

Legislative Assembly of Alberta

Title: **Tuesday, October 17, 1995**

1:30 p.m.

Date: 95/10/17

[The Speaker in the Chair]

head: Prayers

THE SPEAKER: Let us pray.

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

Amen.

head: Presenting Petitions

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'd like to present a petition on behalf of 59 constituents north of Edmonton on the health care issue, saying:

We the undersigned, petition the Legislative Assembly of Alberta to urge the government to place a moratorium on any further reductions to the budget for health, and to immediately commence a process to evaluate the quality and effectiveness of health care services currently available.

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

MR. DICKSON: Thank you, Mr. Speaker. I present a petition this afternoon signed by 212 Albertans who

urge the Government of Alberta to reduce the \$25.00 application fee to access government records, to be more in line with the other provinces, as legislated under the Freedom of Information and Protection of Privacy Act regulations.

Thank you.

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. I'm tabling a petition from my constituents in St. Albert who

urge the government to place a moratorium on any further reductions to the budget for health, and to immediately commence a process to evaluate the quality and effectiveness of health care services currently available.

head: Reading and Receiving Petitions

MRS. ABDURAHMAN: Mr. Speaker, I beg leave that the petition I tabled on Thursday, the 12th of October, now be read and received.

Thank you, Mr. Speaker.

THE CLERK:

We the undersigned, petition the Legislative Assembly of Alberta to urge the government to place a moratorium on any further reductions to the budget for health, and to immediately commence a process to evaluate the quality and effectiveness of health care services currently available.

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

MR. HENRY: Thank you very much, Mr. Speaker. I would ask that the petition that I tabled in this House last week asking for a moratorium on health care cuts now be read and received.

THE CLERK:

We the undersigned, petition the Legislative Assembly of Alberta to urge the government to place a moratorium on any further reductions to the budget for health, and to immediately commence a process to evaluate the quality and effectiveness of health care services currently available.

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

MS LEBOVICI: Thank you, Mr. Speaker. I, too, request that the petition I presented on Thursday, October 12, be now read and received.

THE CLERK:

We the undersigned, petition the Legislative Assembly of Alberta to urge the government to place a moratorium on any further reductions to the budget for health, and to immediately commence a process to evaluate the quality and effectiveness of health care services currently available.

head: Notices of Motions

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I give notice that tomorrow I'll move that written questions stand and retain their places on the Order Paper with the exception of written questions 234, 235, and 236.

I also give notice that I will move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 237, 238, 239, and 240.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I would like to give notice that at the end of question period under Standing Order 40 I will be presenting a motion to the Assembly to recognize Edmonton artist Alice E. Tyler, who yesterday received the Governor General's Persons Case award for devoting her artistic talents to improving public awareness of the Persons Case.

head: Introduction of Bills

Bill 46 Regulations Amendment Act, 1995

MR. FRIEDEL: Mr. Speaker, I request leave to introduce Bill 46, being the Regulations Amendment Act, 1995.

[Leave granted; Bill 46 read a first time]

MR. DAY: Mr. Speaker, I would move that Bill 46 as just introduced be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: Tabling Returns and Reports

THE SPEAKER: The hon. the Premier.

MR. KLEIN: Thank you, Mr. Speaker. I wish to table five copies of the 1994-1995 annual report for the Northern Alberta Development Council as well as five copies of the Alberta Public Affairs Bureau annual report for 1994-95.

I would also like to table five copies of the Public Service Commissioner's annual report for the fiscal year ended March 31, 1995.

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

MR. ADY: Thank you, Mr. Speaker. I'd like to table five copies of the following annual reports: the annual report for Keyano College for the year 1993-94; the annual report for Fairview College, '93-94; Lakeland College, '93-94; Lethbridge Community College, 1993-94; Medicine Hat College, 1993-94; the Northern Alberta Institute of Technology for 1993-94; Banff Centre for Continuing Education for 1994-95; the University of Lethbridge for 1994-95; and the Alberta Council on Admissions and Transfer for 1994-95.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. It gives me great pleasure today to table the annual Alberta Land Surveyors' Association report on the proceedings of their 86th general meeting; the annual report, April 1, 1994, to March 31, 1995, of the Alberta Environmental Protection security fund; the annual report of the Alberta environmental research trust – and this will be their final report – ended March 31, 1995; and the Environment Council of Alberta 23rd annual report, '93-94.

THE SPEAKER: The hon. Minister of Justice.

MR. EVANS: Thank you very much, Mr. Speaker. I'm pleased to table today five copies of the annual reports for 1994-95 for, firstly, the Alberta Law Foundation and, secondly, the Victims' Programs Assistance Committee.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I'm pleased to be tabling four copies of 72 questionnaires that seniors within the Clover Bar-Fort Saskatchewan constituency answered. The questionnaire sought their opinions on restructuring of the health care system and government accountability.

Thank you, Mr. Speaker.

MR. JONSON: Mr. Speaker, it's my pleasure today to table five copies of the Premier's Council on the Status of Persons with Disabilities 1994-95 annual report.

As well, Mr. Speaker, I would like to table five copies of a Guide to Education for Students with Special Needs.

Thank you.

THE SPEAKER: The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. With your permission I'd like to table four copies of the proclamation of Canadian Celiac Awareness Week, which runs from October 14 to 22. Your office has been kind enough to distribute copies of this proclamation to all members, so I won't have to go into any details about the disease, which afflicts about 1,600 Albertans and can only be treated by following a gluten-free diet for life. That

means no wheat, rye, barley, or oats, and to replace these products is not always easy and often very costly. This association does their best to help celiac patients and to increase their awareness. I apologize for taking so much time, but this is important to me because I, myself, suffer from this disease.

Thank you very much.

1:40

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

MS LEIBOVICI: Thank you, Mr. Speaker. I'd like to table a letter from a constituent in Edmonton-Meadowlark whose son had to wait three days in three different hospitals before receiving emergency surgery on his jaw. The constituent remains concerned about the availability of operating rooms and surgeons in the Edmonton area despite reassurances from the Health minister or the regional health authority.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. I'd like to table a copy of a brochure on facts and myths regarding privatized health care. It highlights 11 myths on privatizing the health care system. It says that you're supposed to let your MLA know, so I would hope that the Premier would have a chance to read this quickly.

THE SPEAKER: Hon. members, I wish to file with the Legislative Assembly the Chief Electoral Officer's report with respect to the Calgary-McCall by-election. This report makes reference to the failure in filing a financial statement by the chief financial officer of the Alberta New Democratic Party.

Also, hon. members, pursuant to the Election Finances and Contributions Disclosure Act I am pleased to table with the Assembly the 18th annual report of the Chief Electoral Officer. A copy of the report was distributed to Members of the Legislative Assembly on September 12, 1995.

head: Introduction of Guests

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

MR. SEVERTSON: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and to members of the Assembly 32 students from the C.P. Blakely school in Sylvan Lake. They are accompanied by their teacher Mr. Yee and parents Mrs. Seifert, Mr. Moen, Mrs. Lagoutte, Mrs. Halvorson, and Mrs. Taylor. They are in the members' gallery, and I ask them to rise to receive the warm welcome of the Assembly.

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

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. With your permission I'd like to make two separate introductions. Earlier I tabled four copies of the proclamation of Celiac Awareness Week. Now I take great pleasure in introducing to you and to the members of this House the president of the local chapter of the Canadian Celiac Association, Lynne Bigam; the past president of the local chapter, Joyce Friesen; and the president of the Canadian Celiac Association, Gwen Shaver, only the second westerner to be the president of the Canadian association. I'd like them to rise and receive the warm welcome of this House.

Mr. Speaker, my second one if I may. I'd like to introduce to you a member of the constituency of St. Albert, a lady who has had many careers, as a nurse, homemaker, and supervisor and presently is a graduate student in health science administration. Perhaps her most important task is that she's also the wife of my seatmate and colleague from St. Albert. I would like Barb Bracko to rise and receive the warm welcome of this House.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. It is indeed my pleasure to rise and introduce to you and through you 22 students from Abbott school, which is located in my constituency. They are accompanied by their teacher Ms Lise Dropko and parents Mrs. Satto Dhariwal and Mrs. Audrey Szelekovszky. I understand they are seated in the members' gallery, and I'd like them to rise and receive the very warm welcome of this House at this time.

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

MR. HENRY: Thank you very much, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly eight students from the opportunity avenues program in my constituency. They are here in the public gallery following up on their civics studies course, and they're with their instructor Pam Haggarty. If they could rise and receive the warm welcome of the Assembly.

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

DR. MASSEY: Thank you, Mr. Speaker. With your permission and on behalf of the Member for Edmonton-Gold Bar I would like to introduce to you and through you to members of the Assembly teacher Jim Norris, parent helper Mrs. Darlene Czernick, bus driver Ken Anderson, and 28 students from Terrace Heights elementary school. They're in the public gallery, Mr. Speaker, and with your permission I would ask that they rise and receive the traditional warm welcome of the House.

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

DR. PERCY: Thank you, Mr. Speaker. To you and through you to members of the Legislature I would like all members to extend a warm welcome to a constituent of mine from the Lansdowne community, Mr. Danny Mah, who I believe is sitting in the members' gallery.

head: Ministerial Statements

THE SPEAKER: The hon. Minister of Municipal Affairs.

Municipal Elections

MR. THURBER: Thank you, Mr. Speaker. It's my pleasure today to take a few moments to congratulate all of the Albertans who participated in yesterday's municipal elections. Of course, special congratulations are due to those men and women who were fortunate enough to get elected in their cities, villages, towns, counties, or municipal districts as well as the people that ran and were successful in the school board elections. I wish them all the very best as they continue this very fine tradition that we have in

this province of providing local government to the people of Alberta.

I also wish to thank all those who ran for office who were not elected, and congratulations and thanks to the thousands of volunteers and supporters who worked so hard over the last weeks and days.

Lastly, Mr. Speaker, a vote of congratulations to those who went out to vote. Exercising our democratic right to vote in free and fair elections for the candidate of our choice is something that I believe all Albertans should cherish. As you know, Mr. Speaker, in too many other parts of the world this is a privilege denied to citizens, and we should all be grateful to have had this opportunity to directly participate in free elections. We can be proud as Albertans to have participated in yesterday's municipal elections.

Best wishes for a successful term to all of those newly elected and re-elected local government officials. I look forward, Mr. Speaker, to working with them on a continued basis.

THE SPEAKER: The hon. Member for St. Albert.

MR. BRACKO: Thank you, Mr. Speaker. Yesterday was an exciting day as thousands of Albertans elected the municipal councils and school trustees. I'm sure half of Edmonton waited up in suspense until 1 a.m. to hear the final results.

On behalf of the Liberal caucus I am delighted to congratulate, one, not only the men and women who ran who were successful but all who ran for office and thank them for their commitment to a better Alberta; two, Alberta's greatest resource, our volunteers, who gave of their time, energies, and finances; and three, the thousands of Albertans who exercised their franchise in selecting our municipal politicians.

I would also like to thank those who served in the past and made Alberta a better place to live. We look forward to working with the new councils and boards and wish them the very best as they serve their communities.

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

MR. MITCHELL: Mr. Speaker, Alberta Liberals stand unquestionably for a publicly funded health care system. The Premier of this province has created a health care system over the last several years that doctors in Edmonton describe as being in chaos, that doctors in Calgary describe as being a mess, and that doctors in Lethbridge indicate is on the brink of disaster. Of course, there are no doctors in places like Smoky Lake to describe the system at all. This health care system is slipping away because the Premier refuses to take a strong stand in support of publicly funded health care. He says it, but he never ever does it. When did the people of Alberta ever give this Premier a mandate to dismantle their publicly funded health care system and to promote a two-tier, commercialized Americanized health care system?

1:50

MR. KLEIN: Mr. Speaker, the citizens of this province gave this government in June of 1993 the mandate to change and to produce more efficiencies in the system and to make the system more effective and overall a better system for Albertans.

MR. MITCHELL: When the Premier says that he supports a publicly funded health care system, why does he continue to threaten the public health care system by allowing private clinics

to charge facilities fees, which erode the integrity of the publicly funded health care system?

MR. KLEIN: Mr. Speaker, some of those clinics have been operating for over 10 years now, and I just don't get a lot of letters of complaint. As a matter of fact, those clinics have eased the pressure on the public health system and have provided, in my mind and in the minds of this government, a tremendous service.

MR. MITCHELL: Why does the Premier continue to break the law, to pick a counterproductive fight with Ottawa instead of working to meet the health care needs of Albertans within the publicly funded health care system that Albertans value so highly?

MR. KLEIN: Mr. Speaker, I'm really quite surprised at the leader of the Liberal opposition. This is the gentleman who just two months ago said that we have excellent health care in Alberta, that that's why people come to Alberta, one of the reasons, because we have excellent health care and excellent education and low taxes. I'm glad he says that, but two months later he has changed his tune altogether.

Mr. Speaker, first of all, we are not breaking the law. We are not breaking the law. We will negotiate, vigorously negotiate, with Mrs. Marleau. I will negotiate along with other Premiers, who, by the way, support our position with the Prime Minister, to present a very compelling case that what indeed we are doing in Alberta is the right thing to do.

MR. MITCHELL: The Premier has stated that he hired Jane Fulton as Deputy Minister of Health because, and I quote, Mr. Speaker: her philosophy is in accordance with our philosophy.

Now, that's very interesting since the deputy minister herself has said publicly, and I quote: medicare needs to be dead; it's way past its prime; we need to allow it to go. Does the Premier agree with his Deputy Minister of Health when she states that medicare needs to be dead?

MR. KLEIN: Mr. Speaker, the Liberals know that change is required from time to time, and change is definitely required in the area of health care. Here's one of the reasons: the costs of health care have skyrocketed over 200 percent over the past 10 years. There is evidence of overuse and abuse of the system. The hon. Minister of Health pointed out not so long ago that we have 36 tonnes rounded up each year that go to the waste treatment plant at Swan Hills, wasted drugs. That says that there's something wrong with the health care system.

Mr. Speaker, what we want to do is change the system, not violate the five principles of the Canada Health Act but change the system to bring about more efficiencies, to make it more effective, and generally to make it better for Albertans.

MR. MITCHELL: If the Premier is so concerned with the costs of the publicly funded health care system, why is he driven to replace it with a privately funded, commercialized kind of health care system which costs almost twice as much per person in the United States as it costs here, which costs almost three times as much as a proportion of their economy as it costs here, which costs the average American family four times the health care premium that it costs here. [some applause]

MR. KLEIN: I thank you for that. Keep thumping. Keep thumping. I thank you for that.

Mr. Speaker, the answer is: we're not.

MR. MITCHELL: Mr. Speaker, what does it take for the Premier of this province to understand that when he allows private clinics to be publicly and privately funded at the same time, he inexorably allows the publicly funded health care system to be eroded and diminished and he ruins one of the critical and essential values of the people of this province?

MR. KLEIN: Mr. Speaker, is the hon. member saying that all of those people who received first-class treatment at the Gimbel eye clinics over the past 10 years were harmed in some way, that this hurt the system in some way? Is that what he's saying? Well, maybe I would ask all of those patients who attended those clinics and received first-class care to write the Leader of the Official Opposition a letter telling him about the horrors they experienced. I think that they had a good experience.

THE SPEAKER: Third main question. The hon. Member for Edmonton-Glenora.

Private Medical Clinics

MR. SAPERS: Thank you very much, Mr. Speaker. Funding for private clinics in Alberta is certainly not a new topic for this Premier. Now, much discussion has recently centred on the October 15 deadline, but in fact the Premier stated his position in writing nearly two and a half years ago. In a letter dated July 5, 1993, the Premier states: "Although we do not cover facility fees charged at freestanding clinics, we have immediate plans to alter that policy."

Now, my questions are to the Minister of Health. Can the minister tell the Assembly what exactly has changed since the Premier committed in writing to fully fund private clinics, a commitment that was made just three weeks after the last election? If you want copies of the letter, I'll table it right now.

MRS. McCLELLAN: Mr. Speaker, obviously I will be interested in having a chance to review the letter myself, but I think it's quite in keeping with the fact that we initiated a review with the Alberta Medical Association of the issue of private clinics in this province about a year and a half ago, maybe just a bit longer. We asked the AMA and its membership to help us review utilization of private clinics in the province. This is a fairly complex issue. I must say that I have not received a final report and in fact have raised that matter with the AMA; I've received some preliminary information.

I think the key is, Mr. Speaker, that the private clinics that are in this province have operated in good faith under a set of rules that they clearly understood and were abiding by, as were we. The fact is that on January 6, 1995, the federal minister changed the interpretation of the Canada Health Act, wrote a new set of rules, told us what those sets of rules were, and asked us to respond by October 15. Indeed we did that. Last week we responded to the federal minister and laid out a proposal with a set of principles to keep us onside with the Canada Health Act to ensure that Albertans continued to have choice and better access in the publicly funded system than most other provinces in Canada.

So I think that we've been very circumspect in dealing with this issue and certainly have made our intentions known to the federal minister. We do intend to deal with this issue, have discussed it extensively at an official level, and I am waiting to have an opportunity to sit down with the federal minister to review that proposal.

MR. SAPERS: Well, given the rambling answer and the history of the long-standing commitment to deal with the issue, Mr. Speaker, how can this Minister of Health justify leaving the impression that she has run out of time to deal with the issue of clinic fees and somehow blame Ottawa for picking on Alberta when the Premier himself nearly two and a half years ago said that the right thing to do is to bring them into the public system and fully fund them?

2:00

MRS. McCLELLAN: Mr. Speaker, the Minister of Health in this province and the government caucus are most interested in ensuring that Albertans have the highest quality health services. I have to wonder. The hon. member has traveled to Ottawa to visit the federal minister. I'd be interested in hearing from him if he queried the amount of reductions in transfer payments from the federal government that they're contributing to health. I am really concerned about that issue. We're talking about scarce dollars these days.

I can assure you that we have taken the time, and the federal minister knows that over the past months our officials have been discussing this issue. The federal minister knows that I requested a meeting with her while we were in Victoria at ministers' meetings. She was not able to accommodate that to deal with this issue in advance of the deadline, and she knows through the letter I sent her that we have a commitment to deal with this issue. I will be sitting down with her at the first moment that she's available to discuss the principles and to clear up any areas of concerns that she might have.

MR. SAPERS: I believe the federal minister is available today, Mr. Speaker.

When will the minister stop this bickering with Ottawa and make good on the Premier's commitment and fund private clinics, stop playing politics with Albertans' health care?

MRS. McCLELLAN: Mr. Speaker, I think the first thing that the hon. member and the entire caucus across the way should do is clarify their own position.

MR. DINNING: Hear, hear. That would be novel.

MRS. McCLELLAN: That would be very novel.

Do they want us to one hundred percent fund all private clinics and just add any number of them, or is the principle that we provide reasonable access to medically required services with no financial barrier the most important point? Should we have partially funded, partially not funded? It seems to depend on whether you read the quotes from some federal ministers or from this caucus across the way. I strongly suggest that they read the proposal we have sent to Mrs. Marleau, which her officials agree has great promise for resolving this issue, and clearly stand and enunciate their position on funding of clinics, Mr. Speaker. I think it's time that we had a position from them on this whole issue rather than this posturing on the issue of private clinics.

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

Grande Alberta Paper Ltd.

MR. JACQUES: Thank you, Mr. Speaker. Last week there was a report released that was titled Relationships Between Stand Age, Stand Structure, and Biodiversity in Aspen Mixedwood Forests in

Alberta. One of the key phrases in the report says: "Further allocations of the few remaining uncommitted public forests in Alberta is inadvisable." My constituents support sustainable harvesting practices in the forests, but they also support the proposed Grande Alberta Paper project. My question is to the Minister of Environmental Protection. Does the report and its conclusions address conifer forest, deciduous forest, mixed-wood forest, or combinations thereof?

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. The report is very comprehensive, and it does address all of the above that the hon. member asked about. I think it's important to recognize that as well it looks at the impact of harvesting and how biodiversity works and how the wildlife is impacted as well as the growth of the fibre. It's a useful report. There has been a lot of scientific input into it, and we are currently studying it very thoroughly.

THE SPEAKER: Supplemental question.

MR. JACQUES: Thank you, Mr. Speaker. Also to the Minister of Environmental Protection: how does the report impact the current evaluation of the timber supply for the Grande Alberta Paper project?

MR. LUND: Mr. Speaker, the hon. member mentioned in his preamble the fact that his constituents are in favour of sustainable development. That certainly has been the thrust of this government for a number of years, and we're not about to move out and allocate something that is not sustainable. So we're studying the report as far as the impacts and how it might be used in setting our policies in the future, but it's important that we remember that it's only one of many reports. Currently we have things like the model forest, and I'm very pleased that Jasper park has now become part of that model forest. We have things like the centre of excellence at the university that is studying a lot of these same issues, and on staff we have professional people: professional foresters, biologists. So we will be looking at all of the input from all of these various areas.

THE SPEAKER: Final supplemental.

MR. JACQUES: Thank you, Mr. Speaker. My last question is to the same minister. In light of the report is the government's targeted response to Grande Alberta Paper by October 25 still onside?

MR. LUND: Mr. Speaker, we've been going through a process for sometime now of identifying fibre for the Grande Alberta Paper project. Once again we're saying that it must be sustainable. I think it's really important to recognize that our current inventory and our annual allowable cut, which really is equal to the fibre that's grown in a year - currently we're saying that there's about 22 million cubic meters of fibre available in the province. By the year 2000, even with the projections that we have, we would still be only at about 20,000. So there is a lot of room yet to harvest fibre and still be doing it on a sustainable basis.

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

Health Care Premiums

MR. SEKULIC: Thank you, Mr. Speaker. I would like to table four copies of a transcript of a recent radio talk show on which the Provincial Treasurer was a guest. On June 14 of this year the Treasurer appeared on a radio talk show in Calgary and took a call from a person who wanted to know why he didn't raise health care premiums to pay more of the cost of health care. The Treasurer's answer might surprise the Premier and some of the government caucus. He said, and I quote: health care premiums are a form of progressive taxation. What the caller was suggesting was to raise taxes, and he, the Treasurer, was opposed to raising taxes. My question is to the Treasurer. For the benefit of all Albertans will you please repeat your admission that, yes, indeed health care premiums are a tax? A straightforward question.

MR. DINNING: Mr. Speaker, I could do no such thing, because we have in this province a health care insurance plan that is funded to the tune of about 20 percent by health care insurance premiums payable by a number of Albertans. I might remind the hon. member, because he would want to know this for his constituents, that a number of Albertans are denied the opportunity to pay those premiums because in fact we have the selective rate reduction for low-income Albertans, who do not have to pay those insurance premiums. Yes, we believe it is important that Albertans have an opportunity to pay health care insurance premiums to the tune of about 20 percent of health care costs and the taxpayer, all Alberta citizens, subsidize the rest of the delivery of health care to the tune of about 80 percent.

THE SPEAKER: Supplemental question.

MR. SEKULIC: Thank you, Mr. Speaker. It's strange that they do not have a revenue problem, yet they continue to increase their revenues by taxing Albertans more.

Mr. Speaker, will the Treasurer, then, admit to Albertans that his government has in fact raised taxes which they have called health care premiums in order to balance the books, in effect giving Albertans, giving taxpayers less for more?

MR. DINNING: No, Mr. Speaker, I would not. I was brought to order by my colleague the Minister of Health, who advised me that the number is not 20 percent, that in fact it is more in the order of approximately 16 percent that is paid by Alberta insurance premium payers, and that in fact the rest, some 84 percent of health care delivery costs, is subsidized by Alberta taxpayers. So health care insurance premiums are a part of our plan. We believe that is the right way to go, and I know that the hon. minister would want those insurance premiums to rise to closer to 20 percent of health care costs, and that is part of a three-year business plan of the Department of Health. Clearly these insurance premiums are an important part of our health care system.

2:10

THE SPEAKER: Final supplemental.

MR. SEKULIC: Thank you, Mr. Speaker. The unfortunate thing: I was in fact quoting the Treasurer's own words back to him, which he now disagrees with. It's quite interesting.

Mr. Speaker, will the Treasurer now contact Mr. Slim Powell of Morinville, who is simply looking for an admission that these

premiums are in fact taxes, and as soon as that Treasurer makes that admission over again, because Mr. Powell wasn't listening to that radio program that day, he will transfer his taxes from his bank account to the provincial Treasury. Will the Treasurer do that?

MR. DINNING: Mr. Speaker, I gather that Mr. Powell has a legal problem that he is discussing with the health care insurance plan, and I would not want to comment on a legal matter that is between Mr. Powell and the Department of Health.

As for lessons in inconsistency, Mr. Speaker, I took them all from the Liberals.

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

Immigration Policy

MR. SHARIFF: Thank you, Mr. Speaker. Alberta provides a caring, nurturing, and safe environment for the thousands of new Canadians who seek refuge within its borders and are proud to call Alberta home, and I am proud to represent one such constituency that's very diverse. Many residents of my constituency in Alberta are concerned about the process of immigration. As you know, in July of 1995 the Minister of Advanced Education and Career Development initiated a draft proposal on Alberta's position on immigration policy. It is also my understanding that that consultation has now been completed. My question is directed to the Minister of Advanced Education and Career Development. Can the minister report to this Assembly on what Albertans had to say about Alberta's position on immigration policy?

MR. ADY: Yes, Mr. Speaker, I can give the hon. member some information on what Albertans had to say. First of all, I would like to report that 230 Albertans, including cultural organizations, immigrant aid organizations, educational institutions, churches, immigrant groups, those types of people and organizations, asked for a copy of the paper for their constituents. At the time I also encouraged MLAs to discuss them and share their document with their constituents. Although only 20 percent replied from those who requested copies, a majority of the respondents supported the principles and objectives of the paper. I'd add that some organizations submitted only one reply on behalf of many bodies that they represent. For example, the Alberta Association of Immigrant Serving Agencies, which is an umbrella organization for 15 different agencies such as the Edmonton Immigrant Services Association and Catholic Social Services and so on, including others, gave us their endorsement of our position paper. I'll continue to communicate with them and others as we seek to get closer to an agreement with the federal government, and their input will be of value to us in that process.

THE SPEAKER: Supplemental question.

MR. SHARIFF: Thank you, Mr. Speaker. I have a supplementary question to find out what is, then, the next step to conclude the Alberta/Canada immigration policy agreement.

MR. ADY: Mr. Speaker, after I released the proposed policy position to the public, I wrote to Mr. Marchi, the federal minister responsible for Citizenship and Immigration, and shared our document with him. I also suggested to the federal minister that we should meet to discuss Alberta's objectives for a new immigra-

tion agreement, and although I haven't heard back from Mr. Marchi's office, I expect discussions between the province and the federal government to begin relatively soon.

MR. SHARIFF: One of the more controversial positions in that proposed policy was on having every person who applies to immigrate to Canada submit to a mandatory medical test for HIV, hepatitis B, and hepatitis C. I'm just wondering if the minister knows what the federal government's position is vis-à-vis these concerns.

MR. ADY: Mr. Speaker, the short answer is, no, I don't know yet what their position is. As the hon. member knows, mandatory medical testing already exists for such serious health problems as heart disease or active tuberculosis. Our initial position is that all infectious diseases, including HIV and hepatitis B and C, should be part of that testing. The issues of admission, health screening, and enforcement measures are just a few of the details that we would like to work out. We do know that the federal government intends to explore new regulations to define excessive demand, as they determined it, on our health and social services resources, but at this time we don't have a more specific answer than that.

THE SPEAKER: The hon. Member for St. Albert.

Health Committees

MR. BRACKO: Thank you, Mr. Speaker. Last spring, when the minister announced the intention to create a provincial health council, one of my constituents wrote and asked for clarification of how the 35 health committees relate to each other and to the minister. I am tabling four copies of the 35 paid health committees and four copies of the minister's response. To the minister: will the minister explain to Albertans what you meant when you wrote that

further definition of the role and accountability relationships of the recently announced Provincial Health Council, and the other bodies . . . are currently evolving as the health system is restructured.

That was seven months ago.

THE SPEAKER: Order please. Before recognizing the minister, the Chair would like to take this opportunity of reminding hon. members that their questions should be put through the Chair, not asking personal questions of each other.

The hon. minister.

MRS. McCLELLAN: Thank you, Mr. Speaker. One is somewhat at a disadvantage when you are trying to follow part of a text of a letter which could be in context or out. I would simply answer this way until I have an opportunity to review the letter. The health system and the changes and restructuring are an evolving process. I think that if the hon. member really thought about it, he would understand that the committee structure and the needs for committees will change as the health system evolves.

I can tell you, Mr. Speaker, that the number of committees has significantly reduced since I became minister. In fact, upon reviewing some of the committees that were in place, we found that they were no longer appropriate, in some cases redundant, but as the health system changes, we should be prepared to ensure that we have the mechanisms to support that change, and of course part of that is the committee structure. Now, there are ministers' advisory committees in a number of areas, cardiovascu-

lar areas. I think it's important that we have that continued updated information.

I can assure the hon. member that when a committee has completed its work or is not needed or if its mandate needs to shift, we will do that appropriately. I think that if the hon. member could be more specific and perhaps question the minister on one of the committees, their function or need, it would be more useful, but to suggest that committees' mandate and process shouldn't evolve shows a very stagnant status attitude.

2:20

MR. BRACKO: Committees need a goal and not two years later to decide what they're doing.

Since the Premier announced the creation of yet another health care committee which does not have a clear mandate – it hasn't been explained – can the minister explain how the creation of one more health committee will solve anything when she has not explained what the initial committees are doing?

MRS. McCLELLAN: Mr. Speaker, I just believe that in my first answer I told the hon. member that I would be quite prepared to give him the answers to what the mandate of each of those committees is and what their function is if he would be more specific. I am sure that in question period you do not want me to stand here and list 35 committees and what they do. I don't think that's an appropriate use of time. However, if I'm asked to do that, we could start right now.

I think the hon. member is referring to a standing policy committee on health restructuring, and I could tell you that if this hon. member has sat in this Legislature for this length of time and has not attended a standing policy committee meeting, I am surprised, somewhat astounded. If he attended, he would certainly know what the mandate of the standing policy committees is in this Legislature.

THE SPEAKER: Final supplemental.

MR. BRACKO: Yes. Since the minister cannot explain the committees' mandates, will she direct the standing policy committee to determine the mandate of the 35 health committees?

MRS. McCLELLAN: Well, Mr. Speaker, again it comes to the point that if you have a question, you've got it on a piece of paper, it's written down, you're prepared to give it and do it, because that's just what's happened. I answered the question.

Mr. Speaker, with your direction I am prepared to stand here and list the function of 35 committees. However, I understand that you'd prefer not to have that happen. I will assist the hon. member by giving him that information in writing, because I'm sure he really wants information.

Again, if he wants to understand the mandate of standing policy committees, I invite him to attend a standing policy committee. The schedules are there. The agendas are there. We'd welcome his attendance and the opportunity to enlighten him.

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

Private Medical Clinics (continued)

MR. HLADY: Thank you, Mr. Speaker. My questions today are on health care as well, but not from the fear mongering angle of the Liberals. The Alberta government has put forward a very

workable plan for private clinics worked out with federal health officials. It is my understanding that the Premier had discussions with the Prime Minister on the weekend. Is there any warmth to continuing discussions?

MR. KLEIN: The Prime Minister indicated that there is some warmth. First of all, the Prime Minister understands that all of the Premiers and the two territorial leaders are solidly behind the resolution that was put forward by Alberta at the Premiers' annual conference in Saint John's, and that included the Liberal Premiers as well. They were solidly, one hundred percent behind the resolution that Ottawa ought not to put in place arbitrary deadlines relative to the whole package of social policy reform, which includes health care. That policy was further endorsed by all the ministers of health plus the territorial ministers of health in Victoria.

So there is unanimous support. Well, almost unanimous support. Only these Liberals across the way don't support us. Those are the only people who don't support us, because they don't support finding new and more effective and more efficient ways of doing things. They want to do things the same old way and drive costs right through the roof until we will no longer have a health system. That's what they want, Mr. Speaker.

In answer to your question, yes, the Prime Minister is warm to discussing this matter and would like to give Alberta the opportunity, along with the other Premiers, to put our case forward. I think there is a compelling case to allow something that has existed for 10 years that hasn't been broken and doesn't need fixing.

THE SPEAKER: Supplemental question.

MR. HLADY: Thank you. To the Premier as well: in your discussions with the Prime Minister did he indicate that he understands that by eliminating private clinics, he will actually hurt the access to health facilities of Albertans and all Canadians?

MR. KLEIN: This is precisely the point. The clinics as they now operate today, whether it's an eye clinic or an MRI clinic, have eased the pressure on a very good publicly funded health system. They've eased the pressure, and they've enabled the publicly funded health care system to operate even more effectively.

Relative to the question as to the Prime Minister's understanding of the situation, I don't know. I really don't know what the federal government is doing, because last year – this is a good example, and I think it's very important – as part of Small Business Week in Manitoba the federal government sponsored some awards for entrepreneurship, and one of the awards – it was called the unexpected entrepreneur award – went to Winnipeg businessman David Miller. This is very important. I want you all to listen to this.

Mr. Miller's business provides private insurance for medical treatment in the U.S. for Canadians who want to pay for faster service. The unexpected entrepreneur award is very appropriately named. It's a surprise, however, to Alberta and to several other provinces. On one hand, the federal government is now telling the provinces that private clinics must not be privately paid, even when that payment is a hundred percent private with no public subsidy. On the other hand, the federal government sponsors an award to a company that is providing exactly that choice to Canadians and offering it through an affiliate in the United States rather than keeping the dollars here in Canada.

Our position is clear. Our concern is with renewing and strengthening the publicly funded system, and we do that by having an entrepreneurial private care component. We support entrepreneurship within the public system to improve efficiency, and we support giving people the choice of paying their own money for services if they want to pay for them.

THE SPEAKER: Final supplemental.

MR. HLADY: Thank you, Mr. Speaker. To the Premier as well: in your discussions with the Prime Minister did he indicate that he understands that by eliminating private clinics, he will actually hurt the quality of health care in Alberta and Canada?

MR. KLEIN: I can honestly say that I don't know. I don't know if he understands or not. It was the Prime Minister himself who a couple of years ago said: we need to know and get a better handle on what is essential and what is not essential, what the system can do and what it can't do, what we can accommodate within the system and those things that ought not to be accommodated. Certainly he said to me: lookit; I haven't given this matter perhaps the thought that should go into it because I've been preoccupied with the referendum question in Quebec. That's understandable. But he did say that after the referendum he would be willing to sit down as soon as possible to talk to me and the other Premiers about this issue. I think the Prime Minister understands fundamentally that the health care system as it now exists cannot go on because the costs are going through the roof. It's as simple as that.

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

2:30 Transportation and Utilities Restructuring

MS LEIBOVICI: Thank you, Mr. Speaker. I have three sets of documents to table. The first is the Burton report regarding the privatization disaster of highway maintenance in British Columbia, the second is the August 1995 *Transition News* regarding Alberta Transportation and Utilities staffing principles and processes, and the third is a letter written to the editor outlining a more humane approach that the Alberta Liberal caucus would take regarding laid-off workers. My questions deal with the fact that 360 frontline workers within the department of transportation have lost their jobs. The minister of transportation's theory that privatization will provide better service for less cost is unfounded. A report from British Columbia, the one that I've tabled, concluded that privatization of highway maintenance increased the costs to the taxpayer – and I hope the minister is listening carefully to this – between \$15 million and \$19 million. My questions are to the minister of transportation. How does this minister know that his department can save the Alberta government taxpayer money by laying off frontline workers and contracting services? Where are those studies, Mr. Minister?

DR. WEST: Mr. Speaker, the comments about British Columbia are exactly true, and the reason we are going to save money is because we took their model, pulled it apart, learned from their mistakes, and put it back in place. We're going to save in this restructuring \$41 million in the initial look at it. The first year we'll save \$18 million. All of that money will be put back into highway projects in this province to make it a better place to drive and a safer place to drive.

THE SPEAKER: Supplemental question.

MS LEBOVICI: Thank you, Mr. Speaker. As Alberta Transportation in the document *Transition News* committed to being fair and equitable to its workforce being reduced, can the minister explain why 360 frontline workers are being laid off and not one manager? How is that more cost-efficient?

DR. WEST: Mr. Speaker, the restructuring is going to take some 18 months. The initial notices are being given to those frontline workers that will be affected by the maintenance outsourcing. There are manager positions coming forward to be cut in the near future. I can just say that this model . . .

MR. N. TAYLOR: Put them on a health committee.

DR. WEST: Would you like to answer the question? [interjections]

THE SPEAKER: Order. You'd just better start over again. Hon. members, the hon. Minister of Transportation and Utilities.

DR. WEST: I'll await the next question because I've been so rudely interrupted.

MS LEBOVICI: Perhaps that question was too hard, Mr. Speaker. We'll try this one then. Can the minister table in the Legislative Assembly his organizational plan outlining the ratio of support staff to management and the cost savings associated with that?

DR. WEST: Mr. Speaker, we're right in the middle of the restructuring. It's a massive job, and it's a massive restructuring. We are going to be saving some 61 percent of this department's administrative costs. When this is all done, we'll bring forth that structure and what it looks like at the end. You can pick up – they're available – the three-year business plans. The business plans outline the structure, and if you would like me to deliver those plans to your office, I sure will.

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

Libraries

MRS. LAING: Thank you, Mr. Speaker. The Public Library Review Committee released its final report last week. This is a very important report. Its recommendations will affect 309 library service points in 225 municipalities in seven regional library systems that touch the lives of more than 95 percent of all Albertans. In Alberta communities public libraries are important cultural centres as well as educational resources with community theatre, arts, and multicultural presentations besides the almost 7 million items they have for borrowing. My question is for the Minister of Community Development. Mr. Minister, I have noticed several recommendations in the report which involve increased funding. Given the Alberta government's present financial situation, is it reasonable to even consider these recommendations at this time?

MR. MAR: Well, Mr. Speaker, I must say at the outset that I've traveled to many libraries throughout this province, and I have to say that people in communities throughout this province from Acme to Zama City have clearly said that their libraries are very

important to them. Millions and millions of materials are rented or borrowed each year from Alberta libraries. Accordingly, all the recommendations made in this report are meritorious of consideration, and we'll have to look closely at each and every one of them.

The report itself takes into account the views of some 325 library boards, individuals, and organizations. While it is true, Mr. Speaker, that there is no new government money available, having met with so many members of the library community throughout this province, I can tell you that time and time again in times of a money crunch those library communities are very, very creative. We've seen time and time again that those communities will come forward with creative solutions to find alternative sources of funding for those things which are important to them, which include Alberta's libraries.

THE SPEAKER: Supplemental question.

MRS. LAING: Thank you, Mr. Speaker. Again to the same minister: will the minister please reassure the Alberta public that this government will maintain its commitment to the libraries?

MR. MAR: Absolutely, Mr. Speaker. The Alberta government has been a very strong supporter of the public libraries in this province. Our support this year, the current fiscal year, is in the amount of \$12.3 million. That level of support has remained unchanged from 1994-95. Clearly, a well educated population is part of the Alberta advantage, and certainly having resources available to pursue one's interests is part of the quality of life that we enjoy in this province.

THE SPEAKER: Final supplemental.

MRS. LAING: Thank you, Mr. Speaker. Again to the same minister: Mr. Minister, will you be accepting recommendations 13 and 17, which call for the resumption of the system expansion, and 32, which proposes the establishment of an information trust fund?

MR. MAR: Mr. Speaker, it's difficult for me to deal with individual recommendations, but I can say as an overview that this is a very comprehensive report containing some 34 different recommendations. We will look at each one carefully in light of our commitment to the public library system but also in the context of our fiscal reality. I can tell you certainly that the recommendations we do accept will deliver the best possible library system at a price that Albertans can afford.

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

Freedom of Information

MR. DICKSON: Thanks, Mr. Speaker. The new freedom of information Act in Alberta could have been as valuable a tool for Albertans as a similar Act in British Columbia, where in the first year of that Act almost 8,000 residents obtained public information they couldn't otherwise get, but by imposing the highest application fee anywhere in Canada, this government will in fact discourage Albertans from using the Act. In a transparent effort to control political damage, the minister has produced a chart which suggests that a five-hour information search will only cost \$25. My question is to the Minister of Public Works, Supply and Services. Why won't the minister be forthright and tell Albertans

today that if the exact same search takes only 30 minutes longer, the cost isn't \$25; it's \$178?

THE SPEAKER: The hon. Minister of Public Works, Supply and Services.

MR. FISCHER: Thank you, Mr. Speaker. I want to thank the Member for Calgary-Buffalo for bringing forward this issue because I would like to clarify for Albertans the cost of our freedom of information. To begin with, I would like to say that only 3 to 4 percent of the total cost of our freedom of information will be gathered through the fees. The second thing I would like to point out is that for personal information it is free up until \$10, and then they would have to pay for copies.

I would say that the \$25 application fee is different in each province, and how we apply it and how they apply it is different. If we take the total cost up to \$150 and the free time between the \$25 and the \$150, Alberta is one of the provinces that charges less for the freedom of information.

2:40

MR. DICKSON: Mr. Speaker, my supplemental question to the minister. Since he's often told Albertans there's provision to waive fees, I want to ask him: how does the minister expect Albertans to know how to ask for a fee waiver when this minister has done absolutely nothing in terms of a public awareness campaign to tell Albertans what the Act is about and how they can use it?

MR. FISCHER: We do have an awareness campaign, and we have brochures out. I know that some of the members of the opposition party were at our initiation to help explain to the news media and to the public, and we have brochures out explaining the very rules that he's talking about.

I should say that the waivering of – waivering isn't quite the right word. To waive the fees is only in special cases and mostly with environmental issues and health issues and safety.

MR. DICKSON: My final question, then, to the hon. minister would be: why not leave it to the independent commissioner to deal with frivolous requests instead of trying to impose an additional deterrent fee, which you say is there to do exactly the same purpose? We've got the commissioner, who has the power to handle that sort of thing, Mr. Minister.

MR. FISCHER: Certainly if the applicant wants to appeal the waiver, then it will go through the commissioner, and he has the opportunity to overturn that if he wishes.

head: **Members' Statements**

THE SPEAKER: The hon. Member for West Yellowhead.

Kindergarten Programs

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. Starting with the 1994-95 school year, this government funded only 200 hours of early childhood studies programs for kindergarten students. The rationale, as expressed time and time again by the Minister of Education, was that half a program could be just as effective as a full program. The minister even tabled some thousand titles of articles that according to him backed up his claim but which in reality had little to do with the subject at hand. He staunchly defended his position in the face of opposition from

many Albertans from all corners of the province who disagreed very much. They felt that kindergarten students needed at least the full 400 funded hours to be adequately prepared for grade 1, and they did not and they do not accept that five year olds should have to pay for the costly mistakes of Tory governments.

In the course of that school year the government realized the extent of the opposition and decided to add 40 more funded hours to the ECS program. It suddenly seemed that in their eyes 200 had not really been sufficient but that 240 would be.

So what have we got now, Mr. Speaker? Well, we have a veritable patchwork of ECS programs in Alberta, with students getting anywhere between 240 and 400 hours, their parents having to pay anywhere between \$50 and \$500. Grade 1 teachers are now trying to deal with students who are at various stages of readiness due to this patchwork of programs. So much for fairness and equity for all Albertans. In Canada we now rank dead last among all provinces that provide funding for ECS. So much for the Alberta advantage. It is high time that the government realizes its mistake and restores funding for 400 hours of ECS.

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

Science and Technology Week

DR. L. TAYLOR: Thank you, Mr. Speaker. I'm pleased to rise and present a good-news story. As chairman of the Alberta Research Council it's my pleasure to announce that Science and Technology Week is being held this year from October 13 to 22. It's a week of discovery and celebration that allows Albertans to appreciate the impact of science and technology on their lives. Whether it's agriculture, environment, or the oil industry, we in Alberta benefit immeasurably from the bright minds involved in science and technology. Science and technology allows us to enjoy a standard of living and quality of life we couldn't have dreamed about even 50 years ago. In fact, my father constantly comments on the advantages that I have compared to what he had in his early years and even now today.

As we enter this era of ever increasing complexity, science and technology will only become more critical, if we are to maintain our edge in the marketplace. Science and technology mean jobs to Albertans; science and technology allow us to add value to our raw natural resources, to export finished products. Innovative products and technologies are the engine of economic development. They help us make better use of the resources we have and allow us to enter into markets and sectors not always seen as traditional in Alberta. For instance, in southern Alberta we have Spitz sunflower seeds. It's a great marketer of sunflower seeds right across this province, and I'm sure every member here has seen Spitz . . . [interjections] and enjoys them, as some members comment. I see one member on the opposite side eating them. Science and Technology Week teaches Albertans about our accomplishments and helps us to appreciate them during this week.

Thank you.

THE SPEAKER: The hon. Member for Redwater.

Research Policy

MR. N. TAYLOR: Thank you, Mr. Speaker. Actually I'm going to speak on our brain drain, on moving south of the border, and that means from our universities and not from the opposition. It

tacks onto what the hon. Member for Cypress-Medicine Hat mentioned too. It wasn't the fibre from sunflower seed eating I was thinking about but about the research that could be done.

Interestingly enough, Mr. Speaker, in the last year there was a report put out by the university research policy framework commission to the minister of advanced education by Gilles Cloutier. In it he says: there is currently a strong and disturbing trend towards out migration of the best faculty from Alberta's universities, and it has become increasingly difficult to attract high-quality replacement; this trend does not bode well for the future.

Also, last summer the University of Lethbridge said: a loss of competitiveness would have devastating consequences for our ability to recruit faculty and students. In other words, Mr. Speaker, by people moving to the south or people moving outside the country and the brain drain from our universities because of the policy of financing and the policy of almost anti-intellectualism that you get from the government today, it's actually as dangerous as losing an oil field or a gas field – we could notice that – or a coal field. But we have a tendency to take for granted the years we've taken to build up a climate here – and this was something that former Premier Lougheed was very, very cognizant of – to build up research centres. The exports of the future, especially in a landlocked economy such as ours, far from the ocean fronts, will be the exports on a piece of paper or the thoughts which come up and regenerate from between your ears. It's very sad indeed when you see our government taking more and more funds away from our institutions of higher learning without any recognition at all of what danger it's causing.

**head: Motions under Standing Order 40
Governor General's Persons Case Award**

THE SPEAKER: Order please. The hon. Member for Spruce Grove-Sturgeon-St. Albert gave oral notice earlier today of her intent to propose a motion under Standing Order 40. Perhaps the Chair will now recognize the hon. member on the question of urgency.

MRS. SOETAERT: Thank you, Mr. Speaker. Speaking to the urgency, yesterday Alice Tyler received the Governor General's Persons Case award for her outstanding contribution to keeping alive the memory of the Famous Five women from Alberta and their unheralded legal victory which gave Canadian women their lawful status as persons and therefore entitled them to hold elected office. This esteemed award, presented by our Governor General, Romeo LeBlanc, is a fine testament to the national stature Ms Tyler has achieved with her art. As Alberta legislators it is important that we add our congratulations and thanks to this inspiring Albertan.

2:50

THE SPEAKER: Is there consent in the Assembly for the hon. member to put her motion?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. member may propose her motion.

Mrs. Soetaert moved:

Be it resolved that this Assembly recognize artist Alice E. Tyler, who received the Governor General's Persons Case award, for

dedicating her talents to increase public awareness of the Persons Case.

MRS. SOETAERT: Thank you, Mr. Speaker. The story of the Famous Five and their long and determined legal battle on behalf of Canadian women is one that the Liberal caucus is proud to tell, and any opportunity to recount and honour the Persons Case is one that I am proud to participate in.

This is why the work and devotion of Alice Tyler is so significant to our province and our country. So impressed was Alice Tyler with the accomplishments of those Famous Five Alberta women – Emily Murphy, Henrietta Muir Edwards, Irene Parlby, Louise McKinney, and Nellie McClung – that she has dedicated her artistic career to showcase the Persons Case and the remarkable women involved.

Alice Tyler created two sets of pastel portraits of the Famous Five. One set hangs on the fourth floor of the Alberta Court of Queen's Bench. Sadly, the second set was removed from the Alberta Legislature in 1990. Many times in this Assembly Alberta Liberals have decried the lack of public understanding of the Persons Case, especially among school children. Alice Tyler shares this same frustration and has devoted her life to teaching and reminding us all of this important legal victory.

There is clearly no worthier recipient of the Governor General's Persons Case award. We are proud of Alice Tyler's achievement and recognition. We now plead with the provincial government that they, too, show their respect to Ms Tyler, and there is no better way than to return the set of portraits to their rightful place in the Alberta Legislature.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Community Development.

MR. MAR: Thank you, Mr. Speaker. Persons Day is celebrated in Canada each year in commemoration of the Persons Case victory, which was on October 18 of 1929. The case was the culmination of a lengthy legal struggle waged by five Albertans, five women from the province of Alberta: Henrietta Edwards, Nellie McClung, Louise McKinney, Emily Murphy, and Irene Parlby. The victory resulted in women being considered persons under the British North America Act and therefore eligible for Senate appointments.

I should also point out, Mr. Speaker, that October is also Women's History Month in Canada. This annual celebration, which began in 1992, is designed to honour the contributions of women. The month of October of course is chosen to coincide with the annual commemoration of the Persons Case on October 18.

I should also note the other distinguished Canadians who were recipients of this year's Governor General's awards in commemoration of the Persons Case: Marthe Asselin Vaillancourt of Jonquière, Quebec; Dr. May Cohen of Burlington, Ontario; Ruth Flowers of Labrador; Sheila Kingham of Victoria, British Columbia; Carolyn G. Thomas of Dartmouth, Nova Scotia; and of course our own, Alberta's Alice E. Tyler of Edmonton, Alberta. I should note that Ms Tyler is the only artist that was recognized in the group.

Mr. Speaker, the Governor General's awards in commemoration of the Persons Case are awarded annually to individuals who've made an outstanding contribution towards promoting the equality of women in Canada. The award of the Governor General was established in 1979 to celebrate the 50th anniversary

of the Persons Case and to salute the contributions of contemporary women to the advancement of women's equity and equality. Nominations for the 1995 Governor General's awards in commemoration of the Persons Case were submitted by individuals, women's groups, and other organizations across Canada. In total 63 nominations were received, and the six recipients this year, including Ms Tyler, were selected by an independent selection committee.

Mr. Speaker, for those people that have not taken the tour of the Legislature, of this building, you should note that there are portraits of the Famous Five hanging in the hallway of the east wing on the main floor, and certainly when I've taken the legislative tour, the significance of the Famous Five has been pointed out to me. Accordingly, I'm quite proud to stand in favour of this Standing Order 40.

Thank you.

THE SPEAKER: All those in favour of the motion proposed by the hon. Member for Spruce Grove-Sturgeon-St. Albert, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Let the record show that the motion carried unanimously.

Point of Order Allegations against Members

THE SPEAKER: The hon. Government House Leader raised a point of order.

MR. DAY: Mr. Speaker will know the citation, 23(h), talking about members making allegations against other members. The Speaker will also know that as insults fly in this Chamber like so many scud missiles on any given day, I rarely rise to address any of them as a point of order. It would just be a waste of time if a person did it in every instance. However, just when you think the hon. Leader of the Opposition has stooped as low as he can go, he surprises you by rising to new depths. It happened today.

I think it is a very serious and grave matter when a member of the Assembly, a lawmaker in fact, accuses another lawmaker of being a lawbreaker, when there is nothing in the courts to suggest that such a thing has happened in any given instance. I raise this not because the person in question being accused was the Premier, who can certainly defend himself far more ably than I ever could. But it is a practice which I would hope a warning shot from the Chair, a patriot missile, as it were, aimed at that type of scud would hopefully put an end to any practice of lawmakers accusing one another of being lawbreakers.

We in fact are entrusted with that very onerous responsibility of making the laws. To be accused of breaking them where there is no base in fact to that is a serious matter, and I would appreciate contemplation by the Chair in directing that towards the Leader of the Opposition.

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

MR. SAPERS: Thank you, Mr. Speaker. I hope you will in fact review the member opposite's comments, and I think once you do, you'll find that there is no point of order. The Canada Health Act is a piece of federal legislation. It was passed by Parliament and proclaimed and, I believe, is the law of the land. Alberta is a

signatory to the agreements which enact that piece of federal legislation. The federal Minister of Health has said that certain practices in this province violate the Canada Health Act. The Premier has said on various occasions that he may take the government to court, that he wants to keep up aggressive negotiations, that he has a plan B or that he has no plan B. In any case he's made it clear he doesn't intend to comply with the federal law. That is in fact a violation, and the penalty is flowing from that violation, so there is no point of order.

THE SPEAKER: Well, the Chair would suggest that the hon. Leader of the Opposition's question could have been framed in a more orderly way. It could very well be interpreted that making the allegation that the Premier was a lawbreaker is language that is likely to create disorder. It also could be in breach of Standing Orders 23(h) and (j). If the Leader of the Opposition would have characterized his comments by saying that the government is breaking the law, that would be in order. The Chair really feels that the hon. Leader of the Opposition may wish to recharacterize his comments in that question this afternoon.

The hon. Member for Redwater gave notice that he had a point of order, but maybe he wishes to return to it after the hon. Member for Edmonton-Glenora, who also gave notice of a point of order.

Point of Order Allegations against Members

MR. SAPERS: Thank you, Mr. Speaker. It very well may be that my colleague from Redwater and I rose at about the same moment on the same point under both Standing Order 23 and *Beauchesne* 319. That was the inference left by the Minister of Health that members on this side of the House don't attend standing policy committees or that we should spend more time there. I'll have to check *Hansard* to remember her exact words, but the inference was certainly made that she was somehow disappointed that my colleague from St. Albert and others in the Liberal caucus don't participate in standing policy committee meetings.

I'd like to point out, Mr. Speaker, that in fact when standing policy committee meetings are attended by members of the opposition, sometimes they're not treated with the full courtesy that all elected members of this House may expect from other elected members of this House. In fact, the chairperson on the standing policy committee on community services at one point had this hon. member expelled – if you can imagine – because she made an absolutely baseless and unqualified decision that the meeting was to be in camera. Then when she was asked for some explanation or some authority to back up her decision, of course she couldn't produce any because there wasn't one.

So, really, for the minister to use standing policy committees as an example of either government openness or how the health care committees are working or as an example of how this government is consulting with Albertans is really an inappropriate example because they have become the most secretive, behind-closed-doors, closely held meetings, and they really are beginning to serve very little useful public purpose.

3:00

THE SPEAKER: Well, the Chair would feel that the point raised by the hon. Member for Edmonton-Glenora reveals certainly a disagreement amongst members, and the rules do allow the hon. member to ventilate his position on that question, which he has

ably done. But the Chair regrets to find that he can't find a point of order in it.

head: Orders of the Day
head: Public Bills and Orders Other than
head: Government Bills and Orders
head: Committee of the Whole

[Mr. Clegg in the Chair]

THE DEPUTY CHAIRMAN: I'd like to call the committee to order. We're now in order, so I'd ask the approval of the House to revert to Introduction of Guests. All agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed, if any? Carried.
 The hon. Member for Highwood.

head: Introduction of Guests
(reversion)

MR. TANNAS: Thank you, Mr. Chairman. I'm delighted today to introduce to you and through you to members of the committee some guests who are here for Bill 211. We have in the gallery Judith Mason, a registered social worker and member of the Alberta Association of Social Workers, the chairperson of the AASW committee on gerontological social work; Jim Thomson, a registered social worker and member of AASW; Gordon Smith, student, University of Calgary, Faculty of Social Work; Nancy Wagner, student, University of Calgary, Faculty of Social Work. There are five people sitting there, but I only have the names of four, so I'll ask all five to please stand. Oh, they've now reduced themselves to four.

head: Public Bills and Orders Other than
head: Government Bills and Orders
head: Committee of the Whole
(continued)

Bill 211
Protection for Persons in Care Act

THE DEPUTY CHAIRMAN: We're here this afternoon to give comments, questions, or amendments on Bill 211. I'd ask the sponsor of the Bill if he has any words.

The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Chairman. First of all, I'd like to thank all the hon. members for their support, assistance, and encouragement and to recognize the work of Parliamentary Counsel, Earl Evaniew, and Mr. Peter Pagano, the tireless efforts of the researcher, Ivonne Martinez, and again to thank you all for the unanimous support at second reading.

Mr. Chairman, it's my pleasure today to begin debate on the proposed amendments to Bill 211, Protection for Persons in Care Act. At the end of last session we began the discussion on this very important piece of legislation, and at that time the Assembly gave its unanimous support to the intent of this Bill.

Over the summer I've consulted with the departments that would be affected by this Bill. I wanted to make sure that Bill 211 would not experience any problems in implementation or at least to minimize any problems in implementation and also to

address in advance any concerns or difficulties that these departments may have or may run into when they come to administer the program. After working with the departments of Family and Social Services, Health, and Municipal Affairs, we were able to come up with an amendment package, which is being distributed. This amendment package, then, will not only facilitate the implementation of the Bill but also clarify how it will be implemented in each department.

I'd like to take a moment right now and take you through the amendments, explain why they were drafted. Although there are many changes to the Bill, I would like to assure everyone that the intent of Bill 211 has not been changed. Mr. Chairman, may I proceed, or would you like me to wait?

THE DEPUTY CHAIRMAN: Well, hon. member, just a couple of minutes here. I think it's being distributed. Are we okay?
 Continue, hon. member.

MR. TANNAS: Okay. First of all, there is a major change here in that the most important amendment to Bill 211 is the removal of the Social Care Facilities Review Committee as the main focal point for complaints of abuse as well as being the main investigating body. You will see that most of the proposed changes to the Bill are due to the fact that we've removed naming this committee from the Bill; therefore, many of the clauses had to be amended. So these are really consequential to that change. Perhaps when I explain why we did this, I believe everyone will see how it falls into place and begins to make sense.

When we first drafted this Bill, we chose the Social Care Facilities Review Committee as the main investigating body. We were looking for a body that would be able to investigate complaints of abuse in facilities, and since this committee already carried out this type of investigation, it seemed an obvious choice. We also wanted a focal point for people to call with complaints of abuse so that in making a complaint, it would be one easy step, one call to do it all.

However, the Social Care Facilities Review Committee does not have the jurisdiction to investigate complaints of abuse in facilities under the Department of Health or under the Department of Municipal Affairs such as nursing homes, hospitals, or lodges. Each of these departments have their own committees and Acts that are designed to deal with and investigate such complaints. It was also decided that perhaps the Minister of Family and Social Services would not be the appropriate minister to make decisions that would affect facilities in all three departments.

I think if all hon. members would wish to reflect for a moment on a private member's public Bill, such as Bill 211, the departments of government begin to do a more thorough review of such private members' public Bills once those Bills have received second reading approval. Such is the case here. When the three departments, then, came to look at Bill 211 after second reading approval, it was decided that the best way to deal with this problem would be to have a neutral department, such as Community Development, act as the main focal point for complaints. Community Development alone would host a 1-800 line for people to call and to report abuse. As soon as the complaint was made, it would be directed to the appropriate ministry for investigation. In essence, Community Development would act as a kind of 911 of complaint calls.

3:10

Currently when there is an emergency, people might not think to call the fire department or the hospital. They call 911; 911

dispatches the calls to the appropriate department, be it the fire department or the ambulance service or whatever emergency service is required. Similarly, then, we're asking Community Development to act very much in that way. As soon as it receives a call about abuse, a person working for the department would take down the particulars of the complaint and forward those details to the appropriate minister for investigatory action. That way people have only one number to dial in order to tell their story.

There are other amendments as well. Since we removed the Social Care Facilities Review Committee from the Bill, most of the sections then had to be amended to reflect that fact. Also, going through the Bill, we found some editorial problems which we missed in the beginning, so we took the opportunity to fix them. I'll go through page by page and perhaps briefly explain the amendments that are being proposed.

On the first page we added section (1)(a) to define "appropriate Minister" and in (1)(b) used the word "adult" instead of "individual" so that we didn't get into a competition with the legislation requiring the reporting of abused children. We removed section (c), which gave the definition of the committee and was no longer necessary. We amended the definitions of "complainant" and "service provider" in sections (d) and (f) for editorial purposes for writer clarification. In section (e) we substituted the definition of minister for "investigator." This is a new definition. When the term "investigator" is used, it will mean both an investigator under this Act and "a committee, body or person" which has had a matter referred to it. This will ensure that they have to follow the same procedure as an investigator appointed under this Act.

Sections 2(1) and 2(4) are amended to reflect the removal of "Committee." Section 2.1 is added to provide the client with the ability to make a complaint about having been abused. Sections 3(2) and 4(2) add a clause which was left out in printing. You might have someone who is an employee but is not a service provider being witness to abuse, so this would enable, then, an employee who is not a care provider to report.

Section 3(3) is amended to clarify that the client will not have services cut if the client makes a complaint or is the subject of a complaint. So we not only have whistle-blower protection, but we also protect the client, whether that client be a whistle-blower or just someone acting in their best interest.

When we removed the Social Care Facilities Review Committee from this Bill, the investigating powers of the committee were removed as well. However, we wanted to provide this Bill with investigating powers in case the appropriate minister appointed someone else to investigate, and that person would not only have the investigating powers of the appropriate minister's department but would also have the powers to investigate abuse under this Act. So this is done under section 4.

On page 3 section 5 has been amended to reflect the changes again from committee to investigator. Also, changes needed to be made to the reporting procedure outlined in this section so that it would be flexible enough to work in all three departments. There were some editorial changes in this section as well. Since this section needed to be reworked completely, we struck the old section and rewrote it. With this amendment the section reads much more concisely and is more cohesive than previously and hopefully less likely to misinterpretation or misunderstanding.

The same applies to sections 7 and 8. Changes needed to be made to reflect the removal of the committee, and many of the clauses in section 7 no longer made sense to the amendments that we had made previously in this Bill. Therefore, these sections

were struck out completely and reworked. Once you read them, hopefully you will see that they make more sense than before.

Finally, Mr. Chairman, section 9 was removed completely as it dealt with the amendments to the Social Care Facilities Review Committee Act, which no longer applies to this unless the minister directs it in their direction.

When you first look at the amendment package, it looks long and perhaps even looks complicated, but once you and all hon. members have had the opportunity to read the amendments, you'll see that the amendments hopefully make sense in this Bill. The majority of these amendments came about due to the fact that we replaced the Social Care Facilities Review Committee with the Department of Community Development. However, I truly believe that this change coupled with the entire amendment package makes this a more comprehensive Bill and a more solid piece of legislation. It does not change the intent of the Bill but makes it a more effective piece of legislation. I believe, then, Mr. Chairman, that these amendments to Bill 211 will become a solid foundation to build upon to begin to address all the concerns that Albertans have regarding abuse of persons in care.

I look forward to the comments and questions of all hon. members, but first, Mr. Chairman, I'd ask you how you and the Committee of the Whole wish to proceed. Do you wish to discuss and debate item by item, section by section, page by page, or as a block?

Thank you.

MR. WICKMAN: Mr. Chairman, as I start my comments, let me first of all say that my preference would be to deal with the amendments as a block, although I guess the possibilities are there for amendments to the amendments.

I just want to back up for a minute and look at some of the discussion that led to the reason why we have these amendments to Bill 211 in front of us this afternoon. Periodically, Mr. Chairman, we see in this House something that happens, where members of that side of the House and members of this side of the House recognize that there's a time to put politics aside and work together to accomplish a goal, to protect a segment of the population that needs the protection of the legislators of this province. Bill 211 is one of those Bills.

In the discussion that took place in the early portion of this session during the spring, it was pointed out very clearly some of the despicable acts that do occur when people are in the protection of others, people, Mr. Chairman, if you can picture, that have a disability to the point that they may be totally helpless. They may not even be able to speak out to ask for help because they may not have the ability to communicate in any fashion, yet that person could be being sexually assaulted and totally helpless to defend himself or herself in any method because of the disability. Anyone that would create such an assault, such an abuse is despicable, and there is no need to look at any degree of softness or any method that would reduce the necessity to prevent that type of abuse from happening.

One of the complaints that members on both sides of the House had, Mr. Chairman, when we spoke to this particular Bill during the early portion of the session was that it didn't have the teeth. The hon. Member for Highwood has brought forward an array of amendments, but even though they look quite complex, really what they're doing is taking away that investigative authority from the social review committee - I'm trying to put this into a nutshell - and turning it over to a more appropriate body that can act, that will act, that will have the provision within the Act to then refer

it to other necessary agencies for the full enforcement of the law. I can't take argument with those types of amendments that come forward.

Now, when I look through the package of amendments, we see a lot of instances where it refers to the statement that the appropriate person, the appropriate agency, whatever, must do that, must do this, and so on and so forth, must investigate within a 30-day period, and so on and so on. Whenever I see the word "must" or "shall", to me that has teeth. That means that something has to happen, that it's not a question of one person making a value judgment: should we proceed, or should we not proceed?

3:20

However, at the bottom of the third page of the particular document that the member has tabled in the House, dealing with the House amendments, under section G, under section 5, we go down to 5(4). It reads: "After having reviewed the report, the appropriate Minister may . . ." Now, it doesn't say "shall" or "must;" it says "may."

(a) approve the recommendations . . .

(b) reject the recommendations . . .

or may take any other action that the Minister [deems] appropriate.

Mr. Chairman, my particular concern with that particular section is that the minister has the flexibility to simply do nothing. I don't understand why that flexibility or that softness, that provision, was allowed in the Act, and possibly as the member closes debate during the committee stage, he'll address that point and satisfy me that there is some logical rationale as to why that happened.

As I go through Bill 211 in its present form with the amendments that are before us and as I look at the history of Bill 211 and the Bill that the Member for Red Deer-North brought prior at one particular time, which in my opinion at that time was a lot broader in terms of definition than the original Bill 211, I would hope now with the amendments to the Bill – and unfortunately because of the process it really doesn't give us the opportunity to really study, analyze, interpret the intent of the amendments. We are forced to a certain degree to rely on the judgment of the Member for Highwood and assume that he's acting with good intent and taking the recommendations that have come forward by members of this caucus, members like the Member for Calgary-Buffalo for example, who has worked a great deal on this Bill, or the Member for Edmonton-Gold Bar, who again has been very instrumental in pushing for this type of protection that we now see in Bill 211.

There are many members, Mr. Chairman, that are going to want to speak on this particular Bill, and it is restricted of course to the two-hour time stipulation. The Bill will be going forward again tomorrow after we conclude question period and written questions and so on. I just want to sum up before I turn the floor over to the next member that wishes to speak. On the surface it appears to me that the amendments are brought forward with good intent. However, I'll wait to hear other comments in case I've missed something that would cause me to rethink my position, cause me to think there should be additional amendments or amendments to the amendments.

I think we're all here dealing with this particular Bill, having a Bill passed by Members of this Legislative Assembly that will protect those people, those persons that need the protection but are not able to protect themselves. One concern I have which has not been addressed, and hopefully somebody will stand up and address

that concern: why has this Bill not come forward as a government Bill? Why was it not sponsored by a government member or taken on as a government Bill rather than come forward as a private member's Bill? If it came forward as a government Bill, I would feel totally comfortable that it had the full support of the caucus on that particular side. Possibly there will be an explanation given as to why it came forward in the fashion it came forward.

On that note I'm going to conclude my remarks, Mr. Chairman.

THE DEPUTY CHAIRMAN: Hon. Member for Highwood, would you like to respond?

MR. TANNAS: Yes, Mr. Chairman. If the committee wishes, I can respond to each individually or save a bunch of them for later, whichever the committee directs.

THE DEPUTY CHAIRMAN: What's the wish of the members? That the hon. member take notes?

SOME HON. MEMBERS: Do it now.

THE DEPUTY CHAIRMAN: Okay. The hon. Member for Highwood to answer those questions.

MR. TANNAS: Thank you, Mr. Chairman. I thank the hon. Member for Edmonton-Rutherford for his comments. A couple of them I would like to address. Where he refers to "must" and then the "Minister may", if he reads a little further, we have item 5(5) under G: "The decision of the appropriate Minister is final and binding." That of course is referable always to a court, and you can get there by (6):

The appropriate Minister must provide a copy of the decision to the complainant and to the agency involved in the complaint.

That's a must. Then if people aren't happy, they can go further with it, hon. member.

I cannot speak for the government as to why this is not a government Bill. As you know, we as private members have asked for the right to put forward and have reasonable debate on private Bills, and that's how this one has come forward. If you want to know how the support of the caucus is, if you'd just refer to the vote that was held at second reading, which is the principle of the Bill, the intent of the Bill, it was unanimous consent of the House. That is of course, then, of both sides.

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

MRS. ABDURAHMAN: Thank you, Mr. Chairman. I certainly rise to speak in support of the amendments, but I do have some concerns as well, like my colleague for Edmonton-Rutherford. This Bill is certainly long overdue.

When I'm looking at the amendments, particularly (b), "in clause (b) by striking out "individual" and substituting "adult," I once again find this disappointing inasmuch as we're just dealing with adults. I would submit that in certain instances there may be indeed adolescents or someone whom you would not define as an adult that may need the type of Protection for Persons in Care Act. So I find that very limiting. I think that indeed we can see different levels of care in the same type of institution or home being given to people who would not be necessarily defined as an adult, so I find that restrictive. Quite frankly, I'd like to know:

why did we strike out "individual", because that would have been all encompassing, and move to "adult"?

The other that I have some concern with, and I want to acknowledge that I was pleased that this amendment was clearly defining who the minister was that was responsible under this Act, because too often we see government Bills and legislation coming before this House where really it's wide open and you don't know who the minister is that's responsible. So I certainly commend this amendment being brought forward.

Having said that, I then move on to (e), "'investigator' means," and the question I have to ask the member who brought forward Bill 211 – and I have to commend the Member for Highwood once again for doing that; as I say, this Bill is long overdue – what are indeed the qualifications of an investigator? To me that would be of key importance, that an investigator . . .

THE DEPUTY CHAIRMAN: Hon. member, I regret to interrupt you. However, under Standing Orders the committee must rise and report in order to proceed to the next order of business.

[The Speaker in the Chair]

THE SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain Bill. The committee reports progress on Bill 211. I wish to table copies of all amendments considered by the Committee of the Whole on this day for the official records of the Assembly.

THE SPEAKER: Does the Assembly concur in the report?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? So ordered.

head: Motions Other than Government Motions
3:30

Regional Health Authorities

513. Mr. Sapers moved:

Be it resolved that the Legislative Assembly urge the government to establish a mechanism to provide for the election of regional health authority board members.

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

MR. SAPERS: Thank you, Mr. Speaker. It's my pleasure to rise and move Motion 513, standing on the Order Paper under my name. This motion is a very timely one. It's timely not just because of all of the chaos and concern in health care. It's also timely because it follows the day after municipal elections which were held across this province, municipal elections which of course reflect on the basic belief in democracy that the people of this province have the right to exercise on regular occasions. Of course, it's timely because of the words of the Minister of Municipal Affairs when he rose in this Assembly just a couple of hours ago to congratulate Albertans for participating in the democratic process. His well-written words recognizing the importance of democracy should help guide all members of the Assembly during the debate on this motion, and I assume that the minister himself will be here for the vote and will support Motion 513.

Now, the government may very well stand, Mr. Speaker, and say that Motion 513 is a motion that this Assembly doesn't need and that the people of the province don't need. The government may bring up the fact that they've circulated a so-called discussion document. I think it's called How Do We Choose? That discussion document is asking Albertans for their input, but Albertans have already made it very clear where they stand on this question. Albertans right across the province have written me, have responded to surveys and questionnaires, have written their own letters to the editor, and they're saying that they want elected health authorities. They want democracy in this province. They do not want taxation without representation. They want those health authority members not to be handpicked and then manipulated by the government or the Minister of Health, but in fact they want those authorities to be accountable directly to the communities whom they serve.

Now, the How Do We Choose? consultation is a very weak and thin consultation, Mr. Speaker. There was a very short time line. There were no public open meetings. The booklet itself was not well distributed. In my constituency office I myself had to go to considerable trouble to get extra copies of the booklet and finally was forced to photocopy it to make sure that suitable quantities were available for my own constituents. It's curious to note as well that on the response part of that consultation there wasn't even a place for Albertans to personalize it. They couldn't even say who they were, which I think indicates just really how little concern this government had for talking to ordinary citizens about this very basic part of the democratic process.

Mr. Speaker, the AUMA is about to have its annual meeting, and they will be debating a resolution. It's Resolution A4. Just to give you an example, because the Minister of Health was interrupting debate just a moment ago calling for how many people and from where have we heard from them. So maybe, for the Minister of Health, I can help educate her about the feeling of Albertans about the health care system that she is supposed to be familiar with.

Now, Mr. Speaker, in fact in Coaldale, in Cold Lake, in Didsbury, in Fort Macleod, in Fort Saskatchewan, in Grand Centre, just to name a few areas of this province, there have been calls for the election of regional health authority members. Let me read a couple of the whereas clauses from the motion that's about to be debated by the AUMA. It says:

Whereas the Regional Health Authorities Act, provides for members of the Regional Health Authority to be appointed or elected in accordance with the regulations; and

Whereas all other municipal requisitioning organizations have their members elected, or appointed from an elected body, and the Regional Health Authority has the authority to requisition municipalities; . . . and

Whereas it is not reasonable to allow appointed members of Regional Health Boards to adversely affect the welfare and interest of the municipality through requisitions, without being directly responsible for those actions to the electorate;

Now therefore be it resolved that the Alberta Urban Municipalities Association request the Government of Alberta, and specifically the Minister of Health, to ensure that members of Regional Health Authorities are elected in accordance with the regulations.

Clearly this is an idea that has broad support throughout the province. It is a part of the Act itself. The government must have anticipated at least the potential of democracy when it comes to health care reform, because it is included in the government's own legislation. The challenge really is to develop a mechanism that meets the needs of all Albertans, a mechanism to make sure

that democratic principles continue to be enshrined in the governance of this province.

I think it's clear with the debate around health care that a big part of the governance of this province has to do with the stewardship of health and health resources. I can think of no other issue which has attracted the attention and the concern and has created the anger and the frustration in recent memory as much as the mishandling of the health care reform, Mr. Speaker. One way to deal with that frustration and that concern and that anger would surely be to have democratically elected health authorities.

There are many, many members on this side who feel as passionately about this issue as I do, and it is unfortunate that we only have such a limited amount of time to debate this motion, Mr. Speaker. I will conclude my remarks, knowing full well that the full 60 minutes will be taken up by others, by simply saying that it is the right thing to do. It is an essential thing to do, and it really does behoove this government and all of its members to support this motion and address the concerns of Albertans and ensure that democracy maintains its place in the governance of health care in this province.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to speak to this motion. I would like to point out that the hon. member has just stated that this is an important matter for all Albertans, and I couldn't agree more. This is a matter that this government has put a great deal of emphasis on. As a matter of fact, the member referred to the consultation that is currently under way. That is a serious consultation, and I am going to get in a little bit about some of the process that is under way with that consultation. But I must point out to the hon. member that this is a consultation that is under way as we speak. As a result, I feel that the motion before the Assembly today is premature. This motion does not recognize the fact that there is a public consultation taking place right now.

Let me talk a little bit about the process, about the consultation, about the How Do We Choose? discussion paper. This discussion paper talks about the selection process for RHA board members. There are a number of alternatives that are proposed within the discussion paper, one of which of course is election. There are also processes within the discussion paper that involve various forms of appointment. In fact, we also in the discussion paper have described a process of partially elected, partially appointed boards. It's a very open process. In fact, 15,000 discussion papers were printed, and we made it very clear from the beginning that if more copies were required, they would be made available.

This process began on July 20 of this year. Five MLAs are heading up the committee that is going through the consultation process.

SOME HON. MEMBERS: All Tories.

MR. RENNER: Well, the last I heard, hon. members, Tories have as good a hearing as Liberals. I think that members on this side are quite able to listen to what Albertans have to say. [interjection] As a matter of fact, hon. member, I think that perhaps members on this side tend to have a little better hearing. We don't have the selective hearing that we see on the other side of the House.

The hon. member pointed out in his speech: all Albertans support election. Well, hon. member, I'm here to tell you that they don't. I've been listening to them. Many do, and I don't deny that. Many do, but many do not. That's exactly the process we're going through right now. The process involves a questionnaire, that the member referred to, a questionnaire in the discussion paper. We've had a good response on people sending that questionnaire back to our committee. We are just now in the process of going through the information from that questionnaire. More importantly, the committee invited Albertans to sit down, think about what is in the discussion paper, and send their thoughts not only in the form of the questionnaire. We received a number of well thought out, fully extended letters in conjunction with the questionnaire.

3:40

In addition, the committee has met with a number of the key stakeholder groups in this process, not the least of which is the AUMA, which the member referred to. It's interesting that the AUMA in their presentation to our committee in fact supported some form of appointment. They made that recommendation with respect to the process of the regional health authorities. They did, however, point out to us that the requisitioning powers that the boards have right now are a cause for concern, and that's certainly something that the committee is going to have to take into consideration when we prepare our final report to the minister.

The process has also dealt with various other stakeholder groups. We have met with municipal representatives. We have met with health care providers. We have met with the unions involved in the providing of health care. So we have had a broad basis to listen to Albertans. Quite frankly, the process is simply not complete. It is a complicated process. It is a difficult decision to make, and it's not easily decided, as the member quite correctly pointed out, in an hour of discussion in the Legislature. This is something that five MLAs are going to have to spend a good deal of time discussing the pros and cons.

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

THE SPEAKER: The hon. member is rising on a point of order.

Point of Order Questioning a Member

MR. GERMAIN: Thank you, sir. I wondered if under *Beauchesne* 482 the hon. member would entertain a question.

MR. RENNER: I'd be happy to entertain a question.

THE SPEAKER: The hon. Member for Fort McMurray.

Debate Continued

MR. GERMAIN: Thank you, sir. About this committee that has good hearing and about this committee that's going to work hard: can you tell me whether the committee members, in the spirit of helping balance the province's books, have waived taking committee fees?

MR. RENNER: I thought it was going to be a hard question. You know the matter came up earlier in discussion period, and I heard reference to committee fees. For the information of all

members on the opposite side of the House, there are no committee fees.

Mr. Speaker, the point is that we have made a strong, concerted effort to consult with Albertans on this issue, and as a result, as I mentioned earlier, a motion of this kind, specifying one of four alternatives that we have outlined in the discussion paper, is not appropriate. For that reason, I would at this time like to propose an amendment to the motion. I have copies that I would ask be circulated. The amendment reads that Motion 513 be amended by adding “, recognizing the results of the public consultation in progress” after “board members”. So the motion will now read:

Be it resolved that the Legislative Assembly urge the government to establish a mechanism to provide for the election of regional health authority board members, recognizing the results of the public consultation in progress.

Mr. Speaker, I want to emphasize that the committee that is currently listening to Albertans has not ruled out election. Neither has the committee ruled out appointment, nor has the committee ruled out a combination of election and appointment. The committee has made a point right from the very beginning of not letting any bias on the part of the committee members come through in our discussions. We have made it very clear that we want to listen to what Albertans have to say. By passing a motion such as the one we had before us until I brought forward this amendment, we would really be curtailing the ability of that committee to go through a fair and open process. That's why I'm asking members to support an amendment to this motion that clearly recognizes that there is a consultation process under way and that Albertans are being listened to.

We're not saying that there may or may not be an election at the end of the process. We're saying that we are going through a consultation, and we are hearing in that consultation from Albertans that say yes, they should be elected. We're hearing from Albertans that are saying no, they shouldn't be elected, and we're also hearing from Albertans that are saying that it should be a combination. So at this point for this Legislature to predetermine the outcome of that consultation is inappropriate, and that's why I'm asking members to support my amendment that recognizes the consultations that are currently under way.

With that, Mr. Speaker, I would like to ask any other members to speak to the amendment. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Glenora on the amendment.

MR. SAPERS: Thank you, Mr. Speaker. On the amendment. Only a Conservative government under the current Premier would so openly and blatantly confuse consultation with propaganda. The *How Do We Choose?* book and the *How Do We Choose?* so-called consultation is the thinnest of all gruel. It is an absolute insult to Albertans to say that they are being invited to participate in an open consultation, that the Member for Medicine Hat was just referring to.

Now, *How Do We Choose?* sets up four options, and if you go through the questionnaire, you are steered, almost as though there was an invisible hand of the Premier guiding your pen, to a predetermined conclusion. It's not the conclusion that Albertans want. It's not the conclusion that even many of the health authorities want, and it's not the conclusion that all of the people who have been phoning in to open-line shows and writing letters to the editors want. It's only the conclusion that the Minister of Health and her business partners in cabinet want. It is the conclusion that will allow this government not to have a sharing

of power when it comes to reorganizing health care, but it will allow this government to still maintain central control over that reorganization. It is a conclusion that will continue to limit input. It is a conclusion that will continue to be antidemocratic. It's a conclusion, Mr. Speaker, that'll continue the process of taxation without representation.

Now, the hon. Member for Medicine Hat wants to amend this motion because he says that if we were to pass the motion in its original form, we would somehow be saying that we weren't willing to listen to Albertans. Members on this side of the House already have. We already know it's the right thing to do. We've already heard what it is that people in the province want. Now, if the government needs a hearing aid, maybe the Minister of Health ought to have amended that community rehabilitation program and not this motion and put more funding into speech therapy and audiology, because maybe that's the only way government members would get their hearing improved on this topic.

Now, the election of regional health authorities is fundamental to the restructuring of health care. The election of regional health authorities is one way that this government can save face when it comes to the chaos that's been created in health care. Electing regional health authorities will guarantee that Albertans will have a continuing voice, and for the government to pretend through this phony consultation that any other conclusion is a valid conclusion I think does a disservice to this Assembly and to the people of the province.

I can't support this amendment, and I would urge that no member of this Assembly support this amendment.

3:50

THE SPEAKER: The hon. Member for Bow Valley on the amendment.

DR. OBERG: Thank you, Mr. Speaker. It's certainly a pleasure to rise and speak to this amendment as it is a very important issue, as the previous member alluded to, for the people of Alberta.

A couple of things. First of all, election is the basic building block of democracy in whatever society it is, and as an elected official I believe strongly in the concept of election. I also believe strongly in the concept of letting the people speak, letting them hear, letting them make the decision, letting them participate in government, and that is what I feel this questionnaire does. Equally I feel that it gives the people the chance to have input into direct government policy on the future selection of RHA members.

The previous speaker basically stated that we were controlling the agenda, leading to an obvious outcome. Mr. Speaker, if I may, the first question on the questionnaire – how effective do you think each alternative is? – I don't see any leading question there. The second part of that, “providing an efficient selection process,” what we're asking is: are each of the alternatives efficient? Like, we're a government that does not want to waste the money. Is this an efficient process for future members of the RHA? That's all that it is saying.

The next part, “involving residents in each region,” obviously by stating this, we feel that it is a desirable principle to involve the residents of each RHA in the selection of the regional health authority members. Again a basic principle of democracy. Democracy is a basic, fundamental right in this society.

“Providing for appropriate accountability.” Mr. Speaker, I do apologize for this. That is a leading question because we are

asking for accountability, and I guess therefore, you know, we must apologize for that.

THE SPEAKER: The hon. member is rising on a point of order?

**Point of Order
Questioning a Member**

MRS. ABDURAHMAN: Yes. Under *Beauchesne* 333 would the member receive a question from me, please, Mr. Speaker?

DR. OBERG: I'd love to.

Debate Continued

MRS. ABDURAHMAN: Following on your points you've raised on democracy and the role of this House, could you explain to Albertans why there are only government members on this committee that's seeking the opinions of Albertans?

THE SPEAKER: The hon. Member for Bow Valley.

DR. OBERG: Thank you, Mr. Speaker. The process of setting government policy falls to government members and consequently . . .

THE SPEAKER: The hon. member has another one?

MRS. ABDURAHMAN: I would like a further question, Mr. Speaker. Following on your partial answer, are you suggesting to this House that all Legislatures and Houses of Parliament follow this practice that you're suggesting?

DR. OBERG: When I stated that government policy is set by government members, what I meant is that this is a very important aspect of government policy. There is input for nongovernment members in the form of representation to this committee. Mr. Speaker, if I may, I'm in no way insinuating that this is what is done elsewhere in the world, because quite frankly I don't have that knowledge. It comes down to a basic philosophy that I have. I'm more concerned about what comes out the other end of the process for the people involved, for the constituents of Bow Valley, rather than how it is. I would ask the hon. member across the way to judge what the MLAs do rather than judge it at this unfinished phase. I have in no way seen that this committee is going to recommend anything but election, and that is all this amendment is saying. They are saying: "Listen to Albertans. Let us have the chance of formulating what they say and put it forward." I do not have a problem with election. I do not have a problem with that at all.

If I may go on, Mr. Speaker, the next point that I was saying is, "Providing a balance of expertise, skills and geographical representation." I'd like to comment on the last part of that, which is geographical representation. In my constituency and in my RHA the boundaries run from somewhere west of Bassano to the Saskatchewan border. It takes approximately four to five hours to travel from one end of the constituency to the other. In my constituency between 75 and 80 percent of the population is in one centre. So what is the best way to represent the concerns of the people in Empress, Alberta? The population in Empress, Alberta, is somewhere between a hundred and 200 people. If you went on a pure rep by population, a rep by vote, these people are not going to have a voice.

The concerns of health care in Bassano, Alberta, where they are having a problem keeping their doctor there, Mr. Speaker – they are having a problem keeping their doctors there. Are those concerns going to be dealt with? I think that it is my job as an MLA, as a representative of those people to ensure that they have a voice into the RHA.

MR. DALLA-LONGA: Point of order.

THE SPEAKER: The hon. Member for Calgary-West on a point of order.

**Point of Order
Questioning a Member**

MR. DALLA-LONGA: Mr. Speaker, I was wondering if the hon. Member for Bow Valley would entertain a question.

DR. OBERG: Certainly.

Debate Continued

MR. DALLA-LONGA: Mr. Speaker, I'd like to ask the hon. member if he would reconfirm that members on these committees don't take fees.

DR. OBERG: I assume, Mr. Speaker, that he is referring to the committee that is set up, if I may ask for a clarification, to review the process for selecting future RHA members.

MR. DALLA-LONGA: I'll clarify it, Mr. Speaker. The hon. Member for Medicine Hat said that members of the government standing committees don't take fees.

DR. OBERG: Mr. Speaker, earlier on today we were accused of not being able to hear, but I think that the hon. Member for Medicine Hat said nothing about the standing committees. What he was talking about was this committee. In direct answer to the question, I do receive a salary for being the chair of the standing policy committee on health. That is something that you can read everywhere. The five MLAs that sit on this selection committee do not take their committee fees. They do not receive any benefits for doing this. They are doing it because they consider it their job to represent the people of Alberta, to represent their views on future selection of the RHA members, and it's a very important job.

Mr. Speaker, if I may continue with my original speech.

THE SPEAKER: Please do.

DR. OBERG: The second part of the questionnaire, which again supposedly is leading questions and leading to an end, as the previous member stated, is, "What do you see as the major strengths or problems for your region for each of the alternatives?" Mr. Speaker, we are recognizing that each region in Alberta is different. I just gave you the geographic distribution in my region, and that's an awful lot different than a constituency in Calgary, than a constituency in Edmonton, than a constituency in Slave Lake. By asking purely and simply "What are the pros and cons of each type of selection process?" we are asking for the ultimate form of input, namely knowledgeable input. We are asking for their opinions on this, and we plan to look at these.

4:00

The third point. You know, despite the fact that we've been supposedly leading to a solution, this is where we want to end up in the long run. Mr. Speaker, the third question: is there anything else you want to suggest? Please describe. That is about as open as you can be. If they have a better alternative than the ones that are described here, write it down and the hon. Member for Medicine Hat and his committee will certainly look at that.

Question four is: about your preferred solution do you have any suggestions that would aid in implementation? Do you have the secret that would help this? Is it the ward system? Is it rep by population on elections? Is it geographic appointment? Is it appointment by profession? These are some of the questions that are allowed for in point four.

Number five, Mr. Speaker – and again I guess you could call this a leading question – “Do you have any additional comments?”

Mr. Speaker, we've left the opportunity open for the people of Alberta to speak. I agree with some of the points that the hon. member across the way has made about elections. I think that election is a critical component of any democracy. I think it is a very good way to allow the RHAs to become ultimately accountable, and as he stated, there was a very good example of this yesterday where there were people who won and lost elections. They won and lost them not necessarily on what their own personal views were, not necessarily on whether they're a nice guy, but they won and lost on how they represented their constituents. I think that certainly is something that's extremely important in the election process.

I realize that when this motion was put forward the committee chaired by the hon. Member for Medicine Hat had not yet been announced, and I recognize that it is more a matter of timing at this point, that it came up when the committee is deliberating. I realize that if it came forward three or four weeks from now, the motion may be an extremely moot point in that it may have been decided and it may have been decided to this effect. But I stand here in support of this amendment because I really do feel that we do have to listen to Albertans, that it would be extremely wrong of us to prejudge the outcome of the consultation that has occurred over the summer, and therefore, Mr. Speaker, I would urge everyone in the Assembly to support the amendment.

Thank you.

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

DR. NICOL: Thank you, Mr. Speaker. I stand to speak both to the amendment and the implications that it has on the original motion. The idea of delaying or incorporating the consultation results into the motion I feel doesn't really jeopardize the spirit of the motion. It really basically enforces my confidence in my constituents in Lethbridge. They continue to call my office. They continue to talk to me about the importance of elected representation on the regional authorities.

In response to the Minister of Health's comments a few minutes ago requesting a feel for how the constituencies are responding, we've been keeping track of them in our office. I don't know the exact number, but we get probably 10 or 12 calls a week concerning the regional health authorities, and we ask each of these people what their preference would be. It's running in our office well over 50 percent who want a solely elected health authority. There are a number of them that actually are asking for some appointment to represent the very issues that the Member for Bow Valley brought up in terms of small communities. But there are

no callers that I can recollect at this point – but I would be willing to check the notes in our office – that want a solely appointed regional health authority. They want representation. They want the ability to have a say in who is on that committee. I think this falls back to the idea that people believe that if you appoint someone to represent an interest on a board or an authority, then that person speaks solely to that special interest group's mandate. But if people are elected in a region, say the Chinook region in southwestern Alberta, to look out for the overall well-being of all the residents of that area, they'll do it.

Mr. Speaker, I spoke with a number of the people who were appointed to the regional health authority in the Chinook area just after they were appointed, in the couple of months following that. I asked them specifically what they saw as their mandate, and I believe we were very fortunate in the Chinook region in the sense that every one of the people that I spoke to said that their mandate was the entire region. It wasn't the community they were appointed from; it wasn't the group they came representing. It was their mandate to deal with the entire region, and I believe that if we allow people to be elected with the mandate that they represent the entire region, in our case in southern Alberta the Chinook region, they will respond in a way that they can give us the best health care for the entire region.

Mr. Speaker, we talk about expression of the interest of the people. I would like to just comment on an action that occurred yesterday in connection with the municipal election in the city of Lethbridge. We had a medical doctor, Dr. Barbara Lacey, who was running for the city council. She was previously employed in the public health service in the city, and she decided to continue her service to the public and offered her name to stand for council. Dr. Lacey topped the vote list in Lethbridge by a significant margin, and when the analysts were trying to decide why a newcomer would top the list of votes in the city of Lethbridge for alderman – and by the way, Mr. Speaker, these analysts were people who had previously served on city council and had been involved in political analysis. There was one professor from the university. So they were informed as to what causes people to vote the way they do. Their comment was that the reason Dr. Lacey got such a high response and such a large number of votes was that the people saw her as a medical doctor and this was one way they had of expressing their opinion, that by voting for her, they could vote for someone who could speak on their behalf in connection with health care, even though she will be serving on the city council.

THE SPEAKER: The hon. Member for Bow Valley is rising on a point of order?

Point of Order Questioning a Member

DR. OBERG: Yes. Thank you, Mr. Speaker. Under *Beauchesne* I was wondering if the hon. member would entertain a question.

DR. NICOL: Yes, Mr. Speaker.

THE SPEAKER: The hon. Member for Bow Valley.

Debate Continued

DR. OBERG: Thank you, Mr. Speaker. Just very briefly. I had an experience very similar to Dr. Lacey's in that I ran for the school board in Brooks prior to any restructuring that was taking place, and I was just wondering if the hon. member across knew

the results of that election as a first-time member going into politics.

DR. NICOL: Mr. Speaker, obviously he won.

What I was trying to point out was that this was a mechanism that the people of Lethbridge used to express their desire to elect somebody that knew health care to speak on their behalf. I think it's important we make sure that the debate continues on the election of health care authorities, and I would suggest that if this is going to help to bring support for a motion supporting election, we should support this amendment. Those inputs are coming, and I feel very confident that my constituents are going to provide input there that will call for an elected regional health authority.

Thank you.

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

MR. AMERY: Thank you, Mr. Speaker. It's a pleasure for me to rise and speak to the amendment on this motion. I would say that to instate a process for electing the future RHA members without looking at all possible options for selecting board members would be simply jumping the gun. The approach of the member across the way seems to be a little hasty, which is why the motion would be improved by the amendment made by the hon. Member for Medicine Hat. To make any decision on this question, we must include the findings of the public consultation now taking place on the issue of how to choose future RHA members. As members of the implementation team appointed by the Minister of Health to recommend a process for the future selection of RHA members we have been very busy talking to a lot of people all across this province, people who have knowledge and experience in this area and people who have a lot of different ideas about how to select our future RHA members.

4:10

The election of board members, as proposed in Motion 513, is certainly an idea with merit, but there are also other alternatives that deserve consideration before a final decision is made. The current RHA members have been appointed by the Minister of Health. There are those who believe that this is the best way to continue to select the board members.

There are different ways to structure an appointment process, and in our discussions we have been looking at two possible methods. One method is to have possible appointees chosen through a nomination process by municipal councils, community health councils, and by application. The other method is to have regional selection committees including members of the public, health care providers, and municipal government representatives recommending possible members. Appointing members is a fairly inexpensive process, Mr. Speaker. It also ensures that people who meet the qualifications get the job and that people from different areas and with different backgrounds and skills can be chosen. Disadvantages of the appointment process would be the lack of direct accountability to the residents of the region, as they would not have a direct say in the selection of the members, and the fact that the appointment process is open to accusations of patronage.

The election process is an alternative that gives people a direct say in how they wish their health authority to be run, and it makes the members who are elected directly accountable to the voters. But the election process is not a simple one. Before elections could be held, we would have to determine how to balance representations and whether regions should be divided into

electoral wards, and we need to take into account that elections have certain costs involved.

The other alternative that the implementation team is looking at is having a combination of both elected and appointed members. This is the decision that has been reached by other provinces, Mr. Speaker. Saskatchewan created 29 health districts in 1992, and the first elections for those board members will be on October 25. Their board members will be made up of eight elected and four appointed members.

This is just a brief discussion of the possibilities, but you can see that there are a number of things that need to be considered before making a final decision on how our future RHA board members should be selected. To make a decision today, before the results of the consultation on this issue could be determined, would be an insult to all of the people who have participated in the public consultation process. The government recognizes the importance of the decision of how future RHA members should be selected. Because of this, we are taking the time that is needed to carefully weigh all the possibilities and to consult with Albertans and the stakeholders directly involved in health care and health care decisions. It would be imprudent, Mr. Speaker, and reckless to do anything else. This is why we must support Motion 513 as amended.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I'd like to speak against the amendment and in support of the original motion as it was framed. I'd like to cast my remarks in the context of citizen participation, in public policy-making. I think that government committees, even if they contain the best of individuals, cannot be used as a substitute, or a proxy, for citizen input, citizen electoral input, and to pretend that they can is to fool ourselves. There's a vast difference between appearing before a government committee as a stakeholder invited to share your views and going to the poll and casting your ballot in the confines of a polling booth.

I think that the amendment points to the kind of confusion that reigns in government ranks and their inability to distinguish the roles between citizens and appointed committees and boards. The amendment clearly gives the appointed committees a filter through which public opinion is going to be strained, and it certainly can't claim, then, to speak for all Albertans and anything they recommend. I think there's a giving and a withholding of consent that these committees exercise that's inappropriate, and this amendment would only reinforce that. The naming and the framing of the public agenda is too important to be left to a committee, a select committee, any kind of a committee, no matter how well they try to carry out their job.

I'd like to just dwell a few minutes on the whole business of public policy-making and what this amendment would do to that and what it sets aside, because public policy-making is the core of citizenship. Citizens in a democracy must be involved actively and integrally in public policy-making. They must be involved in the debate on that public policy. A committee touring the province can't claim that they have the kind of input into a debate as important as this one is on health care and election and consideration of individuals who are serving on regional health boards.

You can ask why citizens have to be involved on a broader scale rather than at a select committee. Well, first of all, they respond to our needs to make decisions. In this case the decisions

are extremely important. What resources shall we marshal for the health care system, and who should decide which resources, and how much of our resource base shall be allocated for health care? Where and when should we act? On what issues should we act? What about home care? What about ambulance service? What about acute care? A wide variety of Albertans have some fairly strong feelings on these issues, and I doubt if all of them will be the ones who will appear at these committee meetings.

There's a need for sustainable public policies that committees, again no matter how good their intentions, aren't able to lay claim to, our basic values: what do we as people believe in in terms of our lifestyle, in terms of the kind of health system that we would like, what are our priorities? Again, we don't need a committee that filters those priorities for us. Those are the kinds of things that are best determined in an election of those board members. And, again, what kind of a life do we want for our province and for those that come after us?

There's a third reason, and that's the need to hear from a variety of perspectives, some different perspectives from all walks of life, not from selected stakeholders who are invited to appear in front, again, of an appointed committee but from everyone, as I said, from all walks of life and from all political stripes. There's a selection that goes on when committees invite representation whether we like it or not, and often that selection of who appears is based on people's political beliefs or their economic circumstances.

Fourthly, there's a need to create the political will to act. I think that again is best done through elected individuals, an election, that the sense of commitment to a system is built slowly, it's built over time. That happens during an election, and that kind of commitment doesn't come out of, again, public consultations. There has to be a sense of ownership for solutions, and of course if there is one thing that's happened with all the kinds of public consultations that have happened, the roundtables that have happened and I'm sure that are going to follow this, it's that there is no public ownership of what's happening in the health system. There's a lot of complaining. There's a lot of worrying, and the only one that's claiming ownership for the solutions at this point is the government, and that's not good enough in a democracy.

What we called for is active, not passive, participation, and that is done through elections. I go back again to the health roundtables. They are no substitute. Those roundtables have been dismissed by many Albertans as being anything but consultative. So I would argue, Mr. Speaker, that this amendment be defeated.

4:20

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

DR. L. TAYLOR: Thank you, Mr. Speaker. I wasn't going to address this issue initially, but I will because I think it's important in terms of some of the comments I've heard. I can honestly say that when this was first discussed, I was totally in favour of one hundred percent electing the boards, and I can say that I made my comments known publicly in my constituency.

MRS. FORSYTH: No. Really?

DR. L. TAYLOR: Yes, I really did.

AN HON. MEMBER: What a shock.

DR. L. TAYLOR: What a shock, yeah. I really learned very quickly that not all my constituents agreed with me, quite frankly, Mr. Speaker.

AN HON. MEMBER: So do you talk to them about abortions?

DR. L. TAYLOR: Yeah. I do actually, and they agree with me there.

One of the concerns that I think we have is somewhat of a slight difference between the urban attitude and the rural attitude. When we hear from members on the other side, I think they're mostly talking about an urban attitude of election, election, election. It becomes more difficult in the rural area, Mr. Speaker, and I think that is what we're hearing from this committee going out. You know, the committee is hearing, not as one of the members earlier suggested, that not everybody wants all the members elected. So we have the people on the other side, the Liberals, saying that they want them elected in the interest of public consultation, yet they don't want to wait till the public consultation is done and hear what the public consultation says. It seems contradictory to me, but that certainly isn't surprising, I suppose. It comes down to the old adage: Liberals don't care what you do as long as you make it mandatory. That's what they're asking here. They want a mandatory rule put in, not listening to what the people want, and what we're saying is that we want to listen. In going back to my own experience again . . .

MR. DALLA-LONGA: What's the Tory adage?

THE SPEAKER: Order.

DR. L. TAYLOR: Thank you, Mr. Speaker.

Going back to my own experience, as I said, I was originally in favour of electing these boards a hundred percent of the time. I had a gentleman from Bow Island come and talk to me. In my constituency I only have one hospital directly. I also represent part of Medicine Hat which, of course, has Medicine Hat general in it, but it's not part of my constituency. So he came to me and he said: "How are we going to get anybody elected in Bow Island to be on the regional board which the Medicine Hat hospital serves? How are people in Empress going to get anybody elected? How are people in Etzikom going to get anybody elected to this regional board? The population is just too small." We are facing this issue, Mr. Speaker, right across rural Alberta, where we have a small population but huge distances. These people need to be served as much as any urban Albertan does, these people need to be represented as much as any urban Albertan does, and you cannot do that if you simply go to a straight election process. So that's what I'm saying.

We're seeing the difference between an urban and a rural mentality to a certain extent on this viewpoint, and I feel I must stand here and say that the rural people need to be represented on these boards, the rural people need to have opportunity for input, and I can assure you that they'd do a good job. They're concerned about health care.

Now, we did have the suggestion from the other side – and I just made a few notes here as the members were speaking – that elected board members will be more concerned about the issues of health care than appointed board members. Well, to that I say: absolute rubbish. My members, the members in the Palliser region, are extremely concerned about the issues of health care. They have dedicated hours and hours of their time trying to solve the problems we face in the southern Alberta region. I'm sure they have been at literally hundreds of meetings solving these problems and meeting with people. They go out and meet with people in the various communities. They are concerned about the

issues of health care. Just because you're elected doesn't make you any more or less concerned about a health care issue.

We have on these regional boards people who are concerned. These people care about health care. These people care about the people that live around them. To suggest that they don't I think does an extreme disservice to people who have committed a lot of time, people who are working hard to make this health care regionalization work. I can assure you they are working hard, and I would not want to do those members any disservice by suggesting they are less responsive, less responsible than elected members would be, as the people opposite. In fact, I would like to stand here on record and congratulate those hardworking members, particularly of the Palliser board, that have committed these hours and hours trying to make a system work in spite of very difficult circumstances. I think the members on the opposite side should appreciate the work that these members have done, rather than cutting them down and saying that they're not concerned, elected boards will be better, elected members will be more concerned than they would. I really, really have to take exception to those comments.

The one other problem I would see that was raised to me by some of my constituents regarding strictly electing boards was: if you have an election, do you elect all the board members at one time? Now, we have these committed people sitting on boards. All of a sudden you've got a new board that perhaps none of the appointed members are elected to, and you get a situation where the new board really doesn't know what's happened, doesn't know what the past is, doesn't know the direction of the regional board, and you quite frankly, Mr. Speaker, end up with a horrible mess. This area is much too critical to allow that to happen. So I guess what I'm saying is that we need to listen to what Albertans say, in spite of what the members opposite say, we need to consult Albertans, and we need to wait and pass this amendment and then take a look at it once we hear from Albertans.

Can I call for the question at this point?

THE SPEAKER: That depends on the will of the Assembly. Hon. members, at 4:30 time will elapse. [interjections] Order please. Could the Chair just ask for the will of the Assembly? At 4:30 the time will elapse for this measure, and that will leave one minute. Does the Assembly wish to divide on this amendment now and deal with this question? [interjections] No.

The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. What I have to say will not take much time.

DR. L. TAYLOR: As usual it doesn't make much sense.

MR. VAN BINSBERGEN: But it will take a lot of time if the Member for Cypress-Medicine Hat keeps butting in.

Anyway, Mr. Speaker, in speaking to the amendment, which has not always been done, I would like to say to members opposite that there is a flaw in their reasoning. The person who sponsored this amendment, who is the chairman of the committee that he's trying to put into the spotlight so to speak, wants us to hold off on our motion until we have recognized, he says, the results of his committee's efforts. I don't quite understand the word "recognized."

THE SPEAKER: Order please. The Chair regrets having to interrupt the hon. member, but the clock now indicates that

pursuant to Standing Orders we must now move to the next order of business, it being 4:30.

head: Government Motions

4:30

MR. DINNING: Mr. Speaker, I have a certain message from the administrator which I now transmit to you.

THE SERGEANT-AT-ARMS: Order!

THE SPEAKER: The administrator transmits supplementary estimates of certain sums required for the service of the province for the 12 months ending March 31, 1996, and recommends the same to the Legislative Assembly.

Please be seated.

23. Mr. Dinning moved:

Be it resolved that the messages of His Honour the Honourable the Lieutenant Governor, the 1995-96 supplementary supply estimates, and all matters connected therewith be referred to the Committee of Supply.

[Motion carried]

24. Mr. Dinning moved:

Be it resolved that pursuant to Standing Order 58(6) the number of days the Committee of Supply will be called to consider the 1995-96 supplementary supply estimates shall be two days.

[Motion carried]

head: Government Bills and Orders
head: Committee of the Whole

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the committee to order. Hon. members, if we could remind ourselves of the normal convention of having only one member standing and speaking at one time, as opposed to the seven who are now standing. Hon. members, could we carry on the discussions outside the Chamber, if they need to be going.

Bill 43

Willmore Wilderness Park Amendment Act, 1995

THE CHAIRMAN: To begin this afternoon's discussions, questions, and amendments we'll call upon the Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Chairman. It gives me a great deal of pleasure to make a few comments on the Willmore Wilderness Park Amendment Act, 1995, before this committee. As we talked about in second reading, really what this amendment to the Act does is put into legislation the restriction on development in the Willmore wilderness park that has been a matter of policy for a number of years.

As we go through each section, it clearly indicates that "no person may be granted, in respect of land within the Park, a disposition under the Public Lands Act." I heard some comments about the land being up for grazing, a question in second reading. Clearly that could not occur. A timber disposition: a similar situation. There was concern that maybe there could be some

harvesting of timber. That's not the case. Once again, minerals and mines: the same thing applies. The only area where we are going to continue to have a disposition, if you want to call it that, would be in the area of a trapline, and certainly that should not cause a problem.

Also, of course, the idea of being able to ride horses in the park is a current practice, and that will continue. The ability to guide and have trail rides in the park will continue too. Certainly that's been going on for a number of years and has not had any negative impact on the park, so we will continue that. There has to be some mechanism that people have to enjoy that great area and its natural beauty.

There was some concern expressed about the ability for the Lieutenant Governor in Council to make regulations. Well, Mr. Chairman, if we read what it says, it says, "to carry out the purposes for which this Act is enacted." If we go back to the Act and read the purpose of the Act, it says that

the Park is dedicated to the use of the people of Alberta for their benefit, education and enjoyment, subject to this Act and the regulations, and shall, by the management, conservation and protection of its natural resources and by the preservation of its natural beauty, be maintained for the enjoyment of future generations.

So the only kinds of regulations that may be passed with respect to this Act by the Lieutenant Governor in Council are those that would fulfill the purpose: to maintain it "for the enjoyment of future generations." So I think that clearly demonstrates that the whole intent is to protect the park for future generations.

I imagine there will be a few other questions, so I will look forward to those questions, and hopefully we can answer them posthaste.

THE CHAIRMAN: Okay.

The hon. Member for West Yellowhead.

MR. VAN BINSBERGEN: Thank you, Mr. Chairman. I should start off by saying that I am rather unaccustomed to heaping praise on a member on the front bench of the other side, so I hope he will take this in the right spirit. Nevertheless, as Willmore wilderness park is situated in my riding, I must start off by saying that I'm very pleased that the minister has seen fit to come out with this piece of legislation. It is almost – I'm saying almost – wholeheartedly endorsed by all and sundry in the area. I've talked with sundry, and there were a few reservations.

Now, Mr. Chairman, first I want to say that everybody's very pleased, because it is now clear that this park has been set aside for people to enjoy in its natural state, and I think that's very important. It is now out of danger of any future developments – commercial developments, that is, mineral developments and so on – and I think that's important too. As I've said, I'm not accustomed to heaping lavish praise upon members opposite, so I will stop doing it from here on. I think I've pretty well exhausted myself, but I want it to be clear that it's a good piece of legislation. However, I would like to state a few items about which there is a bit of concern and that might be perhaps taken care of in future legislation.

4:40

The one item that some of my constituents were worried about was the use of off-road vehicles. Very little is being said about this, and the question is: in the future will the only vehicles that are going to be allowed in the park still be limited to snowmobiles for trappers? That is really the question. It doesn't say that that

is the case, so perhaps the minister could allay our fears on that one. I think in general there was some concern that the regulations regarding off-road vehicles have not been transferred from the Forests Act, where they rest right now to my knowledge, and placed with the Willmore Wilderness Park Act. That's really the whole concern, I think.

Another item that caused some concern was the disposition that is granted to the Crown for the control of insects and forest disease. There is a segment of the population that feels that perhaps it could be argued that only natural processes should take place in a wilderness area, so you should not be going around trying to use all kinds of sprays.

That's essentially it, Mr. Chairman. If the minister can devote a few words to that and perhaps indicate his intentions in the future, then I will just rest my case and once again state that we're very pleased to see that.

Thank you very much.

THE CHAIRMAN: Does the minister wish to respond now, or would you prefer to take it at the end or whatever?

MR. LUND: Mr. Chairman, I would just as soon hear all of the comments and then answer the questions at the end.

THE CHAIRMAN: Okay.

The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you very much, Mr. Chairman. It's a pleasure to participate in the debate in Committee of the Whole on Bill 43, the Willmore Wilderness Park Amendment Act. The minister has heard my comments of congratulations for the introduction of the Willmore Wilderness Park Amendment Act, for entrenching in legislation the prohibitions for industrial activities within the confines and the parameters of Willmore wilderness park. He has heard me say – and I'm happy to repeat – that this is a progressive step. The minister, I think, in taking this step recognizes the significance and the importance of dealing with the unique areas of Alberta that need protection in the form of legislative protection. We have for many areas of the province designated protected areas by way of policy. I think there is inherent wisdom on the part of the minister in seeing fit to entrench this particular piece of Alberta in legislation in terms of the prohibition to industrial encroachment, and we certainly look forward to the same approach and the same model being taken for other areas of Alberta. I'll just go through some of the particular sections, as the minister knows, not too many concerns or difficulties but a few things to put on the record to seek a response from the minister.

I would start by commenting that the Willmore Wilderness Park Amendment Act essentially starts with changes to the legislation at section 4 and unfortunately, I would suggest, doesn't start at section 2. Section 2 of the Act allows the Lieutenant Governor in Council to either increase or decrease the size of this particular park. Now, that's a two-edged sword. If the Lieutenant Governor in Council chooses to increase the size of the park, we would certainly want to realize an understanding as to why that is and also conversely, if there was to be a decrease in the area of the park. I think members on this side of the House, Mr. Chairman, would agree that those kinds of decisions perhaps ought not be left to the Lieutenant Governor in Council and should perhaps be incorporated into the legislation in the schedule. The schedule of the boundaries of the park do come to the Legislative Assembly

of Alberta as part of the legislation, and a change to that, rather than leaving it to the Lieutenant Governor in Council to change, perhaps ought to come in the form of an amendment back to the Legislative Assembly of Alberta to debate the merits of either an increase or decrease in the size of the park.

I did want to make those comments to the minister and hope he will take those comments to heart, as to the importance of giving that responsibility to the Legislative Assembly rather than to the Lieutenant Governor in Council. Mr. Chairman, I'm going to assume that at this point in time the minister has no intention of either increasing or decreasing the size of Willmore wilderness park. I don't know if I'm putting the minister on the spot to respond to that particular question, but perhaps if he could just give us a confirmation that indeed there are no plans in regards to any powers or authority the Lieutenant Governor in Council has with respect to section 2(2) of the Willmore Wilderness Park Act.

Mr. Chairman, I will move through to section 5(2), and this in regards to some of the comments the minister has already made with respect to the ability of the Crown to continue to grant registered fur management licences under the Wildlife Act. As I understand it – and perhaps the minister can elaborate on this point – there are fur management licences for the area of Willmore wilderness park, that there are some traplines in the area at this point in time, and this particular provision of the Act does not then preclude or take away the trapline licences that have already been granted to individuals who have those. The disposition of a registered fur management licence occurs in the regulations to the Wildlife Act, and again perhaps the minister can correct me. I don't believe that regulation 50/87 has been amended in terms of the registered fur management licences, but I'm not sure because I haven't checked all of the recent amendments to the regulation.

The concern with this section is the wording after the word “and.” What I'm looking for from the minister is some clarification. It says that the Crown can continue to grant registered fur management licences – and that's fine – “and any dispositions to assist in trapping,” and I'm not exactly certain, Mr. Chairman, what the extent of “any dispositions to assist in trapping” is, what the extent of those words is. For example, I understand it's fairly common practice for trappers to erect cabins along their trapline, but I'm not aware if there are any regulations as to the size, the location, the number, those kinds of specific guidelines as to what trappers are entitled to do under their registered fur management licence as granted by the Crown. It would be important, I think, under this Act to gain from the minister an understanding of the extent to which that will be possible within the context of the registered fur management licence. Now, I'm not suggesting that it has to change vis-à-vis Willmore park, but obviously I'm concerned that the holder of one of those licences doesn't simply use the licence in a recreational purpose for building an extensive cabin along the trapline.

Now, in the context of that question, Mr. Chairman, I would also state that under the existing regulations the minister has the ability to revoke the registered fur management licence if the minister does not have the opinion that the harvesting is taking place as the minister would want the harvesting to take place. So there is provision, there's an opportunity for the minister to step in and revoke the privilege of the fur management licence if the trapper is not harvesting, if it's apparent that they're simply using it as a recreational tool rather than an actual subsistence tool for assisting in or using it as his or her sole livelihood. So the minister does have the ability, but I was uncertain as to what the words “any dispositions to assist in trapping” related to. I may

have captured the essence of that; I'm not sure if I have. Perhaps the minister can give us some certainty and some clarity on what that is going to allow in Willmore wilderness park.

4:50

Mr. Chairman, I'll continue on with the provisions of section 6, and these relate to the regulations that the Lieutenant Governor in Council can pass with respect to the park. Now, my understanding – and I'll ask the minister for some clarification on this – is that the forest land use and management regulation that now exists under the authority of the Forests Act will become in that form the regulation under the Willmore Wilderness Park Act so that, as I understand it, the text of the forest land use and management regulation will form a regulation under section 6 for Willmore wilderness park.

Now, the Member for West Yellowhead made some reference to the fact that it's being transferred from one to the other, but I'm not sure that that's the correct answer. I think the forest land use and management regulation will remain as a ministerial regulation under the Forests Act, but the text of the forest land use and management regulation will become a regulation passed by the Lieutenant Governor in Council under the Willmore Wilderness Park Act. So we'll see the same words, but the forest land use and management regulation will remain under the Forests Act, and the same words will form a regulation under the Willmore Wilderness Park Amendment Act. Now, that's my understanding. I may be mistaken, Mr. Chairman, but I'd like the minister to comment as to whether or not the Forests Act will no longer have this regulation and it all transfers to the Willmore Wilderness Park Act or whether just the text of that regulation will form a regulation.

Now, the reason that I think that's the situation is because my understanding is that the forest land use and management regulation under the Forests Act is a ministerial regulation. Section 6 of the Willmore Act is a regulation to be passed by the Lieutenant Governor in Council. So again, as I understand it, that will be the process that occurs upon passage of Bill 43. We will see regulations that do regulate things like what are contained in the Act: access and operation of off-highway vehicles and motor vehicles within the park, prohibition for specific periods of time in terms of entry, operation of off-highway vehicles or motor vehicles or land or aircraft within the boundaries of the park. Wording that exists in that regulation now will form the basis of the wording that will exist in the Willmore Wilderness Park Act.

Now, Mr. Chairman, I would like to ask the minister for some fairly clear assurances and commitment on this, because as is often the case with legislation in the House we understand what the regulations are going to be but we do not as Members of the Legislative Assembly have the benefit of the review of the regulations by the Standing Committee on Law and Regulations. We understand that some of the concerns are going to be addressed, are going to be taken care of in the form of regulation as it relates to access, as it relates to off-highway vehicles, the question raised by West Yellowhead about snowmobiles or all-terrain vehicles, those kinds of things. We will assume that the government and the minister will address those concerns in the regulations, but we will not have the regulations at this point in time before we pass the Bill. So I'm looking for some certainty and some clarity and a commitment from the minister that those regulations will indeed form part of the legislation, the whole legislative package, as to how Willmore wilderness park will be conserved and managed ultimately in terms of those issues.

Mr. Chairman, I think those are all the questions I have with respect to the specific sections of the Willmore Wilderness Park Amendment Act. There are only six sections. I certainly agree with section 5, the only question being on subsection (2)(a), and then with respect to the regulations that the Lieutenant Governor in Council may pass, if we have some understanding of what those regulations are going to be.

With that, Mr. Chairman, those are my comments to the minister. I look forward to his responses, and I'll allow other members to make comments and ask questions.

THE CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I listened to the minister indicate and clarify the exact use of the park as far as the traplines and trail rides are concerned. I intended to follow up on the Member for West Yellowhead's comments in regards to ATVs. The Member for Sherwood Park has articulated and put that question very clearly, so I won't belabour the point.

I did want to go back to one point that the hon. Member for Sherwood Park mentioned, and that was section 2 of the Act whereby the boundaries were not included. In reading the Act, it appears that there is provision or potential to change those particular boundaries. Now, I believe the Member for Sherwood Park asked the minister for a commitment that that wouldn't happen. I will put it in different terms. I would ask the minister why they would not be included in the Act to ensure that in fact the sincerity that has been advanced in the Assembly here will be captured to its maximum.

Now, my concern with that, Mr. Chairman, and why I emphasize and restate that is that we heard of the Stelfox report, that indicated we have some concern with lumber availability. With that in the back of my mind, certainly I would like to think that the pressure that may arise as a result of maybe perhaps overallocation of FMAs or timber allocation may put pressure on the park. So that really is how I would put my question to the minister: why not include those particular boundaries in the Act? I think it would provide a strong level of comfort to one and all if they were there. If there was that pressure coming from the forest industry or the mining industry, it would end up back in this Chamber for discussion, and I think that would be very desirable.

So with those brief comments, Mr. Chairman, I will await the minister's response.

THE CHAIRMAN: The hon. Minister of Environmental Protection.

MR. LUND: Thanks, Mr. Chairman. West Yellowhead asked about the off-road vehicles. Well, in fact the only vehicles that will be allowed will be snowmobiles for the trappers. Of course, they cannot use them for pleasure. They have to be used only for whatever is necessary in continuing to exercise their rights under the disposition of a trapline.

He also questioned about fire. Well, I think he specifically mentioned pests, as opposed to fire, but I think it's important that we really put this in context. The area to the north and east primarily is a very, very important timber resource. Since he mentioned pests, we'll talk briefly about pests. You could very well have an infestation of pests there. They don't know the boundary, and they won't stay just within the park. It's often much cheaper and easier to snuff out an infestation if you get at

it when it's small. If we said, "No, you can't do any kind of control within the park," then as soon as it spreads and gets out of the park, we've got a major problem on our hands. The same thing applies to fire. Why would we let a fire go in and totally destroy the park when in fact we could very easily put it out if we get there in short notice? As a matter of fact, I was up there this last early summer and saw in two places – now, I'm not sure if they were exactly right in the park or not – where there had been a fire, and it was contained to just a very small area. So as far as I can see, it would make absolutely no sense to allow these pests or fire to move outside the area. So we will be having the ability to control those if they do occur within the park.

5:00

Sherwood Park and Leduc both commented on clause 2, the size of the park and what's currently in the Act and why we're not doing anything with this. I really didn't see any need to do anything with it. We have no intentions of decreasing the size of the park. I mean, why would I take this sort of thing forward if in fact we were going to then turn around and decrease the size? So that's the simple reason we did not touch that one.

The disposition under 2(b). The hon. Member for Sherwood Park talked about dispositions other than the trapline, and you were right. The idea of a cabin – and they can only use that as a supplement to their use of the trapline. If in fact it is used for any other reason – pleasure or taking other people in there and staying in the cabin – we have the ability to remove it and as a matter of fact are in the process of doing that with one in an entirely different area. In the green area, as you know, they have that ability.

As far as the regulations are concerned, yes, the forest management regulations will be the basis for these, but you've got to look at 6(b). It says with respect to the park: "make regulations considered necessary to carry out the purposes . . ." So any regulation under the Forests Act, the Public Lands Act, or the Wildlife Act will have to meet the test that in fact it's a regulation that is necessary to carry out the purposes of the Act. I read into the record the purpose of the Act as it was established back in 1960 or '59, whichever it was. So, Mr. Chairman, I think that pretty well covers the questions that were asked.

THE CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. Just a couple of supplementary questions from the responses from the minister, which are appreciated.

The minister did state that the only off-road vehicles that will be allowed in the park are going to be snowmobiles. They will only be allowed to be used in conjunction with the trapline and won't be used for other purposes, for example recreation. I'm wondering, though, if again the minister could be a bit more specific as to where or how that's going to be incorporated into the regulations.

I guess the other question I have for the minister is that in our discussions with the minister's department to prepare for debate and to prepare for the anticipation of Bill 43 being tabled, the forest land use and management regulations were identified by his department as being the regulations that will be the Willmore wilderness regulations. So again, just a commitment or a clarification from the minister: will the forest land use and management regulations, in the context of "regulations considered necessary to carry out the purposes for which this Act is enacted" – that's subsection (b) – be essentially the same, subject to those

kinds of changes that would have to be made? Is this where that provision for snowmobile use only will be included? Those are my supplementary questions to the minister.

MR. LUND: It's my understanding that the use of snowmobiles wouldn't be found within the regulations of forest management. They would be a stand-alone, a separate regulation that would permit that use only. So I hope that is satisfactory to the hon. member.

MR. KIRKLAND: One quick question or clarification here. I appreciate the minister's frankness when he speaks about not intending to increase or decrease, but history will show us that that park boundary has changed to accommodate some activity in the past. When we look at some of the activity that occurred with the Dinosaur provincial park to accommodate gas exploration and the likes of that, that's the concern. That's why we're looking for a commitment at this point to see the boundaries enshrined within the legislation, and then it comes back here for a sound discussion if there are to be changes. I wonder if we could receive such a commitment.

MR. LUND: Well, Mr. Chairman, it's terribly unfortunate that the hon. member would drag in a situation that they misinterpreted, because in fact Dinosaur provincial park increased in size, not decreased. So with that, I would call for the question.

THE CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. Just for purposes of clarification with the minister. I think that the ability for the use of snowmobiles on the traplines – as I understand the regulatory provisions that are contained at this point in the forest land use and management regulations, there is provision for off-highway vehicles, and that is a term that is defined in the Off-highway Vehicle Act. There is a provision in the regulation that says that no person shall operate an off-highway vehicle or a motor vehicle on any land described in the appendix without the permission of the minister.

Now, I think that would be a blanket prohibition for the operation of off-highway vehicles, but the minister will have the ability and the authority to grant permission for the operation of an off-highway vehicle under that particular regulation so that, for example, he could say, "Well, I'm exempting snowmobiles from that regulation, from that prohibition, but I'm only doing it for purposes of use on the trapline and not for recreational purposes."

There is another provision that exists in this particular regulation, Mr. Chairman, that says that the director may give written permission to any person to use an off-highway vehicle or a motor vehicle or land an aircraft within the area of the park in connection with a use not set out in subsection 1. Now, what subsection 1 deals with is if there is an emergency, if it's in relation to forest fires, those kinds of things. So beyond the parameters of that, the director does have the ability to grant that permission.

So again my understanding is that these kinds of regulations will give the minister the necessary authority that he needs if this is the regulation that will become the text for the regulation for the Willmore Wilderness Park Act. I don't think it would necessarily have to be stand-alone, as the minister suggested it might. I think if these were the regulations, we'd be able to work around that and deal with that. So, again, just from the minister, if that's his intention under those regulations.

MR. LUND: Mr. Chairman, it is our intent, and we will, in whichever way is deemed to be the most effective . . . That's the way that we will accomplish what 6(b) clearly states. So with that I will move that we call for the question.

THE CHAIRMAN: We have for our consideration, then, Bill 43, Willmore Wilderness Park Amendment Act, 1995.

[The clauses of Bill 43 agreed to]

[Title and preamble agreed to]

THE CHAIRMAN: Shall the Bill be reported?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

5:10

Bill 44

**International Trade and Investment
Agreements Implementation Act**

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

MR. DECORE: Thank you, sir. Mr. Chairman, I want to alert the Minister of Justice and the minister responsible for FIGA to the serious provisions of this Bill. I'd like them to stand in this Assembly today or tomorrow and explain to Albertans how Albertans could possibly accept the concept that laws that are passed in this Assembly simply be overlooked, that we close our eyes and close our ears to laws that have taken a long time to be debated and put into position in this Legislature.

I want to start by drawing the government's attention to some interesting issues that I think arise in this Act. If you look at section 1 of the Act, it defines an international trade and investment agreement. It says that it could be "related to trade in goods or services." Now, I think you could set up an example where some way, somehow in an international agreement relating to NAFTA to buy blue jeans, they decide to include as an offset to the arrangement some sort of provision that says that architects that are located in the United States could somehow sign documents in Alberta. In other words, they could put their seal to documents in Alberta. Now, that would fly in the face of the rules and regulations in the laws of the province Alberta, because those rules and regulations say that nothing can be built in this province, nothing can be constructed in the city of Edmonton unless an architect puts a seal to the document. Suddenly we have a situation, because we're dealing with services and there's give and take, that this is done away with.

We could have a provision, we could have an example where veterinarians – now, I choose this example with some care, because I know that there are people who are veterinarians, some who would talk of lawyers, that, you know, there could be lawyers in Mexico that could get some special arrangements in Alberta. I use, then, as the example a veterinarian who exists in Mexico who hasn't got quite the education or the training that would be acceptable under the rules and provisions and laws of the province of Alberta, but because of some international trade arrangement that again may be an offset, some kind of a quid pro quo, we suddenly have a situation where veterinarians don't have to be licensed to get out into the fields and do the things that veterinarians usually do.

We can go on and on and talk about accountants and doctors and all sorts of services that could be provided. This Act says: "Gosh, if there's an agreement that Alberta accepts through either ministerial order or order in council, we can forget about any inconsistency with that international agreement as it relates to Alberta laws. We can forget about it." We'll close our eyes, we'll put our hands over our ears, and we'll wait for the Lieutenant Governor in Council to come forward with a regulation that says: "Forget about this. Don't deal with this. You don't have to worry about this. We just fixed it in the back room."

I know that the hon. Treasurer is the kind of fellow that would like to do those sorts of things, but I don't think that's what Albertans want, hon. Treasurer. They want a government that has members of the Assembly that adhere to the laws and regulations of this Assembly as they're passed in this Assembly. This Bill in the whole of section 5 says: "You know, forget about it. Close your eyes and close your ears, and in the back room we're going to set out a regulation that's going to deal with the inconsistencies, and you're not going to have to worry about that for two years."

Well, Mr. Chairman, I don't think this is the kind of legislation that Albertans will accept. I've been attempting to do some research at the federal level and other Legislatures in Canada, and I can't find any precedent for this kind of legislation, legislation that would say that by regulation we can whitewash, that we can make Albertans close their eyes and their ears to existing legislation. Nowhere can I find that in Canada. There are situations in Canada where regulations are looked at and debated before laws are passed and inconsistencies are worked out, provision for that, but this Assembly has consistently declined the use of the Law and Regulations Standing Committee.

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

**Point of Order
Questioning a Member**

MR. DAY: No. It's according to *Beauchesne* merely to see if the Member for Edmonton-Glengarry would entertain a question.

MR. DECORE: Yes, indeed.

THE CHAIRMAN: The hon. Member for Edmonton-Glengarry has indicated that the hon. Government House Leader may ask a question.

Debate Continued

MR. DAY: Is the member aware, when referring to that regulation-making section in the Act, that that only applies when there are inconsistencies to be found and that that is specifically limited? It's written so that it limits the Legislature's ability or cabinet's ability or the government's ability to regulate; i.e., by saying that that regulation will only stand in place until an enactment replaces it or indeed a two-year time span. Is he aware that that is a limiting provision?

MR. DECORE: Mr. Chairman, in fact I am aware of this, but what's wrong and improper at the outset isn't made better or isn't made right by having some time frame put on it that says: we'll get around to dealing with it in due course. That's not my idea of the principle of law that governs Albertans or the principle of law that relates to this Assembly.

This is something that should be taken seriously, Mr. Chairman. We as legislators pass laws that we live by, that we're ruled by, that we are governed by. We do this with great concern, and we don't allow a situation to arise where the hon. House leader, sitting with a group of other individuals, the Lieutenant Governor in Council, can use a wand and say: gosh, for the next two years don't worry about this inconsistency with the laws that pertain to doctors or veterinarians or accountants or people involved in business or whatever. Time doesn't make this right. This is wrong from the outset, and it should be treated as wrong from the outset and should be dealt with as wrong from the outset. That's why I ask the lawyers on the other side, the minister responsible for FIGA and the Justice minister, to stand up and tell this Assembly as lawyers that this sort of provision is the right way to do it. I submit that it's not. I submit that they wouldn't stand and say that.

Mr. Chairman, the Liberal opposition cannot accept this kind of legislation and will not accept this kind of legislation.

My last comment, because I think we've said it all. I've said it all with respect to part 2, particularly sections 5(1) and (2). I want to make a comment about section 6 in part 2. I'd like the sponsor, I'd like the Minister of Justice, the Attorney General, or the minister responsible for FIGA to stand up and say: these are the reasons why Albertans should be curtailed from their right to take action against something that's wrong, something that has offended them in terms of law that they're entitled to otherwise go to the courts and get redress for, why they must go to the Minister of Justice and get his permission to bring an action. If I get an explanation that satisfies me, I'll accede to that, but I haven't heard it yet.

Mr. Chairman, I'll end on that basis. We cannot support this legislation in the form it presently exists.

5:20

MR. GERMAIN: Last week here in debate the hon. Minister of Labour referred to my comments in this House in this manner and in this tone of voice. He said: "I have to say, in a dismal and disjointed and disappointed diatribe whose paranoia was only exceeded by its abysmal ignorance." That is how the Minister of Labour referred to my comments in this House, Mr. Speaker, at which time I was trying to urge all Members of this Legislative Assembly to look at part 2 of this Bill in detail, to consider part 2 of this Bill as requiring major legislative revision, and I urged all members to put aside partisan politics and deal with the supremacy of this Legislative Assembly.

What that got me, Mr. Speaker, was a comment from the minister that I do not respect the Legislative Assembly. I want to again say that I considered the minister's comments all weekend to see if there was anything wrong in my thought process or in my analysis of this legislation as being inappropriate and requiring amendment. I must say that after the entire weekend I stand by my assessment that it requires amendment, and I urge all members to adopt that view.

On that, Mr. Speaker, I make a motion to adjourn debate.

THE CHAIRMAN: We have a motion to adjourn debate. The hon. Member for Fort McMurray has moved that the committee do now adjourn debate. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no. Carried.

MR. DAY: Mr. Chairman, I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the Chair]

THE DEPUTY SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain Bills. The committee reports Bill 43. The committee reports progress on Bill 44. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Speaker. Given the hour I would now move that we call it 5:30 and that when we reconvene at 8 o'clock, we do so as Committee of Supply to consider the supplementary estimates of the government.

THE DEPUTY SPEAKER: The hon. Deputy Government House Leader has moved that we do now adjourn and that when we meet this evening at 8 p.m., we do so in Committee of Supply. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no. Carried.

[The Assembly adjourned at 5:25 p.m.]

