring system that was not a bureaucracy unto itself. I do think Albertans would see that as an invasion of their work space, and this Bill does not address that issue.

I have spoken to the principles that I think are appropriate in the Bill as social initiatives that have to be dealt with, but I do feel quite firmly that this is an initiative that is working well in the private-sector model. Government supports through, as I mentioned, the Department of Labour, the facilitation component. I know through the Department of Health and the Department of Education that we support programs and initiatives, and we work with supporting through lottery dollars a number of the organizations who work to educate the public on issues of health and public safety and awareness. I would continue to support that role and responsibility of government rather than take a legislative approach, which in my opinion is very intrusive, very expensive, and not as effective as could otherwise be done in the private sector.

Thank you, Mr. Speaker.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I wanted to enter the debate on this particular Bill that is before us today because

the government members that have spoken have taken the particular stance that they have, which is fairly typical, of yes but. Unfortunately, the hon. member who just spoke started out her comments saying that she supports the principle of the Bill. If one refers to *Beauchesne*, obviously if you support the principle of a Bill, then you would vote for it. Yet her whole argument seemed to be convoluted around and behind something else. So I would encourage her to review the rules behind second reading. If you support the principle, then indeed you should support the Bill.

This Bill is important because it addresses a particular issue. It addresses the issue of the age at which young people will be able to purchase tobacco products. What it talks about is increasing the minimum age to 18 years. Now, this is very reminiscent in fact, Mr. Speaker, in many ways of another topic that has been in this House before, and that's freedom of information legislation. It turns out that eight provinces in this country have freedom of information legislation that is now enacted and in force and in place. Alberta is creeping ever so slowly closer. Eight provinces also have legislation that deals with the minimum age for the sale of tobacco products being 18. Alberta is one of two that does not have that minimum age.

Mr. Speaker, what is being addressed here is the whole issue that if you don't start smoking when you are young, the chances that you will start smoking at all are significantly reduced. That is the thrust of this particular piece of legislation.

Now, the whole concept of can we afford to do this, that was raised by the Member for Calgary-McCall, I suppose will have to wait for another day as I adjourn debate today.

MR. SPEAKER: Thank you.

As the hon. member has recognized, the time for consideration of this item has expired, and we must now move to the next order.

head: **Motions Other than Government Motions** **Tracking Former Social Assistance Clients**

516. Moved by Mr. Sekulic:

Be it resolved that the Legislative Assembly urge the government to establish a comprehensive tracking system of former social assistance clients to determine the efficiency and effectiveness of social assistance programs.

[Debate adjourned May 31: Mrs. Burgener speaking]

MRS. BURGNER: Mr. Speaker, I appreciate the opportunity to continue the debate. We had a number of serious concerns regarding the assistance to clients and the effectiveness of assistance programs. Quite frankly, as we reconvene this session and discuss these motions, my dilemma with this particular motion again has to do with the regulatory component in that we have been working very diligently through the minister of social services to deal with the needs of those who require assistance from government through a financial benefit or an education benefit and we see that the volume and the turnover in that particular system is so significant that a comprehensive tracking system as to what is going to make it efficient and effective is questionable. I think the influx of visitors from other provinces accessing social benefits from one province to another, even though we would put resources into tracking, is not necessarily going to articulate how well your system is working. The figures are quite significant in terms of caseloads that turn over on a regular basis. I think that when you are trying to find the efficiency of a system, you look at the number of people employed, you look at the poverty level, you look at educational

outcomes and opportunities, and those are valuable because they tell us how the particular client has moved on in the system, not whether they are still counted as a number and within the system.

3:30

It is in my opinion important for social assistance to bring those who have come into a disadvantaged situation to a productive level in the community, whether that's a parent who has young children at home and is unable to get care and therefore unable to work, whether it's upgrading and you're in a high school system because the qualifications you achieved when you perhaps left high school are no longer valid in today's academic and business marketplace, bringing those people who are currently utilizing the system to full employment, to health, to a more meaningful role in their community, and we have programs we have developed in that regard. That is the way you measure the effectiveness: to simply utilize numerics and tally those in and those out and assume therefore – and I imagine the outcome of this could be that the fewer outs or the fewer ins, because our numerics were good and our arithmetic was sound, would give validation to the programs. Mr. Speaker, I just don't believe that's the case. I am quite confident that as we work with reforms in Family and Social Services right now that is the way to go, and while I appreciate the need for accountability, which I presume is the underlying component of the motion, I can't support it at this time.

Thank you, Mr. Speaker.

MR. SPEAKER: The hon. Member for Edmonton-Manning to conclude debate.

MR. SEKULIC: Thank you, Mr. Speaker. I proposed this motion in the spring session, and I felt it was in line at that time at least with the government's desire to pursue performance and outcome measurement. But as the Member for Calgary-Currie just spoke, that apparently isn't the direction this government is going. Clearly, as the motion reads,

urge the government to establish a comprehensive tracking system of former social assistance clients to determine the efficiency and effectiveness of social assistance programs,

this is a very, very clear issue. Its only intent is to determine that our per capita expenditure on social programming is actually delivering some results, and the results I would anticipate are a decreased need for reliance on social assistance programs. To date we hear the government side saying that we're doing things to better the conditions of those people on assistance, but there's no qualitative or substantive support for the claims they're making. So the only comment I would have is that if the government is true to its stated intent of delivering better programs or programs that would better Albertans' conditions, then truly they have to look at what they're delivering, what it's costing, and what the outcomes of those programs are.

Having worked in the Department of Family and Social Services, I had some exposure to the different programs we have there. I've stated before that the government requires of some of the agencies with which it contracts an accountability, a performance or outcome measure. I was quite happy to see that. Yet it seems like it's a double standard because they don't impose that same requirement upon themselves within the department. One of the key initiatives some two years ago, I believe, in developing the position of employment client support services workers was to assist people, assist those on assistance to enter employment or training. Now, unless we know how many of these people have successfully entered programs, be they postsecondary or to return

for high school, we don't know whether that position has an effect or whether in fact the department strategy has an effect.

The other issue is that if people are leaving the assistance rolls, we need to know: why are they leaving? What is the initiative? Is it simply policy driven? We're saying that we can't acknowledge the need people have out there or that we're actually doing something to change the conditions of individuals and that in effect the program is successful. So it's not good enough to say that we want a successful program or we have a successful program. The government has an onus on it to demonstrate why its program is a success, and that is exactly the point this motion makes.

With that, I'll leave the floor of the Assembly for one of my colleagues to add comments. Thank you.

MR. SPEAKER: Order please. The time allotted for consideration of this motion has expired, and the Chair is required to put the question. Would all those in favour of Motion 516 as proposed by the hon. Member for Edmonton-Manning, please say aye.

SOME HON. MEMBERS: Aye.

MR. SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

MR. SPEAKER: The motion fails.

[Several members rose calling for a division. The division bell was rung at 3:36 p.m.]

[Mr. Deputy Speaker in the Chair]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Kirkland	Soetaert
Bracko	Leibovici	Vasseur
Bruseker	Massey	White
Collingwood	Nicol	Yankowsky
Dalla-Longa	Sapers	Zariwny
Henry	Sekulic	Zwozdesky
Hewes		

Against the motion:

Ady	Forsyth	Mar
Amery	Friedel	McFarland
Black	Gordon	Oberg
Brassard	Haley	Renner
Burgener	Havelock	Rostad
Calahasen	Herard	Severtson
Cardinal	Hierath	Smith
Coutts	Hlady	Sohal
Dinning	Jacques	Stelmach
Doerksen	Jonson	Taylor, L.
Dunford	Laing	Thurber
Evans	Lund	West
Fischer	Magnus	Woloshyn

Totals:	For – 19	Against – 39
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[Motion lost]

3:50 Hospital Services Smart Card

517. Moved by Mr. Brassard:

Be it resolved that the Legislative Assembly urge the government to adopt the use of smart cards for the general procurement of health services in Alberta.

MR. DEPUTY SPEAKER: The hon. Member for Olds-Didsbury. [some applause]

MR. BRASSARD: I feel like I should be running for something.

Thank you, Mr. Speaker, and thank you to my colleagues on both sides of the House. I'm constantly amazed at the advancements being made in technology today. CAT scans and MRIs enable us to see cross-sections of organs and tissues in the human body. Surgery can be performed on babies even before they are born. Sound waves can be used to break down a kidney stone and lasers to repair a damaged cornea. The capabilities technology provides to diagnose and treat medical problems have made our health care system more efficient, enabling patients to spend less time in the hospital. Treatments, too, are more effective, and measures can now be taken to prevent certain illnesses before they even occur. All of this, of course, translates into lower costs and a better quality of life. Many of these advancements are beyond my comprehension, quite frankly, and my appreciation is more in their availability if and when they are needed, particularly if they are needed for me or one of my loved ones.

One of these technical advances that I can more readily identify with, however, is the modern computer. Not only have we reduced the size from a roomful of hardware to a pocket-sized gadget, but we have increased the application to almost every aspect of our lives. It is the application of computerization in our health insurance coverage that is the basis for the motion dealing with what I will refer to as smart cards, the use of which will increase our appreciation of our health care system, improve efficiency, and reduce overall costs.

A friend of mine was in an accident a few years ago and his ankle was crushed. His hospital stay included not just the healing process but rehabilitation of the ankle as well. Since the injury was the result of an auto accident, he had to obtain a copy of the hospital bill. Although he was well aware of just how long he had been in the hospital, he was certainly not prepared for the \$297,000 hospital invoice which he was presented with. I can assure you, Mr. Speaker, that my friend has had a far greater appreciation for health care insurance ever since. You see, most of us really don't have a clue what our health care actually costs.

[Mr. Herard in the Chair]

Another friend of mine had a heart attack while vacationing in the United States. He was only in the hospital for four days but received a bill for \$12,000 when he left. About the same time someone I knew had undergone major heart bypass surgery here in Alberta and had been in the hospital for five weeks. When I asked him what the cost was for his stay in the hospital, he had absolutely no idea. I can tell you, Mr. Speaker, which of those two gentlemen has the greater appreciation for their health insurance coverage. I believe that much of our problem with the seemingly runaway costs associated with our health care is due in part at least to this lack of appreciation for what we already have. We quite literally take it for granted. What other service of any kind anywhere can you walk in and access without so much as signing your name when you leave? I'm not for a minute

suggesting that there's anything dishonest or fraudulent involved with our present system, but I should at least know what I am being charged when I receive a service, any service. The same applies to our health care. It is absolutely imperative that I know what costs I am incurring if I am to have any respect or level of accountability to the system. At one time we received an accounting every six months. That was stopped some time ago for whatever reason. Although it was after the fact, it at least let us know what had been spent by the rest of Albertans on our behalf. With the modern technology of today I think we can not only reinstate the concept but improve on it significantly.

I propose a card not unlike a credit card which can access all the vital information necessary to identify an individual, much like the recent personal health cards we just received but a little more elaborate. The smart card could access such information as blood type, allergies, and past illnesses which may have a bearing on current illness, such as asthma or tuberculosis, all identified in the little magnetic strip on the back. Confidentiality could be built in so that a caregiver could only access information pertinent to their level of care. The card would be used any time one accessed any part of our health care system. If one went to the doctor, you'd present your health smart card to the receptionist when you arrive. The doctor would then have access to all the pertinent information on a medical basis dealing with you, on a historical basis. When you are ready to leave, the receptionist would hand back your health smart card plus an invoice for your signature just like any other business dealing. You would then sign the invoice and keep one copy. The doctor would keep a copy, and one copy would be forwarded to Alberta Health for payment. That way everybody would know exactly what had been charged for the service received at the same time it was delivered. The same procedure would apply if you went to a hospital or a pharmacy or a physiotherapist or a chiropractor or whatever. There is no question in my mind, Mr. Speaker, that it would do more to bring a greater level of awareness and appreciation to our health care givers and receivers than any other single initiative.

There's another benefit to the use of such smart cards. If the health care smart card was required at the pharmacist's, the magnetic strip would automatically activate access to your prescription record. Because every transaction would be entered immediately, the drugs which were purchased the day before in another pharmacy would already be recorded. So if your prescription called for Valium, for example, and some had just been dispensed the day before or very recently, it would automatically be flagged and the pharmacist would question the request.

I once met a woman who was on 28 different medications, Mr. Speaker. When asked about her need for so many, she said that she was being attended to by two or three different doctors, two of whom operated a clinic with a pharmacy. She simply never challenged the need and generally had her prescription filled before she left. I realize that's an extreme, and I must admit I didn't verify her claim, but I think we will all acknowledge that overmedication is a very real problem in some segments of our population.

I believe that health care smart cards will minimize if not eliminate this problem. It will take some technology changes, but we have to appreciate, Mr. Speaker, that there are approximately 16 million drug claims processed in Alberta every year. Almost every health service today uses a computer. They would have to be tied into a common software program, but I wouldn't expect that should really be too complicated. When I can go to a bank almost anywhere in the world and withdraw money from my

account in the exchange of the day and get an up-to-date statement of my account status all within 15 seconds or purchase groceries or almost anything else with my bank card, surely tying all health services in the province of Alberta together shouldn't be insurmountable. With today's focus on greater efficiency and accountability the adoption of health care smart cards would seem to me to serve both of these initiatives exceptionally well. I therefore urge the government to adopt the use of smart cards for the general procurement of health services in Alberta at the very first opportunity.

Thank you, Mr. Speaker.

4:00

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

MR. SAPERS: Thanks, Mr. Speaker. A good idea, unfortunately flawed. Smart cards have been around for a long time and notions about smart cards. Certainly my colleague opposite has spoken very eloquently about some of the positive aspects of smart cards, and I do in fact commend him for bringing forward a motion that would have the Legislature debate the idea of smart cards. A big problem, though, is this government's track record in implementing otherwise good ideas.

With that being said, you know, the smart card theoretically can help us address the problem of fraudulent or unnecessary use of health care. These cards would allow physicians or other health providers to ascertain that the bearer of the card is in fact the one who's entitled to receive the services and is receiving those services appropriately and hasn't somehow received services similar in another place at another time or is somehow double-dipping or abusing the system.

That sounds all right, Mr. Speaker, but the issue here is where the abuse and the fraud in the system is. There haven't been any studies in this province indicating where the fraud is. There haven't been any studies indicating where the abuse is. We don't know how many people access health services inappropriately. We don't know how many physicians provide health services inappropriately. We don't know how many pharmacists dispense prescriptions inappropriately. We don't know how many people take advantage of double-doctoring and try to visit several doctors in one day. We do not know what the costs of any of those alleged abuses would be, and we certainly don't have the benefit of any kind of a cost analysis comparing those alleged costs against the for-certain costs of implementing the smart card system as it's being proposed.

We would have the costs of new cards. We'd have the costs of computer equipment. We'd have the costs of auditors. We'd have the costs of maintenance. The original estimate for each card was that they would cost \$5 each. This is exclusive of any cost of maintaining the system, installing computers, debugging the software, upgrading it, issuing replacement cards. This is just the initial cost: \$5 per card. Now, the cost of issuing a card for every Albertan would be somewhere between \$12 million and \$13 million. Total start-up costs are estimated to exceed \$50 million for the hardware and the software. This means that we're looking at somewhere between \$60 million and \$70 million at a time when we're trying to save money in health care, at a time when we just moments ago heard members from the Conservative caucus argue against preventative health legislation on the basis that it might cost too much, if you can believe that, arguing against regulations about preventing young people from smoking on the basis that we couldn't afford it and that it was too much regulation, it was too

much government interference, it was too much red tape. Now we have a motion that clearly sets up all kinds of government bureaucracy, clearly creates all kinds of new expenses, and clearly is far more interventionist into the lives of ordinary Albertans than any preventative health legislation would be, yet we don't see the two positions reconciled.

Well, in my mind, Mr. Speaker, it seems to me that the perceived benefit of these smart cards does not in any way equal the costs. Since we don't know what the extent of abuse is, if there is abuse, we don't know who's doing the abusing, and we clearly don't know at what point we can stem it or where we would attack it, what makes us think that spending \$60 million or \$70 million on computer wizardry would be helpful? As I say, it's a good idea whose time has not yet come.

Mr. Speaker, this government also has a dismal record when it comes to protecting the confidentiality of Albertans. There is in fact a Bill that was passed known as Bill 18, which is the Freedom of Information and Protection of Privacy Act, but this government has not proclaimed that yet. Albertans have no protection of privacy in law according to this government. We've seen the government dispose of used computers with government records on them, personal and confidential records of employees of the provincial government, gone to the lowest bidder.

Mr. Speaker, we know that this government is proposing other legislation that would open up the Alberta Health Care Insurance Act to collect and then distribute more data than ever before, yet here we have the government proposing to put a computer chip in the pocket of every Albertan so that everybody would know everywhere they'd been, so that we would be able to track every one of their interactions with the medical and health community.

Mr. Speaker, I'd like to know why a physiotherapist would need to know that a patient was treated for alcoholism, why a pharmacist would need to know when I had my last surgery, or why an employer perhaps would have the right to know, when it comes to assessing my health, whether or not I have tested positive for HIV or some other condition. The danger that this information could be used against the wishes and against the best interests of individual Albertans is just far too great to put that kind of power into the hands of this government.

Now, there is a danger that this card could be expanded. The Minister of Municipal Affairs has talked about a smart card being used potentially for everything. It could be used for licensing. It could be used for hunting and fishing licences. It could be replacing drivers' licences. It could be one card for everybody. Once this system is in place, there would be very little to stop the government - in fact, there would be a certain Tory logic that says: "Well, we've already got the cards. We might as well use them to their fullest extent, and why don't we just put electronic information of all sorts on that card?" Then, of course, the risk of that information being used incorrectly is just made much, much worse. The use of the card to document the entire relationship between a taxpayer and its government and then that information being available in a centrally accessible place is a risk that I'm not willing to support.

There are some other concerns that I have about this motion and what it might mean to Albertans. This government seems enchanted with the South Pacific country of New Zealand. It's a lovely place. I've visited it and enjoyed my visits there, but I can tell you that I don't want to emulate their social or economic programs. Now, in New Zealand when they implemented smart cards, what they did is they actually used them as credit cards, if you can imagine, Mr. Speaker. They defined a limit that each

person could have on their card. The purpose of the card was not to track use; it was not to make sure that people didn't get the wrong prescriptions; it wasn't to make sure that people weren't somehow being treated properly. The purpose behind those cards was to guarantee that nobody could access a medical or health service once they had blown their credit limit. So the government from time to time, as a matter of policy, would decide who would receive what quantity of health services during what period of time, and if you blew your credit limit, that was it; you were out of luck. Now, since this government seems to be following New Zealand's lead in so many other areas, my concern is that they might be tempted to follow New Zealand's lead in this regard as well.

Mr. Speaker, similar health cards, smart cards, have been put into place in other jurisdictions, notably in the United States. But I'd like to point out that in most U.S. jurisdictions where these smart cards have been implemented, those same jurisdictions have implemented legislation giving consumers the right to access and, most importantly, correct the computer-based information held by government about them.

Now, as my colleagues on both sides of the House who along with myself traveled this province consulting on the freedom of information and access Bill will recall, one of the paramount concerns that Albertans raised was their ability to know what it was that the government had on them, what it was that the government knew about them, what information it was that the government held in what data banks, and they wanted the right to access that information and to ascertain that it was correct and to have the ability to correct that information if it was faulty. Without such legislation or provisions in this province, Mr. Speaker, smart cards are very problematic.

Mr. Speaker, there are other jurisdictions that have reviewed the issue of smart cards and have rejected it. They've rejected it because of the cost. They've rejected it because of the threat to privacy. They've rejected it because they understand that it is not an efficient way to deal with escalating health care costs.

4:10

Mr. Speaker, in sum, I can't support this motion until legislation is in place prohibiting so-called credit limits being imposed on individuals. I can't support it until the passed but not yet proclaimed freedom of information and privacy Act becomes the law of this province and is respected by every member of the government. I can't support this until companion legislation is in place to give consumers the right to access and correct computer-based information held by government about them.

In closing, once again I'd like to thank the member for bringing the motion forward and for having this debate raised in the House. I'd like to suggest that he hold his motion in abeyance, however, until this government can properly deal with studies to detail where the abuse is in health care and come up with strategies to deal with that in a realistic way that does not threaten the privacy of individual Albertans nor would burden our precious tax dollars.

Thank you, Mr. Speaker.

MR. ACTING SPEAKER: The hon. Member for Bow Valley.

DR. OBERG: Thank you, Mr. Speaker. It's certainly a pleasure to stand up and speak to this Bill. I think it raises some very interesting discussion, as the previous member before me alluded to. I think there are a tremendous number of issues that this single motion has brought forward. It is not the whole concept of putting a person's health information on a little card, but the

issues actually go considerably further than that. The previous speaker came from the approach that the smart cards would be used to detect abuse to the system, to determine who was abusing the system, as opposed to providing better health care for Albertans, and I think that's a very important distinction, Mr. Speaker.

One of the problems that has occurred in health care in Alberta is the lack of information transfer. At the present time in Alberta there is no such thing as E-mail between hospital facilities in Alberta, and I think that's a travesty. If you have a chest X-ray in Brooks, there's absolutely no electronic method to cause that X-ray to go to Edmonton, and subsequently what happens is that there's a large amount of duplication purely because there's not access to this information. By exposing a patient to an X-ray twice, you've actually decreased his health. You've caused him a risk, which actually, to put it down to the broadest context, could have been simply erased by information transfer.

MR. SAPERS: You don't need smart cards to do that.

DR. OBERG: The issue here is not information on the back of the card. The issue here is not abuse of the system. The issue here is providing better health care to Albertans, and the previous speaker did not touch on that.

The cost analysis that the previous speaker spoke to is very, very simple. All you have to do is look at the amount of duplication of tests in Alberta. I would put to you that in the simple aspect of laboratory tests there is probably 15 percent duplication in this system alone, and I have a great deal of evidence to show that. Mr. Speaker, in laboratory tests alone that accounts for about \$25 million to \$30 million. That's a large amount of money right there. You can take that forward to people who see one doctor in Brooks, drive to Calgary and see another doctor, and that information is not passed along, because there's no mechanism to pass that information along, and tests are duplicated. You say, "Well, that's abuse by the doctor." I disagree that that's abuse by the doctor. What that is is the necessity of having the results of that test at that moment in time, and at the moment there's no method by which that electronic transfer can take place.

The previous speaker did raise some good issues.

DR. L. TAYLOR: No, no.

DR. OBERG: Yeah, he did. Probably the biggest single one that he raised was the whole issue of privacy and ownership of information, and I'd like to address that in due course.

Probably the best way that I can start off this discussion is essentially by saying "in the beginning," because things have not changed in the transfer of medical information for a long, long time.

DR. L. TAYLOR: In the beginning there were doctors.

DR. OBERG: No. In the beginning there were something else: there were barbers.

When a patient comes in to see a doctor – and I will say today that it is a bit of an embarrassment to me. I take out my pen and paper, and I write down on my chart my notes about that patient. That patient has no access to that chart. Those charts are transferred to another doctor when that doctor sends me a letter in the mail, you know, three or four days down the road, and I transfer the charts up to him. They are very fortunate if they can read my writing, which leads to poor patient care. This example

is committed thousands and thousands of times a day in Alberta. This problem has really been recognized.

I'll go through just a few of the problems that occur presently in Alberta. First of all – and the previous speaker alluded to this – consumers do not have easy access to their health information. A provider orientation to information and information technology still exists. Fragmented governance of information and information technology means we have islands of technology around there that can't talk to each other. There's no comprehensive consumer health record. There is information technology that has basically been used to replace manual, paper-driven processes without any thought given to what information actually needs to be there. There's inefficient use of data. There are islands of automation, which to coin a phrase essentially means that there's probably 50, 60, or 70 different computer systems in the health care network today in Alberta and not one of them can talk to the other one.

The problem is that there's a lack of a single, comprehensive telecommunications network for the health system, and this alone in Alberta is costing the Alberta taxpayer upwards of \$200 million a year.

MR. SAPERS: What's that got to do with smart cards, Lyle?

DR. OBERG: It is also leading to a decrease in patient care and the health of Albertans. So I think it's critical that we move towards this.

The member opposite asked what this has to do with the smart card. It's very simple. A smart card does not mean that you carry your health information on a card. What you do is you access that information through a central bank. It's the co-concept, as the Member for Olds-Didsbury alluded to, of an analogy to a personal banking machine as opposed to a credit card machine where you have your name on the back.

The whole concept of who accesses that is an extremely critical one, and that's one that is very easily solved. This presently is taking place in Saskatchewan, where the consumers in Saskatchewan give a number to the pharmacist and the pharmacist can only access certain information. What will happen is that if there's a drug cross-reaction or if this patient has received the same prescription from another physician, it does not come up on the screen that this is what the problem is. What comes up on the screen today, Mr. Speaker, in 1994 is simply to the pharmacist: do not fill prescription. That protects that patient's privacy, and that's a critical component. This technique can be carried forward to lots of different applications.

I'd like to briefly digress to about five years ago when the report of the Advisory Committee on the Utilization of Medical Services took place. Basically what they did is analyzed the status quo and stated that an ideal health information system would need to link data from data bases in the health system, which is essentially what I just stated. The need to monitor the health status of the population and specific subgroups or regions. The analysis of goals, objectives, and performance measures of the health system and regions must be tracked and must be analyzed on a region-by-region basis. Health care needs are not the same, health care outcomes are not the same all across Alberta. Detection and correction of deficiencies, including inappropriate utilization within the health system and within regions. Improving the continuum of care so patients can move seamlessly between providers and facilities within a region and between regions. This is what I was stating that does not occur at the moment, Mr. Speaker, where your records from your heart attack that just

recently happened would not be transferred to myself in Brooks if you came to see me. Improving the quality of care provided by all types of health practitioners by providing timely access to patient information at the point of service.

One of the examples that the speaker from Olds-Didsbury raised was the issue of carrying a card and when the ambulance picks you up and runs it through the system, your health information would automatically show. Well, I think that's correct but in the wrong order. They should have a health screen where you'd punch in the number that is on that case, you punch in your own identification number, and the essential information to cure that patient at the scene of the accident is then displayed on the screen, not whether he had an STD three years ago, not whether he tested positive for hepatitis. That would not come forward. However, this is what the speaker from Olds-Didsbury was alluding to. We have to improve the communication with the consumer and the knowledge of consumers by providing relevant information about their health and the use of the health care system, such as the member beside me trying to fall asleep here.

[Mr. Deputy Speaker in the Chair]

Very briefly, then, the issues that I am talking about, as you may have gathered, Mr. Speaker, have absolutely nothing to do with technology. The issue is not whether or not the PC can do this. The issue is not whether the information is on the back of the card. Those have nothing to do with it. The technology is there. The old phrase, "If we can put a man on the moon, we can do this," applies even to the nth degree.

4:20

The number one issue: what information needs to be collected? Presently in Alberta Health 20 percent of the information collected is actually used. We have to determine what information is needed, how we're going to collect it in a standardized form, and what we're going to use it for.

Number two – and I give the member opposite credit for bringing it up because it's a critical issue and may well be the single most important issue in health care information and health care technology – is: who owns the information? How are you going to control access? Does the doctor own the information when he writes a note about a patient? The answer: probably not. Does the patient own it? The answer: probably not. Who can access it? Who can access the information about a lab test, about a drug, about drug interactions? Very critical issues have to be looked at. There are a lot of ways around that. We can look at forming a health utilities board to look over the ownership of this information and, probably more important, the access to this information. Very critical, a very critical issue.

Mr. Speaker, I think the whole idea of technology and technology transfer in health care is probably the most critical issue that we as the government of Alberta are facing in 1994. It is an issue that can save us millions and millions of dollars as well as benefiting patient care, and I think it behooves the government of Alberta to look into this with all seriousness and designate funding for it. I think we have to see a system where I can walk into a practitioner's office and he will instantly know what information he is entitled to know about me. I think that's critical. When I have my heart attack at a very young age, I want them to know what medications I'm on. I want them to be able to have that information immediately and act accordingly on it.

DR. L. TAYLOR: That's wishful thinking on our behalf.

DR. OBERG: Thank you for that vote of confidence, hon. member.

The bottom line: I feel that we all should support this motion. The issue is not the issue of the technology. The issue is the information and information transfer and the necessity of this occurring for the health of Albertans, for the taxpayers of Alberta who presently are paying for the duplication of services.

Thank you.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to speak in favour of this motion. I certainly have the utmost respect for the Member for Olds-Didsbury, and while I have some reservations, I think we're going in the right direction with the suggestion of the introduction of smart cards. I supported it at the time when the Hyndman report, or, as it was also known, The Rainbow Report, recommended that we look at introducing smart cards.

Now, I certainly recognize that the whole area of confidentiality has to be addressed in a very meaningful way, because indeed one of the things that we see increasingly as we move along in high tech is confidentiality not being respected to the level that it should be, Mr. Speaker. I'll use an example. In fact, I've been going to table it in this House. When we get the Rutherford awards, I'm appalled to see that the students' SIN numbers are on the information that's communicated to MLAs. Now, your social insurance number is supposed to be the most confidential number that you can have, yet we as MLAs are privy to students' SIN numbers. So I'm saying that when we get into smart cards – and I can see some people shaking their heads, but let's face it. If we in a democratic society cannot recognize what confidentiality is, we're indeed in trouble.

Now, I firmly believe that smart cards would bring a level of efficiency and would improve the quality of care within our health care system. I'm not going to profess to be as well informed as the Member for Bow Valley when it comes to the health care field, but one area where I can see that the quality of health would be improved and efficiency would free up some money is where indeed people suffer from a significant illness. I can mention a number within the autoimmune diseases, be it rheumatoid arthritis, Crohn's disease, scleroderma, or Wegener's granulomatosis. These tend to be rare diseases. There's nothing more frustrating than when an individual goes into a chronic situation and during that chronic situation they have an acute phase, they end up being admitted into a health care facility, and they have to describe their illness and go through hours of information being shared to the new physicians, the nurses. This is painful for the person sharing that information because often the information that they're sharing is questioned.

With a smart card, if it does the job that I'm assuming – and that's where we can get into some problems, because assumptions can certainly make an ass out of you and me – it would immediately give that health care worker the appropriate information to ensure that that person gets the appropriate treatment in a timely manner, not two hours or three hours down the road.

I can give an example. As many of you know, last January, unfortunately, one of my daughters took very ill in British Columbia, and the stress that you experience during a transfer resulted in me leaving all the medical information on the flight from Prince Rupert to Vancouver. There I was at St. Paul's hospital, and all the information for my daughter was up in a

plane somewhere at the Vancouver airport, so naturally we had to start from square one. Now, I would suggest that if we had a smart card, that would never have happened. We're talking about confidentiality. I don't know who ended up with all my daughter's information, but somebody certainly did. So I think we've got to be careful when we're moving into new technologies, but don't let the bogeyman scare us away from this because I'm convinced that this is the right direction to go.

I also say to the members across the way who were shaking their heads when I was mentioning about confidentiality and SIN numbers: don't make light of that. When we move into new technologies and try to make sure that the health care dollar is spent in the most effective way, we'd better be respectful of confidentiality, because the very thing we're trying to achieve by using the technologies will not be achieved because Albertans will object to that and object to it very strenuously.

The other area that I would also question – and I'd certainly like the Member for Bow Valley to address this – is: through smart cards you're limiting the experience of young physicians who are training during that process, because the smart card will tell them what's wrong with the person or what has been wrong with the person. Right now, quite frankly, the young doctors in training use the patient to learn through a questioning period, without all the test results and everything being there.

So it has some negative sides to it, and while I support this motion, I think the government has got to do a better job of knowing what indeed the parameters of this smart card would be, how indeed it would make the health care system efficient and effective.

I believe, Mr. Speaker, that my time has elapsed.

MR. DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Clover Bar-Fort Saskatchewan, but the time limit for consideration of this item of business has concluded.

head:

Government Motions

Auditor General Search Committee

30. Moved by Mr. Evans on behalf of Mr. Day:

Be it resolved that the report of the select special Auditor General search committee appointed by this Assembly on November 9, 1993, and revived on May 18, 1994, be now received and concurred in.

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

MR. BRUSEKER: Thank you, Mr. Speaker. The motion before us today, to read and receive the report, I just wanted to speak briefly to, having had the opportunity to be one of the members of the committee involved in the search for the new Auditor General. The committee, of course, was made up of both parties of the Legislature, and we have before us now a report which recommends a particular individual as the successful candidate, Mr. Peter Valentine.

4:30

Mr. Speaker, the process that we followed in finally selecting an individual to be the new Auditor General to replace Donald Salmon, who retired I guess six months ago or so, the end of March, was fairly lengthy. The Member for Red Deer-South was involved, the Member for Taber-Warner, the Member for Calgary-Cross was involved, as was the Member for Edmonton-

Mill Woods and myself. The committee searched long and hard and came up with an individual who we believe will be a good candidate and a good Auditor General and will serve this province well in the position.

So indeed, Mr. Speaker, I would suggest that all members of the Legislature support the motion we have before us today.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I feel compelled to speak on this appointment as well. Some people might feel that I'm a little bit biased in this appointment, but I do know the individual that has been selected for the appointment of Auditor General, and quite confidently I can say that this individual, Peter Valentine, is more than adequately qualified for the position. His technical skills I think – I don't think; I know. He has a lot of experience in financial disclosure matters, in the area of auditing, and I think his skills are going to be something that this Legislature will look forward to in the type of disclosure that I think we need. He brings also to the job a very high standard of ethics and morals, and his reputation in the business community is very well regarded. I look forward to him starting, and I'm sure he looks forward to getting started.

So with that, I would urge the members of this Assembly to approve his appointment. I have no further comment.

Thank you.

MR. DEPUTY SPEAKER: Are you ready for the question?

The hon. Deputy Government House Leader has moved Government Motion 30. All those in favour, please say aye.

HON. MEMBERS: Aye.

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

The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. I request leave of the Assembly to give unanimous consent to waiving of Standing Order 38.1 in order that I may present the following government motion.

Be it resolved that the change to the membership of the following committee be approved by the Assembly: on the Standing Committee on Public Accounts that Ms Haley replace hon. Mr. Lund.

MR. DEPUTY SPEAKER: The hon. Deputy Government House Leader has asked for unanimous consent to proceed with his motion, so unanimous consent is on the proceeding, not the motion.

All those in favour of now hearing the motion, please say aye.

HON. MEMBERS: Aye.

MR. DEPUTY SPEAKER: Opposed, please say no.

You have unanimous consent, Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker.

Committee Membership

Moved by Mr. Evans:

Be it resolved that the change to the membership of the following committee be approved by the Assembly: on the Standing

Committee on Public Accounts that Ms Haley replace hon. Mr. Lund.

[Motion carried]

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

Bill 41 Government Organization Act

[Adjourned debate October 24: Dr. Oberg]

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

MR. SAPERS: Yes. Thank you, Mr. Speaker. I'd like to enter a few comments on Bill 41. While Bill 41 appears to move the government along a path of deregulation and downsizing and efficiency, what it really does is totally undermine the parliamentary process as we've come to appreciate it in this country and in this province. Bill 41 has just too many flaws and just goes too far too fast. It is very clear that this government's strategy, particularly in this session . . . [interjections]

MR. DEPUTY SPEAKER: Order.

MR. SAPERS: Thank you, Mr. Speaker. It's very clear that this government's strategy, particularly in this particular session of the Legislature, is to paper the corridors of this Assembly to the point that nobody can wade through it. We've seen an onslaught of legislation in the opening days that is almost unprecedented. Bill 41, which was attempted to be sloughed off as merely housekeeping, is a total reorganization which would, as I say, undermine the kind of tradition that we've seen.

One thing that's happened since June 15, 1993, is the slide towards government behind closed doors, the move towards government by regulation, certainly not government by legislation. More and more often we've seen government Bills, the real meat of the Bills, being left to a section that says, "and the minister may" or "by order in council regulations may be made." Any of the substantive areas that we have to deal with in social services, in health, in education, in government reorganization are now being left to either a minister's discretion or the discretion of cabinet. This, Mr. Speaker, is unparliamentary and it's undemocratic, and it's certainly not in the best interests of the people of this province. It limits and diminishes the role of every private member in this Assembly. The people of this province elected 83 representatives to the Chamber, not just 15 or 16 or 17 or whatever today's count happens to be.

Mr. Speaker, Bill 41 would have the government delegate a wide variety of decisions to nongovernmental entities that would not be held accountable in the way that Albertans would demand they should be. It would delegate responsibility for a variety of activities that could never be questioned in this Assembly. The makers of those decisions could never be held accountable. Bill 41 would limit the role of the Legislature in a way that has never before been seen in this province.

Now, earlier debate has already focused on the sweeping nature of Bill 41, has already focused on the antidemocratic nature of Bill 41. I don't really want to belabour that, Mr. Speaker, but I just think it's important that for a government that claims to be open, for a government that claims to be listening, for a government that claims they want to be accountable to then table this

kind of legislation and then call it housekeeping is shameful. In fact, it almost borders on being deceitful because it is very misleading. It's very misleading in terms of its intent, and it's very misleading in terms of its impact.

Mr. Speaker, I can't support Bill 41, and I would suggest that no private member in good conscience, doing their job, could support this Bill.

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

MRS. ABDURAHMAN: Yes, Mr. Speaker. I rise to speak against Bill 41. The content of this Bill is everything that I abhor, what I've seen in the political arena for the past decade and a half. I honestly can't believe that a government who is professing to be open and accountable and restoring trust and integrity for Albertans would have the audacity to bring Bill 41 forward. For private members in this Chamber to sit and accept and support Bill 41 is a blow to the democratic process.

I have been appalled, quite frankly, that we as Albertans have not recognized that the democratic process in Alberta is not well and alive within this Legislature. It is run in such a way – and this goes back to the early '70s – that the power in the so-called democratic process belongs within the Executive Council. Quite frankly, Mr. Speaker, I'd probably be even more mad if I was sitting over on the other side of this Assembly as a private member to have myself rendered even more impotent than I am at the present time, yet we see so-called men sitting there accepting a Bill of this nature.

4:40

Mr. Speaker, I would urge the private members to look closely at this Bill and see what it is that they're supporting. I'm hearing a member saying, "We did." Well, I would say that it's even more shameful if they've taken the time to scrutinize the Bill and they're still going to support it. What does that say for their credibility? Not very much.

Why I'm standing up here today and making my statement is because I want to protect what little is left of the democratic process in the province of Alberta, not only for my children but for my grandchildren, and you don't do that by supporting a Bill of this nature. I'm not going to say anything further about it because, quite frankly, it doesn't deserve much further discussion. It's as I say, Mr. Speaker: an insult to Albertans.

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

DR. NICOL: Thank you, Mr. Speaker. I want to say a few words on Bill 41, the Government Organization Act, as well. I remember at the time we had our election, a little over a year ago now, that one of the things we heard most of all going out campaigning was that the people of Alberta, especially in my constituency, Lethbridge-East, wanted to see a major commitment on behalf of the government to openness, to transparency, to the ability to see what the government was doing and how it was working, to look at the different aspects of who had the authority, who was going to have responsibility for different aspects. I see Bill 41 basically violating a lot of these wishes or requests that the people had when they elected me to this House, and I find myself now in a situation where I just basically cannot support this Bill.

One of the reasons is that basically what we're doing here is giving the government the authority to create new departments, to create a reorganization of government without any kind of a

public debate. If we wanted to put together new focuses on government, these are the kinds of things that should be done out in the open, should be done through public debate so that all of the representatives of the people of Alberta get a chance to voice their opinions as to the need for a reorganization, the need for a new department, or the need for an elimination of a department. The idea that the Act puts all of this kind of restructuring and reorganizing of government into the hands of Executive Council and the Lieutenant Governor basically takes it out of the public process. We're elected by our constituents to come to Edmonton and participate in this public process which deals with the organization of the government, the focus of the government, and the process of government. This Act is basically going to take all that out of the hands of the people of the Legislature and put it into Executive Council, and, Mr. Speaker, that's not an acceptable new way to deal with government in a time of openness and a time of accountability to the people of Alberta.

One of the other aspects of the Bill that I find quite hard to take is the power that's given to ministers under the Bill to deal with the identification of agencies – or as they call them, delegated regulatory organizations – to deal with the implementation of the programs and the processes that are associated with their department.

Mr. Speaker, I think it's on record quite well that I'm not totally opposed to privatization. I think there are a lot of places that organizations outside of government can function as effectively if not more effectively than government agencies. But the uncontrolled ability of a minister to implement these kinds of agreements or these kinds of administrative processes and structures is a little bit more than what I think is appropriate. If we're going to start creating functions and processes that are mandated by the government and requested by the people of Alberta, how that organization is set up and the form that it takes and the process that it goes about in setting it up should be debated in the Legislative Assembly. It should be debated in public and the process made available to the people of Alberta so that they can voice their opinion through their elected representatives. So what we see is a Bill here that really takes the whole process of defining government, defining government process and puts it into Executive Council behind closed doors where it doesn't come out.

Mr. Speaker, the argument that consultation goes on by the government through processes of selecting people, through an invited roundtable, or through community panels in essence doesn't provide enough public exposure for the people of Alberta to justify this kind of change in regulation or this kind of change in process. The people of Alberta elect their members to come to Edmonton, to come to this Legislature and speak on their behalf and carry their views as to how government should run and what form it should take. If the government really wants to deal with consultation of the people, they can deal with that consultation through the legislative process by allowing all of the members to get up in this Legislature and speak on how they view and how their constituents view changes in structure and changes in organization of the government.

So, Mr. Speaker, on that basis I think I would have to recommend and have to ask all of the members of this Legislature to really look at the implications of this Bill and to vote against it when the question is called.

Thank you.

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

MR. BRUSEKER: Thank you, Mr. Speaker. In reviewing this Bill, I had the opportunity to take some time and highlight a few things here and there that were kind of interesting I found. Much of it is I guess relatively innocuous enough from the standpoint that we're going to change a few titles and shift a few things around. It seems that the new Premier would like to have some new titles for his ministers, and much of that is the kind of inconsequential sort of stuff which seems to be all right.

Once you get past that superficial layer, however, you run into some real difficulties. I guess it comes down to the issue again with respect to ministerial powers and the issue that my colleague from Lethbridge-East just referred to, which is the whole idea that government in fact will be operating here in the legislative Chamber in the Legislature Building where government is supposed to be involved. But in fact what this Bill proposes to do, the way I read it, is to delegate much of the responsibility of government and therefore much of the accountability of government to nongovernment agencies or nongovernment organizations. We've already heard the Premier talk about creating a new economic development authority. Currently we have a Ministry of Economic Development and Tourism, which was an amalgamation of two previous departments we had: economic development and trade and the department of tourism. Now what we have in this particular Bill that we have before us today, Bill 41, is no mention of economic development at all. The reason for that, of course, is that the Premier proposes to develop an authority which will have no accountability back to the people of the province of Alberta.

So the difficulty I have with this particular piece of legislation is that by creating all of these private bodies and authorities and boards, et cetera, in fact you're not going to get the direct accountability. If we have a Minister of Economic Development and Tourism in the government – or I guess we used to have one – there is an accountability that occurs every four or five years under the Constitution wherein the government is required to go back to the people and say: "Okay. Here is the track record of the government collectively, here is the track record of individual members . . . [interjections]"

MR. DEPUTY SPEAKER: Order please. Just one speaker at a time.

AN HON. MEMBER: Yes, Cypress Hills.

4:50

MR. DEPUTY SPEAKER: Hon. member, we've asked for order, not for rejoinder.

Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. Continuing on. . . . and here is the track record of the individual cabinet ministers." So having this kind of a piece of legislation, which delegates and in fact requires the delegation for the government to operate, suggests that many of these things that are currently under the auspices of government will no longer be held accountable. Much of the difficulty I have with that is that when we get into future debates in this Legislature, I expect that many of the cabinet ministers who will be in charge of these newly reformed, redeveloped, and in some cases renamed departments will stand up and in response to questions put forward by members of the opposition will say, "Well, gee, that's not really my responsibility; I've delegated that responsibility to this board," body, agency, or what have you. The end result is that Albertans will be getting answers to legitimate questions that make no sense.

When you look at – and it's in almost every different section – the ability of a minister to delegate or to create a board, it's outlined in virtually every one of the schedules that are appended to the back of the Bill, starting at page 41 on the Bill. There are in total, I believe, 14 schedules that talk about a variety of different issues and talk about how the ministers will deal with those issues. Some of the schedules are mercifully short. For example, I look at the one describing education. Agriculture I believe was also similarly short and is in fact one sentence. But when you look at the one sentence, what does it really tell you that the minister in that particular portfolio is going to do? It says that, well, he's going to do anything that's assigned to him under that responsibility, being responsible for, in one case, agriculture and in one case education.

So when we look at that, it really doesn't tell us much of what the minister in the respective portfolio is going to be responsible for, because there's no real description here in one sentence that simply says: "That part of the administration of the Government relating to . . ." blank, either agriculture or education, in this particular case ". . . is under the responsibility of the Minister." That's all it says. It doesn't tell us what's going to happen with other relating pieces of legislation. I suppose a more careful analysis would show how the impact might be on delegation of relating pieces of legislation, but it's not clear from what we have in this Bill before us today.

Mr. Speaker, the other concern that I have. Of course, in many places you've got the concern that I see many, many times, and it doesn't really define it one way or another. "A Minister may" is a phrase that's used in many, many locations. In one of them, in section 12, it says:

A Minister may charge fees in connection with the provision of any service, et cetera, et cetera, et cetera. Further on it says:

The authority to charge a fee . . . is in addition to and not in substitution for.

So here we have a government that is obviously bent on, at any cost and at all cost, the elimination of the deficit. Nothing wrong with that. But the concern I have here is that there's apparently no limit being imposed in this section. Ministers can do virtually what they will at any time for any reason. I would suspect, given the bent of this government in terms of – and obviously some ministers like that proposal – that orientation, what we may see is indeed an increase in the number of taxes and fees and licence fees and so on and so on that we've seen going on in the past.

DR. WEST: Question. Question.

MR. BRUSEKER: I have a great number of questions, and I will look forward to your answering them in the near future, hon. Minister of Municipal Affairs, but I shall pursue a few more of them.

I guess one of the questions that I have is what the intention of the government is in that regard. We've seen in the last budget an increase of gosh knows how many new fees, licences, et cetera, which the government likes not to call taxes but indeed are a new form of tax. In fact, the front page of the *Calgary Herald* today talked about government speculating on a new tax, the health care eye tax, that they're going to charge people. Perhaps another term might be deinsuring, but the bottom line is that more dollars are going to come out of your pocket, Mr. Speaker, and all other Albertans' pockets because health care and eye care is an important issue to a good number of Albertans.

So we already pay taxes in this province. We have a Provincial Treasurer who is responsible for that duty, to collect taxes, and now we're going to have to create I guess a whole new bureaucracy or probably a bunch of bureaucracies to collect all of the different taxes and fees that are going to be instituted under this section 12. [interjections] Yeah, maybe they'll privatize it all out, and maybe eventually we can privatize this whole Chamber. I bet he's already taken the measurements. The Minister of Municipal Affairs probably has already figured out whether he can make this a two- or a three-bedroom suite and has probably calculated the rent he can get on the legislative Chamber.

DR. WEST: It's going to be a cathedral on the weekends.

MR. BRUSEKER: A cathedral on the weekends. [interjections]

MR. DEPUTY SPEAKER: Order. Through the Chair.

MR. BRUSEKER: Sorry, Mr. Speaker. I didn't realize I was getting them so agitated with my comments, but the concern, I guess, is pretty clear.

Let me move on to a couple of other concerns that I have – I've got to find the right tab now – because I did have a couple of them. Mr. Speaker, one of the concerns that I've raised before in the Legislature about other pieces of legislation that again resurfaces today with this particular piece of legislation deals with the issue of regulation. As I was going through – I'm looking in the section that I think is entitled transportation matters. Again there's a long, long list. The transportation safety branch – and then we get to one section and there's a whole long list of a variety of things that says that the minister may make regulations and then lists all of those kinds of things. Again, as my colleague from Lethbridge-East points out, what is to prevent the government from changing regulations from day to day, month to month, year to year, or whatever? The difficulty for the people in the province of Alberta is that they don't have any public notice because nothing is happening in a public forum, which is what this legislative Chamber of course is. What it is, once the election is completed, is virtually a dictatorship, because the government can do what they will, as they will, without being accountable to the public. For that reason alone this Bill should fail, but there are other reasons that I'm sure will be of importance to other members.

DR. WEST: What's inflaming me is standing and talking like that.

MR. BRUSEKER: Well, if the member is burning up across the way and being inflamed, I guess that's a concern he'll have to deal with.

Further on, again we get onto an issue of course near and dear to my heart; it deals with education. Again there's a good long list that deals with education regulations, on page 29. It says that the Minister of Education can make regulations doing a whole variety of things, including concerning certification, qualifications, prescribing fees, certification of teachers, and the cancellation and suspension of certificates, all of which may be done by regulation, all of which may change, therefore, very much at a whim, as it were, as time goes along.

One of the most interesting ones though, Mr. Speaker, I found dealing with the labour statutes delegation. What I found interesting with this was – it almost boggles the mind, but I would

like to just read it into the record because it's really interesting. It says that "the Lieutenant Governor in Council may make regulations" delegating to one or more persons, who in turn may make regulations. So they're going to create regulations describing how regulations can be made. Then it goes on in the next page to say that such a delegated person under those regulations may in turn make rules. So we're going to have regulations about making regulations, and then that person under the regulations can make rules.

DR. WEST: Not mine.

MR. BRUSEKER: Well, it's not this hon. member's portfolio yet, but given the way that cabinet portfolios can be reassigned, you just never know. It might be yours next week. It might be yours, hon. minister, next week.

So you're going to have someone making regulations about making regulations who in turn can make rules, and the end result will be who knows what. That shows the absurdity of delegating, delegating, delegating. What we see in this piece of legislation many times is the term "a delegated person." I use that term because it's a term that's mentioned in this piece of legislation in several different places.

Well, Mr. Speaker, I believe that the people of Alberta have decided who their delegated persons are, and they're sitting here in this legislative Chamber. It's called an election. It's called representation of the people. It's called democracy. It may be a new concept to the members opposite, but I understood they got elected in virtually the same sort of process that we got elected in over on this side of the House. It seems to me that although it's not perfect, it seems that although they may not have the same respect for that process perhaps as other members do, it is in fact the process we've got. So Winston Churchill, I think, described it as the worst system in the world until you compare it to all of the others and then it's not so bad, and indeed that is certainly the case.

5:00

So, Mr. Speaker, I have a great number of concerns with this piece of legislation. I guess because the minister is here and is offering some thoughts from time to time, I thought I might just turn to the section that deals with municipal and consumer matters, because this indeed is a matter of concern. I've highlighted a few sections that caught my attention. In particular, given the track record of this government, one of the things it says – and it's there again – is: "The Lieutenant Governor in Council may make regulations." I thought: oh, no; what are they going to do now? Authorize the minister to make loans. Oh, not again. Here's a Bill that says they're going to give the minister of municipal and consumer matters – I suppose that will be the title when or if we get this passed. We'll have a minister of municipal and consumer matters who's going to be authorized to make loans. I look at the track record of the government in the past with respect to making loans, and I say to myself: we are in big trouble.

MR. COLLINGWOOD: I'm sure they said they weren't going to do that anymore.

MR. BRUSEKER: That's right, hon. member. I thought the government said that they weren't going to make any more loans, but that must be a that was then and this is now kind of a thing. It doesn't say "loan guarantee," so maybe that's the out that the government is looking at. And you know what? Then I read a

little bit further, and not only can the minister be authorized to make loans, but the minister can make regulations delegating somebody else who will make loans. I thought to myself: gee, given the track record of the Alberta Opportunity Company – that is, a \$34 million debt accumulated since it was created – boy, we're sure going to be in good hands when all of this gets passed.

DR. L. TAYLOR: We're the good hands people, Frank.

MR. BRUSEKER: You're the good hands people. Okay. Maybe they're thinking about Allstate. Maybe they should be thinking more Canadian and thinking of all-province instead of Allstate, and then we'd be more on the right track.

The difficulty – and this is under the Department of Municipal Affairs, and I'm sure that given his fiscal conservative side, the Minister of Municipal Affairs that we have currently, who I guess will become the minister of municipal and consumer matters, would have to be absolutely incensed that this would occur, that someone would want him or someone else who's perhaps not as fiscally conservative as he is to start making loans on behalf of the government or, even worse, delegating that responsibility to someone else who's going to make loans without him even knowing it. So someone such as myself could stand up in question period . . .

DR. L. TAYLOR: Don't speak of our comrade in those terms.

MR. BRUSEKER: Speak of your comrade? Yes. Comrade . . .

SOME HON. MEMBERS: Comrade minister.

MR. BRUSEKER: Comrade minister. That's an excellent term.

The difficulty is – and this is where I'm speaking on his behalf, because I know that he's concerned about it – suppose this in fact gets passed. Suppose for a moment that they all stand up and support this, and I'm sure that won't happen, Mr. Speaker. But suppose indeed that this gets passed and the minister of municipal and consumer matters – I'm using the new title – delegates the responsibility to make a loan that goes sour. Let's say that it's a loan to MagCan; I don't know. Mind you, that would be a little long. In fairness it does talk about housing, so let's presume that the government decides to put up a new housing project or even just buy one, because it says that it could buy one, or the cost of providing sewer, water, and other utilities in respect of housing. I say to myself: under this portfolio, it's possible that someone might delegate – a minister – to someone else the authority to go out and buy Alberta Power. You could delegate it out to someone who's appointed to that position. Maybe the Member for Barrhead-Westlock would be an appropriate delegated authority. Then suppose it goes bad. Suppose that the loan goes bad, and all of a sudden the minister has to stand up and be accountable for what someone else has done on his behalf. Now, is the minister going to be able to stand up and say, "Yes, that is my responsibility," or is he going to stand up and say: "Oh, no. I've delegated it off. It's not my responsibility. Someone else has to look after that"? Well, I would think that when we get to the point where Albertans are looking for accountability from the government, they're going to hold the government member or the minister accountable for what has been delegated off from his portfolio to other individuals.

Now, I've just used that one particular example because I know the Minister of Municipal Affairs is concerned about that and I

know that he wanted to have that brought out. So I wanted to bring it to his attention, because when you look at all of the different ways and all of the different areas that regulations can be made and then regulations about regulations being made and then regulations about regulations delegated off to someone who could make rules, the possibility for obfuscation and hiding matters is absolutely mind boggling. So, Mr. Speaker, when you go through all these different areas, there are a number of concerns.

Now, one other concern – and I'm just trying to find the appropriate tab that I've got in here again, and it was under the department of transportation, transportation matters – deals with the whole issue of what ministers can do. One of them just really got to me, and I couldn't help but notice that it was really interesting that under the transportation safety branch section they could investigate you if you had a car accident, they could force you to speak with them, they could tow your vehicle away and store it for 21 days whether you give consent or not, and do all kinds of interesting things. If you choose to comply, that's great, and there's allowance for that. If you choose not to comply, well, that's just the way it goes too.

Mr. Speaker, this piece of legislation is a very heavy-handed piece of legislation. It does not provide the best representation for Albertans. It does not improve the quality of representation that they will get, nor does it improve their accountability. From that standpoint, I would encourage all members to vote this Bill down.

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

MR. ZARIWNY: Thank you, Mr. Speaker. I have some major concerns with this Bill. The Bill attempts to consolidate functions of departments and legislate certain aspects of past failed Bills. Now, reorganization is a way to streamline departments but not to create new regulations and not to delegate powers to nonelected officials. This is what this Bill does.

Now, the overall objective of the Bill seems to be to eliminate duplication and overlap and streamline and standardize government operations, but the legislation gives massive authority to the government, including the privatization of registries, the establishment of DROs in the areas of management of underground storage tanks, to mention a few areas. Government is trying to sneak in major changes in the way that it does business without the subsequent requirement to establish legislation through this House.

Now, Bill 41 follows very closely the government's approach to streamlining any operations, and that's by regulation to regularly devolve and progressively devolve programs and services to the private sector through a means like delegation, joint venture arrangements, and outsourcing, and privatization as well. The Public Service Administrative Transfers Act allows the government to establish departments without legislation. In the past the government has used legislation to create various departments; for example, the Department of Energy. However, the government under Klein has been restructuring departments through the Public Service Administrative Transfers Act without the requirement of seeking legislative authority. Bill 41 allows the Klein government to establish departments solely through orders in council. A good example of that is section 2(1), which states that the Lieutenant Governor in Council may

- (a) establish departments of the Government that are to be administered by Ministers;
- (b) give names to the departments;
- (c) designate the Ministers who are to administer the departments.

It also gives authority to this government to establish and operate any programs or services that they consider desirable in order to carry out the matters under their administration. The example for this is section 8, and I quote section 8(1):

A Minister may establish or operate any programs and services he considers desirable in order to carry out matters under his administration.

Section 8(2):

A Minister may institute inquiries into and collect information and statistics relating to any matter under his administration.

Now, what this does, then, is give the government the authority to devolve essential programs and services to the private sector, again without coming back to this House with subsequent legislative proposals and seeking the approval of this House. It also, for example, fails to list various aspects noted in the Department of Family and Social Services Act. For example, the minister is responsible for establishing a board, committee, or council to assist standards of care provided by daycare facilities. These provisions are not expressly contained in Bill 41. In fact, Bill 41 may be seen as a way of abdicating responsibilities in this area and encouraging privatization of programs in the Department of Family and Social Services.

5:10

Mr. Speaker, that is all that I want to say about this particular Bill, and to me again it's another indication of the government's philosophy of governing by regulation.

Thank you very much.

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

MR. BENIUK: Thank you, Mr. Speaker.

AN HON. MEMBER: Why aren't you out campaigning?

MR. BENIUK: Mr. Speaker, I would very much like to address the Bill, not discuss campaigning. I gather the environment minister wants to get involved in the campaign. I know he's waiting for us to get ready for the next election so we can wipe him out and he's very anxious to lose the next election. But let's get down to business.

The minister of advanced education is doing it again. In this Bill he is putting something in hoping that we do not see it. This Bill, which has a lot of things . . .

DR. L. TAYLOR: Oh, we know that you're smart enough to see it, Andrew.

MR. BENIUK: Pinky, Pinky, Pinky. [interjections]

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: Order. The Chair has directed attention to a certain quadrant of the Assembly and asked for their indulgence by offering at least the courtesy to pay attention to the debate. However, we would invite hon. members who want to carry on lively discussions themselves to do so in the Chamber after they have gotten clearance from their Whip. In the meantime, we would all like to hear the comments from Edmonton-Norwood.

MR. BENIUK: Thank you, Mr. Speaker, for your assistance. I'm sure Pinky will be quiet now that you've advised him to be so.

Debate Continued

MR. BENIUK: There are many provisions in this Bill, but the most interesting is what the minister of advanced education is trying to pull off. If you take a look, Mr. Speaker, on page 41, that minister is inserting regulations clauses. He is putting in provisions for regulations that will open the door to privatize educational institutions of a postsecondary nature. I don't believe this will include universities, the way it's worded, but it will include the Banff Centre, for example, and it could include many other ones. Look at page 41. That minister is asking that this Bill . . .

DR. WEST: You're against King's College?

MR. BENIUK: King's College, Mr. Speaker. The minister of environment – is it? – or the Minister of Municipal Affairs raised King's College. King's College is not owned by the government. This Bill deals with educational institutions that . . . [interjections]

Speaker's Ruling Decorum

MR. DEPUTY SPEAKER: Order. The Chair will give fair warning that he may ask some individuals to depart from the Chamber so that we can hear the hon. Member for Edmonton-Norwood, who was elected like all other members of this Assembly and has the right to be heard.

MR. BENIUK: Thank you, Mr. Speaker. I realize that the winds are blowing from that corner as they do from the southeast, and I will stay to the topic. I find it interesting that both the minister of the environment and the Member for Cypress-Medicine Hat are in the direct line. Be very interesting.

Debate Continued

MR. BENIUK: Mr. Speaker, under section 2 the minister wants this Legislature to approve that he can do the following by regulation. [interjections] I really must bring shades into this House; the fluorescent pink over there is so very bright.

MR. DEPUTY SPEAKER: Hon. Member for Edmonton-Norwood, there is no one who's been elected from such a district, so please would you continue to address Bill 41, the Government Organization Act.

MR. BENIUK: Mr. Speaker, instead of going to section 2, let me go to section 3. Then I'll come back to section 2. In section 3 that minister deals with the following: individuals can donate property to the government. That minister wants us to approve the right that he can then turn around and take that property and give it to an individual. An individual. "A person," it says here. "A person or organization." What person? What individual does he have in mind? We are talking here about . . .

Speaker's Ruling Relevance

MR. DEPUTY SPEAKER: Hon. Member for Edmonton-Norwood, there is a convention that on second reading we talk about the general Bill. Now and again you can make a specific reference to a section in the Bill because it's illustrative of either the good or the harm that you see this Bill doing, but when we start going through it item by item, that is properly Committee of

the Whole, in which you can speak for unlimited times about those items, ask the minister or the sponsor.

DR. L. TAYLOR: Don't say that.

MR. DEPUTY SPEAKER: Cypress-Medicine Hat, would you please refrain from any further outburst? If you wish to debate, do so when you are recognized. When the Speaker is standing, speaking to an issue, it's the height of bad decorum to do what you've just done.

Hon. member and all hon. members, we are on a Bill. We're on second reading. We talk about the general principles of the Bill as opposed to the specifics unless the specifics illustrate what we're talking about. Hopefully in that light you'll be able to conclude.

MR. BENIUK: Mr. Speaker, that's my intent, to use the specific to get to the principle.

Debate Continued

MR. BENIUK: That minister wants to give away to another person property that the government has received. There is a principle involved here. What individuals are we talking about?

We also have here the fact that he wants to have the power to regulate, to privatize institutions. This is what section 2 is all about. There is a principle here. Should that minister be given the power by this Legislature to privatize postsecondary institutions? It says here: he will have the power by regulation "for the establishment, operation, administration and management of provincially administered institutions." What does that mean? Why is that in there? He already has the power to do certain things. Why does he want to expand those powers? I say that he is setting the stage for the privatization of our institutions as he tries to dismantle the postsecondary institutions of this province.

He wants the power under (d) to provide for what he says is "the co-ordination of programs and services between 2 or more institutions offering advanced education programs or services." What does that mean? Does that mean that he will have the power to order these institutions to have the courses that he wants and not that the students or the people running the institution want?

There is a principle here, Mr. Speaker. How much power does that man want? That minister.

5:20

AN HON. MEMBER: How much will you give him?

MR. BENIUK: The minister of the environment seems to be quite interested in what's happening. Perhaps . . .

Point of Order Imputing Motives

MR. LUND: A point of order.

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

MR. LUND: Standing Order 23(i), imputing motives. I never said a word, Mr. Speaker. I was busy studying Bill 41 because I believe it's such a good piece of legislation and was interrupted when I heard my portfolio named.

MR. DEPUTY SPEAKER: Are you wishing to speak to the motion, or would you like the Speaker to rule?

MR. BENIUK: Mr. Speaker, if it wasn't the minister of the environment whose voice I heard thundering this way, then I withdraw that, but one of the members opposite has a very loud voice that bellows forth continuously.

Debate Continued

MR. BENIUK: Now, the power that the minister wants to regulate what will be taught in institutions is a very important principle, and he wants the power to be able to force more than one institution to carry the programs he wants. If this isn't the clause, then let the minister explain what this means.

Point of Order Imputing Motives

MR. ADY: A point of order, Mr. Speaker.

MR. DEPUTY SPEAKER: The hon. Minister of Advanced Education and Career Development is rising on a point of order.

MR. ADY: Yes. Thank you.

MR. DEPUTY SPEAKER: You have a citation, sir?

MR. ADY: Twenty-three (i), imputing motives. Mr. Speaker, clearly the member across the way is imputing motives to the minister of advanced education. Under regulations, on page 41 of the Bill that he's referring to:

2. The Minister may make regulations
 - (a) for the establishment, operation, administration and management of provincially administered institutions.

He should understand that in fact there are four provincially administered institutions under the jurisdiction of the minister of advanced education, those being the vocational colleges within this province, and they're administered under this department. They're not board governed, and consequently it's necessary to have this incorporated in this Act so that the minister can bring forth regulations to administer those.

So, hon. member, please study the Act and find out what's going on in my department before you start laying those kinds of motives at my door.

Thank you.

MR. DEPUTY SPEAKER: On the point of order, Edmonton-Norwood.

MR. BENIUK: Mr. Speaker, did the minister say categorically that the clauses here under no circumstances will be leading to privatization of any of these institutions? That is what I said. He is saying no. I want clarification. Did he say: no privatization of any of these institutions? Yes or no.

MR. DEPUTY SPEAKER: Hon. member, before we have the minister entertain that, I had been endeavouring to instruct you and indeed all members of the Assembly about the issue of Committee of the Whole, in which the rules are relaxed somewhat and you can have that kind of give-and-take. Really whether or not there is a true point of order is truly a moot point, but I think the hon. minister has given you an answer that would more appropriately be given in committee. However, given that the question was that, it sort of begs the point of order and the response that the hon. Minister of Advanced Education and Career Development has given.

So we would encourage you to talk about the general principles of the Bill, and then you can ask in committee endless questions of the minister of advanced education as to whether or not he has various intents and what this section means and will it permit this or that.

On the general principles.

MR. BENIUK: Thank you, Mr. Speaker. I look forward to the debate because I'm sure it'll be a very interesting and hot one.

Debate Continued

MR. BENIUK: The principle that I would like to address on this point is very straightforward. I am convinced that these clauses are pointing to that minister launching a privatization effort on our postsecondary advanced education institutions. If we have this go through on this principle, what we are doing is a grave injustice to the people of this province. [interjections]

Mr. Speaker, I was about to point out that I was going to adjourn debate, but as there was a cheering section across the way, I'll continue for a few more minutes.

The principles of advanced education have to be addressed, and I would like assurances from that minister that . . . [interjections]

Mr. Speaker, considering the time, I would suggest that we adjourn and call it 5:30.

MR. DEPUTY SPEAKER: The hon. Member for Edmonton-Norwood has moved that we adjourn debate on Bill 41, the Government Organization Act. All those in favour of adjournment of the debate at this time, 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 5:28 p.m.]

