

Legislative Assembly of Alberta

Title: **Tuesday, April 11, 1995**

1:30 p.m.

Date: 95/04/11

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

O Lord, grant us a daily awareness of the precious gift of life which You have given us.

As Members of this Legislative Assembly we dedicate our lives anew to the service of our province and our country.

Amen.

head: **Presenting Petitions**

THE SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. I beg leave to present a petition from Albertans from Grand Centre, Alberta, down to Taber, Alberta, urging the government of Alberta to ensure that Alberta school boards provide the opportunity for every child to receive 400 hours of ECS per year.

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

DR. NICOL: Thank you, Mr. Speaker. It gives me great pleasure this afternoon to introduce a petition signed by 61 people in the Lethbridge area concerned with the funding of ECS. They're encouraging the government to provide a full 400 hours.

Thank you.

head: **Notices of Motions**

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

MR. MITCHELL: Mr. Speaker, pursuant to Standing Order 30 I give notice of the following motion which I will move after question period. It is to adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance, that being the crisis in health care in this province.

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Calgary-North Hill.

Bill 32

Municipal Government Amendment Act, 1995

MR. MAGNUS: Thank you, Mr. Speaker. I request leave to introduce Bill 32, the Municipal Government Amendment Act, 1995.

This legislation reflects the government's commitment to consolidating legislation, deregulation, reducing duplication, facilitating changes for school taxation, and ensuring that the new Municipal Government Act is workable for Alberta municipalities and their residents. It adds a further four Acts to the 21 Acts already consolidated in the new Municipal Government Act, and the Bill builds on the strong traditions and systems of municipal government that have existed in this province since its inception.

[Leave granted; Bill 32 read a first time]

MR. DAY: Mr. Speaker, I move that Bill 32, as just introduced, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Statement by the Speaker**

Tabling Documents

THE SPEAKER: The Chair has noticed over the past week or so a tendency on the part of members to editorialize while tabling documents during routine proceedings. The Chair wishes to avoid a situation where either the volume of tablings or the time spent in the Chamber on tablings becomes such that tablings have to be done through the Clerk's office, as is the case in some jurisdictions.

Regardless of whether a minister is tabling an annual report or a member is tabling a letter from a constituent, the tabling should consist merely of a brief almost mechanical description of the document being tabled. Members should resist the urge to embellish, expound upon, decorate, editorialize about, emphasize, ruminate, extrapolate, annotate. I think members get the general impression of what the Chair is getting at in regard to their tablings. A member may always follow up on a tabling during question period.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, I'm pleased to file with the Assembly today four copies of the news release issued on April 5, 1995, indicating my intention to ask for a definition of comprehensiveness under the Canada Health Act during the ministers' meetings in Vancouver.

Mr. Speaker, I have an additional tabling. I am pleased to table with the Assembly the communiqué arising out of the ministers' meetings. This communiqué, fully supported by the province of Alberta, reaffirms our commitment to a publicly funded health system and calls upon the federal government to clarify certain provisions of the Canada Health Act.

THE SPEAKER: The hon. Leader of the Opposition.

MR. MITCHELL: Thank you. Mr. Speaker, I would like to present two documents today. The first is a document outlining several quotes and comments from the Premier on the issue of private versus public health care. They are very revealing.

I would also like to table another document which makes some very significant comparisons between private and public health care expenditures, indicating clearly that private health care systems are much more expensive than public health care systems.

MRS. BLACK: Pursuant to section 27 of the Public Utilities Board Act I wish to table with the Assembly four copies of the annual report for the Public Utilities Board for 1994.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I have three individual tablings at this time. The first tabling deals with a concern about no room within our health care system at certain hospitals. The second tabling deals with fund-raising and a constituent believing it's undue pressure dealing with health care.

The last tabling is a press release dealing with the renaming of the Fort Saskatchewan general hospital, now to be called the Fort Saskatchewan health centre.

Thank you, Mr. Speaker.

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

MR. DICKSON: Thank you. Two tablings. The first one is a brief telephone report with respect to the seven health care related phone calls my constituency office received this morning. I hope that was brief enough, Mr. Speaker.

The second document I want to table is a four-page analysis for the assistance of the Minister of Justice and the Minister of Public Works, Supply and Services entitled *Why is the Government Trying to Withhold Information from Victims of Crime?*

Thank you.

THE SPEAKER: The hon. Member for Edmonton-*Meadowlark*.

MS LEBOVICI: Thank you, Mr. Speaker. I'd like to table four copies of a petition signed by residents of Edmonton-*Meadowlark*. The petition is directed to the Lottery Review Committee and requests that for-profit casinos not be supported.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. Two quick tablings this afternoon: one from a physician in *Sundre*, Alberta, who's written to the Minister of Health in response to her letter to all physicians, and the other from *Audrey Sweigard* from *Grande Prairie*, who's a retired nurse, writing about her concerns regarding health care in that region.

head: **Introduction of Guests**

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

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and to members of the Assembly 45 young students from the F.G. Miller school in *Elk Point*. They're 45 fine young Albertans, and they're accompanied today by three teachers: Mr. Michael O'Neill, Mr. Randall Kryss, and Mrs. Lily Pentek. I would ask them to rise and receive the traditional welcome from the Assembly.

THE SPEAKER: The hon. Member for Edmonton-*Avonmore*.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm very pleased to introduce to you today a very bright and enterprising young student, *Daniel Farberman*, who's visiting our Legislature from *Calgary*. He's shown many times characteristics that he's inherited from his entrepreneurial and politically minded father, *Frank*. I'd ask both of them, who are seated in our gallery, to rise and receive the warm welcome of this House.

1:40

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

MR. DICKSON: Thank you, Mr. Speaker. It's my privilege to introduce to members of the Assembly a remarkable individual from *Hinton*, Alberta. This woman is an enthusiastic community leader, has proven herself to be a very distinguished educator, an

impressive cross-country skier, and not of least importance she's the spouse of our colleague for *West Yellowhead*. I'd ask *Margie Van Binsbergen* to rise and receive the warm welcome of the House.

THE SPEAKER: The hon. Member for Edmonton-*Meadowlark*.

MS LEBOVICI: Thank you, Mr. Speaker. It gives me great pleasure this afternoon to introduce 48 visitors. They're from the 55-plus club with *Beulah Alliance church*. They've overcome significant adversity this morning to be with us this afternoon. The group leaders are *Rev. and Mrs. John Cunningham*.

I'd like to also point out three individuals who are in the group. One is the mother of the former MLA for *Edmonton-Jasper Place*, *John McInnis*, and she is *Mrs. McInnis* of course. The others are *Mr. Herb Jamieson*, who was a former Social Credit MLA in 1959 for *Jasper West*, and his wife of 60 years. They are in that group as well. If I can just mention that the advice he gave me was that as the opposition we should give the government – which I can't say – and I said: for sure that is what we will be doing this afternoon. If they'd please rise and receive the warm welcome.

head: **Oral Question Period**
Health Care System

MR. MITCHELL: Mr. Speaker, in their communiqué today the provincial health ministers restated their firm commitment to the principles of our publicly funded health system and unanimously dedicated themselves to sustaining it for the future. On the other hand, the Premier of Alberta says that Albertans should be able to buy essential medical services. To the Premier: how does the Premier describe a system where people with money get better, quicker health care than people without money if he doesn't think that that's an Americanized, two-tiered health care system, which clearly contravenes this communiqué?

MR. KLEIN: Mr. Speaker, the question is somewhat fundamental to the whole issue here. Page 2 of the communiqué I think sets it out very clearly. It says that ministers – and I would assume this means all the ministers – "agreed that there is a need to work in partnership to develop a clear interpretation of the *Canada Health Act*." It goes on to point out that "while there is more flexibility for the provinces under the proposed *Canada Health and Social Transfer*" – and I understand those changes are being contemplated and negotiated now – "the absence of a clear interpretation could lead to diverse understandings of insured services, resulting in a patchwork health system across the country."

Mr. Speaker, what we're seeking is that kind of clarification. One of those issues is: what is essential? What isn't essential? What is deemed private? What isn't deemed private? Will clinics like the *Gimbel eye clinic* be allowed to operate? Will clinics that are now operating privately in this province be allowed to operate? Will hospitals like the *Cardston hospital* and the *Milk River hospital* be allowed to accept at a premium people who want to pay the full shot? Will they still be allowed to do that? Those are the questions. We do not know, and we want that clarification.

MR. MITCHELL: The Premier knows that he wants . . .

THE SPEAKER: Question.

MR. MITCHELL: What does the Premier call a system in which people with equal need but with unequal amounts of cash get different kinds of health care if he doesn't think that that describes

a two-tiered, Americanized health care system, which clearly contravenes this communiqué?

MR. KLEIN: Mr. Speaker, we agree with the fundamental principles of the Canada Health Act, which provide for accessibility, portability, universality, comprehensiveness, and public administration, but we're saying: what else is there that perhaps is unclear in that particular Act? We've been going through this situation. There is no doubt about it, and the hon. Leader of the Official Opposition can't deny it. There are privately run MRI clinics right now. We know that. We know that there is an eye clinic that charges a facility fee over and above the cost of the treatment. We know that there are hospitals in this province that do in fact in a publicly funded institution offer full, upscale, private health care. Are these things allowable under the Canada Health Act? What we need and what the minister has said, indeed what all the ministers have said is that we need that clarification.

MR. MITCHELL: Can't the Premier realize that when some people buy essential medical services which others simply can't afford, it leads to a two-tiered, Americanized health care system, which will ultimately kill our public health care system and which of course contravenes this communiqué?

MR. KLEIN: Again, I reiterate in the communiqué the stand of our minister, who says that we need clarification on these issues, and she will be working, I presume, with her counterparts across Canada to achieve that clarification. I plan to discuss this whole question with the Prime Minister on the 13th. I plan to take this communiqué and make sure that it is on the agenda for the Premiers' Conference in Newfoundland at the end of August and to further pursue it through a First Ministers' Conference.

MR. MITCHELL: Study after study, Mr. Speaker, shows that private health care costs a lot more than public health care. Private health care, whether the Premier believes it or not, means people having to pay for essential health care services. Does the Premier not understand that a two-tiered, Americanized health care system costs Americans \$1,200 per capita per year more than our system costs us? Is the Premier proposing to impose a \$1,200 per capita tax on each and every Albertan?

MR. KLEIN: Mr. Speaker, the answer is no.

MR. MITCHELL: How will the Premier's proposal to have essential health care services delivered for cash keep health care costs down when private employee benefit programs in this country are already reporting cost increases of 20 percent per year? Is that less expensive, Mr. Premier?

MR. KLEIN: I'm sorry; I didn't hear the last part of his question. Would you allow him to ask it again? Mr. Speaker, the reason I didn't hear the last part of his question is that the yakking and the noise over there make it impossible for people on this side of the House to hear the question.

MR. MITCHELL: Let me repeat the question, Mr. Speaker. How will the Premier's proposal to have essential health care services delivered for cash keep health care costs down when private employee benefit programs in this country are already reporting cost increases of 20 percent per year?

MR. KLEIN: Mr. Speaker, I really don't understand the relationship of one to the other. [interjections] No, I really

don't. Perhaps the hon. Minister of Health does, and I will ask her to supplement.

1:50

MRS. McCLELLAN: Mr. Speaker, clearly at the ministers' conference in Vancouver yesterday, which concluded today, the whole issue of costs and stability in funding for health was of concern. I must say that the meeting was called to discuss the concern about our federal partnership and the reductions that the federal government is making in transfer payments for health.

Mr. Speaker, one of the things that was clearly discussed and I think understood by all ministers across the country was that the Canada Health Act deals with medically required and physician services. Clearly, to the people in this province there are health services that are very important that are not considered in the Canada Health Act. I would point out home care. Home care is not a part of the Canada Health Act but a very important part of our health agenda to help people stay independent, stay in their homes. Ambulance services are not considered in the Canada Health Act; however, this government has had as a priority that we have those services for our constituents.

Mr. Speaker, every minister in Canada is concerned with ensuring that we continue to deliver quality health services to our constituents, not just medically required, but we must have a definition, a clarification of what is intended under the Canada Health Act. It is a very vague Act, which is a funding mechanism for transfer payments. That does not ensure a quality health system. We are asking as 10 ministers of provinces and the territories for that clarification. We will be putting this to our federal minister in the very near future. I think what's most important in this communiqué is that every minister in Canada is committed to working co-operatively with our federal colleague to ensure that we maintain a quality health system that is appropriate for the rest of the '90s and into the next century.

MR. MITCHELL: For a government that voted against the principles of the Canada Health Act, they sure hang a lot of their arguments on it, Mr. Speaker.

What proof does the Premier have that a two-tiered, Americanized health care system is in any way cheaper for Albertans than the system we already have? He doesn't because it isn't, Mr. Speaker.

MR. KLEIN: Well, first of all, Mr. Speaker, there was no question there.

Relative to a comment the hon. Liberal member made, the hon. Minister of Health has indicated that she would like to respond, and I think she should be able to.

MRS. McCLELLAN: Mr. Speaker, on the comment about this government and this caucus voting . . . [interjections]

THE SPEAKER: Order. [interjections] Order.

MRS. McCLELLAN: Mr. Speaker, what we are going to have is a clarification of what this caucus voted against in that Bill, and it was not against the Canada Health Act. However, the Bill centred around the regional health authorities completely delivering their services under the auspices or the regulations of the Canada Health Act. Clearly, we on the government side expect more than that from our regional health authorities. We expect them to conform to the principles of the Canada Health Act, as we do. We expect them to deliver services that are not included to

our citizens, like mental health clinics across this province, like home care, like extended health benefits for seniors, like physiotherapy, audiology, speech therapy, podiatry, none of which are included in the Canada Health Act. That's what we voted against: the constraints that that Bill would have laid out for our regional health authorities.

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

Seniors' Health Care

MRS. HEWES: Thank you, Mr. Speaker. One group of people who are truly terrified as a result of this government's gamble with privatized, two-tiered health care is Alberta's quarter of a million seniors. Just 25 years ago now, in 1972 to be exact, before the oil money came in, a Progressive Conservative government had the foresight and the compassion to place seniors' needs as a priority in their very first Speech from the Throne. That government enacted legislation saving seniors from "the burden of Medicare premiums, drug costs and optional health services." Well, as the Premier is wont to say, that was then and this is now. I'd like to ask the Premier a question. Where does the Premier expect seniors on fixed incomes to find the money to pay for private health care?

MR. KLEIN: Mr. Speaker, first of all, the preamble is absolutely false. I would expect much better from this hon. member. As she well knows, we are now going through a review relative to the thresholds with respect to health care premiums to make sure that those thresholds are indeed right and that if they aren't right, they will be adjusted to ensure, to absolutely ensure, that those seniors who cannot afford to pay part or all of their premium will be looked after and looked after very well in our society.

MRS. HEWES: Mr. Speaker, we're talking about user fees here as well, not just premiums.

Will the Premier, then, please answer this question? Will the Premier's list of essential and nonessential medical procedures be the same for seniors as it is for everyone else, or will there be a double standard like it was for the Down's syndrome youngster?

MR. KLEIN: Mr. Speaker, I don't know to what list the hon. member alludes. This is what the Minister of Health clearly articulated: what we need is some clarification. All the other ministers agreed with her. They agreed that there needs to be some clarification under the Canada Health Act as to what is essential and what is not essential. The Prime Minister himself posed that same question two years ago. He posed that question again just recently. So obviously there is a desire to have that definition clearly defined under the Canada Health Act.

I would once again ask the hon. Leader of the Official Opposition to stand up in this House and say and admit to the world that absolutely everything under the sun should be covered. Is that the way he feels? [interjections] Well, if he feels differently, have him stand up and say differently, Mr. Speaker.

THE SPEAKER: Final supplemental, hon. member.

MRS. HEWES: Thank you, Mr. Speaker. Albertans want to hear from the Premier. He's the Premier. We want to hear what his essential services are.

Mr. Speaker, will the Premier, then, answer this question? Will the Premier allow user fees to be charged for those procedures that permit a senior to continue to see, to hear, to walk? Will you allow user fees?

MR. KLEIN: Mr. Speaker, I'm going to have the hon. minister supplement, but the only ones talking about user fees in this Legislative Assembly are the Liberals.

MRS. McCLELLAN: Mr. Speaker, in discussions with our seniors in this province we heard clearly two things: one, that they wanted to contribute, but they wanted to make sure that seniors with the highest needs had those needs met.

Mr. Speaker, when we were designing the Alberta seniors' benefit program, which is a benefit to seniors, the extended health benefits program, which, I might add, is not a part of the Canada Health Act – it is something that's important to seniors in this province – they told us that, and they said: please leave that with Alberta Health. So we sat down with some seniors' groups and talked to them about how the extended health benefits program might work. We received some advice and ensured that that program is in place for dental, for eyes, which is primarily what it covers. I would remind the hon. members also that we did not deinsure visual exams for seniors. They are still covered, as is partial assistance for their eye glasses.

Mr. Speaker, I would also remind the hon. members that in physiotherapy, for example, which is of high interest to seniors and a need, rather than having a cap on physiotherapy, we are introducing a complete therapy program called the community rehabilitation program, which will ensure that every person in this province will have their needs looked after.

Mr. Speaker, I would challenge the hon. members to look in any province in Canada, including Liberal provinces, and find benefits for their seniors that are in any way comparable to the benefits in this province. What is important to us is what is in this province. We value our seniors, we value their contribution, and we will continue to work with our seniors to provide . . .

MRS. SOETAERT: They remember what it was like before medicare.

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

MRS. McCLELLAN: . . . appropriate programs to them, not the status quo, Mr. Speaker. If we were under the Canada Health Act, under that strict adherence which they want, they would have treatment if they became ill, and they would be able to see a doctor. We will continue to offer home care, physiotherapy, and support services.

THE SPEAKER: The hon. Member for Little Bow.

2:00 Health Care System (continued)

MR. McFARLAND: Thank you, Mr. Speaker. I'd like to welcome home the Minister of Health from the ministers' health conference in Vancouver.

MR. N. TAYLOR: You're not supposed to comment on her absence.

THE SPEAKER: Order.

MR. McFARLAND: From the weekend, Mr. Speaker.

I understand that you were discussing the impacts and the effects that the federal budget reductions will have on our

provincial health system, Madam Minister. Are there any changes in the federal budget, particularly the block funding, which will adversely affect the provision of our Alberta health service delivery?

MRS. McCLELLAN: Mr. Speaker, there was concern raised by a number of ministers across Canada about the reductions that are proposed by the federal government. I would say that in Alberta we recognize the need for the federal government to get their spending under control, and we support them in those efforts. However, what the ministers did say very clearly was that it is important, if we're going to sustain our health system, sustain the quality in our health system, that we have stable funding to base and to predicate our decisions on. That is what we will be asking the federal Minister of Health: to work with us to ensure that we can project into the future with some certainty and ensure that we can continue that quality system.

THE SPEAKER: Supplemental question.

MR. McFARLAND: Thank you, Mr. Speaker. With respect to the clarification of the comprehensiveness principle of the Canada Health Act, Madam Minister, was there consensus or support from the other provincial ministers in that respect?

MRS. McCLELLAN: Yes, Mr. Speaker, there was consensus from all ministers and the territories on the clarification of comprehensiveness. Ministers across our country understand the changing role of health services. We understand that delivering health services is not just treatment, is not just physician services, as important as those are. We understand that home supports are important to our seniors; for example, our program to assist seniors to have someone help with housekeeping, shoveling snow. Those types of things are important to seniors as well as to other persons who may need that help to stay in their homes. So as ministers of health across Canada we have a commitment to work collaboratively with our federal minister to ensure that we can sustain a publicly funded system that meets the current and the future needs of our citizens.

THE SPEAKER: Final supplemental.

MR. McFARLAND: Thank you, Mr. Speaker. Some people would purport that we're contravening or proposing to contravene the Canada Health Act. From your discussions, Madam Minister, is there any truth to this? Are we in fact proposing to contravene the Canada Health Act?

MRS. McCLELLAN: Mr. Speaker, clearly this was an item of discussion among all ministers, and clearly, as our communiqué indicates, which we support totally, there is a commitment from ministers of health across this country to the publicly funded system.

One of the items that we really have to discuss is: what is reasonable access? Mr. Speaker, that is an item that we have to discuss and clarify. Is it sufficient for a province to have a poor level of access to services? We don't think so. However, until we have clarification, a clear understanding of the word and the definition of comprehensiveness in the Canada Health Act, we cannot address that problem. That's what we committed to do, and I can say without reservation that every minister in Canada committed to this.

THE SPEAKER: The hon. Member for Sherwood Park.

Pulp Mill Emissions

MR. COLLINGWOOD: Thank you, Mr. Speaker. A couple of weeks ago I asked the Minister of Environmental Protection if he was prepared to let pulp mills reduce the monitoring of their effluents, and he answered, "No, we're not in any way interested in reducing the monitoring." That appears in *Hansard*, March 22, 1995, page 746, and I'm tabling four copies of that today. Well, it turns out that that's a little bit of pulp fiction. I'm tabling another letter today from Alberta Environment dated yesterday that indicates that reduced monitoring for Weldwood at Hinton has already been approved and that requests from Weyerhaeuser and Daishowa are being reviewed right now. I'm tabling four copies of that letter as well. So my question to the Minister of Environmental Protection: why did the minister say on March 22 in this Assembly that he wasn't interested in reducing monitoring of pulp mill effluent when that's exactly what he's done for Weldwood and that's exactly what he's doing for Weyerhaeuser and Daishowa?

MR. LUND: Mr. Speaker, it's very interesting, the hon. member once again filing something that I haven't seen, but it's very obvious that the hon. member cannot get people to follow him, so now he's trying to confuse them. Let's get the record straight. We are not reducing the monitoring. We are reducing the number of times they have to report. If in fact a pulp mill has been reporting on a monthly basis and over a long period of time we find a very consistent reading, we find that it's much below the levels that are permitted, what's the problem with going to quarterly reporting? That's what they're asking for, and that's what we're doing. But it's not reducing the amount of monitoring.

THE SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. It is indeed reducing the monitoring, and I'll show the minister the approvals if he hasn't seen them.

To the minister: why didn't the minister admit on March 22 that he was interested in reducing the monitoring, instead of giving the answer that he gave? He'd already done it for Weldwood, and he was doing it for Weyerhaeuser and Daishowa.

MR. LUND: Mr. Speaker, that's unbelievable. We are permitting the reporting to occur less frequently, not the monitoring. They still must do the monitoring.

THE SPEAKER: Final supplemental?

The hon. Member for Cypress-Medicine Hat.

Grain Marketing

DR. L. TAYLOR: Thank you, Mr. Speaker. My questions are all to the Minister of Agriculture, Food and Rural Development. I have recently been made aware, Mr. Minister, of the number of strikes in the last few years that have stopped the flow of grain from this province. Can the minister tell this House the cost of these strikes to Alberta farmers in terms of the last five years?

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

MR. N. TAYLOR: Surely that's an item for the Order Paper.

THE SPEAKER: Order.

MR. PASZKOWSKI: Thank you, Mr. Speaker. It's unfortunate that an item of such importance is treated so flippantly across the way. [interjections]

Speaker's Ruling Decorum

THE SPEAKER: Order. Order, hon. Member for Redwater. The Chair will decide what's to be on the Order Paper, not the hon. member. If the hon. minister can answer this in a succinct manner without reading tabular information, he is perfectly entitled to do so.

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

MR. N. TAYLOR: That's the question.

THE SPEAKER: Hon. member. What gives you the prescience to know what the hon. minister's going to say? Are you touched with something that other members aren't touched with around here?

Hon. minister.

2:10

Grain Marketing (continued)

MR. PASZKOWSKI: Thank you, Mr. Speaker. Indeed it's difficult to put a definitive number on what the cost is to the Alberta farmers since 1990 as far as strikes are concerned. We do know that the evaluation for last year, 1994, was in the area of \$50 million dollars. It includes such things as demurrage. It includes such things as lost sales. It includes such things as lost transportation handling. However, just what damage is done with the client, with the customer, is very difficult to put an appraisal on.

So in the long term, the long-term damage indeed may be there, and that has to be dealt with by, unfortunately, the third party. With that in mind, we are making representation to our federal counterpart to review the whole process and the whole structure of who is responsible for the cost in cases of work stoppage in terms of an innocent third party such as the producer was in this case.

THE SPEAKER: Supplemental question.

DR. L. TAYLOR: Thank you. What is the reason in the case of these strikes that the farmers cannot ship their grain through the port of Seattle?

MR. PASZKOWSKI: The way the Act reads now if you use a port outside of Canada, you're not eligible for the WGTA benefits. That, of course, has been very much of a negative. In order to use a port outside Canada, what you also need is a Wheat Board permit. Now, in order to get the Wheat Board permit, what you have to agree to is to sell your grain to the Wheat Board at the day's cost, then turn around and rebuy that same grain, which is yours in the first place, at what the Wheat Board projects will be the ultimate, final cost. So it becomes a very complex and a very complicated and a very costly process. That's why we're suggesting that indeed the Wheat Board policies must be reviewed. The whole regulatory process must be restructured to more meet the needs of the producers of today.

DR. L. TAYLOR: Would a voluntary marketing system alleviate the problem of unions holding Alberta farmers ransom?

MR. PASZKOWSKI: It would certainly help. It would allow the producer the option of being able to market his grain in his own responsible way without having to go through a third party. It seems to me that one of the things we really need and one of the things that the producers asked for, Mr. Speaker, when we did our roundtables in the spring of '94 was to have that option. There were some that indicated that, yes, they prefer the pooling process and they'd prefer to stay marketing the way they are. But there were a lot of entrepreneurial farmers who specifically asked for the opportunity to be able to go out and market their grain in their own manner. It seems to me that that's a fair request. We allow that in virtually every other industry but agriculture. For some reason we feel that government has to regulate and set the process in agriculture. It's not fair; it's not right. We're asking that that be changed.

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

Trades Inspections

MR. LANGEVIN: Thank you, Mr. Speaker. Many small rural and urban municipalities are concerned with the new municipal requirement to perform trades inspections. These local governments will have to expand their staff to employ personnel with the proper qualifications to do plumbing, heating, gas fitting, electrical, and boiler inspections. Today the department only completes about 50 percent of inspections on all the permits that are issued by the government. My question is to the Minister of Labour. Why would the local governments be required to do more inspections than are done by the department today?

MR. DAY: Actually, Mr. Speaker, there's been a unique development in terms of inspections in this province. What has happened is that municipalities are being offered, if they want, the option of undertaking that area. Some municipalities – I believe it's about a dozen or so now – have indicated to us that, yes, they do want the option of taking over that entire area of inspections. Others have said that, no, they do not want to. They want either the province to do it or to let local accredited agencies and qualified people do it. So it is not mandatory. They have the option. Some are choosing to do those inspections. Some are choosing not to.

THE SPEAKER: Supplemental question.

MR. LANGEVIN: Yes. Again to the same minister: if the municipality chooses to have the government perform these services, will there be a charge for that service?

MR. DAY: What will happen in those cases, Mr. Speaker, is that accredited agencies in that particular area or jurisdiction or accredited professionals – that would be in some cases private-sector plumbers or electrical people, whatever the particular area might be – can qualify to in fact do those inspections. In those cases, that will not be an administrative or a cost burden to the municipality itself.

THE SPEAKER: Final supplemental.

MR. LANGEVIN: Yes. My last question is to the Minister of Municipal Affairs. What new liabilities will face the elected officials of the local government under this new program?

MR. THURBER: Mr. Speaker, I'm not sure that I fully understood the question: the liabilities of the elected officials under the new program, such as the Minister of Labour was talking about? I don't see that there would be any added liability to them. As long as they're performing their duties in a reasonable manner as councillors and as elected officials, there would be no liability on them.

MR. DAY: Just supplemental to that, Mr. Speaker, as the minister has already indicated, there would be no extra liability. The usual protections would be in there. Other than obvious cases of gross criminal negligence or something like that, the usual liability provisions will be provided.

THE SPEAKER: The hon. Member for Vegreville-Viking.

Impaired Driving

MR. STELMACH: Well, thank you, Mr. Speaker. Every year about this time we hear of tragedies involving young people and high school graduation parties. Clearly, young people need to be discouraged from drinking and driving. The Minister of Justice is widely quoted as saying that he wants to see stiffer penalties for impaired drivers. Can the minister provide details on how impaired driving has affected Albertans and why he believes this action must be taken?

MR. EVANS: Well, Mr. Speaker, this issue of impaired driving is an issue for young people who are graduating from high school and going on to careers in business or going on to higher education. It's a concern to all of those people who are using our highways and our byways.

Back in 1993 we had approximately 13,000 convictions for impaired driving in the province of Alberta. Now, about 30 percent of those 13,000 were for second or subsequent offences, and more importantly if you take a look at the average level of alcohol in the systems of individuals who were convicted, it was 160 milligrams per 100 millilitres of blood. That's double the legal limit of .08, or 80 milligrams. This is a very serious issue.

If you look back a few years, in 1992 Alberta suffered 115 alcohol-related fatalities and almost 2,700 alcohol-related injuries. So this is a serious problem, Mr. Speaker, and we have to take effective action to reduce this kind of carnage on our streets.

MR. STELMACH: In light of budget restrictions what has the government of Alberta done to educate Albertans and prevent impaired driving?

MR. EVANS: Well, I believe, Mr. Speaker, that the education component is extremely important, and I would begin by saying that in recent years we have significantly reduced the number of convictions. In fact, as I mentioned in my first answer, there were about 13,000 in 1993, but that's down from about 26,000 in previous years.

Through our Check Stop program and also through some of our public awareness programs, we are reducing the number of impaired driving charges and the number of convictions. We continue to work with organizations like PAID, People Against Impaired Driving, the Alberta Hotel Association and their

Responsible Server program, the Red Cross emergency program. We're working with schools, and we continue to work with businesses so that we can have a comprehensive approach to this important issue.

THE SPEAKER: Final supplemental.

MR. STELMACH: Thank you, Mr. Speaker. What methods are currently employed in the treatment of impaired drivers?

MR. EVANS: Well, we've dedicated at one of our corrections centres, the Alsike correction centre, a number of substance abuse programs to assist people, to deal with treatment for those individuals, to work on their personal development and counseling so that once they are in the system, we can hopefully have a positive impact on their approach and their responsibility to others in our communities. That is only one part of the program, though, Mr. Speaker. Again, the whole issue of education, I think, is the most appropriate way, and we have to back that up with programs like Check Stop.

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

2:20

Video Lottery Program

DR. PERCY: Thank you, Mr. Speaker. John Ralston Saul, a successful Canadian businessman and author, is really talking about this government when he says, and I quote: governments that get involved in gambling are governments on the way out; a government that sets about undermining the standards of its own society in order to raise a few bucks is a government that is out of touch with reality. In 1995-96 this government estimates that Albertans will spend 1 and a half billion dollars on video slot machines, and the government's net revenues will have increased from less than \$3 million to a whopping \$350 million from video slot machines in less than three years. My questions are to the minister in charge of lotteries. How can this government rely on money from a revenue source like video slot machines when they are so fundamentally destructive to what we are as Albertans and as a province?

DR. WEST: Mr. Speaker, there's a review going on of the whole concept of lotteries, but let's point out one thing. Lotteries traditionally in this province have provided a betterment of life in many areas in everything from sports, recreation, culture, right to agricultural societies and all the small groups of charity organizations and nonprofit organizations.

Certainly the VLTs have added a new dimension to that concept and have gone beyond the traditional levels of gambling, such as horse racing and bingos and raffles and pull tickets and the not-for-profit casinos and 6/49. Again that's the challenge we have in bringing forth a policy following the review. To say that we're totally dependent on these funds and are going in that direction, let's point out that the amount of revenues that come from this part of lotteries is around 3 percent of our total expenditures.

DR. PERCY: Will the government as part of its game plan set out a process to eliminate its addiction to video slot machine revenues and ensure that that money goes back into the community and community groups?

THE SPEAKER: The hon. minister.

DR. WEST: Exactly, Mr. Speaker. I think that's at the heart of the review. The Premier went up and met with 73 municipalities

in the northeast. As well, he met with the Calgary community leagues. Their direct point was twofold: find a sum of money that you can deliver back to our communities to address the needs of the charitable and nonprofit groups, find a way that it can be distributed fairly by some method or organization within our communities that doesn't have political connotations to it, and also find a percentage of those funds that are used for gambling and returned to the government to go back into rehabilitation and treatment of those people that have become addicted or have problems in their families because of their ongoing use of this sort of fund-raising.

THE SPEAKER: Final supplemental.

DR. PERCY: Well, thank you. Again to the minister. Will the government acknowledge that the \$350 million that is currently accruing to the government from video slot machines is more than likely offset by the negative effects on Albertans: squeeze in funding of nonprofit groups and increased crime? These are costs borne by Albertans not the government.

DR. WEST: Mr. Speaker, the innuendo left by that question would be that the quantitative level of crime or problems within certain elements because of these VLTs or because of gambling is greater in Alberta than in any other cross section of population in North America. Just to set the record straight, where gambling has been put into a society, whether it be in Vegas or in some other state or whether it's here in Alberta or New Brunswick or Ontario, the traditional levels of problems accruing to that have been around 1 and a half percent of the population to 5 percent, but the middle average is around 1 and a half to 3 percent.

Studies have been done. I answered another member in the Assembly not long ago who held up some paper. We have had thousands of studies done in relation to addiction and to problems in our society, and they all came to the same level of conclusion, that it is around 1 and a half to 3 percent with some locations having an unusual level of up to 5 percent.

By no means does that mean that your problem, then, destroys your complete society. You must deal in that area that has the concerns. I take the question as a matter of notice as the committee goes forward, because certainly we're concerned with this. We have AADAC right now delivering about \$1.2 million worth of services as it relates to gambling addictions.

THE SPEAKER: The hon. Member for Calgary-Fish Creek.

Pediatric Services

MRS. FORSYTH: Thank you, Mr. Speaker. Constituents have asked me about a recent task force established by the Calgary health authority, the pediatric community health task force. Some people are concerned that this task force might have been struck in order to push through a consolidation of pediatric services. My question today is to the Minister of Health. Can the minister explain the purpose of this task force and tell the House what the fate of the Alberta Children's hospital might be as a result of the task force work?

MRS. McCLELLAN: Mr. Speaker, the task force that the member alludes to has been set up by the Calgary regional health authority, and certainly it is accountable to the authority. As I understood the mandate of that task force when I was discussing this with the regional health authority, it was to provide a vehicle

to have as wide a public consultation as possible on how they deliver pediatric services and the location of pediatric beds in the region. Also, an important part of it was: how could those services be improved?

They are going to evaluate some very important points, and one is the patient and the family needs – many times we only look at the patient needs, and certainly with pediatric services we have to look at the family needs as well – also the community needs, the provider needs, the accessibility of the services, and the quality of the services. I believe that the mandate of the Children's hospital has been clearly defined by the regional health authority in their business plan as a centre of excellence for delivering children's health services in that city.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Thank you, Mr. Speaker. I'm pleased to hear that, Madam Minister.

Can the minister inform this Assembly about who sits on the task force? Is it comprised of people who are knowledgeable in delivery of pediatric care?

MRS. McCLELLAN: Mr. Speaker, I'll answer the question by naming, as I understand it, the membership of the task force. It is my understanding that there is to be one member from the regional health authority on that task force, two physicians, one nursing representative, two persons from the city of Calgary social services team, three community reps, and also two past board members that are fully familiar with the facilities. While I do not have the actual names of the participants, I would suggest that by the broad cross section of membership on that, they would do a very good job.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Yes. Thank you. Can the minister comment on what the financial implications of pediatric bed consolidation might be in the Calgary region?

MRS. McCLELLAN: Mr. Speaker, no, I could not give any exact cost suggestion on that. However, I would want to remind the hon. members in the House that this is more than just talking about fiscal needs. It's talking about consolidation of services to ensure that we have the best delivery system of children's services. So it's simply not about money. However, I'm sure that the task force will evaluate not only the clinical, not only the community needs, the patient needs, and the provider needs but also the ability of the regional health authority to meet their budget plans.

Mr. Speaker, consolidation of children's services, the delivery of pediatric services in this province are very important. The Calgary regional health authority has an important mandate that extends beyond the city of Calgary. It extends to southern Alberta and in fact to parts of British Columbia, and in fact in some of their programs they are entirely provincial. I don't think there's any area that we should devote more time and attention to than children's health needs.

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

2:30

Video Lottery Program

(continued)

MR. WICKMAN: Thank you, Mr. Speaker. The flip side of the addiction coin is the social evils impacting upon the community:

crime resulting directly from gambling addicts feeding their gambling addiction with slot machines; family breakdowns as a result of these machines, described by many experts as the crack cocaine of gambling; the tremendous drain on nonprofit community groups. The list goes on and on. To the minister responsible for lotteries, and possibly the Member for Lacombe-Stettler would like to supplement: how does the minister intend to deal with the increased crime that is directly related to slot machine addiction?

DR. WEST: Mr. Speaker, I went into an extensive answer just a few minutes ago in relation to the same question. Perhaps it was worded differently so that they could get two questions on the same subject in the same day, but otherwise I leave my first answer standing.

MR. WICKMAN: Mr. Speaker, how does the minister intend to deal with the numerous social problems, such as family breakdowns, poverty, et cetera, that result when a family member is hooked on slot machines?

DR. WEST: Mr. Speaker, I guess I could start again, and you could let me go for another five minutes. I did make reference to AADAC and the \$1.25 million that they use now. They've done tremendous research into family problems. Again, we do have a review committee. One of their mandates is to look at what percentage of the \$500 million that comes in could be allocated back to programs that would indeed help those families that have become entrenched in the use of certain elements of gambling.

Those have been with us forever. I mean, to lay credence to this question as an exception since the VLTs came in I think would be unfair. We've had a level of gambling, although Albertans may not have recognized it, in everything from horse racing to bingos to raffles and pull tickets to gold bricks raffled on certain days in Alberta right down to perhaps the nonprofit casinos. We've had those here for years and years and years, and people have traditionally used those as a source to vent their gambling, I guess, problems. If they couldn't get them here, they got on planes and traveled to Vegas or went other places.

I've talked to many people since I've been minister, and we know that they were addicted – it took longer, mind you – long before VLTs came along. Now, when VLTs came along, they certainly reinforced the gambling expectations faster, but the addiction is no different than those previous traditional gambling issues. The question you ask leaves an insinuation that we weren't as concerned before as we should be now, and I'm saying we're just as concerned with those problems in our society as we may be with alcohol addiction or an addiction of any other type.

MR. WICKMAN: Again, Mr. Speaker, to the same minister: how does the minister's government expect nonprofit community groups to carry the bigger load being asked of them by government when these very same groups are facing substantial drops in fund-raising revenues because of direct competition from these slot machines?

DR. WEST: Mr. Speaker, at the present time we redistribute some \$125 million through such great organizations as Wild Rose or the sports foundation, agricultural initiatives. We do it through culture and arts foundations. We do it through the Historical Resources Foundation. We give it in a plethora of programs that have traditionally been accepted by Albertans.

Now, what the committee that's out there doing the review has been charged with is to ascertain how much more of the lottery funds should be distributed and in what manner. Therefore, to answer the question of how we are going to address this, this is at the heart of the review committee's charge. Those are the terms of reference they were sent out with. When they come back and bring the recommendations from Albertans and all of those groups, we'll find a way to fairly distribute not only the \$125 million that's there now but whatever increase might be expected through the report from that committee.

head:

Members' Statements

Excellence in Teaching

MR. BRACKO: Mr. Speaker, it's a tremendous privilege and honour for me to pay tribute to our educators, the backbone of our province. Through their dedication and commitment to our greatest resource, our young people, Alberta leads Canada and the world in education.

Sir Winston Churchill once stated: the next empires will be empires of the mind. Nations that will be leaders in tomorrow's world will have the wisdom and foresight to foster and develop the creative and innovative talents of their people.

In a description of one Alberta teacher a quotation from Plato was selected which states: the teacher is an artist. I believe Alberta educators are artists, and their canvasses are an explosion of creativity and innovation. They see great beauty in the mind and soul of each child and relentlessly reach out to help each develop their abilities as fully as they can.

Today we congratulate 125 teachers who received excellence in teaching awards. These educators have distinguished themselves in their commitment to their communities and their province. Their excellence is recognized by parents, students, and their colleagues.

I would like to share a few comments from sponsors that demonstrate the talents of our educators. One elementary school teacher capitalized on the recent student interest in pogs and has developed an entire unit using pogs to teach math, research, and language skills. In the classroom of another teacher there are no desks, no regimented rote learning. Instead, student centres and collaborative, co-operative learning pods are the vehicle the educator uses to launch stimulating lessons that are meaningful to her grade 1 students. It is no small feat, but each and every day this remarkable teacher fuels the appetites of her grade 1 class with creative, mind-shaping opportunities in a warm, caring environment.

I would like to congratulate the recipients in St. Albert – Jeanne Boutin, Walter Diefenthaler, Garret Doll, Valerie Petrone, Terry Starko, Beryl Tillin, Maurice Trotter – and all recipients across the province. We thank you for your contribution to education. Keep up the good work. We are proud of you.

THE SPEAKER: The hon. Member for Bow Valley.

Teen Smoking

DR. OBERG: Thank you, Mr. Speaker. My member's statement today is written by 14-year-old Jennifer Northcott from Edmonton, and I believe it's self-explanatory.

I am 14 years old and in grade nine. I am writing to you out of concern for my friends and peers. In elementary school we were taught that smoking and other drugs were bad for us. We accepted this and agreed we'd never do those things.

However, upon entering junior high, peer pressure, the need to fit in and to be popular became all important. In junior high we are categorized by whether we smoke or not. It is usually the first question asked of a new student, even before asking their name or where they are from. Many kids see smoking as a way to have fun, make friends and basically fit in. They rationalize that they won't smoke much or for long. They say they will stop smoking when they want to and long before any health problems or addiction develops.

To help justify their smoking, my friends say that smoking isn't illegal and that they are doing nothing wrong; otherwise, they wouldn't be smoking. Besides they argue that government would have made it illegal if smoking were really all that bad for us. They believe that it is okay for them to purchase cigarettes but that it's not okay or legal for vendors to sell cigarettes to them. Obviously, government is not sending teens a clear message. It is time that they did.

It has been my observation, that smoking often leads to drinking, drugs, crime, and sexual immoralities. I have seen many friends mess up their lives with alcoholism, pregnancy, drug abuse, academic failure and truancy leading to dropping out of school. It all seemed to begin with smoking.

While a law making smoking illegal will not stop all teens from smoking, it would curtail a significant number from ever starting. A good number of kids I have talked to, claim that they would never have started smoking if it had been illegal. I am told that in all of Canada & the U.S., only Alberta and one other province have no legislation regarding the legality of teen smoking. It is my proposal that Alberta catch up. Send a clear message and make teen smoking illegal. As punishment for breaking this law, teenagers could be fined, given community service or any cigarettes in their possession could be confiscated.

Thank you for listening to my concerns.

Jennifer Northcott.

Once again, Mr. Speaker, wisdom knows no age boundaries.

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

2:40 Health Care System

MRS. ABDURAHMAN: Thank you, Mr. Speaker. The Premier stated yesterday during question period that the Liberals would like to see all health care services provided at no cost to the public. He intimated that the Alberta Liberal caucus believed in unlimited budgets for health care and other services all at the cost of the taxpayer. That may be what the Tory government has believed in for the last 15 years, indeed what it has implemented over the last 15 years, but it is not what the Alberta Liberal caucus or Albertans desire.

We have heard from Albertans that they want cost-effective health care. They want the principles of the Canada Health Act to be maintained. They want universality, accessibility, and comprehensiveness. But that caring, listening government across the way doesn't seem to agree. The dismantling of health care is a fine example of promises made and promises kept. Instead, we are seeing critically ill children being shuttled by ambulance from emergency room to emergency room because there's no room for them. We see Albertans whose loved ones are diagnosed with serious health problems being told they have to wait indefinitely for service. We see our senior Albertans being stripped of their dignity even more while their medical care is cut back still further.

Mr. Speaker, Albertans are now receiving letters from hospital foundations signed by physicians, and I quote a physician from the Royal Alexandra hospital: "The Hospital requires approximately \$1.4 million to purchase critically needed equipment." At the

same time, we're seeing higher administrative costs because hospitals are being told to change their names, such as the Fort Saskatchewan general hospital being renamed the Fort Saskatchewan health centre. It seems that new letterhead and signage is more important to this government than quality health care.

All of these examples lead me to ask just how serious this government is about ensuring quality health care for all Albertans. Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Redwater has indicated that he has a point of order.

Point of Order Oral Question Period Rules

MR. N. TAYLOR: Yes, Mr. Speaker. During question period today we had two questions, one from the Member for . . .

SOME HON. MEMBERS: Citation. Citation.

MR. N. TAYLOR: Okay. It's *Beauchesne* 409(5), page 120.

Mr. Speaker, I know you always dealt with the greatest latitude, but it says:

The matter ought to be of some urgency. There must be some present value in seeking the information during the Question Period rather than through the Order Paper or through correspondence with the Minister or the department.

Two of the questions, one from the hon. Member for Vegreville-Viking and one from the hon. Member for Cypress-Medicine Hat, and there probably may be some others - I'm not trying to say it all goes on one side, Mr. Speaker, and you've always been very indulgent, particularly of newer members. I'm not trying to complain because I'm an older member, mind you, but I do think a lot of the questions are in order to try to stretch out question period and, as the session gets on and on, get to be things that could be answered in a letter or on the Order Paper. Although, admittedly, one of the answers by the agriculture minister had no bearing whatsoever to the question, he had a speech, which is his right to do so. I am questioning whether or not your kindness and indulgence aren't being stretched to the breaking point by letting a lot of questions through the fence that are of no particular hurry, matters of statistics, that could easily be answered by paper.

MR. DAY: Well, on that point of order, Mr. Speaker, I would suggest that if you were to stick to the absolute letter of the law rather than the spirit of the law on that issue, we certainly wouldn't have had any opposition questions today and maybe throughout most of the session. I appreciate it's difficult to make rulings on an individual basis, but in fact when the member cites *Beauchesne* 409, he should look at the opening paragraph there, which guides the actual principles. It says that

the Speaker expressed some general principles in order to clarify the regulations and restrict the negative qualifications which traditionally have guided the Question Period.

These are guides, including the guide that the member cited; guides only. It is up to the Speaker to decide if the question indeed is going to be relevant.

DR. L. TAYLOR: If I could supplement, since I was one of the members that the hon. member was referring to. I would say that my question did have importance for agriculture producers, farmers, in southern Alberta, and these questions are important to my constituents.

THE SPEAKER: Of course, *Beauchesne* 409 does give a fairly broad outline of what question period is all about. The Chair feels that the subject of agriculture has always been recognized as a very important subject in our Assembly, historically speaking. Of course, teenage drinking at graduation time is important to a lot of people in the province.

The Chair would say, though, that it has been rather flexible on the rules with some of the questions that come from the opposition side that they deemed very, very important and that others might say, "Well, that's just asking an opinion of the government; it's not really asking for any factual information." Nevertheless, the subjects that have been raised in general have been subjects of conversation for a great number of Albertans, and the Chair really doesn't think it has allowed questions that are not of importance to all Albertans, generally speaking. [interjection] If the hon. Member for Redwater feels that those questions are out of order, the Chair thinks applying the same rules could rule some questions out of order from his side of the Assembly too. He wouldn't be too pleased about that, I don't think.

The hon. Leader of the Opposition has an application to make under Standing Order 30 on the question of urgency as to why the normal business of the House should be adjourned to discuss another matter.

The hon. Leader of the Opposition.

head: **Request for Emergency Debate**
Health Care System

MR. MITCHELL: Thank you, Mr. Speaker. I rise to argue in favour of my motion under Standing Order 30 to adjourn the ordinary business of the Assembly in order to discuss a matter of urgent public importance: the crisis in health care. I would say that one of the most significant reasons for this debate being urgent today is a culminating series of statements and actions by the Premier of this province with respect to health care.

I should preface my listing of these statements and actions with the observation that while the Premier may have had a mandate and did in fact balance the budget, he had no mandate to change our health care system from its fundamental fairness to a two-tiered, Americanized health care system. I think our concern and Albertans' concern will have culminated most recently with his statement yesterday where he said that he believed Albertans should be able to buy essential medical services from private facilities inside the province. The Premier said: I wouldn't promote it – this is the Premier speaking – but I would say personally that I don't see anything wrong with it. This is a particularly vivid indication of the Premier's willingness to move away from the current publicly funded system, where there is one health care system for everyone. It is only the most recent in a series of actions and statements, Mr. Speaker, which are building, we believe, to the level of crisis with respect to how this Premier is directing and moving our health care system.

We have seen him state late last week that it would be all right with him if people with money were able to jump to the head of something that he would construe as a two-tiered health care system. We have seen him speak openly about allowing public versus private, hybrid clinics in this province. We have seen him talk explicitly about two-tiered systems, and we have seen his party vote against the five principles of the Canada Health Act. These represent significant, fundamental shifts to our health care system and to this government's health care policy.

2:50

It is later this week, two days from now, that the Premier will be meeting with the Prime Minister. The Premier has very clearly said that he's going to take these issues to the Prime Minister. This is a Premier who hasn't had a mandate from the people of Alberta to fundamentally change the Canada Health Act nature of this health care system. He is going to the Prime Minister in two days without input from the people of Alberta, without open public debate in this Legislature to debate and to discuss issues that bear on that very, very important matter. He needs the direction of this Legislature, and we have either today or tomorrow to give him that direction, Mr. Speaker.

The Minister of Health was not able to attend all of the provincial health ministers' meetings. She had to leave early for whatever reason, and that, we fear, underlines a sense that co-operation with the other provinces and with the federal level of government may not be as high a priority as it should be for this government, again emphasizing the urgency of a debate in this Legislature on this important issue.

Regional health authorities took over on April 1, just a little over a week ago, in the midst of what can only be described as uncertainty in the health care system, uncertainty brought about by the Premier's various actions and various statements on health care policy in this province. He's moved from two tiers to nonessential to paying for essential to today suggesting as Minister of Health that in fact certain services like ambulance and home care, which haven't been determined to be essential under the Canada Health Act, perhaps should be.

There is also, Mr. Speaker, a tremendous amount of public concern which cannot be denied, nor should it be diminished, over the state of health care in this province. Recent polls indicated in January that 69 percent of Albertans disapprove of the way the government is handling health care. Later in the same month a poll showed that 68 percent of Albertans feel their health care system is deteriorating. In March a poll done for various media outlets indicated that 56 percent of Albertans feel that the Premier's, quote, unquote, revolution has had negative impact on the quality of health care in Alberta.

Health care in this province, our system, is a value, a value that reflects what we are as Albertans. The Premier has never had a mandate to change it in the way that he is contemplating changing it. It is urgent. It is of public importance, Mr. Speaker, and I ask that we be allowed to debate it this afternoon.

THE SPEAKER: The hon. Government House Leader.

MR. DAY: Thank you, Mr. Speaker. If I read Standing Order 30 correctly, there's an indication: "The member may briefly state the arguments" as related to urgency. The member just did that. The question of "briefly" is subjective, so I won't comment on that. What is subjective is the sense of crisis. As an opposition leader he has certainly consistently gotten to his feet not just day after day but week after week after week, not just on this issue but has proclaimed crises in virtually every field of endeavour in the province. So this is no exception.

Health care is certainly an important issue, Mr. Speaker. So important, as a matter of fact, that the consultation that has gone on and continues to go on related to health care is probably more extensive than what you'll find in any other province, if the member were willing to take the time to do some simple research. I'm talking about the Rainbow report, the utilization studies, the long-term care studies and report, the ambulance services report,

the consultation across the province of over 5,000 persons that took part in written submissions. [interjections] You know, I didn't utter one word while the opposition leader was rambling on, and I would expect the same basic minimum of respect in this House.

The Starting Points document, of which I have a copy here, health plan co-ordination project team to develop action plans for implementation, formation of the 17 regions themselves, the development of the business plans for three years, the consultation that goes on even today, the meetings that take place with the minister and the Council of Chairs, the meetings that take place with MLAs and the local representatives – Mr. Speaker, the discussions that are going on today as they have been over the last number of years related to health care are incredibly extensive. Does it always yield the result that everybody would like to see? No, not always, but it is in a constant state of discussion and analysis and formulation. The Premier very clearly indicated today – and the Blues will show it – that he is asking the federal government for clarification on a number of these issues that Albertans are asking about.

To say that it's in crisis would suggest that there are no hospitals open today, that if somebody is injured today they can't get care, that people can't get operations, that people are not being taken care of in their homes. Now, the Liberals would like to say that it's in crisis and that in fact nobody's being taken care of. We know that that's absolutely false. We know that they're trying to raise a sense of chaos and crisis, but in fact that is a very subjective analysis, Mr. Speaker, and because it is subjective, it is hardly reason to suspend the business of the day, especially when appropriation Bills are on the Order Paper tonight, under which appropriations for health care can be discussed. When I look at the Order Paper, I see that there is a motion from the Member for Edmonton-Glenora about as wide as you can possibly get in terms of a discussion on health care. That's on the Order Paper.

Mr. Speaker, health care is important. It is very important. That's why consultations have been so extensive and will continue to be in the future as it takes shape and meets the needs of Albertans. But to suspend the discussions and the debates of the day, just today, because the member of the opposition wants to try and score some political points, I think is not appropriate. [interjections]

THE SPEAKER: Order. [interjections] Order.

MR. DAY: Mr. Speaker, even without your ruling I withdraw that remark. It has nothing to do with urgency. I withdraw the political remark.

I will say totally, unreservedly, there is no crisis. That's a subjective view. Discussions are going on at a highly intensive rate, and they will continue to do so. I look forward to members of the opposition continuing to be involved in those discussions.

MR. N. TAYLOR: Mr. Speaker, speaking to the matter of urgency, to Standing Order 30, the debate is necessary for two quick reasons. It's already been mentioned by the government member that they're looking for guidance and reports and interpretation of what's on the national scene, but maybe more importantly it's critical because orders in council and regulations by this government can control the health schemes in Alberta, can in effect put in a two-level system or extra billing. In other words, regulations and orders in council can completely bypass this Legislature and go ahead. Secondly, there was no mandate and there's been no mandate or anything in election.

So I think it's quite critical, Mr. Speaker, that we have a debate so that the people of Alberta, through their representatives and through listening to what goes on in the Legislature, can see what this Legislature – it's important: the whole Legislature, not the government – thinks and wants to have done on a medical system for Alberta. [interjections]

THE SPEAKER: Order please. The Chair has heard enough on the matter of urgency. While the Chair did receive notice of this request for leave in accordance with Standing Order 30(1), on the issue of urgency it is not clear to the Chair what the crisis in health care consists of. The opposition leader insists that the government is moving health care in a direction characterized as two tiered, and the government insists that this not in fact happening. The Chair does not see how this difference of opinion or the difference in policy constitutes a genuine emergency necessitating an emergency debate under Standing Order 30. Controversy is not always the same as an emergency.

3:00

To date there have been numerous opportunities to debate health care in this Assembly, including Bill 201 introduced by the hon. Leader of the Opposition, the Health estimates in general, which have just recently concluded. There are appropriation Bills presently before the Assembly, and these appropriation Bills will be up for discussion later this day. There is always the question of question period access every day that we sit, and there will no doubt be numerous other occasions in the days to come in which this very controversial issue will be able to be debated by all members of the Assembly.

head:

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Bill 207

Maintenance Enforcement Amendment Act, 1995

[Adjourned debate April 5: Mr. Renner]

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

MS HANSON: Thank you, Mr. Speaker. I would like to say a few words this afternoon on Bill 207, the Maintenance Enforcement Amendment Act. This Bill was written with the best interests of children in mind. While there are many disruptions and many people are affected by divorce, ultimately as far as the maintenance is concerned, it is children who suffer when the system doesn't work. Separation and divorce are terribly hard on all families, on both parents and children. Lives are disrupted, and the children often blame themselves, wondering what they did to cause this terrible thing to happen. As well, life changes dramatically for both parents. Two homes need to be maintained, often an extra vehicle, and all the other associated costs of living separately. In all of this, the custodial parent takes on the day-to-day responsibility for the children, and the decrease in living standards is nearly always dramatic.

I want to quote a few statistics to illustrate the incidence of divorce in Alberta and the prevalence of poverty among women and children as a result of divorce. Alberta, as has been mentioned before, has the highest divorce rate in Canada. In 1991 we

rang up 343.5 divorces per 100,000 against the Canadian average of less than 300 per 100,000 of population. It's also stated quite frequently that it's estimated that 67 percent of families with young children living above the poverty line would become poor if one of the parents left and did not make support payments. That's 67 percent. That sort of follows that 60 percent of the families living below the poverty line are led by single mothers. The National Council of Welfare does estimate that one-third of the women recipients find themselves in social assistance because of marriage breakdown, and in Alberta more than half of all single parents in the province can be expected to be on assistance. So those are just a few of the statistics that spurred the hon. Member for Spruce Grove-Sturgeon-St. Albert to write this Bill.

When this change and disruption is accompanied by a refusal or an inability to pay income maintenance as has been determined by the courts, a previously financially viable custodial parent can find themselves, at best, working poor and, at worst, on social assistance. Unfortunately, in these times of high unemployment many of the noncustodial parents have difficulty keeping up with maintenance payments.

However, the other side of the coin is that some parents who have maintenance orders against them go to great pains to avoid paying. We frequently hear of stories of businesses and vehicles being put in someone else's name, people moving out of the province to avoid paying maintenance, and people hiding income. All the while, the parent with the children is living in poverty.

The objective of strengthening the enforcement provisions of the Act, requiring that child support orders be deducted at income source in all cases, not just cases where people are behind in their payments, is a good one. The current system of refusing drivers' licences certainly does penalize the offender, but for some who are in arrears due to unemployment it means that they are unable to buy a licence. That means they cannot travel to certain jobs, and it simply doesn't help the family and it doesn't help the noncustodial parent. It makes employability limited. As well, some people simply drive without a licence, and they're undetected unless there's an accident.

During last week's debate I was interested to hear one of the government members say that while drivers' licences are renewed every five years and vehicles need to be registered every year, therefore it would cost less in the current system because there would be no money spent on looking for the offending parent. They could be identified at the time of registration. That's fine as far as it goes, but while a driver's licence has to be taken out by the person who is going to be driving because they have to have identification and their picture is on the licence, a car can very easily be registered in somebody else's name. Quite often people do this if they lose their licence for other reasons. This is one of the reasons that we have for amending this Act. If an individual is remiss in maintenance payments, it costs a lot to track that person down. In the current system you have to wait until they try to buy another licence in five years.

I would just like to say a few words about the rationale for the caucus position on Bill 207. We have fashioned the Bill under the Ontario plan. In March 1992 the Ontario government implemented automatic deduction of support payments from the paycheques of noncustodial parents, and that is true for everyone, not just people who are behind in their payments. The family support plan of Ontario requires that employers deduct payments from the employees' income and forward those payments to the family support office for distribution to support the recipients and their children. We maintain that this system is far more efficient

and less expensive. More importantly, the regulation would be applied to everyone, so there is no implication, because the money is being taken off at source, that you have been remiss or that there's anything you need to be embarrassed about.

Recognition of that deduction of support from income on its own does not solve the social problem of unpaid family support. The Ontario government included a comprehensive public awareness campaign, and they outlined the social and economic costs of family support. The campaign lasted for three months and it involved television, newspapers, transit, and mall boards so that the whole public had an opportunity to learn what this plan was about and it would probably deter some people who were considering copping out.

The results from this automatic withholding have been impressive. Just a few more statistics: just 19 months after the program began, collection success went from 40 percent to 66 percent, and the total monthly collections increased from \$14 million in Ontario when the program was launched in 1992 to \$19 million one year later. So that's an increase of \$5 million in a year.

Given the success of this program in Ontario and the extent of the problem in Alberta, combined with our high divorce rate, I urge the government to act now and approve this amendment to the Act. Thank you.

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

3:10

MR. YANKOWSKY: Thank you, Mr. Speaker, for allowing me to add my comments to Bill 207, the Maintenance Enforcement Amendment Act. I do have some problems with this Bill. We have somewhat lopsided legislation right now, and this will only add to that lopsided legislation by basically singling out men as the only offenders. The legislation that is now in place allows so-called deadbeat dads to lose their driving privileges, which many times results in a loss of employment, because now you can't very well get along without being able to drive. Also, funds can now be accessed from joint business accounts, and this leads to the breakup of business relationships and the demise of that business.

On top of all which is in place already, Bill 207 will further increase the persecution by allowing courts to enforce maintenance deduction orders through employers. My question is: what do the employers have to do with this? On the other hand – this is the other side of the story – we have so-called vindictive leech moms, who refuse dads visiting rights and give them no say or little say in the upbringing of their children. By and large, in many cases they are pitied and protected by the courts.

Now, the custody of children is a choice which is much fought over at the time of a divorce, and courts have traditionally awarded the choice to the mother. Now, if child support is such a problem, perhaps the courts are awarding the choice to the wrong person. In no other instance can one get a choice in life and someone else pay for it. The majority of fathers are indeed paying reasonable amounts, given their income and circumstances. However, an ex-wife can continue to sue for more money and deduct legal fees from her income tax return. On the other hand, an ex-husband cannot even protect himself from bankruptcy, and I refer to income tax bulletin 994. I ask you: is this fair?

There's more. Even though the man may be paying more than the mother to support the child, she gets to, as I've already mentioned, claim the legal deduction. She gets to claim the equivalent to married deduction of \$5,918, and this is a 1994 figure. She receives the child care deduction, and she receives

the child tax credit payments. There has to be some kind of an incentive for men, for women – there are women that are making maintenance payments as well – to make payments. There is little or no incentive if the father or the mother is denied visiting rights or if they have no say or little say in the upbringing of their child or children.

The ex-wife or the husband may indeed move a long distance away from the one that is making the maintenance payments. This of course may only allow them to see their children or child once a year if they have to travel across the country. There are also telephone bills that are incurred whenever they want to call their children and speak to them. There are mailing costs incurred to mail cards, parcels, and so on, transportation and accommodation charges if they have to travel across the country to meet with their children. I know of many such instances. Also, maybe dad is really struggling to keep his business going or to keep his job, in fact. On the other hand, the ex-wife may have a good job, may have friends, and may be even remarried but yet keeps suing for more maintenance. I know of such instances also.

Now, if you want a real eye-opener, then listen to some of the talk shows where the subject of deadbeat dads is discussed, and you will hear firsthand what I'm talking about. You will hear successful businessmen crying on public radio about the things I've just outlined. It's devastating to hear grown, successful men cry because they're being called deadbeat dads, painted with the same brush, yet they say: "We've never missed a maintenance payment. We make our maintenance payments faithfully. All we want is to see our children, and we are being denied that right in many cases."

Rules now in place – and those proposed in this Bill 207 have the potential – have made dads unemployable in many cases because of the loss of driving privileges and made them unmarriageable because in many cases they have huge maintenance payments. They are tarred with the same brush: deadbeat dad stigma. So their friend finds out about this, and of course the relationship is broken up.

The government now has access to joint business and personal accounts, where they can obtain child maintenance payments. Bill 207 before us doesn't help much. It just adds fuel to the fire.

Now, if you're going to knock something, I guess you should have some solutions, and I have a couple or three solutions here. The first one – and of course this will probably never happen – is for society to return to the traditional, co-operative family values. Not that each member in the family has their own values, their own rights, but work out problems as a family, collectively, under some kind of rules.

Also, what about equality and fairness? That is, the one that is making the maintenance payments, the dad or the mom, must have visiting rights, must have a say in the upbringing of their child or children. Maybe there should be some kind of a restriction placed on the distance that the parent having the custody can move away from the one that's making the payments, because that is an unfairness, then, when the one making the payments can see their child possibly only once a year.

The third one is the one I really like. Maybe we should take the job of assessing maintenance payments away from overworked judges and set up an audit board. This would consist of professionally trained individuals who would audit both the man's and the woman's lifestyles and incomes, and both parents would be accountable to a board. The audit board could better maintain a fairness for both divorced parents and their children. This would go a long way to eliminating deadbeat dads and vindictive, leech

moms. Children would be the benefactors and hopefully would be truly taken care of.

These are my thoughts. I urge all members to reject Bill 207. It will only inflame the situation. Regulations that are now in place in Alberta are better than in most provinces and are adequate. I urge the hon. sponsor to look at the alternatives I have just mentioned, the solutions, such as the audit board proposal, and possibly propose them later.

Thank you.

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

MRS. HEWES: Thank you, Mr. Speaker. I do want to say that I supported the Bill that was put forward last year by the hon. Member for Calgary-East. Speaking to it at the time, I said that I didn't think it went far enough. It was an acknowledgement, I believe – and I'm grateful for that – that the system we had in place wasn't working well enough and I think an attempt to correct some of the things in it. But it didn't really go far enough, and I think Bill 207 accommodates some of the needs.

3:20

I'd just like to comment. This is a painful sort of a discussion that we have to have from time to time. But who is it that gets hurt? Who gets hurt when this business of court orders and divorce and custody orders don't work? Clearly it's the children. It's the children who suffer. I think it's incumbent on this House to do whatever we possibly can to make the system work more smoothly, to make it work to protect the children and whatever spouse has the custody, to make it work for those children who have had to withstand the trauma of a broken home – potentially that's the trauma of a divorce and a custody suit and some of the things that go along – that they are not subjected to further discomfort. My colleague from Edmonton-Highlands-Beverly I think gave some numbers that we don't want to know about either, Mr. Speaker, that suggest what happens and who the aggrieved person usually is and what happens to the income of usually the woman and her children, because often it's seriously depleted.

Mr. Speaker, we've had this system since 1985, just before I came to this House. I remember meeting and working with some of the people who persuaded the government at the time to put the original legislation in place, and I was pleased that they did that. But let's not pretend that it's working well as it presently exists. I think it's important for us to take a hard look at it and see if there are some ways that we can make it work better. It's not an easy resolution, and it's not something that we like having to legislate. In a perfect world it wouldn't be there. These kinds of situations simply breed anger and bitterness and punishment of one another, but as I said at the outset, it's the children that get hurt.

Mr. Speaker, I think it's important in this kind of overheated, volatile, argumentative, punitive, mean-spirited scene that we try to create legislation and regulations and a system that will depersonalize the function. A court order certainly has to be obeyed, and children must be protected and not put at risk. But I think the discussion on how payments are to be made and transferred needs to be depersonalized and removed from that theatre of domestic strife as far as possible, and I believe that 207 in a considerable way goes to do exactly that.

Mr. Speaker, I'd just like to comment that 207 attempts to do three things that are important. These are the most persistent problems that I think we've had with maintenance enforcement. The first one is the length of time to receive payment, and 207

will address speeding up the problems of delay in payment. For that reason, I think it's important to make these changes now.

The second thing that 207 does, Mr. Speaker, is deal with the lack of consistency when enforcement measures are applied. It sets out important considerations that the director must take into account before allowing a continuing attachment to be removed. In that regard I'd just like to read a few lines from a letter that I have received that went to the maintenance enforcement department last month and was copied to me about that particular item that this Bill attempts to deal with; that is, continuing attachments. It's related to last session's legislation.

This is a mother who has custody, and she relates the following: "I have been told numerous times by your personnel that you can't get blood from a stone. Instead, perhaps they should be instructed to tell actual facts, that there are no time lines or deadlines within the maintenance enforcement program, that all processes will have to be exhausted before any serious steps will be taken to actually collect money from deadbeats, that the image the program portrays is only a media-created image. On the other hand, maybe your personnel answering the inquiry lines should be able to quote policies and procedures that the program follows instead of quoting century-old sayings. After all, we are not dealing with stones or blood now; are we?"

Then she goes on to describe the exact details of the continuing attachment. Here she says: "Recently my ex-husband tried to get the H & R cash-back deal and was told to contact Revenue Canada. This is the only sign I have had that leads me to believe this program has actually done something in regard to collecting. His solution to this is a promise to me that he will not file taxes for five years. Now he's going to have the thrill of sliding past the driver's licence option, and he won't have to deal with this restriction for another five years. He already takes great pleasure in knowing he is beating the system, and I can well imagine the humiliation he'll impose on me when he gets his licence renewed."

So, Mr. Speaker, I think we see from the actual experience of people in these situations that the system, while we have something that says that the director takes these things into account, in fact isn't working as it should.

The third thing that I believe the Bill deals with, Mr. Speaker, is the necessity for annual reporting to the minister which would include for the first time the amount of arrears that have been reduced or eliminated and the reasons for the reduction or elimination. I think that's very important. This, no doubt, is modeled after the Ontario system.

Mr. Speaker, the Minister of Justice responded to me when I asked some questions during estimates in this regard, and I quote from his response to me:

Our initial assessment of the Ontario system and other jurisdictions that use automatic wage withholding is mixed. Although this system helps remove the possibility of the debtor avoiding his or her support obligations, it is administratively cumbersome and costly. By using such a broad enforcement tool, resources would be spent on enforcing many orders that are being paid voluntarily. The additional resources required to administer could be spent on those orders that actually do need enforcing.

Mr. Speaker, while I thanked the minister for that response, in fact I would just like to comment about the Ontario system. My information – and I'll be glad to table this in the House – is that it is working and working very well, that in fact while in the first year of operation of the voluntary wage deduction the costs did go up – and that was anticipated and budgeted for – in fact they have now leveled off and are being reduced each year.

Mr. Speaker, just some comments from descriptions of the Ontario program. The legislation was introduced to address the burden placed on taxpayers when support payers failed to meet their obligations.

Mr. Speaker, may I, looking at the time, beg leave to adjourn debate?

THE SPEAKER: Yes. The hon. member correctly has ascertained that Standing Order 8(2)(b) requires us to move to the next order of business.

head: Motions Other than Government Motions

3:30

Seniors' Benefits

508. Moved by Mrs. Hewes:

Be it resolved that the Legislative Assembly urge the government to ensure that seniors' benefits provided by the government will not be decreased for any individual after that person reaches the age of 65 years.

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

MRS. HEWES: Thank you, Mr. Speaker. You get me again. The intent of the motion clearly is to protect seniors, with whom the government has had a contract over a number of years, against that contract being broken.

Mr. Speaker, we need to reassert the principles of dignity and respect for the pioneers and the people who built this province. They brought their families and this society through a depression and through a world war only to be faced with boarding houses and food banks. I think we must reassert that these people live on fixed incomes. For many, as costs increase, going out and getting a job, part-time or full-time, is simply not an option.

The current government practice of changing benefits breaks the election promise of this government to seniors of protecting those people who built the province. Mr. Speaker, I'll just read from a brochure that was distributed by the Premier before the last election. There is a section in it that is headed Seniors Control Their Future. The first is a quote: "We will continue our support of those people who built today's Alberta." That's from the Premier, May 1, 1993. Then following that, it says in this document, which I assume is a promise:

- Seniors will be consulted to ensure all seniors programs reflect the wishes of seniors
- 245,000 seniors will continue to receive Basic Health services and Blue Cross; a further 140,000 receive extended benefits [and lastly]
- 109,380 Seniors will benefit from the Property Tax Reduction program; another 51,000 will be helped by the Renters Assistance Program.

Well, Mr. Speaker, promises made, promises broken. Those promises to seniors, that contract with Alberta seniors . . .

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

THE SPEAKER: The hon. Government House Leader is rising on a point of order.

Point of Order Allegations against Members

MR. DAY: Mr. Speaker, quoting 23(h) and (i). I do agree with the Member for Edmonton-Gold Bar that these are important items to be talking about relating to our seniors. I want to make

that clear: no difficulty with that. But what the member is now doing is entering into the debate what I believe is a political element which indeed makes allegations, very serious ones, about breaking promises.

If I understood and heard correctly – I don't have a copy of the brochure – there are words like, "We will continue . . . support," and "Seniors will be consulted." I don't want to get into an argument that breaks down into just a point of clarification. I don't want to do that, but it is very important, Mr. Speaker. The member has said that the government has broken promises. What the particular brochure talks about is consultation, ongoing support, et cetera, and here we're saying broken promises. That is making allegations, which is 23(h). That is imputing false motives, and possibly, though the member doesn't usually do it, using insulting language. I'd like her to respond to that.

THE SPEAKER: Order please. The Chair has to rule. This is not a point of order. There was a member for Red Deer in the federal House of Commons at one time who said something: if we aren't careful in the House of Commons, this might turn into something very political. Hon. members, this is a political Chamber. The rules provide that allegations or innuendoes or those things cannot be applied against other hon. members. It does not have any application to a government.

The hon. Member for Edmonton-Gold Bar.

Debate Continued

MRS. HEWES: Thank you, Mr. Speaker. Just to reinforce then. If it says that "109,380 Seniors will benefit from the Property Tax Reduction . . . another 51,000 will be helped by Renters Assistance," I ask hon. members, the hon. Government House Leader and all hon. members: where are those programs now? They are gone.

Mr. Speaker, this is what I consider to be a current government practice: changing benefits, changing what they promised in the election, and changing what seniors had anticipated. It's changing the whole scheme of things for the people who built the province. I submit that seniors paid into these programs over years with certain expectations. This is tantamount to changing the rules and regulations on your pension, changing the rules and regulations on a mortgage, or when you've entered into a contract and have certain expectations, that you have paid into, and then suddenly these are gone.

I think, for instance, of people who negotiated retirement packages with hundreds of corporations in this province. Many didn't include health benefits or remaining on the group Alberta health insurance plan because at age 65 they had every reason to anticipate that they would be on the government plan. Mr. Speaker, I commented on that earlier today, that in 1972 in the very first throne speech of this government the business of seniors and seniors' benefits was part of that throne speech, and that's a matter of record. Unfortunately, when the government began charging health care premiums to seniors, many seniors went back to their companies to try to get back on the group health plan, and they were told: "I'm sorry. This is the retirement package that you agreed to. Too bad. Too bad for you." It's that kind of thing that I think really illustrates the sort of problems that seniors are now encountering in their daily lives as a result of the government's action.

Mr. Speaker, let me just go back over a little history of what has happened here. In December of 1993 the government quietly did a little study on what could be deleted from seniors' benefit

programs that were then in place and what could be deleted to reduce the budget. Nobody heard about that study until February of '94, when buried in the budget there were the deletions and the reductions in seniors' benefits. They were hidden in there: a reduction from \$1.1 billion to \$0.9 billion, a considerable reduction to seniors' programs. The ASB became sort of buzzword of the day. The Alberta seniors' benefit: this is going to fix it for everybody; this is going to be one-stop shopping; you're going to be able to get everything you need; if you're a low-income senior, you're going to be protected; and so on.

Well, Mr. Speaker, the seniors of this province were blindsided by ASB. They really believed and I think trusted that the government was going to put a program in that would benefit them, and that has not occurred. The numbers of calls that came to the government as a result of that program being put in place, either before it went in or after it went in, I think are an illustration of the confusion and the discomfort and the punishing effect of that program.

Mr. Speaker, the government was forced by the hue and cry to develop a number of discussions on the subject. These were very controlled. They, in fact, in desperation set up a review commission to look at it. Recommendations came forward from that commission on the thresholds that should be used – in fact, one recommendation in there said that there shouldn't be health care premiums charged – but these recommendations were ignored. The government went ahead and put the ASB in place, as they had intended to all along.

Mr. Speaker, there's no question in my mind that seniors are concerned about the deficit. After all, they are thrifty folk. They've worked hard. They've saved, and they've planned. They didn't have large pensions or golden handshakes, except those among us who happen to be MLAs. They didn't have the opportunity for the kind of layaway plans and so on that many do nowadays, but they did plan for their retirement. I think they had every reason to expect that certain programs were going to continue. In fact, I've already attested to that from the promises before the election. So I say that with these kinds of reductions that have been put in place, in fact, actual programs being totally discontinued, we have broken a contract with them.

3:40

Mr. Speaker, then we sort of add insult to injury. The cumulative effect of this whole thing has been absolutely devastating for seniors. It's been something that I have begged the minister responsible and the member who is the chair of the Seniors Advisory Council to look to and appeal, and I'm grateful that that's going to happen because I think we desperately need it. But the cumulative effect has been quite frightening. So we have the ASB, and we have the discontinuation of the renters tax credit and of the property tax credit. Then we have the deregulation of seniors' lodges and an interesting statement in there that no senior should be left with less than \$265, but no one knows where that figure came from or who monitors it or what it's left from. So it's really totally meaningless.

Mr. Speaker, with the deregulation of lodges we see the proliferation of a group of commercial boarding homes. I have always believed that seniors need good choices in housing. Like every one of us, they have every right to make choices. But I believe where we have an audience, a constituency that could be vulnerable, if not today, perhaps tomorrow or next week, we need to have some standards for those that go beyond just the municipal standards of fire and space, that we should have licensing, that we should have accreditation of those boarding homes. I think that

is an opinion that is widely held across this province, but the government has declined to act on that. So we have that proliferation happening.

We have health benefits. We have the situation, Mr. Speaker, where we have the compounded effect of people in hospitals, many of them seniors, being given early discharge. That's important because I believe people get better faster when they're at home, but they need to have home care. Now, home care – and the minister this afternoon commented on this – if it is medically necessary, is covered by insurance; if it is not medically necessary, it is not covered. I find in my own constituency office frequent calls from seniors whose spouse is sent home to recover, not medically necessary to have home care but, yes, necessary for their recovery to have someone who can come in and help with meals, help with cleaning, help with laundry, and so on. This is not covered, so seniors have the extra expense of being at home of \$5 an hour. Maybe it doesn't seem much to those of us who are here with salaries, but these are people on fixed incomes who have no place to turn.

Seniors' drug costs, Mr. Speaker, have been increased by 50 percent since the ASB came in. Seniors' supplies for incontinence, seniors' over-the-counter drugs – Tylenol, vitamins – have been deinsured. Dental and eye care have been reduced. The insurance premiums, we all know, have gone up for many people. They're going to go up again on the 1st of July.

It's incredible to me that in one of the Calgary regions we now have a food bank started because veterans are hungry and veterans don't have enough income or enough support in this province of Alberta to manage without a food bank. I'm embarrassed. I feel really badly for Alberta that we would have to resort to . . . I can't believe that this is happening in my province.

Mr. Speaker, now we have the problem of ambulance service for seniors who are, unfortunately, more frequent users than average of the health care system. They have to pay extra for ambulance. They're frightened by that. More often than not they have to pay up front and then hope to recover.

Mr. Speaker, the Premier has talked with us about the 5 percent solution, that everybody has to buy into the notion that we should all be prepared to bite the bullet, to do our share, and to buy into the 5 percent solution. Well, seniors, I say, have been asked to take a very disproportionate hit. Seniors don't have a lot of time. They don't have a lot of time, and they don't have a lot of money. It's defied me how the government believes that seniors on average are well-to-do. To be sure, I think seniors are good managers, but they don't have a lot of time and they don't have a lot of money, and we're punishing them with a 17 to 20 percent reduction in their disposable income.

Mr. Speaker, are seniors okay? The answer is: no, they're not okay. They feel that they've been abandoned, and I think they make this clear to us daily by their calls. They feel that this government has broken promises to them, has abandoned them, and has isolated them. They are terrified that when their municipal tax bill comes in for property taxes and they don't have that rebate, they're not going to be able to pay it and their independent living will have to be abandoned as well.

Mr. Speaker, I've told this House before that the one word that describes seniors is "fear." They are frightened. I think that's unnecessary in this province, and I am ashamed that in Alberta we are doing that to our senior population.

I commend the work of the Alberta Council on Aging. I thank the advisory council for the kind of thing they do. I want to thank the seniors organizations who are working tirelessly to help people

who are members and people to whom they reach out to deal with what this government is doing.

Mr. Speaker, just finally, what has happened here I believe is unfair and unjust. It does not, to me, describe what we should be doing in this province of Alberta. I beg the government to think about this motion, to accept the idea, and to act on it to create a situation that is fair and just for the senior residents of Alberta.

Thank you, sir.

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

MRS. BURGNER: Thank you, Mr. Speaker. I appreciate the comments by the hon. member and would just like to reiterate exactly what this motion says, because I think for the record it should be in *Hansard* and understood:

Be it resolved that the Legislative Assembly urge the government to ensure that seniors' benefits provided by the government will not be decreased for any individual after that person reaches the age of 65 years.

Mr. Speaker, I have to make the comment that I think the motion has merit in its intent, but it clearly ties the hands of government in meeting the needs of seniors. I'd like to take a few minutes to remind the House of the principles that were discussed in developing the Alberta seniors' benefit program. These principles were shared by and advocated for and supported by a significant number of seniors within this province.

The first and foremost of those principles was to protect low-income seniors. Clearly, they are a category all on their own. The second one was to avoid means testing. Mr. Speaker, there are many seniors who have asset wealth, be it their family home, and the fact that that may be their only source of future support and that it needed to be protected was a recommendation that this government accepted. Streamlined administration. Clearly, when you have a number of programs delivered across departments, there is always duplication, and the seniors looked at the streamlining of administration as a way to cut costs. Continue consulting with seniors. I don't have to tell you that that process has been ongoing; in fact, the hon. member has referred to it. Monitor the cumulative effects of changes. That, Mr. Speaker, has clearly been spoken to, and that process is ongoing. Lastly, Mr. Speaker, the appeal process which was spoken to in the Speech from the Throne and in the budget just earlier this session. Clear statements have been made that that information is forthcoming.

3:50

The reason I refer these issues to you is that when the motion specifically says that you will not decrease for any individual, you are not allowing the flexibility that we need in government in order to address these particular principles and provide for the long-term needs of seniors.

So at this time, Mr. Speaker, I would like to table an amendment to this motion, and I'll just wait while that gets distributed around the House.

Moved by Mrs. Burgener that Motion 508 be amended to read:

Be it resolved that the Legislative Assembly urge the government to ensure that seniors' benefits provided by the government will remain at an appropriate level for any individual after that person reaches the age of 65 years.

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

THE SPEAKER: The hon. Member for Edmonton-Centre is rising on a point of order.

Point of Order Clarification

MR. HENRY: Mr. Speaker, the intent of this motion is very clear, and that is to protect individuals against any government's whim with regard to changing the contract that the individuals enter into with the government when they turn 65. The amendment to this motion very clearly changes the intent of the motion and is contrary to the intent of the motion. The whole point of the motion is that once a contract is entered into at age 65, then no future government can change that contract and an individual is given protection. By allowing the government to simply determine what an appropriate level is, that it remain at an appropriate level very clearly changes the intent of the motion, and therefore it should be ruled out of order. It does not enhance or clarify or extend the motion but instead is contrary to the basic intent of the motion. I'd ask you to rule this amendment out of order, very clearly.

MR. DAY: On the point of order, Mr. Speaker. I think what the member has done here is anticipated the debate. In fact, in Standing Order 18 it talks about not just debatable motions but the types of motions that may be amended. Without getting into the debate, this is not negativizing the motion per se. It is inserting a phrase which talks about the funding levels, as does the original motion. The original motion talks about benefits and certain levels, and this one does not detract from that.

On the point of order itself I don't know how the member can get to his feet on a point of order when he actually should be doing it in the debate itself. The only exception to that of course would be if the Table itself has already ruled – I hadn't heard that ruling – that this is a motion that is contrary to parliamentary procedure. I think that when you look at it and when you look at Standing Orders, this is entirely within the lines. It enhances; it does not go against the basic principle of the motion, which as I understand and as a matter of fact agree with the Member for Edmonton-Gold Bar – I agree that seniors' benefits are something that need to be jealously guarded, and this in fact does that. As far as a contract, I don't know that the seniors of Alberta or in fact the government of Alberta signed a contract, though commitments are certainly made.

So on that point, Mr. Speaker, I would suggest that this is not a point of order, but certainly the member should be on his feet speaking on the amendment if he thinks there's a deficiency here that's worthy of debate.

THE SPEAKER: The hon. Member for Edmonton-Rutherford on the point of order.

MR. WICKMAN: Yes, Mr. Speaker, on the point of order. I think the contradiction that's pointed out by the Member for Edmonton-Centre is so very, very clear. The original motion clearly, clearly establishes "will not be decreased," whereas the amendment states "remain at an appropriate level." Because of the wording of the amendment, one has to assume that the appropriate level will be a level as defined by the government. That appropriate level defined by this government could be a decrease down to zero, half, who knows what.

In any case, the motion is so straightforward: "will not be decreased." For the amendment to be not contradictory, the amendment would have to read in such a way that it acknowledges – if it were to read "remain at the level as indicated by the motion," then it would be acceptable, Mr. Speaker. Clearly, the

intent of the amendment is to undermine the main principle of the motion. The main principle of the motion is: don't decrease. The amendment softens that and allows for a decrease for who knows how much.

So I'm right with the Member for Edmonton-Centre on this one.

THE SPEAKER: On the point of order, the hon. Member for Calgary-Currie.

MRS. BURGNER: Yes, Mr. Speaker, on the point of order. I appreciate the comments that are raised, but I have to reiterate the concern that the hon. Member for Edmonton-Centre has regarding a contract. There's an implied situation in his point of order that there is a physical contract with a set series of expectations that is signed by someone once they reach the age of 65. There are a number of citizens in this province who are 65 years of age who do not come under the Alberta seniors' benefit program; for example, because of immigrant status and a number of other issues. In identifying that we cannot even suggest any change whatsoever in these programs because of a contract, written or unwritten, does not reflect the concerns of seniors. They have asked for us to be frugal with our dollars, to redirect them where they're needed, and I believe that if we're going to talk about a contract with seniors, it's important we look at some of the initiatives they've asked us to address with respect to deficit reduction. I have very serious concerns about that issue with respect to the contract.

"Remain at an appropriate level" allows government to respond to the flexibility that we need in order to address this issue.

THE SPEAKER: Is this still on the point of order?

MRS. BURGNER: Yes, Mr. Speaker.

THE SPEAKER: Well . . .

On the point of order, the hon. Member for Edmonton-Gold Bar.

MRS. HEWES: Yes, Mr. Speaker. Just to comment on the last speaker and whether there is or is not a contract. I suppose the word "contract" can be interpreted one way or another, but I believe legislation that puts certain programs into place is in fact a contract, and in order to change that, the legislation has to be changed, has to be withdrawn or replaced.

Mr. Speaker, I do believe the amendment, while I appreciate what the hon. member is attempting to do here, is contrary to what was intended in the motion. The motion says "not be decreased." If the member wants to amend it to say "remain at an appropriate level which will not decrease the amount," then I can buy into it because it perhaps was an appropriate level. But I can't accept the idea that this in fact is an appropriate amendment to my motion.

4:00

THE SPEAKER: Hon. members, the hon. Member for Calgary-Currie has moved an amendment to motion 508. The relevant citations in *Beauchesne* are 567, 578, and 579. The Chair has reviewed this amendment bearing those citations in mind. *Beauchesne* 567 states that

the object of an amendment may be either to modify a question in such a way as to increase its acceptability [to the Assembly] or to present to the [Assembly] a different proposition as an alternative to the original.

According to *Beauchesne* 578 and 579, an amendment may not negative the motion or introduce foreign matter. These two areas

seem to be somewhat in conflict with each other. It is the view of the Chair that this amendment does present a somewhat different proposition as an alternative to the original in accordance with paragraph 567, but it does so without negating the original intent of the motion. Therefore the Chair has found the amendment to be in order.

The hon. Member for Calgary-Currie.

Debate Continued

MRS. BURGNER: Thank you, Mr. Speaker. I would like to bring some information to the attention of this House that I think will engage them in supporting this particular amendment. Just as recently as last Sunday an article filed by Mark Kennedy of the *Ottawa Citizen* was featured in the *Calgary Herald*. The issue of Mr. Lloyd Axworthy's review of social reforms and the social safety net was put on the table again.

The reason why this amendment was brought forward was because seniors need to be protected from forces, conditions, and economic situations that may be outside the jurisdiction of this province. Mr. Speaker, I'd like to just bring to the House's attention what some of our seniors can look forward to. There is a decision to look at the redistribution of "benefits to the neediest seniors." This is from the federal minister, Mr. Lloyd Axworthy. That's a serious change from the continuous obligation of looking at all seniors at age 65 in the same context. So clearly on the table is a federal decision to review seniors' programs and deal with those who are neediest.

[The Deputy Speaker in the Chair]

Also cited in the article is that married seniors who now avoid the clawback on their pension will see the loophole closed. Critics say the big losers will be elderly women who never worked outside the home and whose only retirement income comes from their pension cheque.

Again, Mr. Speaker, we're not sure what this federal program will look like. We're not sure how it will tie itself to our provincial programs, and we need the flexibility to find out what the appropriate needs are of our seniors. If we are tied to an inflexible model, we may not necessarily be able to meet the needs of seniors as we would prefer to.

A third issue that is emerging is the inter-generational squabble [which] could emerge in the debate over reforms, as the government tries to mollify young people without steady work who think seniors have milked the system.

Mr. Speaker, we are in for a very, very difficult discussion on behalf of seniors, and I believe this motion reflects the fact that this government is committed to remaining with seniors' programs at an appropriate level to meet their particular needs.

Mr. Axworthy concludes by saying that everyone should consider the cold reality of the next 20 years: Canada's population of seniors will boom, as will the cost of pension programs.

In this year's budget, Martin left no doubts about his intentions. He will look at ways to ensure the system is "fairer and sustainable."

Clearly, Mr. Speaker, the seniors of this province can be concerned with the federal reforms that are about to be initiated, and we need the flexibility and the commitment of this government to respond to those issues as they develop.

I'd like further to bring to the attention of the House, Mr. Speaker, a series of conversations that have been going on with the provincial advisory councils across the country. We met in October in Winnipeg to discuss a plan to deal with Mr.

Axworthy's social reforms and came to the conclusion that some serious work needed to be done on the fiscal analysis of our seniors across the country. We have held a couple of conference calls, and I would just like to advise the House that whether or not the money is equitably distributed, I have a serious concern that the argument could read, if you use the 1990 statistics that are tabled through the census of Canada, that close to 40.6 percent of all seniors have an income of over \$15,000. When you pull out the category of those seniors who have \$15,000 to \$24,000, it becomes 20 percent. So clearly 20 percent of our seniors have incomes of over \$25,000.

Now, Mr. Speaker, if I refer to that concern about an intergenerational issue, I do believe the argument that we should be looking at is: what programs are essential to provide for the needs of seniors? If indeed 20 percent of the population of seniors does have an income of over \$25,000, are our programs effectively targeting those who are in need? As I mentioned, there are a number of councils across the country that are working with the National Advisory Council on Aging to identify clearly some of the concerns on that income structure and how it would impact on seniors.

A third issue that I'd like to bring to their attention is the fact – and it's referred to in this news article from Mr. Axworthy – that just because of the baby boomer generation, you are going to see a strong increase in the number of seniors reaching age 65 over the next short term. We need to ensure that the policies we develop address the needs of those seniors who are reaching age 65. Also, Mr. Speaker, we have to recognize the longevity of seniors due to good health, better education, and their own individual wealth and frugality, et cetera, that provide for longevity. So we are dealing with a social program that must encompass not the age of retirement that Bismarck implied back in the 1800s but in fact the reality of Alberta, which has seniors living well into their 70s, 80s, 90s as productive members of society.

Mr. Speaker, one of the issues – and I feel it's important that we refer to them – is that we need the flexibility to address some of the issues affecting seniors as they move into age 65. We are looking at the fact that a number of seniors live longer, particularly women. We already have a concern that some of these women who have not been employed in the workforce and who don't have the resources to sustain themselves as they move into this longevity period as seniors need to have resources developed and directed to them. In finding out what are appropriate levels, we have to be able to monitor the impact of that particular group of the population.

We also have to look at the long-term effect of immigration in Canada. I know this is an issue that some work is being done on, but when you consider the reunification program that we have in Canada, when you look at the history of immigration, particularly in Alberta, we are going to be looking at seniors who are Canadian citizens who have not got the education and language skills and do not have employment opportunities but are going to be sustained by this province as citizens of Canada. Mr. Speaker, we are going to need some flexibility in the types of programs that we deliver to this group of the community. It may not necessarily be a monetary one. By focusing on a fixed issue of income, we are not necessarily having the flexibility to deal with those issues.

Mr. Speaker, the hon. member also raised the issue of personal care homes. I believe the single most compelling concern of seniors is the reform of health care. Health care is going to be delivered around the province in different ways, reflecting the fact that what is needed in one area of the community, say in High

Level, is going to be very different from what may be needed by seniors in Taber. What may be needed in the inner cities of Edmonton and Calgary may be very different from what we see in the north. We need to have the flexibility to analyze and review what the impact of the delivery of health care around the province will be and then ensure through serious monitoring, which was a commitment of this government from day one when they introduced the Alberta seniors' benefit, that we will have the flexibility to meet the needs of seniors. I've had a senior speak to me and say, "You know, I have this \$18,000 income; I live in this particular community," and another senior say, "I have \$18,000 income, and I live in this community." Mr. Speaker, the dollar value and the impact of programs available vary significantly around this province. When you look at the regional health authorities revisiting what might be the best method to deliver programs to their seniors' community, we need to maintain that flexibility.

4:10

Look at the issue of transportation and health care as an example. Mr. Speaker, if we live in the city of Calgary and we have three or four major sites, centres, for the delivery of health care, transportation means one thing. If you live in a rural community and you need to have assistance driving to and from a centre for care for your health, transportation means something else. That local community may want to talk about that as an issue for seniors, because it means something in that community under the delivery of health care. We have to maintain the flexibility in our programs, and that's why the wording of this motion of "appropriate" is a significant word. It should not be seen as limiting. It should be seen as something that reflects a standard and a care but allows the local delivery of issues affecting seniors in their own community.

One of the other reasons for making the general statement of the commitment of this province to the needs of seniors is reflected in some of the work that's now going on with Health Canada. Just two weeks ago, Mr. Speaker, I sat in on a workshop, *The Well-Being of Seniors in Alberta: An Alberta Perspective on the National Survey on Aging and Independence*, presented by a research team from the Alberta Centre for Well-Being. In highlighting a number of the statistics that came out of the census in 1990 with respect to seniors, a number of social issues were raised. They had a lot to do with comparisons, introduction of technology into the care of seniors, stress, intergenerational concerns, marital status. The number of policy issues that were raised for discussion in that workshop alone identified to me that more than anything this thorough analysis, not just of the monetary impacts affecting seniors today but really a revisiting of their role in society, has yet to have its full discussion.

If this government does anything, I think our commitment to engaging in that debate with support from the Minister of Community Development, who's put it clearly on the table through the appeal process, through the cumulative impact study, and through the very well-defined and delivered Alberta seniors' benefit program – the care of seniors will be addressed. In the relationship of the Seniors Advisory Council with the Minister of Health, clearly it's been recognized that the health issues have a major concern to seniors. As I've mentioned before in this House, in the three-year business plan for the Seniors Advisory Council, Mr. Speaker, we have an obligation to meet with each of the regional health authorities, recognizing that health link and developing communication issues with seniors between the developed plan of the health authority, the local seniors commu-

nity and their needs, and also the caregivers of seniors, who can best bridge that gap between the new model of health care and the clientele that they serve.

Mr. Speaker, by amending this motion, it is my intention – and I share the support of my colleagues – that we will make the commitment to seniors that the appropriate level of care be provided to them. It is an open-ended level of care because the care level for seniors covers a number of spectrums. It includes their caregivers. It includes their spouses and their children. We've touched on the intergenerational squabble, as Mr. Axworthy would like to pit family member against family member. I think that's going to be a very serious discussion. We've talked about the sandwich generation. A number of us here are in that particular model at the moment.

Mr. Speaker, we need the flexibility to respond to that in a positive way. The last thing we need is for seniors to feel that they are victimized because of their age. We have an enormous amount of information, which is misinformation, about the wealthiness of seniors, about their ability to flit from place to place. For that 20 percent who have incomes over \$25,000 a year, that is a group of people who would like to make sure that the resources this government has are directed to those in need, and they do not want to see it pitting one senior against another. We have the support of a number of seniors' organizations who are working diligently to support one another, whether it's through translating, driving, assisting them to doctors' appointments, et cetera. I am convinced that the seniors community has a role to play in assessing what needs they have and delivering the resources to those who are in need.

With that, Mr. Speaker, I would like to conclude my comments this afternoon, but I urge everyone who chooses to speak on this particular motion to recognize that seniors be dealt with with dignity, not be used as political pawns, and that the right decisions be made, and we are committed to that.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. I'm speaking to the amendment, and first off I want to state how disappointed I am in the Member for Calgary-Currie, who I thought was one of the few members on that side of the aisle with a social conscience. Yet here she is engaging in flimflammy, giving us pious platitudes, and totally forgetting about the concerns of the seniors themselves. I mean, what a nincompoopian argument to say that because of the shocks that may reverberate from the federal government on down, we cannot arrive at stable benefits for seniors. That's all the more reason – that's all the more reason – why the benefits ought to stay where they are so that the seniors are not upset any more than they already are. I'm disappointed that the member doesn't see that.

She's talking about an "appropriate level" in this amendment. An appropriate level: what utter rot that is, Mr. Speaker. Surely the government considers the present level appropriate, and therefore if they lower it two years hence, they will consider that lower level appropriate. I've yet to hear of a government that will lower a level and call it inappropriate. I mean, that would be ridiculous. No, I'm very disappointed with all of this.

THE DEPUTY SPEAKER: The hon. Government House Leader is rising on a point of order. You'll share that point of order with us.

Point of Order**Questioning a Member**

MR. DAY: Citing *Beauchesne* and the reference related to asking a member a question. I wonder, in the spirit of openness and accountability, if the member opposite would entertain a very brief question.

MR. VAN BINSBERGEN: Mr. Speaker, there's hardly any time left.

THE DEPUTY SPEAKER: Hon. Member for West Yellowhead, all you have to do is say yes or no. If the answer is no, you do not have to give any reasons. If the answer is yes, then you let the hon. Government House Leader proceed. What is your wish?

MR. VAN BINSBERGEN: No.

THE DEPUTY SPEAKER: Continue, hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. [interjection] If we can get the Treasurer to refrain from poltrooning ever more, I'd like to carry on.

THE DEPUTY SPEAKER: Order. There appears to be a fowl noise in the place, and we would trust that that would cease.

Debate Continued

MR. VAN BINSBERGEN: Mr. Speaker, once again we have had to listen to, we've been subjected to a round of the discussions that the members opposite have gone through vis-à-vis the seniors, but of course they forget to mention that every type of consultation – whether it was a roundtable, a square table, small groups, or whatever you call it – each time was well staged, well managed, and the results were a foregone conclusion.

The proof in the pudding, I think, is that I visited last Friday with 30 senior citizens in Grande Cache, and I asked them: do you have any problems? Well, they unloaded onto me for about two hours. Then I finally put a stop to it, and I asked them: tell me now; do you have any concerns about what this government is doing? Again they unloaded onto me for many hours. Then finally in desperation, because I am a positive person, I said: name one thing that you think this government has done right. The silence was absolutely deafening, and I found myself suggesting certain things that perhaps could be construed as being the right policy on the part of this government. I was shouted down without fail. That, Mr. Speaker, I think is the sum total of the reactions of the seniors in this province to all the things, all the misery that has been heaped upon them. That is precisely why we need this motion in its unamended version, and that is why I'm firmly opposed to this amendment, which means absolutely nothing.

Thank you.

4:20

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

MR. HENRY: Thank you very much, Mr. Speaker. I'd like also to rise to speak to this amendment. As I indicated when I spoke on what I thought was a point of order – the Chair did not maintain that it was a point of order – the amendment in my view

substantially changes the intent of the initial motion. What the amendment does is talk about remaining at an "appropriate level," and the question that's got to be raised is: what is the appropriate level? The appropriate level very clearly is that level that individuals, when they turn 65, are entitled to.

The hon. member across the way talks about there being no written contract. Well, it becomes very, very clear. The Premier talks about a list of a hundred items that he can deinsure from health care, and when we ask for that list, the Minister of Health says: show me where it's written down. So more and more you've got to get something in writing from this government or you can't trust them. That's become very, very clear from the hon. Member for Calgary-Currie.

The Member for Calgary-Currie says that there was no contract because it wasn't in writing. Well, I'd like to talk about a foreign concept to the hon. Member for Calgary-Currie, a concept she might find foreign, which is a moral contract with the people and when a government enters into a moral contract with individuals when they turn 65. The hon. member then went on and talked about having flexibility to respond to changing conditions. Mr. Speaker, this very clearly allows the government to change and to move, to change programs with changing conditions. What it does, though, is say that when a government enters into a moral contract with an individual who turns 65, that contract will be honoured and the government will meet its obligations. The government can therefore bring in new rules for those who will turn 65 in the future.

Mr. Speaker, there's no pun here, but this is a concept not foreign to legislation and policy called grandfathering. Maybe it should be called in this case the grandmothering or great-grandmothering concept. It talks about ensuring that you don't change rules in midstream for individuals who have had every right to believe that when they have entered into a moral contract with the government, that government would maintain that contract. It says that what you would be allowed to do as a government is change the rules for future senior citizens, but for those senior citizens who have retired, who have moved onto fixed incomes, knowing that there were particular benefits available to them, they would have the security of knowing that those benefits would be available to them when they reach their 70s and 80s.

I was recently at an outdoor meeting in my constituency with a number of seniors, among other people. These seniors retired at 65, as most do, and have lived in that same neighbourhood, independently in their own apartments, for the last 15 to 18 years on average. Mr. Speaker, they've been able to do that because until recently the rules had not changed. They were guaranteed some security.

I have been in my riding meeting with seniors' groups and asked them as individuals – I know members across the way can laugh – what's most important when you turn 65? Security is what's most important. It's knowing that you're going to be able to maintain yourself. It's knowing that in five or 10 or even 15 years down the road you're not all of a sudden going to find yourself not being able to afford to live where you've lived for decades, not being able to afford to maintain yourself or have access to quality health care or have access to the services which to that date have been available to you.

That's what this amendment undermines totally. What this amendment says is: "Okay, seniors, you don't have to worry because you don't have any security. This government is not going to give you any security, and we can change the rules next year, and maybe the year after that, and maybe the year after that,

and even maybe the year after that." That's what this amendment will do to this motion.

This amendment must be defeated, and I would challenge the Member for Calgary-Currie to take this amendment and to take the original motion to the seniors council and put forward to them: does this alter the intent? Does the issue of security for senior citizens come up in their minds? Do those members of that council hear about security from seniors out in the community?

Mr. Speaker, this amendment is undermining that security that's available to senior citizens. It undermines the continuity that they are allowed to have. It undermines something that in this province - and I give former Premiers in this province a lot of credit. When I go door to door and talk to senior citizens, they remember the days of Premier Manning, when his word was his word. They remember the days of that government. They remember that it was time for a change, and they remember when Premier Lougheed came in. They remember his first throne speech, where he said that senior citizens have a right to live in dignity and that we have a responsibility, each and every one of us. And to throw scare-mongering tactics like "We're going to have intergenerational wars" - well, Mr. Speaker, from one person who is not a senior citizen, I will tell you flatly that this particular individual will never be at war with senior citizens. This particular individual will never, ever enter into an intergenerational war.

Mr. Speaker, I propose to make an amendment, a subamendment to this amendment. That would be that after the words "65 years" I add the words "which will be that level being in place when that individual reached their 65th birthday."

I can see the clock is now at 4:30, and perhaps I can withdraw making this motion at this point and adjourn debate. [interjections] Sorry; I look for direction from the Chair. I wish to make this subamendment, but I am looking at the clock. We have one minute before 4:30. Do we continue this debate another day, Mr. Speaker?

THE DEPUTY SPEAKER: Yes.

MR. HENRY: We continue this debate another day, Mr. Speaker. I would like to then move this amendment and then adjourn debate on the subamendment.

Thank you.

THE DEPUTY SPEAKER: The amendment has now been received.

We will have to proceed on. Standing Order 8(2)(c): the time limit for consideration of this business has concluded on this day.

head **Government Bills and Orders**
head: **Committee of the Whole**
4:30

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd call the committee to order. Again, committee members are advised that we'll stick by the convention of one person standing and talking at a time, and other members can sit in an appropriate seat or find accommodation outside in the outer chambers.

Bill 24
Hospitals Amendment Act, 1995

THE CHAIRMAN: We would invite the hon. Member for Lacombe-Stettler to make a few comments before opening it up for others.

MRS. GORDON: Thank you, Mr. Chairman. We've had good discussion thus far on this Bill, and I wish to thank my colleague the hon. Member for Olds-Didsbury for so ably moving it through second reading. I will not comment further at this time but would be pleased to address any questions any of the members feel are outstanding later on in debate.

THE CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Yes. Thank you, Mr. Chairman. I'm pleased this afternoon to rise in debate in committee on Bill 24, Hospitals Amendment Act. The Bill does in fact simplify the current legislation in that current legislation refers to individual professional associations, and we will now in this particular Hospitals Amendment Act have them referred to collectively rather than individually.

What's important, Mr. Chairman, is that the need for confidentiality of patient information is something that all members of the Assembly recognize must be protected and respected. Certainly in the amendments that have come forward in Bill 24, the process and procedure remain the same, so patient information continues to be respected. So on that basis, again certainly speaking for myself, I think my colleagues for the most part do agree that we're prepared to support the Bill. There is some recognition that it is in essence a housekeeping Bill and that those processes and procedures in terms of the disclosure of patient information will not be changed. We know from our discussions with those stakeholders who are impacted by the amendment Bill that they are in favour of the streamlining process that has been indicated in the amendments and are happy to have this Bill go through and simplify the legislation in this way.

There is, I suppose, one concern that perhaps the hon. Member for Lacombe-Stettler, as the sponsor of the Bill, might be able to indicate, and that's just in terms of the transition period that we now go through. There continues to be reference, Mr. Chairman, in the subclause (6.1), as it's put forward, about "the board of an approved hospital." I believe, in looking at the explanatory notes to the Bill, that "board of an approved hospital" is a term that was consistent with the old legislation, but as we move now to regional health authorities, there may be some confusion in the transition as to what boards of approved hospitals are there that this legislation is subjected to. Perhaps the hon. member might indulge us with some comment about how the Bill will impact with respect to the regional health authorities as they are presently constituted just to clarify that. As I say, I note that that wording "board of an approved hospital" continues to exist in the Hospitals Amendment Act, Bill 24, that's before us right now.

Mr. Chairman, as I've indicated, the legislation is in many ways housekeeping. There are only a couple of questions or concerns that arise in terms of the form of the amendment, that the information that is to be disclosed under the new provisions is in relation to the terminology "a preliminary investigation, a discipline proceeding or a practice review conducted pursuant to a professional Act."

Mr. Chairman, those are my only comments in looking forward to some response from the hon. Member for Lacombe-Stettler, as the sponsor of the Bill, to provide information in that vein. Otherwise, I have no difficulty with the Bill.

Thank you.

THE CHAIRMAN: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you very much, Mr. Chairman. The opposition has raised a number of issues regarding Bill 24, specifically during the debate that took place in second reading. As well, the Member for Sherwood Park has indicated a question now. My comments will be brief, and I'll address some of the questions raised by the Member for Edmonton-Glenora as well as the Member for Redwater and the Member for Sherwood Park.

First of all, the Member for Edmonton-Glenora expressed concern regarding the mandate of the Health Workforce Rebalancing Committee and that Bill 24 could be seen as the first step in creating generic legislation for health care workers. This is indeed not the case. Bill 24 addresses a very narrow issue. Governing bodies of regulated professions require access to hospital patient records for the purposes of conducting preliminary investigations, practice reviews, or disciplinary hearings. The sole purpose of Bill 24 is to provide authority for boards of approved hospitals to release this information to these governing bodies.

Bill 24 does not have a broader impact on legislation governing professionals. The Health Workforce Rebalancing Committee, of which I am a member, will make recommendations regarding legislation governing health professionals. In a nutshell, Bill 24 simplifies current legislation, eliminating the concern that the governing bodies of some regulated professions will not be able to access information required for these purposes because they are not listed in the legislation.

The second question raised by the Member for Edmonton-Glenora was: why isn't the Hospitals Act being amended to allow the College of Physicians and Surgeons to access hospital patient information without patient consent, as requested by the college? Well, Mr. Chairman, the government agrees with the hon. member's own comment, and that is that the need for confidentiality of information related to patients must be respected. As such, the requirement of patient consent for release of the patient's hospital information to the College of Physicians and Surgeons for the purpose of preliminary investigation protects patient confidentiality. We believe amending the Hospitals Act to provide access without consent may raise concerns about confidentiality and patient privacy and may be viewed as protecting the reputation and privacy of the physician at the expense of the patient's right to privacy.

The third question was raised by the Member for Redwater and had to do with the need for regulations. I would like to take the opportunity to make the hon. member aware that the principles for release of patient hospital information to the governing bodies of regulated professions are fully contained in this Bill and the remainder of the Hospitals Act provisions. No regulations are needed.

The members for both Edmonton-Glenora and Redwater raised the last question. If information is inappropriately released, who will be responsible? As well, the Member for Sherwood Park talked about the boards of approved hospitals. Mr. Chairman, the regional health authority boards have responsibility for confidentiality and maintaining patient hospital records within their hospitals, just as boards of the voluntary hospitals have the same responsibility for confidentiality and patient records within their hospitals. Confidentiality will remain a priority and be acted upon accordingly.

In summary, Mr. Chairman, I thank the members opposite and all members of this Assembly and would remind them that delegated self-government by the various health professionals has served both providers and consumers of health very well. This Bill will continue to ensure that governing bodies of regulated

health disciplines can continue to discharge their functions effectively.

With these comments, I will conclude and call for the question.

[The clauses of Bill 24 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

The committee is reminded that we now have before us Bill 25. No, we can't do that. The Chair has to be out. Hon. members of committee, if we're going to go on to the next Bill, which is Bill 25, we have a problem. Those people who are either teachers or are married to teachers will need to absent themselves, and somebody's going to rescue me.

[Mr. Clegg in the Chair]

4:40

Bill 25

Teachers' Pension Plans Act

THE DEPUTY CHAIRMAN: Does the minister of advanced education want to speak?

MR. ADY: If we can call the question . . . [interjection] Oh, okay.

Mr. Chairman, Bill 25 is a Bill that has been long in the process of making. I believe all members on both sides of the House are supportive of this Bill, having flowed from a memorandum of understanding in 1992 and a commitment that it would be brought forward in legislation. It's been through first and second readings, and we find it before committee today. I would wait to see if the members have some questions regarding it.

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

MR. WICKMAN: Thank you, Mr. Chairman. I want to point out, because it's very, very important to me, that there has been opportunity for and there has been discussion with the Alberta Teachers' Association, and in fact the Alberta Teachers' Association is basically happy with the Bill. They would like to see it passed as quickly as possible. I raise that point because it's an example of the type of discussion that should take place when outside parties are affected by decisions, by legislation passed in this House. Unfortunately, that isn't always done. I've seen Bills, I've seen motions in this House that in fact have not only missed discussions with the teachers but have gone out of their way to agitate the teachers and, I would suggest, possibly even undermine the role of the teacher. So on that particular point I commend the minister of advanced education for the discussions that his department had with the ATA.

[The clauses of Bill 25 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed, if any? Carried.

Bill 26
Energy Statutes Amendment Act, 1995

THE DEPUTY CHAIRMAN: The hon. Member for Pincher Creek-Macleod.

MR. COUTTS: Thank you, Mr. Chairman. In second reading there were a number of concerns put forward by members opposite. I'd like to respond to some of those at this point in time before we call for the question of the committee.

The hon. Member for Edmonton-Whitemud talked about who's covering the overhead or the fixed costs related to the distribution of natural gas, and will those costs shift to the buyers without market power. There's obviously some misunderstanding that portions of this Bill enable or permit direct sales of natural gas to core customers, and this is not the case. Bill 26, Mr. Chairman, only proposes changes to two definitions and the modifications of a clause to include the right and the obligation of agents. The right to direct sales was given in 1990 in the Gas Utilities Statutes Amendment Act, the sections of which were proclaimed on March 13, 1995, along with regulations under the Gas Utilities Act and the Municipal Government Act. That legislation is not up for debate here.

[Mr. Tannas in the Chair]

In an effort to provide members with some background on this issue, let me briefly explain this previously passed legislation. There was no change to the right of the distributor to continue to distribute all gas within its franchise area, and there was no change to the powers of the Alberta Energy and Utilities Board to regulate the distribution of natural gas and allocate distribution costs to customer classes. Therefore, nothing in this legislation will cause a shift of distribution costs to small consumers without market power. It allows consumers of all sizes to shop around, if they wish, for the best price on gas supply only. Transportation and distribution will continue to be supplied for all core customers by the existing utility systems. There is nothing forcing customers to buy direct, and the transportation and distribution rates will continue to be set by the AEUB, as is now the case. The core market does not include industrial customers or others with sustainable alternate fuel capacity. Because of this, the issue of fuel switching has nothing to do with direct sales to core customers.

The implications for municipalities operating their own gas systems was another concern of the members opposite; particularly, two of the members brought this up in their questions. The right to direct sales in municipally owned gas utilities was passed under the Gas Utilities Statutes Amendment Act in 1990, and it became law on January 1, 1995, with the passage of the new Municipal Government Act. Nothing in that legislation, Mr. Chairman, affected the distribution costs of natural gas in municipally owned gas systems. All customers will continue to receive distribution service as before. The only change was to allow consumers to buy gas from a source other than the municipality but continue to utilize the distribution system of the municipality in order to address the concerns about standard supply costs and additional administration costs in small municipally owned systems. There is a provision in the regulations

under the Municipal Government Act that allows any municipality owning and operating its own gas system to opt out of the provision of direct sales by passing a municipal bylaw.

Some concerns of the Member for Fort McMurray, discussing the necessity of the change to core direct sales and what advantages or disadvantages we have and the consultation that had taken place with the industry. First, Mr. Chairman, let me clarify that this Bill before us, the Energy Statutes Amendment Act, is not the legislation which will permit direct sales of natural gas to core customers in Alberta. The legislation enacted to allow core direct sales is the Gas Utilities Statutes Amendment Act, passed in 1990 by this Legislature. As the hon. Member for Edmonton-Strathcona noted yesterday, the relevant sections of that legislation were proclaimed on March 13, 1995, and they accompanied regulations under that Gas Utilities Act and the Municipal Government Act which set out the requirements for direct sales to core customers in Alberta.

4:50

The changes to the Municipal Government Act and the Gas Utilities Act included in the Energy Statutes Amendment Act are indeed housekeeping changes. Their intent is simply to ensure that two common practices, which have been evolved elsewhere, related to core direct sales, the so-called buy/sell gas purchase arrangements and the use of agents by core consumers in securing their gas supplies, are specifically included in the legislation, even though these definitional changes in the Energy Statutes Amendment Act do not enable or permit direct sales of natural gas to Alberta core customers.

Let me briefly supply some background on the legislation proclaimed in March and its associated regulations. The move to allow core direct sales in Alberta is a logical continuation of the continuing process of gas industry deregulation which has been ongoing since 1986. We are proceeding in this fashion because we believe the opportunity to purchase gas supplies in a competitive market offers the best assurance to Albertans that their needs will be met at the best possible price. At the same time, the regulations and regulatory supervision by the AEUB will ensure that customers, remaining as sales customers of their utilities, will not have to pay costs associated with direct gas purchases.

The 1990 Bill permitting core direct sales was, of course, fully debated in this Legislature. Consultation on the introduction of direct sales in Alberta since its passage has been both lengthy and extensive. Since 1990 the department has prepared and widely circulated several discussion papers on core direct sales. The regulations recently implemented to govern core direct sales went through many, many iterations as a result of input, comments, and criticisms from affected parties. Consultation on these regulations involved over a hundred organizations, including producer associations, marketers, investor-owned utilities, municipalities, consumer associations, and rural gas co-ops.

Now, regarding the future of the Alberta Petroleum Marketing Commission, the section of the Energy Statutes Amendment Act allowing for the delegation of the APMC's powers, functions, and duties is related to the restructuring of the Ministry of Energy announced in early 1994. APMC employees will become employees of the Department of Energy. These delegated powers will allow these employees to continue to carry out the APMC functions within the ministry. Some specific functions of the APMC may be delegated to the private sector, such as maybe the role of auditor.

The hon. Member for Edmonton-Strathcona came up with a question regarding the Gas Resources Preservation Act and

whether or not these amendments would streamline that process with respect to routine approvals of permit applications. It will streamline the process for routine assignments of permits where, as a result of a corporate merger or takeover, a permit issued to one firm is subsequently assigned to another corporation. The AEUB will now be able to deal with this internally as an administrative change, rather than having to prepare documentation for an order in council in order to effect the assignment. The AEUB has had to get 22 orders authorizing assignments in the past two years. They support this amendment, both in terms of reducing their paperwork and eliminating delays for the firms that are involved. It will not affect in any way the process by which removal permits are issued or the conditions attached to a permit which is being assigned.

His last question was wanting the minister to confirm that she is going to delegate persons as a result of – the intention is to permit the APMC to delegate this function to staff of the Department of Energy as it is rolled into the department according to the restructuring plan for the Ministry of Energy announced in 1994. It is conceivable that some functions of the commission could be delegated to the private sector, as I indicated earlier.

Concerning the distribution component of gas prices, to the hon. Member for Edmonton-Strathcona, costs of distribution and the allocation of those costs among customer classes will continue to be subject to AEUB oversight. They will have confidence that the rates by the board will be reasonable and equitable.

That covers all the questions that the members opposite raised yesterday. With that, I'll call for the question, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. I appreciate the answers given by the hon. member to questions raised on this particular Bill in second reading. Indeed, some of the answers that the hon. member did give were very complete, and it was certainly an attempt to consider each of the concerns expressed by my colleagues in second reading of this particular Bill.

I just want to focus my comments specifically to one particular section of the Bill. That's with respect to the Petroleum Marketing Act, in particular the new section that the hon. member did refer to, and that is:

The Commission may in writing delegate any power, duty or function conferred or imposed on it by this Act or any other Act or any regulation to any person.

Again, Mr. Chairman, the hon. member did refer to that specific provision and to comments and questions raised by members about that particular section. I, of course, note that this is the same kind of wording in this legislation that we saw in Bill 57, that the government saw fit to withdraw from the Order Paper, which is of course the delegation of many responsibilities of government to any person. The concern that has been expressed time and time again is that it is not as the hon. member asserts and that its functions will be delegated to the staff of the department. If indeed that was all there was to it, that's exactly the way the legislation would read. The hon. member did indicate that some functions of the commission may indeed be delegated to the private sector, but what the hon. member did not go on to say is what functions are going to be delegated to the private sector, on what basis those functions are going to be delegated to the private sector, and based on what information will some of these be delegated to the private sector.

In fact, Mr. Chairman, with respect to the role of the APMC, it's certainly my understanding that a report that was done for the

government by Purvin & Goertz found that the Crown would be disadvantaged if the APMC's role in marketing the Crown's crude oil royalty were devolved to the private sector. Now, if that is indeed the result of that report, then I think it becomes very important to know on what basis privatization of the role of APMC can occur to the private sector. If we have information to suggest that it is more cost-effective not to delegate to the private sector, then why are we building into this legislation the opportunity for delegation to the private sector? We again see the same difficulty and concern in that delegation may in fact be then by the commission through its own empowering legislation. Or whether it comes by way of order in council or whether it comes by way of ministerial order, we will of course have no idea.

I have said before and I say again that it is incumbent on the government to not simply follow its policy of delegation of authority behind closed doors in the back rooms with no indication as to what the basis of the delegation is. In this case in particular, we have evidence to suggest that it is a disadvantage to the government to allow some components and roles of the APMC to be devolved to the private sector. So, Mr. Chairman, again I note that section 6(1) of this particular Bill smacks of Bill 57. The hon. Government House Leader and the Premier have indicated that they will indeed impose Bill 57 on Albertans. They just won't do it in the form of Bill 57. They'll do it in other forms. We're certainly seeing it in the Energy Statutes Amendment Act, 1995. I'm certainly opposed to that approach and for the same reasons that I indicated: there may be a disadvantage to devolving this function to the private sector. That should be much more specific as to what will be devolved to the private sector and on what basis.

Those are my comments, Mr. Chairman.

5:00

MRS. BLACK: Mr. Chairman, clearly I want to clarify a misconception that seems to have come forward from the members opposite, and I don't want them to have any confusion as to what the intent of this is. Clearly, when we went through the development of our three-year business plan and our restructuring model, one of the questions that was asked through our consultation with our industry was: is it the government's role to be in the marketing business of crude oil? The response we got back was: no, it is not the Crown's core business to be in that position.

Having accepted that kind of response, then the obvious question is: "Fine. Then how do we get out of the marketing business that we have been in?" Let's again collectively and collaboratively bring forward a plan. There were two principles that were laid out that had to be adhered to in any kind of plan that came forward, the first being that the Crown's interest – i.e., the revenue received – could not be put in jeopardy. It had to be ensured that it would not be reduced or left in jeopardy; i.e., with less of a market share. Secondly, the cost of doing the function had to be less than what it was through the marketing commission performing the function. In other words, any proposal that came forward would have to, one, ensure that the Crown's interest was protected and, secondly, cost less than the function that was being performed today.

A number of proposals have been brought forward throughout this last year, and why you haven't seen that move made is because those two objectives have not been met. Those two objectives must be met. So today what we have is if a proposal comes forward that meets those two objectives and it makes good business sense to do that, then that move could be made. If it doesn't, it will not be made. I don't know how else to make it

clearer. We can never put the Crown's interest, which is really the people's interests, in jeopardy. That must be protected above all else, and that will not be put in jeopardy under any circumstances. I would not come forward to this Legislature with a proposal that would cost more to perform a functional responsibility that is being performed today. I would not make that move. So I don't want you to think that there's any behind-the-door scenes. When a proposal comes forward, certainly it will be done in the open. This is being done with full consultation with our industry, and if they bring one forward, I'm prepared to look at it. If they don't, we will continue on with the process that we've had for the last 15 years of marketing crude oil.

So I hope that clarifies the situation for hon. members.

THE CHAIRMAN: The hon. member is calling the question?

MR. COUTTS: Yeah. Thank you, Mr. Chairman. We've had a productive debate, and I'm pleased with the minister's clarification for the members opposite. We've appreciated their input, and I therefore call the question.

[The clauses of Bill 26 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

Bill 20
Electoral Boundaries Commission
Amendment Act, 1995

THE CHAIRMAN: The committee is called to order once again. Are there any comments, questions, or amendments to be offered with respect to this Bill?

The hon. Member for Edmonton-Centre. [interjection]

MR. HENRY: I see that the hon. Member for Calgary-Shaw is just overjoyed at my rising to my feet, Mr. Chairman.

MR. HAVELOCK: I am.

MRS. FORSYTH: I doubt that.

MR. HENRY: I'm in trouble now.

Mr. Chairman, I have a few comments that I'd like to make on Bill 20. I've been a student of the electoral redistribution process for some time both provincially and federally. For the last dozen years or so I've watched various rejigging of boundaries. One of the problems we get is that there was a time in this country, in the western world where it was seen to be perfectly acceptable for the government of the day, the people in power of the day, to be able to jig the boundaries and in fact gerrymander – gerrymander was the word that was coined – the boundaries in favour of the current ruling party.

Mr. Chairman, the last time we went through a boundary review, it was quite painful, and it led to some problems with regard to the Charter of Rights and Freedoms. Now, I know that not every member of this House believes that we should have a Charter of Rights and Freedoms, but certainly members on this

side of the House applaud the hon. minister for bringing in a revised Electoral Boundaries Commission Act that is more in keeping with the principles and the objects of the Charter of Rights and Freedoms in our country.

Mr. Chairman, the last boundaries review that we had that wasn't challenged was several years ago, in 1985. I recall that boundary review, and it wasn't, if I can say, wholesale. It was more of a tinkering to allow for changes in population growth, movements, and shifts. Then we got into a situation where we had some significant growth in certain parts of our province. There is a principle here in our country that says: one person shall have one vote.

Now, in anything, with any principle in the Charter we have to apply a test of reasonableness, if I can say that, reasonableness in terms of its applicability to any piece of legislation. While the Charter does essentially say that each person in this country is entitled to one vote and only one vote, it doesn't mean that every vote shall be 100 percent counted as every other vote. We don't have provincewide elections for our members and for our governments. We have constituency-based elections, and each of us represents a particular constituency. Drawing those boundaries is at best a bit of an art more than a science, if I can put it that way.

I think there was concern that there were some ridings where there had been significant growth, primarily in the cities but not exclusively, such as the old Edmonton-Glengarry, the old Edmonton-Whitemud back prior to 1990 as well as places south of Calgary where there had been incredible growth both in terms of the oil and gas industry, in terms of commuter traffic to Calgary, as well as east and west and north and south of both major centres and secondary urban centres as well. So we developed a situation where we had in some areas 35,000-plus voters represented by one MLA, yet in other areas of the province we had 8,000-odd voters represented by one MLA.

Now, the Charter of Rights and Freedoms comes into play because it says that a person's vote in one part of the province shouldn't be weighted four times a person's vote in another part of the province, and that's what led us into the old problem that led us into the boundaries review.

5:10

Now, Mr. Chairman, getting on to 1990, then we had to have the boundaries review, and I think a significant amount was done in that particular review that allowed us to get to not exactly the same number of voters per constituency per MLA but at least a bit closer to a more reasonable balance. However, there were challenges to that piece of legislation. In late 1990 I remember sitting up in the gallery watching the government pass Bill 57 and, if I recall, bringing in closure on Bill 57 of the day, that created the Electoral Boundaries Commission Act. The members of the commission were chosen by the government of the day and by the Official Opposition. The third party did not have representation on there.

MRS. BLACK: Yes, you did.

MR. HENRY: The hon. Minister of Energy would like to debate that issue, and I'd be happy to debate, but there was no – on the commission? For the hon. Minister of Energy's education, I think she's referring specifically to the Select Special Committee on Electoral Boundaries, on which there was all-party representation. That report came through, and there was then an Electoral Boundaries Commission, which did not have all-party representation.

Mr. Chairman, there was a report, so to speak, from that commission, if I can call it a report. In fact there were five reports, and if I ever saw a committee not work, it was that committee. I found myself reading the various reports of that committee, saying: "Oh, yes, they've got the point right here. But, oh, no, they missed this part here." The next individual's report would have corrected something and not corrected another thing. It was one of the biggest messes I ever saw mainly perhaps because of how it was constituted. There were no Liberals on the commission, so perhaps that was the problem.

MR. GERMAIN: That was the complete problem.

MR. HENRY: That was the complete problem. We all know that Liberals are put on this earth to bring a balance between the extremes of conservatism and socialism, one of the things that we could have brought to that particular commission.

AN HON. MEMBER: Not with your size.

MR. HENRY: The hon. member is commenting on my size. Believe me; when you're my size, Mr. Chairman, you have to have balance.

Mr. Chairman, in May of 1992 that report was released, and then the government said that there would be a select special committee of MLAs that would draw new boundaries for the province, and that, to the government of the day's credit, did include all-party representation from this Legislature. The hon. Member for Calgary-North West sat on that committee as well as some former members of the socialist party as well as some government members, some of whom are here, some of whom have moved on to bigger and better things, I'm sure.

Now, one of the problems was that there was a one-sided majority. Essentially our party, in participating in that particular select special committee of MLAs, did so reluctantly. We couldn't not be represented on the select special committee, but it was our party's position consistently and it remains our party's position that boundaries should not be drawn by politicians. The boundaries should not be drawn by people who have vested interests, you and me and other members. [some applause] I see some members on both sides agreeing. I wish the government of the day had agreed. We might have had a different government today, Mr. Chairman.

We ended up with an unsatisfactory product not only to our party but apparently to the Court of Appeal.

DR. WEST: What difference would it make if it's not gerrymandered?

MR. HENRY: Mr. Chairman, the hon. minister of transportation would also like to enter into the debate, and he can do so later as well.

The point is, Mr. Chairman, that whenever you get politicians trying to draw their own boundaries, it's impossible for them to leave their biases, their wishes, their desires, and their dreams outside that room. I remember that the hon. leader of the third party of the day, the Member for Edmonton-Glengarry, pleaded that the whole matter be referred to the Chief Justice of the Court of Appeal and that that individual, who is above reproach, that individual who was in the position at the time, anybody in that position, that position being above reproach, that position being totally nonpartisan, would be able to do what's right for Albertans and what's right for our Constitution.

Unfortunately, Mr. Chairman, that wasn't done, and we ended up in the situation with what many thought were gerrymandered boundaries. Of course, then there were several challenges or threatened challenges. There were several groups and individuals seeking intervenor status, and they were very varied. Those individuals and groups who sought intervenor status were not the Liberal Party, period, were not the New Democratic Party, period, but included civil libertarians from our province, included municipalities who felt that they were inappropriately forced into MLA electoral boundaries that they didn't choose, forced to be represented with other communities with which they had very little in common, forced to break old ties that had gone back generations.

Mr. Chairman, there was a lot of opposition to the way the boundaries and the product were created. The Attorney General of the day, who I believe is the current minister of FIGA, to his credit agreed: let's settle this matter. Rather than have long, drawn out lawsuits that go on for years, he used the power that only the Attorney General of this province has and referred the matter, with a series of questions that were developed in consultation with the parties, to the Court of Appeal for a judgment on the constitutionality. The Court of Appeal ruled that the current boundaries don't violate the Charter of Rights as such but that there should be some changes that should occur prior to the next census and preferably prior to the next election.

One of the things I discovered, Mr. Chairman, in my former incarnation doing research on this particular area is that the last thing judges and courts want to do is interfere in the political process. They will go to great lengths not to overturn elections. They will go to great lengths not to interfere directly in the political process. Having learned that, we have to develop some sensitivity as to what the courts say. If the court says that you should do something and recommends strongly that you should do something, I would suggest that if we didn't do something about the way the boundaries are created currently, in fact the court would feel compelled before the next election to issue an injunction stopping the next election.

Mr. Chairman, there are several issues that are raised in terms of Bill 20. I want to give credit to the Minister of Justice and Attorney General for allowing much more flexibility in this particular piece of legislation than had been allowed in past pieces of legislation.

There's one issue that I would like to raise, and that is that the legislation does identify that there shall be 83 electoral districts in our province. Mr. Chairman, I harken back to 1994, Bill 201 in this Legislature, which would have reduced the number of MLAs to 65. All members of this Legislature ran on a platform to balance the budget. It's fine for us to sit and stand here and pontificate about what people should do without, but maybe it's time for us to look at cutting back the expenses here and go from 83 MLAs down to 65 MLAs.

Mr. Chairman, I have a few more comments that I'd like to make on the Bill, but I see the hour, and I would move to adjourn the debate at this time.

5:20

THE CHAIRMAN: The hon. Member for Edmonton-Centre has moved that we adjourn debate at this time on Bill 20. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no. Carried.

MRS. BLACK: Mr. Chairman, I move that the committee now rise and report.

[Motion carried]

[Mr. Clegg in the Chair]

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration certain Bills. The committee reports the following: Bills 24, 25, 26. The committee also reports progress on Bill 20.

THE ACTING SPEAKER: Thank you, hon. member. Are you all agreed with the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed, if any? Carried.

[The Assembly adjourned at 5:23 p.m.]