

## Legislative Assembly of Alberta

Title: **Wednesday, May 10, 1995**

1:30 p.m.

Date: 95/05/10

[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

O Lord, we give thanks for the bounty of our province: our land, our resources, and our people.

We pledge ourselves to act as good stewards on behalf of all Albertans.

Amen.

Please be seated.

### Presentation to the Assembly of Mr. Shiraz Shariff, Member for Calgary-McCall

[Mr. Day and Mr. Dinning stood at the Bar with Mr. Shariff]

THE SPEAKER: Hon. members, I have received from the Chief Electoral Officer of Alberta the report of the returning officer for the constituency of Calgary-McCall containing the results of the by-election conducted on April 20, 1995, which states that a by-election was conducted in the constituency of Calgary-McCall, and the said report further shows that Shiraz Shariff was duly elected as the Member for Calgary-McCall.

[Mr. Day and Mr. Dinning escorted Mr. Shariff to the Mace]

MR. DINNING: Mr. Speaker, I have the honour to present to you Mr. Shiraz Shariff, the new Member for Calgary-McCall, who has taken the oath as a member of this House and has inscribed the roll and now claims the right to take his seat.

THE SPEAKER: Let the hon. member take his seat. [applause]

head: **Reading and Receiving Petitions**

MRS. ABDURAHMAN: Mr. Speaker, I request leave to have the petition I tabled yesterday now read and received.

Thank you.

CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to hold a plebiscite under the Local Authorities Election Act in Accordance with Section 3 of the Alberta Hospitals Act, which provides for such a plebiscite to be held when the amalgamation of boards, construction of new facilities, disestablishment of existing facilities, or changes in the operation of existing facilities within a district or proposed district affected by such changes.

THE SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. With your permission I'd like the two petitions I presented on Monday, May 8, to be now read and received, the first petition being on rural busing and the second petition being on water rights.

Thank you.

CLERK:

We, the undersigned, petition the Legislative Assembly of Alberta to urge the Government of Alberta to ensure that all school

boards provide transportation for each eligible child in rural Alberta without the use of transportation fees.

We the undersigned petition the Legislative Assembly to urge the Government of Alberta to not sell the rights of water to any company, country or monopoly without first conducting a referendum for the people to decide on the issue.

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

MRS. FRITZ: Thank you, Mr. Speaker. I request that the petition which I presented to the Assembly on Tuesday, April 25, now be read and received.

CLERK:

We the undersigned residents of the Province of Alberta do hereby petition the Legislative Assembly to affirm its support for an enhanced volunteer-based, not-for-profit charitable gaming system in Alberta. We further petition our Legislative Assembly to urge the Government to ensure that sufficient revenues from our "made in Alberta" gaming system can be earned by communities and charities to enable these organizations to continue to provide their valued service to Albertans.

head: **Tabling Returns and Reports**

MR. JONSON: Mr. Speaker, it is my pleasure this afternoon to table six copies of the 89th issue of Alberta Education's annual report, for 1993-94.

MR. LUND: Mr. Speaker, it's my pleasure to table six copies of the government's response to written questions 146, 147, 152, 154, 155, and 156 and motions for returns 160, 161, 170, and 171.

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

MR. BRASSARD: Yes, Mr. Speaker. I'd like to table the Alberta Social Care Facilities Review Committee report for the year 1994.

THE SPEAKER: The hon. Leader of the Opposition.

MR. MITCHELL: Thank you. I'm tabling four copies of some preliminary results of a questionnaire on health care that we are distributing as part of our dialogue on health care. It's interesting to note that 88 percent of the respondents feel that they have not had sufficient opportunity to provide meaningful input into the restructuring of health care, and 90 percent feel that physicians have not had sufficient opportunity to provide meaningful input into the restructuring of health care. Quite an indictment of this government, Mr. Speaker.

MR. CARDINAL: Mr. Speaker, I'd like to table four copies of my response to Question 158.

THE SPEAKER: The hon. minister responsible for Economic Development and Tourism.

MR. SMITH: Thank you, Mr. Speaker. I am tabling today the return for Motion 165.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to present four copies of the official program for the 16th annual Jazz City international festival, which will take place in Edmonton June 23

to July 2. My reason for presenting it is because this will be the single largest collection of international jazz musicians ever assembled in our province in the history of the festival, which is the longest running continuous festival in Canada.

head: **Introduction of Guests**

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

MRS. SOETAERT: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly 24 visitors from Parkland Village school. The students tell me that they're going to stay up late tonight to see themselves on TV. I'd like to introduce their teachers Ms Judy Humeniuk, Ms Joyce Liska, Mrs. Norma Webster. They're in the members' gallery, and I'd ask them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Community Development.

MR. MAR: Well, Mr. Speaker, thank you very much. It is a rare treat and a distinct pleasure for me to introduce to you some very important people to the newest member of the Legislative Assembly, the members of the family of our hon. colleague for Calgary-McCall. Seated in the members' gallery today are Azmina Shariff, the wife of our hon. member, their two children, Fatima and Alysha, as well as Haniff Shariff, who is the brother of the hon. member, his sister Rozmin Premji, and her daughter Alysha Premji. I'd ask that they rise and receive the traditional warm welcome of this Assembly.

1:40

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

MR. SEVERTSON: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Legislature 32 students from Spruce View school. They are accompanied today by their teacher Mrs. McKinlay and parents Denise Sveinson, Ella Siedlitz, Virginia Morison, Debbie Layton, Sharon Johannson, Carol Szymanek, Myrna Stewart, Gail Sigurdson, and Shelley Nicholson. They're in the members' gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

MR. SHARIFF: Mr. Speaker, it is indeed my privilege and pleasure to introduce to you and through you some fine Calgarians who have been part of my life leading up to April 20, 1995. Seated in the gallery are Kim Linkletter, Tony Koch, Witty Sidhu, Ann and Gerald Logue, Mohib Madhany, Leona Healy, Fatima Dhanani, Wayne Bill, and Fatima and Goldy Hyder. I request that they rise and receive the warm welcome of this Assembly.

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

MS CARLSON: Thank you, Mr. Speaker. It's with pleasure that I rise today to introduce to you and through you to the Members of the Legislative Assembly a woman who's been a good friend to all of us on this side of the House. She's an active Liberal, she's an active member of the women's commission, and she's an active member of the Edmonton women's policy association. I would ask that Jean Hodgkinson rise and receive the traditional warm welcome of this Assembly.

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

MRS. FRITZ: Thank you, Mr. Speaker. I'm very pleased to introduce to you and through you my friend and former colleague, who's known as the mother of social services in the city of Calgary, Alderman Barb Scott. When Alderman Scott made the decision to run for politics 24 years ago, she led the way for women in politics. Alderman Scott is leaving politics this year to pursue other interests, and although we'll miss her dearly in the political arena, we wish her well in her future endeavours. Alderman Scott, I'd ask that you rise and receive the warm welcome of this Assembly.

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

MS LEIBOVICI: Thank you, Mr. Speaker. It gives me great pleasure this afternoon to introduce to you and through you 29 students and adults from Afton school. They are accompanied by their teacher Mrs. Pauline McLarney and parents Mrs. Kathy Laird, Mrs. Doreen Gierent, and Mrs. Etta Fisher. If they would please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to the members of the Assembly a lady from a neighbouring community, the community of St. Paul. Lise Holeton has been an active community worker in St. Paul, has been involved in the education process in that community and in cultural issues for a number of years. She is also a very active member and a strong supporter of our party. I would like to ask Lise Holeton to rise and receive the warm welcome of the House.

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

MR. DICKSON: Thank you, Mr. Speaker. It's my privilege to introduce the director of social services for the city of Calgary. Ms Judy Bader is sitting in the members' gallery. She is accompanying Alderman Scott. I'd ask Ms Bader to stand and receive the customary warm welcome of the Legislature.

head: **Oral Question Period**  
**Catholic School System**

MR. MITCHELL: Mr. Speaker, this government's changes to the School Act last year prevent non-Catholic parents whose children attend a Catholic school from sending their education property tax to the Catholic system and from voting for Catholic school trustees. We will have a situation in an interfaith marriage where a family's property taxes will be split between Catholic and public systems even if their children are attending a Catholic school. This is odd for a government that says that it stresses family cohesion and unity. My question to the Minister of Education: why won't the minister allow parents whose children are going to the Catholic school system, regardless of their religion, to direct their property tax funds to that Catholic system?

MR. JONSON: Mr. Speaker, we have been very careful as a government and have always respected the constitutional rights which are provided to the separate Catholic school systems of this province as enunciated in the Northwest Ordinances and continued

in the Constitution of Canada. There never has been, never will be any intention to violate those constitutional provisions. We will have Catholic school boards attended by Catholic students. The whole system is very respectful of Catholic separate school rights.

I would like to also emphasize that in the legislation in Bill 19 for the first time the Catholic separate school systems of this province were accorded full and equal funding with the public school systems of this province. Every student – and they are important – attending a Catholic separate school system has the same support in dollars as in the public school system, a very sound solution to the overall equity problem in this province. The whole system is very respectful of constitutional rights of Catholics.

MR. MITCHELL: Try as he might to be a constitutional lawyer, Mr. Speaker, the result of this initiative is to undermine Catholic education in this province, period.

How can the minister justify not allowing non-Catholic parents to vote for trustees that run the schools that their children attend? How can he possibly allow that to occur, Mr. Speaker?

MR. JONSON: Well, Mr. Speaker, the people across the way on other occasions are very interested in constitutional provisions being provided for and respected and followed. It would appear that the viewpoint on this is somewhat different. In the overall plan for education with respect to Catholic separate schools the funding is there on an equal basis. We are assuring that Catholic school boards are being elected by Catholic electors and that Catholic students are being served. They are provided for, and they have the opportunity to have their Catholic separate school system. I do not know what could be more fair than that.

1:50

MR. MITCHELL: What would be more fair, Mr. Speaker . . .

THE SPEAKER: Order.

MR. MITCHELL: Mr. Speaker, why is the minister clearly punishing Catholic school supporters and the Catholic school system? Is it because they made him back off trying to grab control of their schools last year, trying to erode their rights even further?

MR. JONSON: Mr. Speaker, the hon. member across the way conveniently ignores the fact that the Catholic separate school systems of this province have never been more fairly treated in terms of a funding program for their schools, in terms of monetary support for their schools. In terms of Catholic rights being protected under the Constitution, that is being fully done. They have their school boards. They have their schools. They have a school system which is functioning. There are students in it. I do not see any disadvantage or any issue here.

MR. MITCHELL: And they don't have their money . . .

THE SPEAKER: Order.

### Regulatory Reform

MR. MITCHELL: Today the government created a brand new task force, more bureaucracy, Mr. Speaker, whose permanent members are all from the business sector and whose mandate is to review this government's glut of regulations to determine which

ones should be eliminated. It's a good idea for a Premier who in two short years has created 3,370 pages of new regulations. Here it is. They did it. Two-sided. An interesting idea also for a government who just two short months ago voted against our motion to have the Standing Committee on Law and Regulations of this Legislature get the process of reviewing regulations under way and who over the last year has denied 24 specific requests by my caucus to have regulations reviewed. To the Acting Premier: how can this government possibly justify creating a whole new task force when the Legislature already has a Standing Committee on Law and Regulations, which this government has never allowed to do its job?

MR. DINNING: Some Iron Man, Mr. Speaker. More like a lightweight.

Mr. Speaker, I believe that the step that the Premier has taken this past week in appointing the Member for Peace River as the special advisor to Treasury Board for deregulation purposes is in keeping with a commitment that the Premier made when he released Seizing Opportunity just 25 months ago, when he said that one of the focuses of our attention should be regulation, deregulation, and regulatory reform. Following that commitment, the Premier then appointed the Member for Three Hills-Airdrie to do a review of the current state of regulations in the government, and what came out of that was an excellent report that gave a broad inventory of where we were in regulation. They've proposed a number of actions that are in place.

Now this next step is more narrowly focused on the impediments to small business and the obstacles to small business. I believe that anything we can do in order to still maintain protection of the public and protection of safety for the public, any way that we can get out of the way of small business to allow them to get on with doing the job that they know best is the best possible thing for the government to do. So, Mr. Speaker, we welcome the opportunity to work with the Member for Peace River, as I know all of my colleagues do, to get out of that business of overregulation and get out of the way of small business, which is the number one job creator in this province.

MR. MITCHELL: Put the Member for Peace River on the Standing Committee on Law and Regulations if you want to work with him on this, Mr. Speaker.

MR. N. TAYLOR: And you wouldn't have to give him a car either.

MR. MITCHELL: Yeah, and you wouldn't have to give him a car. Extra money.

Would the Acting Premier just pay attention a minute and clarify this question? Has the government decided against using the Standing Committee on Law and Regulations because that committee is open, its processes are public, it's all-party, and because his task force simply isn't?

MR. DINNING: Mr. Speaker, we've taken this approach because we think it is the one that will get the best possible results. [interjections]

MR. MITCHELL: We agree. Calgary-Currie certainly hasn't produced much in the way of results here over the last . . .

THE SPEAKER: Order. Final supplemental.

MR. MITCHELL: My final question is to the chairman of the task force, the Member for Peace River. When the chairman of the task force says, "The business community knows which regulations work, and which ones get in the way," just exactly who on his task force will be representing children, seniors, nonprofit charities, the unemployed, customers, patients, labour, students, and all those other people in this province who are affected by government regulation, Mr. Speaker?

THE SPEAKER: Order. [interjections] Order. The built-in preamble indicated that this task force was interested primarily in small business, but the question went on in a much larger scope than small business. If the Chair understands the situation correctly, this task force is looking at regulations' impact on small business. If the hon. member can respond within the scope of his ability, he may do so.

MR. FRIEDEL: Yes, Mr. Speaker. The regulations that are going to be reviewed are all regulations, not just those that affect small business. They will be looking at the effect on all Albertans. There's a copy here which has been distributed already. They're available to anyone. It's a very open process and will involve not just small business but anyone who has an interest and who is affected by . . . [interjections]

THE SPEAKER: Order. [interjections] Order.

MR. FRIEDEL: Mr. Speaker, if they take the opportunity to read it, they will find that there is going to be space available for input from people who are affected by regulations of the various departments, not just token input as in some cases.

The other thing I would like to point out, Mr. Speaker, is that the people working on this task force are unpaid. They will receive no benefits. They will be receiving no expenses. These are volunteers who are interested only in improving the service of government to Albertans.

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

2:00

### Franchises Act

MRS. ABDURAHMAN: Thank you, Mr. Speaker. A great deal of time and effort with full consultation has gone into the development of the Franchises Act, Bill 33, yet it would appear that this government may allow Bill 33 to sit on the Order Paper until the fall. I'd like at this time to table four copies of two documents, the first being from the Motor Dealers' Association of Alberta. They're asking the question: "Why is attention being paid to large Toronto-based corporations and not to the Albertan dealers who as a group employ 12,000 Albertans, pay over \$375 million . . ." The other tabling is from the Motor . . . [interjections]

THE SPEAKER: Order please. Hon. members will recall that many times the preamble includes a tabling to the question.

MRS. ABDURAHMAN: The second tabling, Mr. Speaker, is from the Motor Village Group. "Simple justice and equal treatment under the law" are all they're asking for. My question is to the Provincial Treasurer. Is this delay due to the eleventh hour lobbying and pressure tactics of the big eastern automakers?

MR. DINNING: No.

MRS. ABDURAHMAN: Mr. Speaker, by delaying this Bill, why are you ignoring the consensus of the stakeholders, the Davids of the business community, and appearing to support the Goliaths of big eastern automobile makers?

MR. DINNING: Mr. Speaker, that's absolute nonsense.

MRS. ABDURAHMAN: Mr. Speaker, I'm sure the franchisees and the franchisors will think . . .

THE SPEAKER: Order. [interjections] Order. Final supplemental without preamble, hon. member.

MRS. ABDURAHMAN: Mr. Speaker, to the Provincial Treasurer: will you make a commitment to the Alberta Motor Dealers' Association, who are calling this a life-and-death issue, that their members will be governed by this Act?

MR. DINNING: Mr. Speaker, I know that my colleague for Red Deer-South is chomping at the bit to be able to respond to the question.

Look; the Bill has been introduced. There is an opportunity between now and Stampede week, when the House will adjourn, to debate the Bill. If there is time on the government's Order Paper and in government business, and, you know, God and the Government House Leader permitting, we may get to this Bill before Stampede week, and we may be able to pass it.

THE SPEAKER: The hon. Member for Little Bow.

### Gun Control Legislation

MR. McFARLAND: Thank you, Mr. Speaker. My constituents continue to be infuriated by the prospect of a national gun registry in Bill C-68, which penalizes responsible owners of firearms and does little in the way of additional jail terms or penalties for criminals or stricter enforcement of existing legislation. My question today is to the Minister of Justice. What did you, Mr. Minister, hope to accomplish in presenting Alberta's position to the House of Commons justice committee, which appears to have no mandate except to maintain the status quo for the proposed Bill C-68?

THE SPEAKER: The hon. Minister of Justice.

MR. EVANS: Thank you, Mr. Speaker. I wanted to do a few things when I went down to Ottawa to speak to the standing committee on justice matters. The first was to point out that Alberta is very strongly supportive of the provisions of Bill C-68 that deal with increased penalties for serious offences involving firearms and, secondly, for those provisions that deal with smuggling of firearms into Canada. We wanted to point out as well that we had very serious concerns about whether there was a causal connection between the universal licensing and registration provisions in that legislation and dealing with serious and violent crime and making our communities any safer.

Secondly, we wanted to point out that we had serious concerns about the dollar figures that would be allocated to that part of Bill C-68: \$85 million originally by estimate of the federal Minister of Justice, \$118 million recently in his own presentation to that standing committee, and by our estimates substantially more than that. We argued the point that those moneys could be more effectively spent if they were dedicated to the two positive aspects

of the Bill, and we made that point as strongly as we could in conjunction with representations that were made by Saskatchewan and Yukon.

THE SPEAKER: Supplemental question.

MR. McFARLAND: Thank you, Mr. Speaker. Did this federal justice committee agree to make any recommendations to amend the proposed Bill C-68?

MR. EVANS: Well, Mr. Speaker, this is an all-party committee. I was before the committee for about two hours, and there were questions back and forth. I think there was a fair bit of understanding of Alberta's position, not surprisingly, from the two Members of Parliament from Alberta who were on the committee. There seemed to be some mutual respect from the members of the Bloc Québécois, and in fact some of the Liberal members who were there also indicated in the tone of their questions that they had an understanding of the position that we in Alberta have and that other regions of Canada have as well.

However, in terms of what will happen as a result of this, Mr. Speaker, I think it's too early to say. I know that Manitoba is making a presentation today at that committee which I think will be similar to Alberta's, Yukon's, and Saskatchewan's, and I'm very hopeful that they will respond in a positive way to the recommendations that we've made.

THE SPEAKER: Final supplemental.

MR. McFARLAND: Thank you, Mr. Speaker. What workable Alberta positions did you leave as an option or recommendation to this federal committee?

MR. EVANS: Well, we tried to leave a lot of options available. First of all, we said that it's our preference that the provision dealing with universal registration be taken out of Bill C-68 and that the other important provisions in the Bill pass. We said that if that was not going to happen, then we would like the opportunity to opt out of those provisions dealing with universal registration. We said that if that's not good enough, then we would appreciate a phasing in of these provisions in those areas of the country that feel that this is important. I've said very publicly, Mr. Speaker, that if in a phase-in in those areas that have support for these provisions it's shown in any empirical way that crime is reduced, then we'd be more than prepared to accept that and to be very positive about the legislation.

We also said that there should be a pause taken because the federal Auditor General in his 1993 report to the House of Commons said that there should be a review of existing firearms legislation, particularly the legislation that was passed in 1991. So we've said: pause a little, take a look at what you have, analyze what the impacts of this would be, and please don't pass that on at this point in time.

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

## 2:10 School Violence

MR. HENRY: Thank you very much, Mr. Speaker. Over the last couple of years we've heard from members on both sides of this House about the concern and the need to do something to address the increasing incidence of violence in our schools. The Department of Education has also had forums and discussions on

this. The Minister of Education is on record as supporting zero tolerance when it comes to violence, but some of his actions are leaving us a little bit confused. Earlier this year when six students pleaded guilty in court and were convicted of beating up a young girl, the Medicine Hat school board decided that it was appropriate to expel those young girls. The minister, through an appeal, has altered that expulsion by forcing the Medicine Hat public school board to provide evening and distance learning courses for at least one of those girls, the one who was the instigator of the attack. My question to the minister is simply: because there is some confusion out there, could the minister provide us with the rationale for his overturning the Medicine Hat school board decision?

MR. JONSON: Well, Mr. Speaker, the hon. member leaves out of his preamble a very important fact, and that is that the students in question were expeditiously dealt with by the legal system, the court system of this province, and fairly stringent penalties by modern standards, I would say, were imposed with respect to the misbehaviour of these students. So the legal system, the law, the court system did deal quite correctly, I think, with this particular matter.

Now, secondly, Mr. Speaker, the expulsion, yes, was appealed. A ministerial investigation was conducted. The recommendation that I followed was that the student in particular involved should not be completely excluded from any opportunity to get an education but that the student should not be attending regular classes, should not have the privilege of that, or be part of the regular school functions and atmosphere. However, it did make a recommendation that education opportunities should still be there, and in light of the fact that this matter had been dealt with by the courts, in light of some other circumstances which are special to the case, I upheld the recommendations of my review team.

MR. HENRY: Well, then, my next question – we're just trying to get clarification of policy here. In a general policy sense . . .

AN HON. MEMBER: Question.

MR. HENRY: The question is: is the minister saying that if an incident happens and the legal system provides a consequence to that behaviour, then the school board should not get involved in disciplining those students? Is that what he's saying as a general policy?

MR. JONSON: Mr. Speaker, I think we've recognized with this very serious topic in terms of our young people and education that there has to be a joint effort among community, schools and school boards, and the justice system and other agencies that may be involved in dealing with these matters in cases of rehabilitation and so forth. There has to be that overall joint effort. As I've indicated, in this case the justice system certainly did its part.

The policy is to deal firmly and expeditiously and fairly with these particular cases. Mr. Speaker, I think that a thorough investigation was done, recommendations were made, and having looked through the extensive report, the recommendations were in my view justified. The perpetrators had been punished, yet there was an option for them to continue with their education in an isolated setting.

Mr. Speaker, I would also like to point out to the hon. member that a number of such cases come forward during the year, more than I would prefer to see, and in the majority of cases we deal

firmly with these matters, and the board's decision is completely supported from day one. Finally I'd just like to say that saying that each individual case, whether it's before the courts of this province or a hearing before a school board or an appeal to the minister, should not be looked at as an individual case on its merits and should be covered by some blanket judgment right off the bat no matter what the circumstances are is in my view wrong.

MR. HENRY: Dealing with the policy and not the specific case, Mr. Speaker, because not knowing all the details, the minister may well have made the right decision. Given that the minister has just said that he's had more of these appeals than he would like to have, would he now undertake to provide in a time-limited fashion a clearer policy for school boards so school boards know what the rules are with regard to dealing with school violence and what their parameters are so they're not being second-guessed by the minister through appeals?

MR. JONSON: Mr. Speaker, at both of the conferences on school violence that the hon. member alluded to, I made that invitation. I asked not only the school board representatives that were there but representatives from other agencies, students themselves, parents that were at those conferences to please relay to me improvements that might be made in policy or in legislation with respect to this particular matter. Now, there are a couple of proposals that did come forward. They have been acted upon. The only proposal that I currently have on file which has not been decided on one way or another is a proposal with respect to lengthening the allowable time for the suspension of a student before a decision is made upon their continuance or expulsion.

So, Mr. Speaker, this is always being looked at. We're always open to recommendations on this particular area, but many people have said that they can work with and find very satisfactory the current sequence of events.

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

### Legal Aid

MR. HAVELOCK: Well, thank you, Mr. Speaker. May I start by saying how nice it is to be so close to the seat that recognizes.

Mr. Speaker, while legal aid in Alberta ensures equal right to legal representation for all Albertans regardless of financial resources, it may inadvertently create a significant advantage in favour of one party to litigation. A qualifying spouse has access to significant legal expertise, whereas the other spouse may be subjected to severe financial hardship through the payment of private legal fees. Further, unnecessary legal steps may be initiated due to there being little financial accountability on the part of a qualifying spouse. My question is to the Justice minister. What steps are you prepared to undertake to reduce the initiation of unnecessary legal steps and the adoption of unreasonable positions in legal aid cases?

MR. EVANS: Mr. Speaker, was that the Member for Calgary-Shaw? He's so far away, I'm not sure that I recognize him.

Seriously, though, Mr. Speaker, it's an important question. It's particularly an important question because we account for so much of the budget of the Legal Aid Society. Now, there are a number of rules and regulations that the Legal Aid Society operates under, and one of them of course is that there has to be a reasonable cause of action and a reasonable chance of success.

I'm not, at the tip of my tongue, familiar with all of the rules, and I can't restate all of the rules, but I'll certainly review those

rules and internal processes that are available. I'll do that with the hon. member, and we can consider together whether there should be some additional criteria established. Certainly if anyone knows - I pose this to the hon. member as well - of any . . . [The lights in the Chamber flickered] I had nothing to do with that, Mr. Speaker. [interjections]

2:20

THE SPEAKER: Order. Order please.

The hon. Minister of Justice.

MR. EVANS: Thank you, Mr. Speaker. I wasn't trying to get people off track here.

If the hon. member knows of any specific instances where it is alleged that one party or other has had an unfair advantage and that there have been unreasonable positions taken, then I think we have to deal with those specifically, and I'm certainly pleased to take those pieces of information from him and carry out a more thorough investigation.

THE SPEAKER: Supplemental question.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Will the minister recommend to legal aid that a spouse who falls slightly outside the eligibility requirements and who would be at a legal and financial disadvantage without funding be provided with such legal funding if the other spouse has qualified for such assistance?

MR. EVANS: Well, to give the hon. member some comfort, I think that there are now some opportunities for borderline cases where an individual might be just over the financial acceptability line to go into legal aid and to make some kind of an arrangement with them that would see some contribution by the party and some contribution by legal aid. I think it's an important question, and I'm concerned about it in terms of how many examples legal aid may have that would be similar to this, because of course there's a financial implication to the budget of the Department of Justice and to the budget of the government of Alberta. But I'll check on that, hon. member and Mr. Speaker, to determine how many cases are similar in fact situation.

THE SPEAKER: Final supplemental.

MR. HAVELOCK: Yes. Thank you. Will the minister consider recommending that counsel who provides an opinion to legal aid as to whether an action should be pursued be precluded from acting on that file if it does proceed?

MR. EVANS: Well, I think the hon. member is identifying a potential conflict of interest in those kinds of circumstances. I'm not aware of a policy by legal aid on that matter, but it seems to me that in the back recesses of my mind I recall some incidents like that occurring while I was in practice, hon. member. I'll certainly review it with the Legal Aid Society, because I think it's a good point.

THE SPEAKER: The hon. Member for West Yellowhead.

### Kindergarten Programs

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. Once again a poll, this time an Angus Reid poll, indicates that the vast majority of Albertans still disagree with this government's cuts to

kindergarten programs, and they want to see the funding restored to 400 hours. I know that the minister feels that he deserves a pat on the back for adding funding for another 40 hours, but Albertans are not fooled. They know that we're now at 240 hours rather than 400, which we had two years ago and which other provinces have at least. So my question is to the Minister of Education. Will the minister now agree to follow the wishes of the majority of Albertans and restore funding for a full 400 hours of ECS?

MR. JONSON: The funding framework is in place for the coming year, and I would like to indicate to the hon. member that there is full funding for 240 hours and the cost thereof without there being any need for a tuition charge, the first time that there's been that guarantee of a basic 240-hour program in this province, Mr. Speaker.

Secondly, there is the flexibility at the school board level to charge tuition, yes – but tuitions certainly, if they're charged, would reasonably be down very significantly this year, Mr. Speaker – and also to allocate funds from their instructional block towards the offering of 350 hours or 375 or 400. There is the very real ability there to have an increased number of hours should that be deemed to be advisable by the local school jurisdiction. On the other hand, for all students in this province access to a basic program is guaranteed without tuition fee.

MR. VAN BINSBERGEN: Mr. Speaker, I think he said no.

Given the results of this poll and the fact that we've already heard from some 200,000 Albertans on this particular issue, what does it take for this government to listen and restore that funding?

MR. JONSON: Mr. Speaker, as I have certainly indicated, we recognize that there is the need for a preparation program for students for grade 1, and we have provided that, as I've just outlined, along with a program statement which provides for more specific direction and focus with respect to that overall program. We have always maintained the funding for the special-needs students of this province. That funding has not been reduced. We have in place a good program overall for these students.

MR. VAN BINSBERGEN: Mr. Speaker, this program has been severely diluted by this government. I want to ask this minister why he continues to discriminate against the kindergarten kids of Alberta compared to other provinces, where they fund at least 400 hours.

MR. JONSON: Well, Mr. Speaker, I reject this particular type of allegation. [interjections] I think really the hon. members across the way perhaps do not think this is important, but the government is interested in providing a sound education system in this province with high standards. Our education system, as shown on national tests and other comparative measures, is providing a good education for young people in this province and compares relatively very well to other provinces in this country.

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

### Economic Outlook

MR. SHARIFF: Thank you, Mr. Speaker. Calgary-McCall is a dynamic, hardworking, young community that takes pride in its contribution towards Alberta's growth. During the last by-election most of my constituents expressed concurrence with our direction of responsible fiscal and social governance. However,

the issue of prosperity for the province and jobs for people was expressed at many doors. My question is to the hon. Treasurer and Acting Premier. What indicators should Albertans watch out for that would provide a yardstick to measure prosperity in our province?

2:30

MR. DINNING: Well, Mr. Speaker, I couldn't help notice, as the Member for Calgary-McCall stood up after the Member for West Yellowhead had commented on an Angus Reid poll, that we had a Calgary-McCall poll, and that is the ultimate poll.

Well, Mr. Speaker, the member will know that in May of 1993 and prior to that we spelled out a plan, a future for this province, one of balanced budgets, the best possible education for all Albertans, a health care system that was there to meet the needs of Albertans. In June of '93, some short 693 days ago, Albertans endorsed that plan, and then some short 20 days ago the people of Calgary-McCall endorsed that plan.

The member asks an important question: what are some of the indicators? Clearly, as we look at economic growth in this province, we had estimated a growth this year of 2.7 percent. The industry now expects it's going to be in the order of 3 and a half percent. We've seen our unemployment rate, Mr. Speaker, move in this province from 9 percent a year ago and over 10 and a half percent two years ago such that in April of 1995 it was 7.8 percent.

I see the number of new businesses created in this province, and I see that kind of confidence percolating up that gives Albertans the stamina and the courage to make those kinds of investments. That was reflected in the Calgary-McCall poll, and we're determined to live up to the confidence that Albertans placed in the Member for Calgary-McCall and that was placed in this government just two years ago.

THE SPEAKER: Supplemental question.

MR. SHARIFF: Thank you, Mr. Speaker. I want to ask: what is the status of new job creation in Alberta vis-à-vis jobs that are displaced or jobs that are lost?

DR. OBERG: Good question.

MR. DINNING: Well, Mr. Speaker, it is a good question, and my colleague the Minister of Advanced Education and Career Development may want to supplement my answer. I look at the number of jobs created or new employment: just in the last year, April '95 over April '94, some 55,000 jobs created in this province, and since December of 1992 some 95,000 jobs created, not by government – not by this government – jobs created because of the confidence of investors in Alberta to make those kinds of investments and create those jobs.

Mr. Speaker, when I look at where the jobs have been created since April of '94, they're in the area of agriculture, they're in education, they're in construction and mining and transportation, and where there have been job losses is in the area of public administration, in the area of real estate and insurance agents, and in communications. Clearly a record by Albertans of creating 95,000 jobs since December of '92 is the very reason why the Member for Calgary-McCall is sitting in this Assembly today and a Liberal member is not.

THE SPEAKER: Final supplemental?

The hon. Member for Edmonton-Meadowlark.

### Safety Code

MS LEIBOVICI: Thank you, Mr. Speaker. The delegation by the Department of Labour to the Safety Codes Council of the implementation of the Safety Codes Act was intended to produce a high-quality safety system that was cost-effective and less bureaucratic. This has not happened. In order for the Safety Codes Council to operate, fees for inspections of buildings, elevators, fire protection equipment, plumbing and gas systems, pressure equipment will increase by 65 percent over the next three years, and there's still confusion over who is responsible for these inspections. My questions are to the Minister of Labour. Since municipalities, municipal districts, counties, and corporations have all been promised first right of accreditation, just who has this first right?

MR. DAY: Well, to help the Member for Edmonton-Meadowlark with her confusion, it's very, very clear that municipalities who want first right to be accredited can in fact do so, and that's why as we stand here some 16 municipalities have already made that request. There have already been applications for joint ownership of that, and we already have some 400 officers who are now qualified, trained, and certified to perform those services either for the municipalities or for the accredited agencies.

I would like to underline that the cost has not gone up. What has happened is that the government subsidy for the services provided is being removed, and the purchaser of the service, whether it's a contractor or a builder, will be shouldering more of the direct cost. Therefore, if it's a home or a particular business, the person then buying, not the overall tax base, will be shouldering the cost. We are now seeing true costs where everybody can see it. Mr. Speaker, as accredited agencies move out into the field, the competitive process will also begin to kick in so that you'll see a reduction of those costs and not a reduction in quality, because in fact you have to be a certified, qualified person to be able to deliver that service.

MS LEIBOVICI: Can the minister explain the new requirement for mandatory site inspections, which will increase costs to municipal districts and counties?

MR. DAY: Mr. Speaker, I've just explained. I'll maybe say it a little bit slower this time. The costs now are realistic costs. These are the real costs, and if somebody is purchasing that service, whatever entity they may be, either an individual or an agency or a business, they are going to be looking at what is the real cost, not a hidden cost, not a cost that is heaped onto the backs of all taxpayers. The people that are going to be getting the benefit of the service will be paying for it.

THE SPEAKER: Final supplemental.

MS LEIBOVICI: Thank you, Mr. Speaker. The minister might want to explain it a little slower to the Alberta Association of Municipal Districts and Counties. I'd like to table a letter presented by that association to the government standing policy committee on agriculture and rural development last night. In light of the concerns of the municipal districts and counties, will the minister review and report on the implementation and operation of the Safety Codes Council?

MR. DAY: Well, that's a constant reporting process. It's a constant review process. It's happening all the time. It's interesting to note, Mr. Speaker, that on the technical councils,

which developed the code and put these things into place, for the first time ever we saw not just government people deciding what was going to be expected, what permits had to be out there, what the standards would be, in fact for the first time we had small business actually represented right there on those technical councils. If it was going to be an area of electrical inspection, there were electrical contractors on those councils.

MR. MITCHELL: What about consumers?

MR. DAY: If it was in the area of gas and plumbing, plumbing contractors, people there in the business had input directly into the process. That hasn't happened before.

MR. MITCHELL: What about consumers?

MR. DAY: There's a little bit of piping going on from the chair of the opposition leader. He's now removed the books that he used to sit on, so I think it's him making the piping, and I would just ask him to continue to be quiet.

So, Mr. Speaker, I'd also like to say that the Association of Municipal Districts and Counties has also had representation on those particular technical councils, and we are in constant communication with them. Some of the MDs, notably Pincher Creek to talk about one, have asked some questions recently about their role. What's also exciting about this is that a municipality who wishes . . . [interjections] You know, the rudeness, with the school children here, is unbelievable, absolutely unbelievable. [interjections]

THE SPEAKER: Order. [interjections]

MR. DAY: Look at this. I wish the cameras . . . [interjections]

THE SPEAKER: Order.

MR. DAY: I wish the cameras could pan the pandemonium that's going on over here.

Mr. Speaker, what's also very interesting about this process is that a municipality that wants to be accredited gets to determine what level of service is going to be delivered, and they can answer for themselves the types of questions that are being asked even by their local constituents in terms of service delivery.

THE SPEAKER: There appear to be some further guests to be introduced, if the Assembly would grant unanimous consent to reverting to Introduction of Guests.

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

**head: Introduction of Guests**  
**2:40 (reversion)**

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

MR. HLADY: Thank you, Mr. Speaker. I have to introduce to you today and through you to the members of the Assembly 55 visitors from around the province. They are students who are here for the week to learn about government, and they are in the Forum for Young Albertans. I'd like to also ask their group



leaders Miss Paula Dubyk and Mrs. Yvonne Corbeil to stand with the students and receive the warm welcome of the Assembly.

head: **Orders of the Day**

head: **Written Questions**

MR. DAY: Mr. Speaker, I would move that the written questions appearing on today's Order Paper stand and retain their places with the exception of Question 223.

[Motion carried]

#### **Public Affairs Bureau**

Q223. Mr. Collingwood moved that the following question be accepted:

What services did the Alberta Public Affairs Bureau audiovisual services contract from Tinsel Media Productions Ltd. during the winter of 1994-95 on behalf of the Department of Environmental Protection, and what was the total cost?

MR. LUND: Mr. Speaker, on behalf of the hon. Premier, the government will accept Question 223.

[Motion carried]

head: **Motions for Returns**

MR. DAY: Mr. Speaker, I move motions for returns stand and retain their places on the Order Paper with the exception of motions 227, 228, 229, 230, 231, and 232.

[Motion carried]

#### **Game Farms**

M227. Dr. Nicol moved that an order of the Assembly do issue for a return showing lists of all tests conducted on wild animals adjacent to game farms for diseases which could be communicated from or to those confined game animals since game farms were licensed in Alberta to March 30, 1995.

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

DR. NICOL: Thank you, Mr. Speaker. This motion will basically give us a chance to find out what opportunity there is and what contact comes between wild animals and domesticated game farm animals so that we can look at the kind of opportunities there are for cross-contamination between the two herds.

Thank you.

MR. LUND: Mr. Speaker, we find it necessary to reject this motion because there has been no testing. The reason that we don't do any testing outside the game farm is because there's ongoing testing on the game farm, and therefore the testing outside would be completely redundant.

THE SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. Speaking to Motion for a Return 227 and the fact that the government is

rejecting this particular motion, I recall that sometime ago – I do not recall specifically the date – the government in fact issued a press release that was warning Alberta hunters about the concerns the government had about infected deer during the hunting season of that particular year. I do not recall specifically what year that was, but I do recall that in fact the government saw fit to issue a press release that specifically related to the potential for tuberculosis in our wild game species. Now, the source of that tuberculosis is certainly potentially, if not inevitably, from the game farm operations in the province of Alberta.

There is sufficient evidence, Mr. Speaker, in my view that there is indeed cross-contamination into the wild population. There is indeed escape from game farms into the wild, and the spread of serious, serious diseases like tuberculosis can very easily then take place and impact and affect the wild populations.

So for the minister, Mr. Speaker, to stand and simply say, "Well, we don't conduct any tests" is probably irresponsible but certainly is something that the department has to take a much closer look at. What the minister is saying by standing in the House today and saying that is that the department is prepared to turn a blind eye to a potentially very serious problem of contamination, of disease in wild populations of deer and elk because of the operation of game farms. We know it's occurring. We know that the testing must take place. We know that the results must be made public. What I hope we don't see in the future is the government in a situation where they have to once again release a press release that warns hunters about looking for signs of tuberculosis in wild game animals because of that contamination.

Mr. Speaker, I think it is unfair and improper for the Minister of Environmental Protection to reject this motion. I have given the reasons why the motion ought to be accepted. We recognize that the potential exists. We want to see the studies or the results of studies on the so-called ongoing tests that the minister talks about with no detail and no indication of what that so-called ongoing testing is. If the minister were prepared to provide that information, he could easily amend the motion for a return, or if indeed that information exists, the minister could simply offer it up gratuitously to myself or to my colleague from Lethbridge-East.

We know there's a problem. We know the problem exists. We want to hear what the government is doing on the issue. That is the essence of Motion for a Return 227, and I would ask members to support the motion.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I, too, would like to support the motion, and I'm rather puzzled that the minister turned it down. I've been one of the few in the opposition that's actually supported the government's view towards moving to game farming. Of course, one of the big criticisms of game farming is the cross-contamination.

I'm just pointing out that I don't agree with everybody all the time. You might think that is difficult, that I just disagree with Tories. Sometimes I disagree with Liberals, Mr. Speaker.

This case is that you do the cause of game farming a great deal of harm by not conducting these tests.

MR. HLADY: That's not the question.

MR. N. TAYLOR: Well, the question is: "showing lists of all tests conducted on wild animals adjacent to game farms for diseases."

AN HON. MEMBER: There aren't any.

MR. N. TAYLOR: Well, yes, there are, Mr. Speaker. I have a farm near Redwater. I have two moose and any number of deer that are wild, yet five miles away I have an elk and buffalo farm. Buffalo usually aren't considered, but there's an elk game farm within five miles. Another five miles the other way I have a red deer farm. That doesn't apply to the constituency; it's a New Zealand deer. So, in other words, game farming is very, very much . . . [interjection] No. The red deer you're thinking of, hon. member, is spelled d-e-a-r. I'm talking about the ones you eat: d-e-e-r.

The fact of the matter is that out through my constituency there is a lot of game farming going on, and I think quite reasonably. You do not serve them any privileges when you say that you are not conducting tests or, if you have conducted, that you will not release tests for diseases of wild animals outside the game farm or, on the other hand, tests from the game farm for wild diseases that may have come in. I think one of the big points that game farmers try to argue is that they are successfully keeping them apart. When you come up with an answer like this, you ill serve the game farmers of the community. All you do is provide fertile ground for the extremists, I think, in many of our cities that would much prefer no game farming whatsoever. You give them a platform to go out and say that disease is spreading, and certainly tuberculosis and brucellosis are the two big ones that everybody worries about.

I can't understand the minister. Now, if he says there's not ever been any tests done on wild animals adjacent to game farms, come out to my place. I'll point out where they are. I assure you that I'm not going to hold a moose while you take a test, but if you want to put a little tranquillizer in and put him to sleep, with a needle of course – they won't stand still long.

DR. L. TAYLOR: That's what you're doing to us, Nick, putting us to sleep.

MR. N. TAYLOR: I could try feeding him fermented oats, which would work in the hon. member's case over there, but this would be a little difficult here.

If you could come out there, we should be running tests on them. I'm really disappointed. If there are none being run, it's sloppiness in your department. If there are some being run, tell us about it.

2:50

THE SPEAKER: The hon. Member for Lethbridge-East to sum up.

DR. NICOL: Yes. Thank you, Mr. Speaker. Just some final comments on this. I was kind of disappointed to hear that no tests have been done, and I think this maybe brings out a point of interest for the minister and the people of Alberta. In a number of other jurisdictions in North America where game farming has kind of established itself, specifically some of the U.S. states to the south of us, they have conducted some tests on animals adjacent to the game ranches that are there. They have been able to track and indicate that there has been a movement of some of what we consider the domesticated diseases, or the diseases of the domesticated wild animals, being transferred to the wild populations. There's good instances where this has been documented to have occurred, not necessarily through direct contact from elk to elk but by contact through carrier animals as well.

So I think what we need to do is take this kind of as an indication for the minister to look very seriously at possibly in next year's business plan putting in some opportunities or a program that would look at what the impact is, whether or not any disease contamination has been carried out into the wild populations adjacent to some of the game farms. This is going to be important, because we want to maintain both the integrity of our game farming system and the disease-free status of the wild animal populations. If we do notice through these tests that this kind of contamination or cross-carrying of these diseases is ongoing, then we'll have to start looking at mechanisms to provide different confinement for the animals, a different kind of fencing to prevent more direct contact, either the direct species contact or a carrier agent's contact, with the game farms. We want to make sure that game farming can still remain as a viable part of our growing agriculture community, and also we want to maintain the integrity of the wildlife that is there.

As I said to start with, I'm kind of disappointed that the minister didn't have this kind of test, and I would hope that he would take this as a serious indication that possibly he'll look at it for future years.

Thank you, Mr. Speaker.

[Motion lost]

### Grain Marketing

M228. Dr. Nicol moved that an order of the Assembly do issue for a return showing copies of all data compiled between January 1, 1992, and April 4, 1995, to justify the government's position that Alberta farmers support the right to access a continental market for wheat and barley.

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

DR. NICOL: Thank you, Mr. Speaker. This is basically a motion that's going to ask the minister to show information on the communications he's had with the community in agriculture that have given him the background so that he can justify his position to state that the farmers of Alberta would like to have a continental market. I'd ask that he provide us with that information.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. I move that Motion for a Return 228 be amended. I would ask that it read as follows:

that an order of the Assembly do issue for a return showing copies of all published data and materials compiled between January 1, 1992, and April 4, 1995, to justify the government's position that Alberta farmers support the right to access a continental market for wheat and barley.

Mr. Speaker, the original wording of the motion would have required us to reject it, since there's a vast amount of correspondence, phone logs, and written and verbal notes that can't be released due to third-party confidentiality.

The amended motion will enable my department to gather all relevant information on the issue and then file it with the Assembly. We've contacted the sponsoring member of this motion, and I understand there is agreement for the amendment.

THE SPEAKER: The hon. Member for Lethbridge-East on the proposed amendment.

DR. NICOL: Yes. Thank you, Mr. Speaker. I have spoken with both the minister and some of his staff, and I agree that the amendment he is proposing is acceptable for the motion.

Thank you.

[Motion as amended carried]

#### **Agriculture Regional Specialists**

M229. Dr. Nicol moved that an order of the Assembly do issue for a return showing all data from January 1, 1993, to April 5, 1995, which illustrates the level of credentials or participation in retraining by the Department of Agriculture, Food and Rural Development employees whose job descriptions have been reclassified to regional specialists.

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

DR. NICOL: Thank you, Mr. Speaker. This motion is going to provide us with some background information to kind of give us some information that'll show some of the changes that have occurred in the government's budget for the year. We were trying to determine the dollars that are spent in terms of personnel retraining, the focus on the program development for staff. We wanted to be able to see how many of the regional specialists are actually taking advantage of the retraining programs that were put in place as they moved from their district agriculturalist-type classifications into the regional specialist classification.

Thank you.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. This motion is accepted.

[Motion carried]

#### **Game Farms**

M230. Dr. Nicol moved that an order of the Assembly do issue for a return showing how many escapes of domesticated game animals to the wild and how many incidences of domesticated game animals and wild game animals mixing on game farms have occurred since the inception of game farming in Alberta to March 30, 1995.

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

DR. NICOL: Thank you, Mr. Speaker. This is kind of a companion motion to the one we had just a minute ago. What we're looking for here is information on the escapes of domesticated game animals from game farms and game ranches in the province to track down and get some concrete data to kind of clarify the rumours that we hear about how many times this happens. We'd like to get, you know, the official data that the government stands behind and have a look at whether or not this is really occurring at the frequency that some indications claim it is.

Thank you.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. We accept this motion.

[Motion carried]

#### **Economic Development Projects**

M231. Dr. Nicol moved that an order of the Assembly do issue for a return showing copies of all studies and data gathered which shows the level of cost-benefit ratios and/or internal rates of return used by the government in evaluating economic development projects to be financed by public funds and administered by all departments or agencies of the government over the period January 1, 1980, to December 31, 1994.

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

DR. NICOL: Thank you, Mr. Speaker. This motion is going to give us an idea of what level of cost-benefit ratio the government is looking at in terms of providing public-dollar support for its economic development projects that are being used to support infrastructure development.

Mr. Speaker, this is really important, because we have to be able to look at the change that has occurred in the role that public funding is now playing in projects that are being carried out across the province. We want to know whether or not over the last number of years, as this change in philosophy of the government has occurred, there has been a realistic and more commercial level set for the cost-benefit ratios or for the internal rates of return. This is really going to be important for us to be able to look at and evaluate the kinds of decisions that the government's making as it looks at projects that will support the economic system in Alberta.

Thank you.

MR. SPEAKER: The hon. minister responsible for Economic Development and Tourism.

MR. SMITH: Thank you, Mr. Speaker. In fact, the department will move to reject the motion. The hon. member I know has read in detail the three-year business plan for the Department of Economic Development and Tourism and realizes that there is a 38.2 percent reduction in staff and that the department is basically focusing on its strategic capabilities in the areas of trade and investment and in tourism over the next three-year period. It's simply that the resource required to examine the past is contrary to the forward perspective of the department.

In fact, Mr. Speaker, consistent with *Beauchesne* 446(2)(g), "papers of a voluminous character or which would require an inordinate cost or length of time to prepare" would be considered for rejection. So on that basis we are rejecting the motion.

**3:00**

MR. N. TAYLOR: Mr. Speaker, I think possibly the hon. minister should read the question again. Maybe even I misunderstood it. Of course, I think we're talking about, first of all, cost-benefit ratios rather than rations. I think there's a misspelling in the thing. I believe that's a misspelling. The hon. mover could question it if that's right. He's talking about cost-benefit ratios and internal rates of return. I don't think it is necessary to go to the projects that the department of economic development must have, as any company has. I know he's worked in the private sector. When somebody comes to your business and asks you to

take over a new line, you want to know what your rate of return would be on it. Of course, in the private sector you have to factor in taxes, particularly income taxes, but you don't have to factor those in in government.

So it seems to me there should be – and if there isn't, it's kind of disconcerting to think that we have all the investments and grants and partnerships that this government forms and we haven't set ourselves a target of what kind of a rate of return we want. As the hon. member knows if he's been in business at some time, the general rule of thumb is that a business should return a rate of return at 6 to 8 percent over the prime rate of interest after tax. That's a good general rule of thumb. If I had followed that all my life, I might have owned Alberta by now, Mr. Speaker, but now and again I would get sold by some smooth-talking salesman like the hon. minister and I would invest in something that didn't do that and made it even worse.

The point is that there is a line that I always went to. Even when I went to a banker, I had to show this rate of return. Otherwise, he would hold his sides and laugh and laugh and fall off his chair and wonder why I was in asking for money. The fact is that there is a rate of return, and the one in government is of course going to be quite different because of tax. I'm surprised that the minister has not got some sort of – I know he's fairly new on the job. I think he and the Treasurer should be putting out a letter, if hasn't already, saying, "Look, don't even ask; don't even come around to us if you're talking about a rate of return that's less than – oh, I don't know; I'll pull one out of the air – 5 percent over prime," or something like that. Hopefully, it'll be better. So I'm very surprised, or maybe not surprised, because this government has had so many boondoggles that apparently they do like I said before – a smooth-talking salesman can get them into any rate of return – rather than looking at what the rate of return is.

So I'm very puzzled, and I would hope that now, if they haven't got anything they can report, the minister will take my advice under advisement, I guess is the right word, and maybe put out an internal memo saying: don't even come near the Treasurer unless you've got X rate of return.

**THE SPEAKER:** The hon. Member for Sherwood Park.

**MR. COLLINGWOOD:** Thank you, Mr. Speaker. I also would like to make some comments with respect to the government's rejection of Motion for a Return 231. I want to follow on the comments that were made by my colleague from Redwater, that it's hard to tell from the government's rejection whether or not the kinds of data that we're looking for actually exist from the earlier years, where we're looking to gather data on cost-benefit ratios – and I'll assume that that word is ratios as well – or internal rates of return in the evaluation of economic development projects. Now, this does not suggest – and I don't think the sponsor of the motion nor my colleague from Redwater would suggest – that these are the only criteria that have to be considered in economic development projects, because there are many other facets and there are many other factors and many other components that also go into it. But certainly the cost-benefit analysis must be a significant and integral component of the decision-making process in economic development projects. Now, as my colleague from Redwater indicated, maybe it's true that that kind of data doesn't exist for a period of time beyond this new government's so-called three-year business plan.

We have seen in the province of Alberta over the last decade and a bit economic development strategies and policies that seem to have very little to do with economic analysis and seem to have a great deal to do with political machinations. We only have to look at the construction of rural hospitals. Everywhere in the province it was the gift of the government at election time that every town, every region would be given special treats in the form of hospitals and highway construction, and the list goes on and on and on. Whether or not rates of return, cost-benefit analyses took place is of course highly suspect. It had nothing to do with whether or not it made good business sense; it only had to do with whether or not it made good political sense. Of course, Mr. Speaker, Albertans have seen that over and over and over again from Conservative governments that like to make those expenditures at election time.

I think what we'll find in the next election is that it won't be goodies anymore; it'll be reinvestment. That'll be the new buzzword for economic development projects that come about on the eve of the next election. Whether or not there will be any cost-benefit analysis for those also remains to be seen, because the priority is political. It is not economic.

My colleague from Redwater did make reference to the fact that this government has so many boondoggles in its wake that it's pretty hard to see that there ever was any cost-benefit analysis done. It doesn't matter, Mr. Speaker, whether you take the MagCan fiasco, whether you take the NovAtel fiasco, whether you take the Paddle River dam fiasco, or whether you take the Swan Hills boondoggle. We found in our session on Motions for Returns just a couple of weeks ago that the Swan Hills waste treatment plant, which sucks up \$23 million every year in taxpayers' money to keep it afloat, that joint venture doesn't even have a business plan – the government had to reject that motion for a return – so how could they possibly table it in the Legislative Assembly?

So when we have that kind of evidence from this government that there is no planning, that there is no conventional business approach when the government is in business – and again I say to the minister responsible that the cost-benefit analysis or the internal rates of return are not the be-all and end-all of decisions to be made on economic development projects, but they are necessary and integral – there probably is not any of this cost-benefit analysis done on these kinds of projects.

We know there are many more projects that are on the books, that are on the shelf, that are ready to go, and the decision to be made should, Mr. Speaker, take into account cost-benefit analysis. My fear, of course, is that it probably won't take into account that analysis, because the decisions will always be political and will never be made under commonsense rules of how to spend your money – I'll rephrase that: it's not their money; it's taxpayers' money – how to spend taxpayers' money and how to spend it effectively by setting the right priorities, by using and looking at the right criteria to set those priorities.

Mr. Speaker, the motion for a return that has been asked for by my colleague from Lethbridge-East is a very responsible, a very cogent motion for a return. The government's rejection of this motion is once again clear indication that they don't have it, that they don't use it, and that it's not at all a part of the minister responsible for economic development's criteria when he picks and chooses around the province what does and what doesn't go ahead as economic development projects.

Mr. Speaker, I know that I will certainly be voting in favour of Motion for a Return 231. Thank you very much.

**3:10**

THE SPEAKER: The hon. Member for Lethbridge-East to sum up.

DR. NICOL: Thank you, Mr. Speaker. I'm kind of disappointed, to say the least, that the government couldn't provide us with the kind of cost-benefit data they were using as kind of cutoffs to justify different projects. What we're looking at is an issue here – public dollars are spent in a lot of different ways in Alberta. We see a lot of different focus being put on trying to promote job creation, trying to promote economic development, and we have to be able to look at and justify the rate of return that the public can expect on those dollars that are being spent on their behalf. So it's kind of disappointing, I'd say, to find out that the government cannot even provide a set of data which will show the levels they use as their cutoffs. This is basically what we were looking for: a measure that would say that if the cost-benefit ratio or the internal rate of return falls below this level, that project will not go ahead. That is why we concentrated on economic development projects in this motion.

I recognize that as the government spends dollars in a lot of their other areas, you have to take into account things that don't include the economic return that can be generated by that investment. We have to look at things like education and health care and the services provided to our citizens. But when we start dealing with evaluating projects specifically to promote an advancement in our economic development, I think if we as a government are going to become more responsible and more answerable to the people of Alberta, we've got to start dealing with the same kind of decision-making that they do as individuals or as businesspeople when they involve their own dollars in making investment decisions.

All I can say is that from the rejection of this I don't see this as a large data collection problem. When I say "all studies and data," what we're basically asking for is one or two numbers per year that reflect the minimum level that they would accept, that they set as "This we have to have or we're not investing." That's what we were looking for, Mr. Speaker, not the individual rate of return on every project that they developed. The idea was that we had to have this measure.

I would like to suggest that if the implication of this refusal of the motion is an indication that this kind of criteria is not established before they do investment decisions, then the government should be looking at the way they make these kinds of projects and put them into place. We have a lot of projects, a lot of programs in place now with the government. We've seen a lot of investment of public dollars being put in place through the infrastructure programs. We've seen a lot of dollars being put in place through our projects for agriculture, for the environment, for tourism promotion. What we want to know is: what kind of rate of return can the people in Alberta expect on these public dollars?

So I would like to suggest that if the government is rejecting this motion, they may want to look at making a commitment to the people of Alberta in terms of the responsibility they have as investment decision-makers for the people of Alberta, and they should be publishing this kind of information on an annual basis so that the people of Alberta know we can expect at least that level of return. Otherwise, we're not going to be involved in economic development projects.

Thank you, Mr. Speaker.

[Motion lost]

**Forest Management Improvement Program**

M232. Mr. N. Taylor moved that an order of the Assembly do issue for a return showing a copy of all agreements signed between January 1, 1994, and December 31, 1994, between the government and forest companies for the implementation of the forest management improvement program, including a list of the major expenditures under each agreement.

MR. N. TAYLOR: It is fairly important to our House now because the forest management improvement program takes up a great deal of money, maybe anywhere from \$10 million to \$20 million.

There's been an amendment passed to me that looks pretty good, so I'll let the Clerk continue.

MR. LUND: Mr. Speaker, we will be accepting this motion with an amendment. The amendment would make the motion read that an order of the Assembly do issue for a return showing a standard copy of the forest resource improvement program, FRIP, master agreements and subagreements for the implementation of the program and for approval of project funding and a list of all master agreements signed between January 1, 1994, and December 31, 1994, between the government and forest companies for the implementation of the program, including a list of the major expenditures approved under each agreement.

MR. DICKSON: Just one query, I guess, with the amendment proposed by the Minister of Environmental Protection. What the government in effect is doing is saying: we will give you the master agreement, and then we're going to give you the list of people who are parties to a master agreement. What's missing from that is an undertaking from the government or an acknowledgment that there's no deviation, that all of the agreements executed have followed the master agreement right to the last word.

Now, my experience is that rarely do you ever have a master agreement that never, ever gets varied, revised, amended, changed, because one corporation says, "We have a particular requirement," or whatever. Now, if the minister in fact can say that never, never, that it's an absolute invariable practice with the Department of Environmental Protection that the master agreement is signed without any deviation, variation, modification, or revision, then that perhaps does the trick. Without that sort of a commitment – it's nice to have the master agreement, but if you can't look at the hard copy that's been signed by each of those different corporations, there would still be some question. So I think that's the missing link, and I'm hopeful that the Minister of Environmental Protection would be able to deal with that specifically, and then the same would go with the subagreements.

What's interesting is that the minister offers the standard agreement and subagreements, which I take also to be in standard form, and then a list of the agreements; in other words, a list of the third parties. But have any of the subagreements been modified in any fashion, or, once again, is that being a slavish adherence to the first-time model? So that's the query I'd have for the Minister of Environmental Protection, Mr. Speaker.

THE SPEAKER: The hon. minister to wind up debate on the amendment. Oh . . .

MR. N. TAYLOR: I would just speak to the amendment. Do I wind it up? He moved the amendment, but I haven't spoken to it.

THE SPEAKER: Yes, the hon. minister has moved the amendment. He will be the last one to speak.

MR. N. TAYLOR: So if he speaks, he would wind it up.

THE SPEAKER: Well, the hon. member did have a chance to speak on the amendment, but he said he sort of thought the amendment looked pretty good. [interjection] After the hon. Minister of Environmental Protection spoke, introducing the amendment, the hon. Member for Redwater did reply to that.

MRS. ABDURAHMAN: No, not to the amendment. [interjections]

THE SPEAKER: Oh, I see. He referred to the amendment before it came.

MRS. ABDURAHMAN: That's right.

THE SPEAKER: All right.

The hon. Member for Redwater.

MR. N. TAYLOR: Thank you very much, Mr. Speaker. Actually, it's not going to bring down the government anyhow. I did want to emphasize what the hon. Member for Calgary-Buffalo put out. I know the hon. minister will take it back and feed it into his gremlins anyhow, if one isn't up there listening.

I do hope that when he lists the major expenditures approved under each agreement, which he has said in the amendment, he will split it a little bit. There's a 5 percent administration fee that I'd like to know they got. Also, I'd like to know if the money went right to the area that the FRIP was intended to go, because I gather through the grapevine – I guess in this business you'd call it the poplar vine – that there may be some money being transferred from one FMA to another, one agreement to another, that there's some transfer. I'd just hope that he would point that out.

3:20

The other thing I hope he will talk to his gremlins about is whether or not, when the FMA holder maybe made a deal with the timber cutter, they passed on the FRIP to the timber cutter in order to get a cheaper bid. In other words, there could be some commercial comings and goings with the FRIP, as there used to be in the oil business. At one time you could make more money with the government bonuses they paid back to you than you could produce with oil. I think the same thing could happen here, because in some cases it gets up to about 40 percent of the stumpage charge. So if that's movable – and I'm just mentioning it because I know the hon. minister would never even think of sort of misleading me like that, but he might have some people back there that might want to. I want to emphasize that I hope he takes his well-known spirit of making a good, honest, straightforward reporting through so that we can determine where the money went when these FRIP payments were made.

Thank you.

THE SPEAKER: Order please. The Chair apparently has . . .

MR. N. TAYLOR: Unloosed a genie.

THE SPEAKER: Well, no. The Chair had sort of indicated that the hon. minister could close debate on the amendment, but

unfortunately 25(2) does not permit a person to close debate on the amendment. Therefore, the hon. Minister of Environmental Protection will not be able to take the opportunity of replying to the questions raised by the hon. Member for Calgary-Buffalo.

[Motion as amended carried]

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

**Bill 211**  
**Protection for Persons in Care Act**

[Adjourned debate May 9: Mrs. Laing]

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

MRS. LAING: Thank you, Mr. Speaker. It's a pleasure again to rise and address the Assembly on this Bill. We were talking yesterday about the fact that we need very special care for people who are in need and that we have to have supervision to ensure that they are dealt with fairly and in a good way.

There is a change today as people move from larger institutions into smaller facilities. Sometimes they even have their own apartments, with a caregiver who comes to provide personal care, to attend to their personal needs such as feeding and bathing and dressing. So it's very important that the need for personal security becomes critical in these cases. In some cases the only person who sees that person who has their own apartment might be a caregiver who belongs to an agency who comes to provide that care they need. With the proper kind of care these people can live a very, very fruitful and very exciting life. They can go out to work in many cases. They just need that little bit of extra care to help them get ready for the day. I know two young men who are paraplegics, and they are able to go to work full-time because they have the personal care that allows them to do that. It certainly has made a difference in their lives because they feel very much part of the community.

There should be a greater responsibility on the agencies or facilities to ensure that the staff is well trained, caring, treats the clients with compassion, and is of good character. A police check on a caregiver's background has been previously suggested, and this would be a very excellent idea and very important. It's very dangerous to have a senior fall from a wheelchair or a bathtub lift because an employee neglected to take the time to ensure that the safety belt was done up correctly. This is inexcusable. In one case I know it actually caused the person's death.

Many of those in care are difficult to care for. Persons with Alzheimer's disease can be very hard to work with because they don't understand what you're trying to do. The disabled person who suffers from frequent seizures is another case that requires very special care. The caregiver can become very frustrated, very impatient and perhaps physically abuses these people because they have lost their temper. So it becomes very important, then, that the staff is well trained and able to meet those frustrations, and of course training is the key to that. It's very essential that the staff understand the condition of the person and how to treat them. They must also know the effects of medication on some of the people so they can ensure that they have the best care possible.

There are many types of abuse besides physical and sexual and mental, such as leaving a senior in isolation in a closed room, where they are literally cut off from the world; not providing the stimulation to get them out and to get them doing things; not

ensuring that perhaps they receive proper nourishment. Sometimes people can become very fussy and very, very stubborn and refuse to take the nourishment that's provided. To me, this is abuse: to not have some type of food that they will eat or ensure that they are provided for. This is a subtle form of abuse but nevertheless a very damaging one to the health and to the condition of the person in care. Extra care must be taken to ensure that some of the people with dementia do not wander off and injure themselves in other ways because they really don't understand what they're doing. I remember an aunt who put the electric kettle on top of the hot plate and started a fire. I mean, these are conditions that people have to be very careful about.

So there are many types of abuse, and it's very important that we look at all of them and ensure that people receive adequate care, that the conditions they live in are good, that they're safe and they're healthy. I know an older fellow who lived in a basement suite by himself, and someone just sort of peeked in on him from time to time. If there had ever been a fire, he would never have survived. His door was right beside the furnace. I mean, there are people who should be coming out, who should be checking on that person and not just ignoring him, making sure that his conditions are safe.

So again I would like to ask everyone to support this Bill. I think it's very well meant, and it's certainly necessary at this time, as we change in society, when we have people out in more facilities, people with varying degrees of conditions out in the community as well, not only nursing homes but I think all facilities who have people in care. Whether they be a handicapped child or a senior, I think we have to ensure that they receive proper and compassionate care, that they are stimulated, that the abuse is certainly reported, that the employees are not punished for reporting any abuse that they come across, and that we can maintain these people in a healthy and safe home.

Thank you.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to speak in favour of Bill 211. I would like to state at this time that it's somewhat disappointing – and I don't want to take away from the Member for Highwood – that it hasn't come forward as a government Bill.

3:30

THE SPEAKER: I'm sorry. The Chair had been asked to ask if there could be unanimous consent of the Assembly for reverting to Introduction of Guests.

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Bonnyville.

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

MR. VASSEUR: Thank you, Mr. Speaker. I appreciate the opportunity to reintroduce a guest that I previously introduced. Unfortunately, she wasn't in the House at the time. I would like to introduce to you and through you to the members of the Assembly Lise Holeyton. Lise has been very active in the community of St. Paul for many, many years, has been active in cultural and community issues not only at a local level but at the

provincial level with the provincial government in the past years. I would like her to rise and receive the warm welcome of the House.

Thank you.

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

**Bill 211**  
**Protection for Persons in Care Act**  
(*continued*)

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, thank you very much for yielding.

MRS. ABDURAHMAN: It's never a problem deferring to you, Mr. Speaker.

As I had stated, Bill . . . [interjection] No. I will always defer to the Speaker in question period. That's in reply to a government member's comment.

I would once again reiterate my support for Bill 211. This is a very important Bill, but as I'd stated a few seconds ago, I would have been much more comfortable seeing the government bring forward a Bill to deal with this very important issue or concern. It's a societal concern that's been around for a long time.

When I hear the concerns within my community with regards to quality of care and the treatment of the elderly, we have good cause for concern, not only from the point of view that we have to protect persons in care but also to ensure that staff and family members have a level of confidence that they indeed are protected. When it comes to staff, it clearly shows that we need whistle-blower legislation even beyond Bill 211. There's an element of that particularly in Bill 211, but it's not as all-encompassing as what's needed out there to ensure that staff members are protected and that they can indeed fulfill the obligations of Bill 211 where we're being told:

Every agency shall have a duty to protect the clients it serves from abuse and to maintain a reasonable level of safety for its clients.

Quite frankly, Mr. Speaker, I still have concerns when staff members do come forward, even with Bill 211, that there will be that level of security, that their careers will not be jeopardized. Likewise, family members have got to feel secure that they are going to meet this obligation within Bill 211, that it won't result in further abuse of that loved one.

Now, Mr. Speaker, I must admit that to some extent I'm confused or concerned about when the Health Facilities Review Committee kicks in when it comes to, say, a nursing home and when the Social Care Facilities Review Committee does. For example, recently in my community we've had serious concerns, and my recommendation to citizens and staff members within the city of Fort Saskatchewan was to go to the Health Facilities Review Committee. Indeed, that's exactly what happened. So I need some clarification as to who makes that final decision. Certainly in Bill 211, we know it's the Social Care Facilities Review Committee that is identified here. But looking at the responsibilities of the Health Facilities Review Committee, I would suggest that possibly someone in a local community would go to that committee, or, for example, the member representing that constituency can refer them there.

The reason I'm raising that is that it would appear, when you look at the annual reports of these two committees, that there is a different way of dealing with the finding of the committee. Now, I have some grave concerns. It would appear that the

Health Facilities Review Committee has a more closed-door approach. In fact, from what I can see, the minister is the only one that has the prerogative of really dealing with the findings of that investigation. I have a concern that because of the time line that takes place from the time the complaint comes in and then the resulting investigations, a lot of useful information that may have assisted if there were a criminal investigation resulting, if the minister recommends that, can be lost. Likewise, I see the same problem within Bill 211, that the initial information isn't being shared with the law enforcement to see that at that point in time, without even waiting for the committee to do its investigations, there may indeed be actions that the law enforcement people can take right away.

Like when I hear of an incident observed in a facility where, unfortunately, the resident had removed their cast and the cast results were thrown at that same client by a staff member, and I as the MLA have no idea what happened. When I find out that the emergency lights in a specific room went out and an elderly client was sitting on the toilet, and what resulted was staff coming in and yelling at that elderly client, "What are you doing sitting on the toilet?" I could go on. It's quite frightening and scary that in my community we're hearing reports of this nature. Now, I want to feel secure when families come to me and staff come to me as their elected representative and say: "Can we feel secure in the knowledge that these complaints have been dealt with? Has the facility's name been cleared? Has the staff member's name been cleared?" If they haven't been cleared and some abuse has actually taken place, what has happened? We have to know those answers.

Now, Mr. Speaker, what's even more concerning: when you look at Scientific and Technical Activities Overview and read it, when you get to page 128, this leads me to be even more concerned for persons who should be looked after under Bill 211. It says:

- A Project to Reintegrate Elderly Hospital Patients Into Society.
- This demonstration project aims to remove geriatric patients from an area hospital and place them with foster families. This will help the elderly to reintegrate into society, decrease cost for care and increase the quality of life for those individuals.

Well, the last part I question, quite frankly. If I the Member of the Legislative Assembly am having difficulty getting answers when it comes to long-term care facilities – for example, even in Alberta Hospital Edmonton when I was chairman – what are we going to find when we know that our elderly, the most vulnerable, are moving into foster homes? What regulations are in place? How are we going to ensure what goes on behind closed doors with these very vulnerable people? If there is abuse, how are we going to find that out?

Quite frankly, Mr. Speaker, this Bill, while I'm supporting it, just doesn't go far enough. That's why I'm saying that the government needed to bring in a Bill themselves. I look across the way and think of Bill 218 that was introduced. That was an even stronger Bill than this. I think it was certainly going in the right direction.

[Mr. Clegg in the Chair]

I want to have a level of confidence, whether it's in the city of Lethbridge, the city of Fort Saskatchewan, or the city of Edmonton, that where these elderly, vulnerable people have been put into foster homes, there can be spot checks being done on that home, that there's some way we can ensure that abuse is not taking place. I don't just speak of physical abuse. I want to

know that they're adequately being cared for foodwise, that their clothes are being cleaned for them, that their bedding is clean, and I could go on and on.

3:40

Mr. Speaker, I know that there are many of my colleagues who wish to speak to this very important area, but I want to share something else with you: what we're seeing happening in long-term care facilities with the funding cutbacks. I'll use an example. I had a manager of a facility referring to a long-term care facility as a hotel – I was appalled – right in my constituency office. I see qualified staff being terminated and replaced by people who have come to me and said, "We're concerned; we don't have the skills to look after these very elderly, vulnerable people." They want to keep their jobs, but they're admitting that they don't have the skills. I know from past experience, when I worked in geriatrics for six months, I didn't have the skills as a registered nurse to look after those people. I didn't have the kind of patience it takes.

Mr. Speaker, by the policies of this government we're putting vulnerable people in greater danger than ever. I don't want to take away from the member's Bill 211, but that's a reality.

Thank you.

MR. DAY: Mr. Speaker, I support this Bill for a number of reasons, not the least of which is the main intent: to see protection not just for vulnerable people but for the people who would be reporting possible cases of abuse and possible cases of maltreatment. I commend the member for bringing this Bill forward. I'm also pleased as it is similar to a Bill which I had on the Order Paper a number of years ago. I congratulate the member for the improvements he has made to that and for the ongoing work he has done.

With Michener Centre being significantly fixed in the constituency of Red Deer-North, I have considerable contact with people who work there. Also, visiting there on a regular basis, you do get to see the potential for abuse and also the potential for unreported abuse, not the least of which the reason for that would be that a person who is working there does not want to be seen as a troublemaker and does not want to be seen as I guess a snitch, if you want to use that word. They do want the sense that they would be protected if they had to report on one or more occasions abuse that they had seen.

One of the other important things about this Bill is that it doesn't just cover large institutions but in fact would cover people in care in different types of institutions other than ones like the Michener Centre.

Listening to the Member for Clover Bar-Fort Saskatchewan, I think what we have to do is recognize that this is a start. It's a good building block. A Bill like this I think needs time to be worked out and needs some time to pass so that we can see how in actual practice and application it in fact works or where the weaknesses may be. In hearing the comments from the sponsoring member, I know that he's certainly open to that observation, to seeing those practices begin to come into play.

It is a reality that people in care who are vulnerable do get abused. That is a substantiated fact. We know that. I don't know if it would be worthwhile, but you could argue about the rate or the percentages and how many. You could also argue about the definition, but in fact we know that abuse does happen. Professor Dick Sobsey, who I think has already been mentioned here in this House, has done a lot of work in this area and has been especially helpful in terms of some of the reporting processes



and in making me aware of some of the degree to which people are affected, and other individuals like Gary McPherson, who certainly represents a good part of the community that can find themselves in this unfortunate position: being vulnerable, being in care, and in fact experiencing abuse.

I think it's worthwhile that a process has been laid out. Using the Social Care Facilities Review Committee is being suggested in the Bill and then giving that committee also the ability to refer to other committees or agencies and to refer to law enforcement agencies. That shows that there can be immediate action. In fact, as the Bill points out, there even has to be a report to the Minister of Family and Social Services within 30 days by the person or the agency to whom the complaint gets referred. I know there are some questions surrounding the 30 days. That may or may not prove to be the best time line, but it's out there as a suggestion, and it's something that's workable and needs to be looked at.

Certainly there can be cases where law enforcement agencies need to be involved. I don't feel, however, that every reported case must immediately result in a first contact with a law enforcement agency. Because other individuals can be involved in the investigation of this, there can be some time to see in fact if something was done of criminal intent. It can be a case where an employee or a caregiver in a situation can observe another caregiver doing something maybe unintentionally which is in fact abusive. Maybe that person needs some instruction. Maybe they were trying to restrain a client in an inappropriate fashion. If every single case and complaint got immediately referred to a law enforcement agency, I think they would see the task as impossible to follow up. There's a high degree of effectiveness that can be involved by allowing the Social Care Facilities Review Committee or other agencies to do the investigation. Then if it's deemed that certainly there's criminal activity, criminal intent, that type of thing, then by all means a law enforcement agency should be swiftly involved.

Using the example that the Member for Clover Bar-Fort Saskatchewan brought up of a person being either purposely or inadvertently left in a darkened room in a somewhat inappropriate and awkward position, I don't know that our law enforcement officers should be the first ones contacted in a case like that when there may be other means to address it. [interjection] The member is saying that she didn't actually mean that type of situation, so I take that at face value.

The important thing to realize is that with the passage of this Bill we do have in place some good starting points, and we would be sending a message out not only to the people in care but to caregivers that the government is serious about protecting a person in care and the caregiver who would bring forward a possible abusive situation that needs to be reported. It's clear that the purpose of this Bill is to deal with those reports that are brought forward in good faith and without malice. We do know that it can happen that you have malicious reporting going on for reasons other than what is actually taking place. I think the purpose of the Bill is deemed to take care of that.

I commend the member for the work done on this, and I look forward to its implementation and then to watching it carefully to see what other areas may need to be added to it to make it a better Bill than is before us, if that's needed. The important thing is that this sends the message out that the government is serious. People in care will be protected, and caregivers will be protected as they report possible cases of abuse.

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

MR. DICKSON: Thank you, Mr. Speaker. Just two initial comments before dealing with the principles of the Bill itself. The first one is that I appreciate the fact that the Member for Highwood has not lost any of his interest in advocating for people who need the protection that this kind of a Bill provides. I acknowledge that it was back in April of 1993 when I had a chance to speak in debate then on what was, I think, Bill 218 in that Legislature. I appreciate that he stuck with it, and I appreciate that he's continuing to soldier on to address what I think is a very important and compelling need.

My second comment, though, is that I experience some frustration, perhaps not uncommon for members on this side of the Legislature, that we're still at a point where we're dealing with another private member's Bill. While I want to acknowledge that the Member for Highwood has certainly addressed some of the concerns that I and others raised a couple of years ago, we're still dealing with a Bill that I think is entirely too modest. When the sponsor of the Bill said on May 3 that he wanted to acknowledge and he wanted members to acknowledge – this is a quote – "a solid beginning to what would be an ongoing process," I guess my reaction in part was that the emphasis seems to be on "ongoing" instead of "process," which takes us to some culminating event, some culminating statute. So I'd like to see us move forward. The member quite correctly anticipates that I will have a number of amendments if this gets to committee.

### 3:50

I appreciate again the courtesy of the Member for Highwood, who approached me, Mr. Speaker, before the commencement of this session. Recognizing I had raised issues back in 1993, he solicited my input in terms of this Bill, and I provided him with I think a larger volume of suggested amendments than he may have anticipated. I understand the fact that none of them are reflected in Bill 211, I think the member has indicated, may have less to do with the merit or lack of same in my amendments than the fact that it had already gone off to the printer. So I'm interested in seeing some of those amendments proceed.

In the city of Calgary it's estimated that we have conservatively – and I wouldn't use any other estimate in this Chamber – something in the order of 2,500 seniors who are at risk now as we speak. The typical victim has been identified in a report entitled *Getting Together against Elder Abuse: Seniors Speaking Out* as being somebody aged 75 or older, being frail and dependent, someone mentally or physically disabled, in poor health, unskilled at managing financial matters, lacking literacy or numeracy skills, suffering from multiple losses such as loss of family members, friends, mobility, that sort of thing.

Mr. Speaker, we have a wonderful wealth of experience in research right here in the province of Alberta that surprisingly has not yet been mentioned in the debate, and many good contributions have been made to the debate. I'm referring to the Synergy 2 project under the auspices of the Kerby Centre in Calgary. This has effectively been a couple-year program. Synergy was a program with some federal and provincial government money which was to catalogue the need in terms of elder abuse and develop a comprehensive system of services and programs and resources to be able to address that. For members that may not be aware, the Kerby Centre in Calgary has perhaps 5,000 formal members, but in terms of people that participate in programs at the Kerby Centre: over 20,000 Calgary seniors. So when the Kerby Centre undertakes a project, I think members can be

assured that it's going to provide some very useful data for dealing with these kinds of issues.

I want to acknowledge the work of three people in particular that are closely associated with the Synergy 2 program: Ina Freeman, Jinny Boyack, and David Flux. Each of those people has a master's in social work and did something which I think has provided us all with an incredibly useful resource. Those people put together a draft vulnerable persons protection Act. So when the Member for Highwood said, "Calgary-Buffalo, how would you suggest some changes to this?" frankly I sent him the report that had been done, this draft Bill, because it's so good. I'm so impressed with it. This makes more sense than trying to change a clause here or a section there. It's an excellent, excellent Bill. If I haven't tabled it yet in this Assembly, I'll undertake to do that so that the Member for Calgary-Bow, who also has a keen interest in these areas – I expect she probably already has a copy. But it's something every member should look at because it tells us a lot in terms of how we can do better.

I think it's important to recognize that this is an issue that doesn't simply deal with institutions. The one study I referred to earlier talked about: in some 60 percent of cases the perpetrator is not a professional attendant, an institutional attendant. In 60 percent of these cases it's been determined that it's the spouse or an intimate partner or a roommate who's the perpetrator. So what we have to start doing is focusing not just on smaller institutions. I want to acknowledge the work by the Member for Calgary-Bow, who said: let's look at group homes with smaller numbers. But I say we have to go much further than that and recognize that we have seniors at risk in their own apartments, in their own homes, and that's got to be dealt with, I respectfully submit.

Mr. Speaker, the kinds of things that I'm suggesting we have to look at in a Bill like this and the kinds of amendments I'm going to be introducing, not in any way to detract from what the Member for Highwood has done and the Member for Calgary-Bow has supported but simply to make this Bill more useful to more seniors – and that's I think what we should be about. I think what it needs is a definition of abuse that's expansive and liberal.

I think what we have to recognize is self-neglect, and maybe it was the Member for Calgary-Bow who touched on this before. We have to be able to deal with seniors who are legally adults. There may not have been a court order putting somebody responsible for their physical safety. These people are at risk, many of them, and that surely should be as big a concern as somebody who's being abused by a family member or a spouse or an institutional caregiver. So I think that's important.

What this Act misses is a purpose clause. I'd encourage every piece of legislation that comes in, private member or government Bill, to have a purpose clause against which we can measure the text and the terms of the Bill and see if it measures up and if we know where we're going with this thing. That's missing here.

I think there are some specific things that are still a problem here. There's a question in terms of who you take the complaint to. I think it's problematic to refer to the Social Care Facilities Review Committee. It's ironic that the very day we're debating it, the 1994 annual report lands on our desks. When I get these things, I like to leaf through them and see what sort of insight they give me on their work. I have to say that I'm tremendously disappointed when I look at this report because it's such a skeletal, such a brief survey of a couple of points. It doesn't give us a really good sense at all in terms of the kinds of issues that this committee is dealing with, and that tends to, I guess,

undermine my confidence that this is the appropriate vehicle to be able to do what we want done.

Mr. Speaker, there's a whole lot else that could be said about Bill 211, but I'm conscious of the fact that I think other people want to speak to it and we're soon going to run out of time. I want to say that I disagree strongly with the sponsor of the Bill when he said on May 9 that "Bill 211 goes a lot further than any legislation in the States or . . . in Canada." With respect, the sponsor may not have said it; it may have been another member. It is in *Hansard*, page 1641.

I think this Bill does not go far enough. I think we have to focus on seniors living on their own, not in an institution. I think we've got to find a better mechanism, like the Ombudsman, to do the investigation. I think it has to cover a whole lot more ground. I'm looking forward to all members sponsoring this Bill. Let's get this into committee, and we can make this something that all Albertans can be proud of and all senior Albertans can look to for the protection they need.

Thanks very much, Mr. Speaker.

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

4:00

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. This Bill tries to provide clear protection to a person who essentially blows the whistle on abuse to persons in care. I think that's a laudable objective. I'm not sure why Bill 211 is titled Protection for Persons in Care because it seems to be more protection for whistle-blowers on abuse of persons in care. Indirectly, of course, I can see that if the complainants are being safeguarded, ultimately more complaints will be laid, and obviously there will be less abuse.

Mr. Speaker, I'd like to start off by commending, too, the Member for Highwood for bringing this Bill forward and for clearly perceiving a need which unfortunately does not appear to be shared by his government. Now, I'm saying this with some hesitation because obviously the government hasn't shown its hand. It has not seen fit so far to embrace this Bill as its own, and I think that's a pity.

It's unfortunate, Mr. Speaker, that we do need a Bill of this nature at all, because it indicates that as a society we have not come to grips with our treatment, with our dealings, with perhaps acceptance of persons in care, especially I'm referring to the physically and mentally handicapped. That is a constant problem in my view. As members of our society we have to learn to accept these people as they are and try to get the most out of them in terms of productivity according to their talents.

I'm pleased with something else this government has done, a few years back though, and that is: promote the integration of the physically and mentally handicapped in schools. At the time I remember being very skeptical about that move because very little information was given as to how we were to integrate these people. Nevertheless, in the long run I think it has been a very good move, although unfortunately the necessary funding to make this a great success is not always there, especially in the last few years. I think that is the way to go, through the medium of education, so that ultimately all of us will be able to accept these people as complete and full citizens of our society.

So, Mr. Speaker, I can go along with this Bill as a first step, but we must not pass this Bill and then consider the problem solved. I don't think the sponsor means that at all, but I think we have to be vigilant.

I'd like to state a few shortcomings of this Bill as perceived by one of my constituents who asked me to convey them. In fact, she kind of indicated that it might be better if I vote against this Bill, because perhaps having this Bill passed might make us believe that we have the problem solved. Her complaints were based very much on personal experience, because she had a relative who was in care at the Delvee Ranch in southern Alberta. That ranch was in the news some two years ago in the spring, very much in the news, and ended up being closed down by the minister at that time.

Before that happened, there were numerous allegations of abuse and numerous complaints against the social facilities committee, that apparently was not acting upon those complaints. My constituent was very much in the middle of this and just simply could not understand why that committee would not act and notify the police and make sure that these matters were dealt with. Therefore, she finds the purpose of this committee dubious, and in this Bill of course that committee figures very prominently because that's who the first complaint would be launched with.

Another point that she brought up was that this committee was given far too much time before it would notify the police, I think 30 days in fact. According to her that should be brought back to maybe 24 hours, because again speaking from experience, she knows about that kind of abuse that happened to her relative.

I think that when we take stock of those kinds of complaints, we might be able to fill in some of the holes that are still in this particular Bill. Generally, my constituent would like us to provide – and I totally concur with it – a greater focus on the safety of the person in care, perhaps by better definition of what would constitute abuse and so on, be a little bit more clear on that.

I mentioned the misgivings about the committee and the shorter time for reporting to the RCMP. I think we could perhaps advance those particular concerns in the form of amendments at the next stage, and in order to get it there, I will gladly vote in favour of this Bill at this stage.

Thank you, Mr. Speaker.

THE ACTING SPEAKER: To close debate on Bill 211, the hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I have, first of all, the duty and privilege to thank all of the people who participated in the debate over the course of the three afternoons that it has been debated. The Bill, as I said at the outset, is a beginning, a few steps down the road. It's not the whole trail, and it certainly doesn't get us to the destination that perhaps Calgary-Buffalo was talking about.

I also wanted to say to the Assembly that I appreciate the opportunity that private members have to put forward Bills and motions that they wish to. Although sometimes from time to time we in the Assembly don't quite care for all of the things that are put forward, nevertheless it is our right as private members to do that, and I appreciate the opportunity.

If members of the Assembly pass this Bill, we'll not likely get to the committee stage until the fall, which will give us plenty of time to reflect on the Bill and possibly give some thought for improvement in an amendment way.

It has been mentioned by a number of speakers where the Bill is short. It doesn't cover this, and it doesn't cover an adult in his/her own home or in a foster home, if there's only one or two. There are all kinds of shortcomings, and I will admit to that. But the object was to get a beginning and a track record, as it were, and the process going. Then at a later date, once we can see the benefits that we think are there, once we can see those and see

some of the shortcomings in terms of process straightened out, we might expand at either this Assembly's or a future Assembly's wishes. Home care is one such thing. A number of members have mentioned that, and that, I'm saying, can be addressed at a later date.

I would say to the hon. Member for Clover Bar-Fort Saskatchewan, who had some concerns regarding delays in reporting of abuse, citing in particular a case that seems to me, although not of legal background myself, a clear case of assault, that that kind of thing should be reported to the appropriate police authority. Bill 211 does not, could not usurp the ability of law enforcement authorities from investigating and laying charges for assault. A criminal charge would follow its own course, and this Bill in no way seeks to impair that nor could it.

#### 4:10

A number of people have talked about maybe giving up the idea of definitions of abuse. Some people have even said that they have sent me materials for this. Again confessing that I'm not of a legal background, some of the legal advice I was receiving was saying: "Let the court decide that. If you get tied up, then that becomes the opportunity for defence of the position to find ways around it and so on." So I only would bring that forward in that the courts will define abuse. We can talk about it in terms of a few things, but I would accept that definition for now, that the courts will define it. The whole concept of abuse of others is an evolving one, and I think we'll have that.

Some people thought the definition of family under section 3(3) would be a bit too limited. You can get into that, and then you'd start listing everybody who could possibly be part of the family. You'd get into brothers and sisters and uncles and aunts and nieces and nephews and cousins and grandchildren and great grandchildren and so on. Again, I don't know, in a rather modest Bill such as this, whether you can get into all of the definitions.

The two points that are made are by Municipal Affairs and Health, and we would entertain amendments to suit that.

I thank everyone for their participation.

THE ACTING SPEAKER: All those in favour of second reading of Bill 211, Protection for Persons in Care Act, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any, say no. Carried, make it unanimously.

MR. DOERKSEN: Mr. Speaker, I wonder, before I begin my debate on Bill 212, whether we couldn't have unanimous consent to revert to Introduction of Guests.

THE ACTING SPEAKER: Could we have unanimous consent to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed, if any? Carried.

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

MR. DOERKSEN: Mr. Speaker, I'd like to introduce to you and through you a gentleman in the members' gallery by the name of Mike Santry, who is here today visiting us. He's very interested in Bill 212. He's from the injury prevention centre, which of

course is supportive of the Bill we're about to debate. I'd ask Mike to rise and receive the warm welcome of this Assembly.

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

head: **Second Reading**  
(continued)

**Bill 212**

**Motor Vehicle Administration Amendment Act, 1995**

MR. DOERKSEN: Today I rise to begin debate on an issue that poses the greatest threat to the safety and health of Alberta's young people. Mr. Speaker, the single largest factor threatening our young Albertans is motor vehicle collisions. I just reference a report here called *New to the Road*, which was sponsored by the Insurance Bureau of Canada and organized by the Traffic Injury Research Foundation of Canada. They make an interesting comment in their report, and I just want to read from it. They say:

Traffic crashes remain the most significant public health problem facing young people today. This fact still seems to elude public recognition. Paradoxically, other health issues such as AIDS and drug-abuse, command far greater attention and financial resources, yet account for only a fraction of the deaths and disabilities experienced by young people in this country.

Mr. Speaker, this is a serious issue that we're discussing today. Forty-three percent of the deaths recorded for persons aged 16 to 19 – and I see the hon. Member for Red Deer-North is standing in support of my Bill already, and that's appreciated – were a direct result of motor vehicle collisions. These figures are simply unacceptable. Young drivers and their passengers have the most to lose in terms of productive years of life lost when they kill or maim themselves and/or their peers. Older new drivers have also become a growing concern. They account for about 30 percent of new drivers. Inexperienced drivers up to the age of 34 have virtually the same high initial collision involvement during their first year of driving as do younger new drivers. Something needs to be done to reduce the collision rates of new drivers of all ages. I intend to argue that Bill 212 will reduce those rates.

Bill 212 proposes that Alberta institute a form of graduated licensing to allow new drivers to gain driving experience under the safest possible conditions. Graduated licensing systems apply a number of restrictions on licences of new drivers and gradually removes them as the drivers become more experienced.

The popularity of graduated licensing programs is beginning to grow. Several stakeholders, including the Traffic Injury Research Foundation, the Alberta Motor Association, the Canadian Orthopaedic Association, the Insurance Bureau of Canada, and today we received another bulletin from the AMA, the Alberta Medical Association, have all indicated their support of graduated licensing programs.

Mr. Speaker, I want to interject in my speech here that this support that we're receiving, that has been sent to me, has been unsolicited on my part. I have not gone out and asked for their support. We all saw the ad that the Insurance Bureau ran in support in all the major newspapers in Alberta. That was done unsolicited on my behalf. In fact, I didn't realize that that ad was going to appear in the newspapers until the morning it appeared. To further the point, they spelt my name wrong. So it shows you that the support is there for this Bill.

In Canada, Ontario and Nova Scotia have already implemented graduated licensing programs, New Brunswick is not far behind, and Quebec is in the planning stages. While it may be too early to get an accurate idea of the benefits of graduated licensing in a

Canadian jurisdiction, the Traffic Injury Research Foundation is of the opinion that the evidence about the value of graduated licensing in other jurisdictions beyond Canada is so compelling that it is almost incumbent upon authorities to show why they will not introduce it.

I know that in the past Alberta's rural population has been a point of contention for those opposed to graduated licensing, but the nature of graduated licensing is such that each jurisdiction is able to implement a system responsive to its own unique economic, social, political, and geographic conditions. Mr. Speaker, Bill 212 reflects on the reality of Alberta's makeup and employs only those restrictions which will not unfairly penalize the rural population.

As well, considerable care has been taken to make sure that this Bill will have as limited an impact on administration as possible. It does not increase the number of driving exams, and it is consistent with Alberta's probationary drivers program, which is already in place.

I would like to also address the enforcement of graduated licensing, because I imagine that may be a question which will be raised. Enforcement of graduated licensing is generally done in a soft manner. This means that a driver will be pulled over and have their licence checked only when that driver has been stopped for another reason, such as a traffic violation. This is the same way that licence conditions are enforced now, and graduated licences would be enforced in the same way.

Mr. Speaker, high accident rates among novice drivers are not new. Statistics have consistently shown that newly licensed drivers of any age are at a greater risk of collision than experienced drivers. There are a number of reasons which have been cited for higher accident rates among new drivers. Research in other jurisdictions has shown that the driver's ability to detect or recognize imminent hazards in the driving environment is a factor that distinguishes novice from experienced drivers. It has been suggested that this may be related to the fact that novice drivers scan their environment less efficiently than do experienced ones. If drivers are able to gain experience in semicontrolled situations, they can potentially gain the experience they need in order to become more effective at determining possible hazards. Young new drivers are affected by this lack of experience as well as other factors such as thrill seeking and vulnerability to peer pressure. It is also well documented that young drivers are more likely than older drivers to speed, follow too closely, allow less time to merge with traffic, cross traffic lanes or pass other vehicles, and have higher approach speeds to signals.

**4:20**

The coupling of the current probationary system in Alberta with the proposals of Bill 212 will allow Alberta to monitor the driving habits of new drivers while gradually exposing them to increasingly difficult situations. As a result, Alberta's roads will be safer and new drivers will gain the experience they need under the safest possible circumstances.

Bill 212 introduces a number of reasonable restrictions on new drivers. First, new drivers must retain their learner's licence for a period of at least one year. They must be accompanied by a driver with a blood alcohol level not exceeding the legal limit. They must have a zero blood alcohol level. Every passenger must have a seat belt, and they may not drive between 12:00 a.m. and 5:00 a.m.

Mr. Speaker, I just want to refer to a question that I posed in this Assembly on the zero blood alcohol level. I believe it was in an earlier session. I discovered that while drinking under the age

of 18 is illegal, if those individuals who are driving a vehicle are within the blood tolerance level, there is no charge. That's clearly an inconsistency, and this Bill helps to address that inconsistency.

If any of the provisions are broken, the driver's licence is suspended for a period of 30 days, and the time spent at that level is accordingly increased. Probationary drivers must remain at level 2, the next level, for a period of 24 months. In those situations, Mr. Speaker, during that 24 months, every passenger in the vehicle must be wearing a seat belt, and they also must have a blood alcohol level of zero. The restriction of driving between 12:00 a.m. and 5:00 a.m. is not a condition during a probationary period, and of course they don't have to be accompanied by an experienced driver at that time as well.

Bill 212 will also put provisions in place for motorcycles. Under current policy drivers must be at least 16 and already have a learner's permit before they begin the learning process on a motorcycle. At the learner level under Bill 212 motorcycle drivers may not drive between midnight and 5:00 a.m., they must have a blood alcohol level of zero, they may not carry passengers, and they must retain that status for between 60 and 90 days. At the probationary level, which again lasts for 24 months, drivers must have a blood alcohol level of zero.

Mr. Speaker, Bill 212 proposes a curfew for drivers with their learner's permit because a disproportionate number of accidents occur during those hours. A blood alcohol level of zero is recommended because any level of impairment is too much for a new driver. As well, in the case of younger people it has been found that they become impaired at lower levels of alcohol than older drivers. Passengers must have a seat belt in order to protect themselves from the higher accident rates of new drivers and to avoid the problem of overcrowding.

It's my understanding that the present law suggests that you only have to wear seat belts as many as are in the vehicle, and anybody else who enters the vehicle where a seat belt is not accessible, it's not a problem. This restriction says that if you're in the vehicle, you must have a seat belt. It avoids, as I said, the problem of overcrowding. It has been found that passengers aged 15 to 24 are also overrepresented in traffic accident fatalities.

Finally by requiring a learner driver to maintain learner status for one year, new drivers will have more experience before they drive without supervision.

Mr. Speaker, these restrictions are not harsh. They provide a balance between overregulation and the need to protect Alberta's new drivers and ultimately all Albertans.

One of the goals of Alberta Health is to keep Albertans healthy and independent. That is also one of the goals of graduated licensing. It has the safety of Albertans as its core concern, and it does so without undue intrusion into the lives of our new drivers.

Our rationale for Bill 212 is simple: too many Albertans are dying and too many Albertans are being injured. I urge the members of this Assembly who are concerned about the safety on Alberta's roads and highways to support Bill 212.

I'm just going to leave my speech and make a couple of closing comments. One is that we have taken these provisions, these additional restrictions, and we've built them into the present system wherever we can to implement more safety on our roads. Also, reading from the support from the Alberta Medical Association, they make a good point that says that supporting Bill 212 "gives MLAs an ideal opportunity to demonstrate their support for preventative health care." In our area of health restructuring, Mr. Speaker, this is one simple way that we can prevent the problems before they happen.

With that, Mr. Speaker, I look forward and welcome the debate on Bill 212.

THE ACTING SPEAKER: The hon. Member for Bonnyville.

MR. VASSEUR: Thank you, Mr. Speaker. In rising to speak to Bill 212, there is no question about the intent of the Bill sponsored by the Member for Red Deer-South. There is obviously a lot of support in the direction that the Bill has taken. There is no question, no question at all, that the safety not only of young Albertans, that the member alluded to, but all Albertans who are on our highways and roadways is put in jeopardy by people that are driving without undue care and caution for whatever reason, be it alcohol related or not enough experience on the road or at the wheel. The Bill is obviously supported by people like the CAA, and the insurance people, I understand, are highly in favour of the direction of this Bill.

Having said that, Mr. Speaker, there are some issues in this Bill here that I would caution and that I'm not totally in favour of, and I would like to share those with the House, if I may. Basically there are two portions to the Bill. The first one refers to the learner's category of operators, and the other one is the probationary category.

In the first category we're talking about a learner's permit. If we refer to the first portion of the Bill, which is a revision to section 9, being item 2 in this Bill 212, it indicates that "no person holding an operator's licence of a learner's category shall operate . . . between the hours of midnight and 5 a.m." That is an area of concern and of question to me. If the intent here is to try to prevent underage drivers from being used as what they call a designated driver – and if I can comment on that or expand on that a little bit. The young people today I believe are a lot more responsible when it comes to alcohol-related driving than we were when we were young. In this instance if the intent is to prevent these people who are usually between the ages of 14 and 16 – the law already exists to prevent these people from being used as a designated driver. If there's somebody else that's in the vehicle who is over the age of 16 and has a legitimate driver's licence, it can't be someone that provides supervision to somebody that – it's already against the law for somebody that is impaired or over .08. If they're only 16 to 18 years old, that's a problem already, because they're not supposed to be under the influence of alcohol. I think the provision is in the Act, already in existing legislation, so I don't see the need for any restriction between midnight and 5 a.m.

4:30

There are other people that we are penalizing here, that is being done unnecessarily. Somebody between 14 and 16 could very well be driving a vehicle for an emergency purpose with someone who has a driver's licence. They could be driving the vehicle as a relief driver for people driving from point A to point B which is a very long distance, and they're sharing the responsibility of driving. Under this portion of the Act I think we're penalizing people for no reason at all who could be driving between 12 and 5 o'clock. I mean, there are a lot of responsible people out there that we can't forget when we bring legislation like this forward.

The other section where it refers to zero tolerance to alcohol: I really don't have any problems with that because most of the people that fall into this category are people that are below the age of 18 to begin with. So I really don't have much of a problem there.

If we go farther in the Act, on page 2, the same section here, item (3.1) again refers to the learner's category operating "a motor cycle, scooter or moped." Again we're saying that these people cannot be operating these vehicles between the time of midnight and 5 a.m. Unfortunately, again most of these people are between the ages of 14 and 16, and for a lot of these people that's the sole means of transportation. That's the only vehicle that they can drive. They're not 16 yet. They could very well be working at 7-Eleven or wherever you may have a part-time job. It may be a very necessary part-time job, and they're prohibited from driving to and from work with this legislation. So I would like to see something that would allow these people, responsible people if they're working at a part-time job, to be able to continue to do so. This is one of the concerns that I have with the proposed legislation.

Now, if you go down further to item (3.5) – the Member for Red Deer-South talked about that briefly, and I didn't quite catch it – we have again the learner's category here saying that they "must retain that status for not less than 60 days and not more than 90 days." I'd like some clarification on that one, because I thought the licence for the learner's category was for a period of one year at a time. If he has the opportunity to speak to this again today or before third reading, I'd like to have that clarification.

If we proceed with the Bill and go to page 3, now we're on the probationary operator's licence, item 11.2, the first item. I really have a problem with that one where it says, "No person who holds a probationary operator's licence shall operate a motor vehicle if that person has alcohol in his body." We're referring here to zero tolerance, I would assume.

I just want to give a couple of examples on this one, which I have a problem with. I'll use an example of somebody that I know very well that was raised in a major urban centre in eastern Canada, was at least in his 40s when he migrated here to the west, and was a tradesman, but having lived in a major urban centre had never, never had to take the opportunity to obtain a driver's licence and never needed one. He had depended on public transportation all of his life, using the transit or whatever it was, but when he came to western Canada here in Alberta, he realized that it would almost be a necessity to have a driver's licence. Now, this guy was an operator of equipment in his previous employment. It didn't take very long for him to become a holder of an operator's licence. We're really penalizing somebody here for a two-year period. This gentleman should be subject to the same law as everybody else and not have to, if he is a responsible citizen – if he's in his mid-40s and is working for a living, obviously he is a responsible citizen, yet he would be subject under this legislation to a 24-month probationary period with this licence. That means that it's zero tolerance of alcohol for him, and for everybody else it's .08. So it creates a little bit of a problem, and I think it should definitely be addressed.

Further on, page 4, item (5) refers to novice drivers: "Where a novice driver refuses to provide a breath sample when requested to do so by a peace officer under subsection (2)." Now, "novice driver" I understand it as referring to both the learner's category and the probationary category, and I honestly believe that that area there should probably be divided. I would agree with the learner's permit being under these restrictions. I have absolutely no problem with that. Again when it's a probationary licence, we could fall into the category of somebody that is not only the gentleman that I referred to as an example; it could also be somebody that immigrated to this country that has gone through the process of taking driver's education for the period of time that is required to become fully qualified and yet would have to succumb to legislation that in his case is zero tolerance, and

everybody else would be .08. So I think that specific area should be divided so that we don't have two sets of regulations for people that are responsible.

There's absolutely no doubt that this proposed legislation is going in the right direction, and there's no argument that there are many jurisdictions that are looking at similar legislation, but I think we should be prepared to look at some amendments, some soft amendments, in this proposed legislation later on in the debates. There are some areas that we're addressing here that will cause a conflict and will be challenged because I don't think it's very consistent with everybody.

Again, I have absolutely no concerns when it comes to alcohol-related issues, especially with the young people. The statistics are definitely there that a good percentage of your serious accidents on your roadways are alcohol related and also unfortunately associated with the younger members of our society. We should probably go a little further than that and take a look at what other jurisdictions have done in Europe and maybe really take a serious look at a different level of tolerance than we have here in Canada. If the big issue is alcohol related, instead of having two rules, one for an individual and a different rule for somebody else, why shouldn't we have maybe a lower tolerance for everybody and even stiffer fines? I mean, if we could just go back in our own history for the last 10, 15 years, we used to be way too tolerant with drinking and driving. We've come up with legislation that said .08. Some people objected at first, but now is it far enough? So why wouldn't we look at some more severe laws and regulations and penalties for alcohol-related offences and maybe even consider a lower tolerance for the alcohol level in drinking and driving?

With those comments, Mr. Speaker, I will allow somebody else to speak to Bill 212.

4:40

THE ACTING SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. I'm pleased to have the opportunity to speak to Bill 212 today. While I realize that Bill 212 applies to all new drivers, I am going to focus the majority of my comments on young new drivers because of my experience with my own son. Like most parents with children of driving age I spent considerable sleepless nights worried about the safety of my son and his friends on Alberta's roads and highways. The statistics which the hon. Member for Red Deer-South mentioned regarding the leading cause of death among teenagers attest to the hazards facing Alberta's young new drivers.

For our children getting a driver's licence is a much anticipated event. In fact, they often start talking about it at 12 and 13 years of age. For parents, however, drivers' licences are a rite of passage for our children that we sometimes dread. It is definitely a catch-22. Our children need to drive to get experience, but in the meantime they are exposed to conditions which demand skills that only experience can provide.

Mr. Speaker, our present licensing system does not adequately prepare our children for Alberta's highways and byways. Collisions involving young drivers, particularly those between the ages of 16 and 19, have been a major safety and public health concern for several decades. In fact, the problem of road crashes involving young people was first recognized and reported more than 60 years ago. It is also important to note that while almost half of the traffic-related deaths among 15 to 24 year olds occur when they are drivers, another significant portion of their deaths and injuries occur when they are passengers in a vehicle driven by

one of their peers. The threat to young Albertans is twofold: they are inexperienced drivers and they are often passengers in inexperienced drivers' vehicles. Measures to address these fatal concerns are long overdue.

I recognize the fact that Alberta has instituted a probationary program to address some of the issues facing our young drivers. In Canada generally progress has been made over the last decade, but despite improvements the death and injury rates among people under the age of 20 remain 2.5 times greater than any other group. The current probationary system does not do anything to allow our children to gain experience while they are gradually exposed to increasingly difficult situations. Alberta's probationary system is applied to all persons after receiving a nonlearner driver's licence. The concept of probationary licensing is to provide an opportunity for motor vehicles to intervene at an early stage of driver development to prevent poor driving habits or attitudes.

Intervention steps include a written warning, an extension of the probationary period if the driver accumulates eight demerit points. As well, if a driver receives a licence suspension, the case is referred to the Driver Control Board for a hearing before the licence is reinstated. Upon reinstatement the period of probation is extended. A nonprobationary driver would receive such a referral only after multiple licence suspensions.

While I'm sure the probationary program is useful in monitoring offences, it does nothing to shield our children from potentially difficult situations before they have the necessary experience to effectively deal with them. An extended probationary period means very little. They still have the same rights and privileges as other drivers, and they are not restricted from driving under difficult conditions.

Mr. Speaker, drivers' licences are a privilege, not a right. Our young drivers have to show that they possess the skills and the responsibility necessary to receive an unrestricted licence. In too many cases young drivers are given a licence at age 16 and in effect told, "Go out and get the experience to be a good driver, and in the meantime try not to get yourself killed or injured." A system needs to be put in place that allows our new drivers to gain the skills they require under the safest possible conditions. I believe Bill 212 will provide that much needed transition period to safely bridge the gap between inexperience and experience.

There is another factor affecting our youngsters that also gives me great cause for concern. I think most parents here can attest to the fact that teenagers are a little too likely to take too many chances in life generally and oftentimes on our roads. Unfortunately, the driving statistics mentioned by the hon. Member for Red Deer-South tend to back that up. I know that not all teenagers are risk-takers, but I also think most of us would agree that risk taking is more prevalent in our teenagers than any other age group.

In 1991 the Canadian Automobile Association conducted a survey on graduated licensing. Only 13 percent of respondents disapproved of graduated licensing. There was another survey conducted on graduated licensing in the spring of 1993. Again support was well over 80 percent. Perhaps even more telling is the fact that younger respondents were most in favour of a graduated system.

Mr. Speaker, that young Albertans are in support of a graduated licensing system is very indicative of the urgency of this problem. Young Albertans are probably in the best position to judge the driving ability of their peers. I would assume that because they are in support of graduated licensing, they and their peers are not comfortable with the current licensing system.

[The Deputy Speaker in the Chair]

Mr. Speaker, many Albertans believe as I do that graduated licensing will reduce collisions, deaths, and injuries and make the roads safer for all Albertans. According to the Insurance Bureau of Canada and the Traffic Injury Research Foundation graduated licensing can dramatically enhance and extend the protective benefits to all new drivers. This system is rooted in sound principles and substantiated by research.

Graduated licensing controls factors that render both young and older new drivers vulnerable. Risk is minimized by managing the conditions and circumstances arising from age-related factors such as thrill seeking or inexperience. This is accomplished by restricting new drivers in terms of when, where, or with whom they can drive. With increased experience and maturity, in the presence of a clean driving record the novice driver is gradually introduced into more demanding driving conditions by a systematic removal of the licensing restrictions.

Graduated licensing is Alberta's answer to a problem that has been plaguing us for a very long time: the death of young Albertans on our roads and highways. I've heard too many stories of parents having to go through experiences that they should never have to. Many of these have been in my own constituency. Mr. Speaker, I cannot imagine what would be worse than burying a child. It's always so sad, so very, very sad, and in many cases it could have been avoided.

I support the principles in Bill 212 as the program is based on progressively moving through stages of increased experience, competency, and demonstrated skill. However, I do have a few reservations with some particular clauses. One in particular is the restriction that the previous speaker talked about, and that's operating a motor vehicle between the hours of midnight and 5 a.m. I wouldn't want this to become intrusive and a hardship for many rural farm families. But I believe the principles in the Bill are sound, and I look forward to further debate with possible amendments in the committee stage.

Thank you.

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

4:50

MR. SEKULIC: Thank you, Mr. Speaker. I rise to speak to Bill 212, the Motor Vehicle Administration Amendment Act, 1995. First of all, I must start by commending the Member for Red Deer-South for bringing forward this long-awaited Bill. It is an important and positive piece of legislation that's being put forward, and I quite agree with the Member for Bonnyville as well as the Member for Lacombe-Stettler on the points that they raised pertaining to the Bill.

Mr. Speaker, I will raise a few concerns in addition to those that were raised, and I may be overlapping some of those. The first one is pertaining to driving between 12 and 5 a.m. Now, there was an addition to that clause that states "unless that person is exempted by the Minister." I quite agree that we have to ensure that this clause is neither intrusive nor an additional hardship on families and I think in particular farm families, as the Member for Lacombe-Stettler stated. However, I'd like to know that if there are going to be exemptions granted by the minister, there are criteria in place clearly in advance of this piece of legislation being passed. So that's one of the recommendations I would put to the Member for Red Deer-South, and perhaps we'll see it as an amendment at some point later.

Mr. Speaker, there's another point that the Member for Red Deer-South raised. He raised a point regarding an inconsistency,

and I quite agree with him that at some point in the past, I believe currently – someone would be considered a minor if they were 18 years of age or younger and by Alberta law wouldn't be permitted to consume alcohol, yet if they were driving and were below .08, then there wouldn't be any real ramifications or severe consequences to them. Below .08. Am I'm going the wrong direction?

AN HON. MEMBER: No. You're right.

MR. SEKULIC: If they weren't found to be impaired.

The Bill however, this Bill 212, also has an inconsistency that was brought up by the Member for Bonnyville. The designated driver program has been I think one of the most positive and one of the most successful programs to counter youth that drink and drive and in fact counter drinking and driving. I would want to ensure that we've taken that into consideration and that Bill 212 will not, I guess, work counter to what the designated driver program has achieved in the past few years. I think what it has achieved is very, very much significant, and I believe it has saved a large number of lives. So I would like that to be taken into consideration.

The CAA, the Canadian Automobile Association, undertook a survey in November 1991, and it was a public policy survey where they sent to a random selection of CAA members across Canada a list of questions. It's interesting to note some of the responses. About 66 percent of the respondents wanted graduated licensing applied to all new drivers regardless of age. Only 13 percent disapproved of graduated licensing. Younger respondents were most in favour of a graduated system. I do believe that we now have very responsible youth. I have a very large high school in my constituency. The youth of today, by far the majority, are very much responsible both in their driving and in their lifestyles, and I guess this is a perfect reflection, that they do see a concern there and they do see that legislation may be required and may be of assistance in saving lives. Another response to the survey was that fully 92 percent of young drivers supporting graduated licences approved of a zero blood alcohol requirement. Once again, Mr. Speaker, it's our youth taking a leadership role, and I think we'd be well advised to take those points they've put forward and support this legislation.

This system, Mr. Speaker, of graduated licensing has worked very well in other jurisdictions, in particular Australia, and apparently it's done the same in New Zealand. Although I don't like to take a lot of ideas from New Zealand, this is a very positive idea from New Zealand that we should look at and we should adopt. In terms of their other social policies, I think they're significantly straight off to the right, and perhaps they've gone off the road in veering or passing on the right. Certainly this has proven itself in other jurisdictions, and for that reason I think it requires serious and positive consideration.

So given the public support – and this is one of those Bills where we didn't have to go out and consult the community, yet the support came in for this Bill. So in effect there has been thorough consultation by a number of different stakeholders. I would say that Albertans are for this Bill. I would hope that as we go into committee – and I'm encouraging members to support this and to ensure that it gets into committee – we'll see some modifications, some amendments which will address some of the questions and the concerns that have been raised by those speakers before me and myself and that we'll see this Bill passed into law. I would hope that we can do it perhaps mid-July while we're still here and being responsible and passing quality legislation for Albertans.

So with those comments, Mr. Speaker, I'll take my place.

THE DEPUTY SPEAKER: Okay.

The hon. Member for Cypress-Medicine Hat.

DR. L. TAYLOR: Thank you, Mr. Speaker. I'm just a bit shell shocked by the last member's comments about mid-July, but I'll continue.

MRS. BLACK: He's optimistic.

DR. L. TAYLOR: It's optimistic somebody says. Yes, he's optimistic.

I'd like to thank the member for bringing this Bill forward. It's a Bill that is very important, Mr. Speaker. One only has to read the newspapers, one only has to look at the TV news daily to see the results of what's happening with the young drivers. This time of the year is particularly a time when young drivers are vulnerable because there are many graduation parties happening right now. They are prone to have accidents. They have in my area what they call bush parties. They go off into the bush, and unfortunately in many cases there's alcohol involved, and they get involved in drinking and driving home. Every year in my community we seem to lose some students during this time of year. It's very unfortunate that these things have to happen. This Bill is an attempt to address some of those problems.

It is a fact, Mr. Speaker, that young drivers are having accidents, are getting in collisions and fatal accidents at an alarmingly high rate. In some cases these accidents are caused by inexperience. In other cases they're caused by a combination of alcohol and inexperience, or they may even be caused by irresponsible driving habits such as driving too fast. This is particularly in terms of young males who are trying to prove their macho image, perhaps sometimes old males who are trying to prove their macho image as well, and drive at unreasonable rates of speed.

MR. WOLOSHYN: Is 130 in 110 reasonable?

DR. L. TAYLOR: I had one member just suggest: is 130 in a 100 zone reasonable? I'd certainly say that it's not reasonable. I'm surprised that the Whip would even suggest that. [interjections] Well, there are certainly many false accusations flying around this House at the present time that I won't comment on.

However, Mr. Speaker, whatever the cause of the collision, whatever the cause of the fatality, these fatalities in young people are a harsh reality. It's due time, it's high time that this House, that this government in co-operation with the members opposite, who appear to be willing to support this Bill, take action to reduce the fatalities amongst young people.

We did have a personal experience with this a number of years ago. My oldest daughter was graduating. One of her friends was killed in an accident at graduation time, a very bright and capable young man. So we have some experience with this. It is a very, very sad occasion when this happens.

Evidence from other jurisdictions makes it quite clear, Mr. Speaker, that graduated licensing has the ability to have an impact on collision rates in young people. Jurisdictions that have instituted provisional licensing show a decrease in collision rates, a decrease in fatality rates. Provisional licensing is a system of licensing that is typically applied to only young people, newly licensed operators whose driving privileges are reduced in some manner. It provides us with the opportunity to see how restrictions are working in other jurisdictions and which ones could be most effectively applied to a system of graduated licensing in Alberta.



5:00

Results from provisional licensing in California, for instance, have shown that new licensing systems have reduced the total accident rate involving 15 to 17 year olds by about 5 percent. That's provisional licensing. Under the provisional system in Oregon, results recorded in 1991 show that there has been a 16 percent reduction in collisions involving male drivers.

Perhaps most convincing are the results from New Zealand's graduated licensing system, and that's what's proposed here, Mr. Speaker, a graduated licensing system. In 1991 graduated licensing had only been implemented in New Zealand for a few years, but its benefits were already evident. The Insurance Bureau of Canada and the Traffic Injury Research Foundation stated that a preliminary evaluation of New Zealand's graduated licensing system indicated a dramatic impact.

A report called *New to the Road*, the result of a symposium in 1991, states that prior to the introduction of graduated licensing in New Zealand, casualties among 15 to 17 year olds were on the increase. The trend was halted abruptly when graduated licensing came into effect. Deaths and injuries among 15 to 17 year olds and passengers declined significantly and almost immediately. The number of injury accidents dropped from an average of 120 per month to an average of 70. That's a drop of 50 in just a very, very short time. In fact, it's about a 40 percent drop. Now, if we can do that with graduated licensing in Alberta, I say: why not do it to save the lives of the young people?

Evidence more than supports the benefits of graduated licensing. Gradual exposure to increasingly difficult driving conditions will give all new drivers of all ages the opportunity to get the experience they need on the road. This has especially to do with our climate, Mr. Speaker, where a new driver could easily be starting to drive in the middle of winter. For instance, if you take my birthday, on December 17, I had to go out and take my driver's test in the middle of winter. I was anxiously awaiting getting this thing. I took this when the roads were slippery those many, many years ago, and I was not a very experienced driver. I drove along with the driving instructor, and I came to the first corner where I had to make a turn. I turned, and the road was slippery, and I managed to do several 360s in the road. Unfortunately, at that time the driving tester said that we'd better just go straight back to the shop. So I had to wait another two weeks and take my driver's test another time.

It's this winter driving that we can benefit from where we have more control and a graduated experience for people. I have young people that are driving, and they would have benefited from this particular graduated licence. In fact, if this rule had been in effect that you couldn't drive between 12 midnight and 5 in the morning – I have one daughter that managed to run into the only car in a shopping mall parking lot at about 12:30 in the morning. Now, there was no alcohol involved, but how she managed to do that I'm not quite sure. She had a number of excuses, Mr. Speaker, none of which I found acceptable.

AN HON. MEMBER: Was the car yours?

DR. L. TAYLOR: Somebody asked: was it my car? Yes, it was my car.

So we do need this graduated licensing. The evidence is quite clear that if we send unrestricted onto our highways drivers who have only had a couple of months of driving experience, it can have damaging effects on both the drivers and other people they might hit. The graduated system, then, is a system of reward

rather than a system of punishment. When a driver demonstrates that he can be responsible for a period of one year at the learner level, then he will be rewarded with a probationary licence.

AN HON. MEMBER: Amen.

DR. L. TAYLOR: Thank you. When a driver demonstrates that he can be a responsible probationary driver for two years, he will then be rewarded with a completely unrestricted licence. So those are what we're talking about in terms of restrictions.

Licences should be just like anything else, Mr. Speaker. In university you don't get your degree until you suffer – and I say suffer – through long study sessions and grueling assignments . . .

MR. McFARLAND: With socialist professors.

DR. L. TAYLOR: . . . with socialist professors, somebody has said. Well, I can assure you, Mr. Speaker, that there are a number of professors sticking up for the professors that weren't socialist. I was a professor for about 10 years, and I can assure all who are listening that I was never a socialist. I was one of the right-thinking professors.

So you don't get a degree until you go through these grueling sessions, grueling assignments. As I say, it is grueling. I was in university for three degrees, so I'm familiar with the experience. Many of the members on this side have been through that grueling experience, and a few of the members on the other side, I believe, actually have university degrees. They know what it's like. It should be no different with a driver's licence. There should be a period of time when people are learning, when people have to prove themselves. It's the same as in the workforce. You don't just go straight into the workforce and get an immediate promotion until you prove yourself. So it's important that drivers be able to do this as well.

Mr. Speaker, Alberta doctors have as well recognized how important graduated licences are. In fact, I have an MD-MLA Contact in my hands right now, and I'll just refer to some of the things that this says. It says: "Alberta doctors are giving 'thumbs-up' to Bill 212" – I hope our local doctor is going to support it – "which proposes restrictions on new Alberta drivers, and encourage MLAs to lend their support as well." So the physicians are encouraging us to support this as well. Let me read this quote.

"Physicians have witnessed, time and time again, the terrible tragedy that inexperience, speed and alcohol can bring to some new drivers," said Dr. Frederick J. Moriarty, president of the Alberta Medical Association. "We believe a gradual process of driving privileges is a good start toward reinforcing safe driving habits and curbing unsafe behaviors" . . .

Dr. Moriarty says Bill 212 gives MLAs an ideal opportunity to demonstrate their support for preventive health care.

Now, I think this is an important point. We are trying to cut in various ways the cost of health care. This is one way, through a simple system of graduated licensing, that we can reduce the cost of health care, make more dollars available for people who really need it. He goes on to say:

"Motor vehicle accidents are extremely costly in human, medical, and financial terms . . . If restricted licences can reduce either the number or the severity of those injuries, then physicians and MLAs should jointly rally behind the proposal."

So I encourage members on this side of the House, I encourage members on the other side of the House to rally behind this proposal to save the lives of young people. Don't oppose this Bill because it might have a few things that you don't like in it. We can change that at committee time. We can bring forward some

amendments. I would certainly encourage all of you members on both sides of the House to support this Bill, support our young people, and help protect the new drivers of Alberta.

Thank you.

**5:10**

**MR. VAN BINSBERGEN:** Mr. Speaker, it was a pleasure to listen to the Member for Cypress-Medicine Hat. For once he was not sounding like a foghorn from his seat, interrupting debate, but he actually contributed in a constructive manner and I think in a serious manner, if I take his remarks at face value. Nevertheless, I can't accept his eloquent plea – or at least I won't immediately go along with it – to support this Bill.

Mr. Speaker, I would like to also commend the author, the Member for Red Deer-South, for attempting to deal with what is a serious problem and for bringing forth this Bill. I find myself saying again – it's a bit repetitive, I think. I do find it's still a bit simplistic in that it tends to deal again with symptoms of an underlying problem, but the problem itself I don't think is really being grappled with here.

Before all else, I'd like to express the hope that my colleague the sponsor has checked this Bill with the federal Charter of Rights and the provincial Individual's Rights Protection Act. I find – and those are the things that I have some objection to – that it seems to be discriminatory against certain groups, and I find that a little unpleasant, shall we say. For instance, why does it discriminate against young people? New drivers regardless of what age, as I read it – I'm coming up with a few of these items that I think are somewhat discriminatory. First of all, why is there a curfew for the young learner operator, whereas there is not a curfew for the supposed adult novice driver? I find it a little strange here that they're not allowed to drive as a learner – the young ones, that is – between the hours of 12 and 5.

Now, Mr. Speaker, if we're really serious about cutting down the number of problems that are caused by those people, then why don't we just slap a curfew on all of them and suppose that they will remain at home, where they will supposedly have less access to liquor, where they will supposedly have less of an opportunity to engage in other acts that might cause unwanted pregnancies and the like? We'd solve a whole lot of problems in one fell swoop. So that's one problem I have.

There seems to be discrimination in the sense that a new learner only needs one year to learn minimally, whereas a probationary licensee is required to hold that particular status for two years. Again, I may have made a mistake in reading the Bill. I don't understand that one.

Then the item of no alcohol. Why don't we simply demand that no person who drives shall have any alcohol in his or her blood? Isn't that a lot easier? Zero tolerance. There it is. That seems to me to make more sense.

Mr. Speaker, the concerns and the misgivings I have about this Bill are sort of tempered by the knowledge that it seems to have widespread support by several groups and lots of individuals in the House as well.

**MR. SEKULIC:** And the Member for Edmonton-Manning.

**MR. VAN BINSBERGEN:** Including the Member for Edmonton-Manning. He was trying to convert me to this cause.

Mr. Speaker, I shall reserve judgment, and I shall consult with my constituents to see if they can perhaps convince me, because at this point there are too many things that I find somewhat distasteful.

Thank you very much.

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

**MRS. BURGNER:** Thank you, Mr. Speaker. I would like to just take a few minutes to speak on Bill 212 and in support of it. I, too, am pleased to hear the comments raised in the Assembly.

I think responsible driving does require a great deal of skill, and the experienced drivers do tend to take that for granted from time to time. Good driving involves mature judgment, a thorough knowledge of the rules and ways of the road, and strong skills, and these are things that generally cannot be gained without the opportunity for Albertans to be out and experience our roads firsthand. Graduated licensing allows new drivers to gain that experience under the safest possible conditions. It has been shown to reduce casualty rates, and it's a flexible system which can be tailored to meet the needs of our jurisdiction be it largely rural or urban.

Mr. Speaker, approximately 75,000 new drivers, excluding those drivers who were already licensed in another province, were licensed to drive on our roads last year, and that is a lot of inexperienced drivers. It is a formula for accidents. There is a general lack of awareness about the perils facing our new drivers, and while we see different campaigns regarding health concerns, issues like drugs or AIDS or alcoholism, we seldom hear and read about the degree of risk that faces many new drivers every time they venture out onto our roads. This is despite the fact that motor vehicle collisions are responsible for almost half the deaths among teenagers between 16 and 19. More deaths are caused by motor vehicle collisions than any other single factor, and many of our colleagues have spoken this afternoon to their own personal experience in this very tragic area. Mr. Speaker, our family is not untouched by similar stories.

Most of the debate is concerned with young new drivers, and I'd like to focus more attention on the very real concern about older new drivers. Older new drivers account for about 30 percent of all new drivers. The number of older new drivers has been increasing because of the higher rates of licensing among women, who tend to get their licences later in life, and because of immigration factors as well, Mr. Speaker. In comparison, controlling for age-related factors, it was found that older new drivers had almost as high collision rates as younger new drivers. The only difference is that older new drivers reduced their rates to an average level more quickly than younger new drivers do. I think it's an important factor to consider, because there is a sense that this is discriminating against a very special group in our population, and that is simply not the case. We are looking at new drivers period.

Another option for reducing collisions on our highways is raising the driving age, but the benefit of this option would most likely be significantly limited. Instead of 16 year olds being inexperienced, our 18 year olds would be inexperienced, and that would not necessarily deal with the factors that are in front of us. As well, graduated licensing is a more attractive option because it's less intrusive into the lives of Albertans. A penalty for too many passengers in a vehicle is far less of an intrusion than not being able to drive until you are 18. So I think, Mr. Speaker, you can see that the principles of the Bill are constructed to find the least intrusive way to deal with a very serious concern to Albertans.

I would also like to express my support for another restriction in particular: the zero blood alcohol level required by both learning and probationary drivers. Seventy percent of Alberta's new drivers should not be consuming alcohol anyway, and the remaining 30 percent, who have reached the age of majority,

should also not be drinking. New drivers should not have to contend with any factors that might increase the difficulty of the task at hand. As we all know, alcohol increases the likelihood of accidents.

While the primary objective of graduated licences is to reduce collision rates, the Motor Vehicle Administration Amendment Act would bring about other positive results. Less accidents mean decreased stress on the health care system, reduced insurance premiums, and a lot less time lost at work.

**Speaker's Ruling  
Decorum**

THE DEPUTY SPEAKER: Order. I wonder if the hon. members who are all too numerous to name could contain their exuberance. We're all delighted with the speech by the hon. Member for Calgary-Currie and would like to hear her.

Calgary-Currie.

**Debate Continued**

MRS. BURGNER: Thank you, Mr. Speaker. I was just going to conclude my comments. I would use simply the analogy that works well in our family to explain things. If my children want to play hockey, they can learn and watch the game, but until they're out practising, all that skill and all that potential talent is never realized. This is what driving is all about: experience.

Mr. Speaker, at this time I would move that we adjourn debate on this Bill.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Currie has moved that we adjourn debate on Bill 212. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no. Carried.  
The hon. Deputy Government House Leader.

MRS. BLACK: Mr. Speaker, I would like to move that we call it 5:30 and adjourn the House until 8 o'clock this evening.

**5:20**

THE DEPUTY SPEAKER: Not that the Speaker wishes to put words in the mouths of members, but the situation report indicates that we're going to be in Committee of the Whole.

MRS. BLACK: Mr. Speaker, I could amend that: when we do reconvene at 8 o'clock, we come back in Committee of the Whole.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader has moved that we now adjourn the Assembly until 8 p.m. and that when we reconvene, we do so in Committee of the Whole. All in favour of that motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

[The Assembly adjourned at 5:21 p.m.]

