

## Legislative Assembly of Alberta

**Title:** Tuesday, March 5, 1996 1:30 p.m.  
**Date:** 96/03/05  
 [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.

Please be seated.

head: **Reading and Receiving Petitions**

MR. VAN BINSBERGEN: Mr. Speaker, I request that the petition I presented recently now be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government to uphold the five basic principles upon which Medicare was built: Accessibility, Universality, Portability, Comprehensiveness, and Public Administration.

head: **Notices of Motions**

MR. DAY: 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 158, 160, 161, 162, and 163.

I also give notice that tomorrow I'll move that motions for returns stand and retain their places with the exception of 171.

head: **Tabling Returns and Reports**

THE SPEAKER: The hon. the Premier. A tabling?

MR. KLEIN: My apologies, Mr. Speaker. If I had something to table, I don't have it.

THE SPEAKER: Okay. Thank you.

The hon. Member for Edmonton-Highlands-Beverly.

MS HANSON: Thank you, Mr. Speaker. I would like to table four copies of the report called Listen to Me. It was produced by the Quality of Life Commission working committee a few days ago.

head: **Introduction of Guests**

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

MR. DOERKSEN: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of this Assembly a young lady from Red Deer seated in the members' gallery. Her name is Cristine Lindhout, and she is here this afternoon to observe the proceedings of the House. We'd ask her to stand and receive the warm welcome of the House.

MR. MITCHELL: Mr. Speaker, I would like to introduce to you a group of 53 students from Ormsby school in the riding of Edmonton-McClung. They are accompanied today by Mrs. Linda

Vanjoff and Ms Donna Yoder, and I would ask that they stand in the gallery and receive the welcome of the Legislative Assembly.

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

MR. HENRY: Thank you very much, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly a longtime friend who is formerly from the Red Deer area and now living in southern Alberta. Edna Allwright was the chief executive officer of the Red Deer health unit board when I was on the home care management committee there many years ago. She is currently a volunteer in a number of organizations and is heading up the Alberta committee for Canada Day celebrations this year. She's in the public gallery, if she could rise and receive the warm welcome.

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

MR. SEKULIC: Thank you, Mr. Speaker. It is my pleasure to introduce a group of special guests from the Northeast Edmonton Christian school located in Edmonton-Manning. Just last Thursday morning I visited the school and answered a barrage of excellent questions from these bright young guests. Today visiting their Assembly and my workplace are 24 students accompanied by teacher Mr. Gurnett, parents and helpers Mrs. Spronk, Mrs. VandenBorn, Mr. Steenbergen, and Mr. Velthuizen. They are seated in the members' gallery, and I would ask that they now rise and receive the traditional warm welcome of the Assembly.

MR. N. TAYLOR: M. le Président, c'est mon plaisir de vous présenter 37 étudiants de l'école G.H. Primeau de Morinville. Ils sont accompagnés par Christina Heit, Rolande Vallée, Michelle Martin Lavoie and parents Bonnie Brochu and Deb Charrois. [interjections] You can only get so far. I'd ask them to stand and receive the very warm welcome of the Legislative Assembly.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to introduce to you and through you to Members of the Assembly two special guests in the members' gallery. Firstly, a businesswoman and community volunteer from the city of Grande Prairie, who, incidentally, is married to the Member for Grande Prairie-Wapiti. I'd like to introduce Myrna Jacques. With her this afternoon is Mr. Austin Cook, grandson of the Member for Grande Prairie-Wapiti and Mrs. Jacques, who took the afternoon off to observe the workings of the Legislature this afternoon. I'd ask that they both rise and receive the warm reception of the members.

head: **Oral Question Period**

### Regional Health Authorities

MR. MITCHELL: Mr. Speaker, if I can get the Premier's attention here.

MR. KLEIN: Yes. I'm all ears.

MR. MITCHELL: Good. Nice to see him snap to attention like that, Mr. Speaker.

This government . . . [interjection] Would you let me ask this question that I started?

Mr. Speaker, this government has been preaching to Albertans that they must get their financial house in order. I wish the same advice was being followed from the pulpit. Yesterday it was revealed that the Capital health authority, desperate to balance its budget, was going to use funds allotted to deal with its surgical backlog to pay off last year's deficit. To the Premier: is this what the government means by getting its financial house in order: passing the problems on to regional health authorities, whose only option is to cancel surgeries, cut services, and lay off workers critical to quality health care?

MR. KLEIN: Well, the simple answer, Mr. Speaker, is no, but for a more detailed explanation I'll defer to the hon. Minister of Health.

MRS. McCLELLAN: Mr. Speaker, I can tell you that the expectation of this minister and this government is that all of the dollars that have been allocated to the Capital regional health authority for orthopedic surgeries will be going to that purpose. However, in view of the allegations, which, as I said yesterday, I consider serious, I have asked the Capital regional health authority to provide for this minister to provide to the Assembly a detailed breakdown of how those funds will be used. I will provide that breakdown. I will assure this Assembly that \$2.2 million will go for relief of waiting lists in orthopedic surgeries in the Capital region.

MR. MITCHELL: Mr. Speaker, you'd think she'd do that as a matter of course, that it wouldn't have to be raised in the Legislature.

What further cuts to health care are the Capital regional health authority with its \$13 million deficit, Crossroads with its \$1.2 million deficit, and East Central with its \$8 million deficit going to have to make in order to do away with their deficits and balance their budgets? To the Premier.

MR. KLEIN: Mr. Speaker, all the regional health authorities throughout the province have been presented with the challenge of getting their costs under control, and I would suggest that most of these savings will accrue through finding new and better and more effective and more efficient ways of doing things. Many of these savings will come from, really, a reduction in the amount of administration and overlapping and duplication that exists within the various regions.

Perhaps the hon. Minister of Health would care to supplement.

**1:40**

MRS. McCLELLAN: Mr. Speaker, I can only affirm what the Premier has said. We have given the regional health authorities a budget for operation. We have given them a core services document which outlines the health services that we expect to be delivered to the residents of the regions. It is not my practice to check on each regional health authority to make sure they are doing what I directed them to do. If the hon. member thinks that it is appropriate for the minister to follow the region around to make sure they spend \$2.2 million which is earmarked for orthopedic surgeries on that before they've even received the money, so be it. It was the hon. member opposite who raised the question of the integrity of the use of those funds yesterday. I am saying that I will respond to that by tabling in this House a clear statement from the regional health authority as to how those funds are being directed. I expect them to be directed to orthopedic surgery waiting lists.

MR. MITCHELL: How can the Premier say that he has stopped cuts to regional health authorities when the Capital health region still has to cut \$13 million and Crossroads still has to cut \$1.2 million and East Central still has to cut \$8 million in order to meet a balanced budget and meet the financial dictates of this government? The cuts are still going on, Mr. Speaker. Can't the Premier figure that out?

MR. KLEIN: Mr. Speaker, we have to continue with the restructuring that was started. You know, if we don't, we'll fall into the canyon. What we have done is canceled planned cuts of \$53 million for fiscal 1996-1997. In addition to that, some \$54 million has gone back into the system.

### Health Restructuring

MR. MITCHELL: Mr. Speaker, Calgary doctors are actually discovering in the middle of surgery that they don't have the necessary supplies on hand to complete the surgery. They must search high and low across the city to find these supplies, sometimes improvise while their patients are unconscious or cut open on the operating table.

AN HON. MEMBER: It's just a communications problem.

MR. MITCHELL: It's just a communications problem, Mr. Speaker. Can the Premier tell Albertans why the health care system is now operating as though it were in a war zone? This is Alberta 1996, not Korea 1954.

MR. KLEIN: Mr. Speaker, the health care system is not and doctors are not operating in a war zone. If the hon. leader of the Liberal opposition will refer to me the evidence that he has regarding a specific case or cases, I'd be glad to have that information reviewed by the minister.

MR. MITCHELL: Mr. Speaker, in light of the \$68 million that this government has put into after-the-fact expenditure, after-the-fact funding for health care this year, will the Premier tell Albertans why he has failed to give regional health authorities sufficient resources to address these serious problems up front before they occur?

MR. KLEIN: Mr. Speaker, as I've said – and I've alluded to the restructuring that is taking place as something akin to a home renovation – yes, you have to take the house apart and then put it back together. I think that we have a house that's going to be a very, very livable and affordable home in the future. It's something that had to be done so that indeed we would have a health care system in the future.

The hon. minister has an ongoing relationship with the chairs of the regional health authorities, meets with the authorities on a consistent and constant basis. Perhaps I'll have her again elaborate relative to the resources provided to the RHAs.

MRS. McCLELLAN: Mr. Speaker, I too would like the hon. member to produce the information and the documentation. I would be very surprised that this occurred, if indeed it did. I'm also surprised – I've also had an ongoing relationship of discussing issues in Calgary with the chair of their physician liaison council, and I would think that that gentleman would feel quite free to call the minister if he felt things were not operating in the way they should in that region.

Mr. Speaker, the regional health authorities in this province have undertaken a very tremendously large project of restructuring how we deliver health services. I have been waiting for some constructive, helpful information from the opposition. I've said consistently that health and health care services cross all partisan political lines and that we in this House should all be working together to make sure that we have a health system that is effective, that is of the highest quality, that is responsive to people, and that meets the needs of our citizens into the next century.

Mr. Speaker, there are many, many positive things that have happened in our regions. To bring one incident that may or not have happened before this Legislature and suggest that surgeons in our hospitals are driving around the city looking for supplies in the middle of a surgery – I believe he should either put that information in front of us or not say it. One of the problems we've had with restructuring health is the amount of innuendo, rumour, and lack of fact in some of these issues.

MR. MITCHELL: Mr. Speaker, pediatric nurses in Edmonton are buying their own diapers, going out of the hospital and buying diapers.

What does it take for this Premier to realize that because of his cut first and ask questions later approach, the health care system has lost its margin of error, and lives, not dollars, are now at stake?

MR. KLEIN: Mr. Speaker, I simply have to refute those statements. They are simply not true. You know, in this province thousands of people each and every day access the health care system. They go into hospitals. They go into clinics. They see health care practitioners, and they come out as well people. You know, if they would concentrate more over there on what is right about the system rather than what is wrong, I think we would all be better off.

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

#### Deputy Minister of Health

MR. SAPERS: Thank you, Mr. Speaker. Jim Dixon, the Public Service Commissioner, is a civil servant who reports directly to the Premier as he's the minister responsible for the personnel administration office. Now Mr. Dixon has been given the onerous task of investigating the serious allegations surrounding Jane Fulton and reporting back to the Premier. What will make Mr. Dixon's job a lot easier is that of course Jane Fulton is no stranger to Mr. Dixon. My questions are to the Premier. How can the Premier justify asking Mr. Dixon to investigate the concerns regarding Jane Fulton when Dixon himself was part of the selection process that led to hiring Jane Fulton as deputy minister?

MR. KLEIN: Well, Mr. Speaker, clearly, it's within the responsibility of the Public Service Commissioner to do this kind of review. Yes, he does sit on panels to assist in the selection of candidates, but he also has the responsibility to review and deal with all personnel matters. This is clearly a personnel matter.

1:50

THE SPEAKER: Supplemental question, hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Speaker. How can the Premier

guarantee the objectivity of Dixon's report and the validity of the outcome given the conflict in his relationship with Fulton and also the fact that he reports directly to the Premier and not to the Legislative Assembly?

MR. KLEIN: Mr. Speaker, this is clearly an administrative matter within a department. It is Mr. Dixon's responsibility to review all matters pertaining to personnel. [interjections]

THE SPEAKER: Order. [interjections] Hon. members, order. [interjections] Order.

Final supplemental, hon. Member for Edmonton-Glenora.

MR. SAPERS: A little thin-skinned this afternoon, Mr. Speaker. Will the Premier refer this whole mess to an independent and legitimate outside party so that Albertans can finally get to the truth?

MR. KLEIN: First of all, I take exception to the word "mess." This is a story that was reported in the Toronto *Globe and Mail*, subsequently followed up by the local media. The allegations contained in those news articles are being reviewed by the Public Service Commissioner. Again, it is his responsibility to review these matters of personnel. This is clearly a personnel matter, Mr. Speaker. The process will be a report through me to the Minister of Health. If there is action that needs to be taken, that then will go to the Executive Council of government, and we will deal with it.

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

#### Tanning Salons

MRS. FRITZ: Thank you, Mr. Speaker. The Canadian *Medical Post* recently reported on a number of studies showing that the use of tanning salons increases the risk of skin cancer, and several leading Alberta dermatologists are calling on the government to ban salons based on those reports. My question today is to the Minister of Health. Has there been an increase in the skin cancer known as melanoma in the province of Alberta?

MRS. McCLELLAN: There has been a definite increase in melanoma over the last several years. However, I would say, Mr. Speaker, that the incidence in Alberta seems to be higher in southern Alberta, which could be the type of activities people carry out, the amount of sunlight that they are subjected to. There has not been anything prior to this report that suggests there's a correlation to tanning salons. What there is a correlation to is the amount of UV rays that a person's skin is subjected to from whatever the source.

THE SPEAKER: Supplemental question.

MRS. FRITZ: Thank you, Mr. Speaker. To the minister: have there been any Alberta studies to determine if there's a link between the increased use of tanning salons and skin cancer?

MRS. McCLELLAN: Mr. Speaker, we have not done any studies to study whether there is a correlation. However, what we have done is looked at the whole issue of tanning salons and tanning beds. We are most interested that public health and safety is observed in those, and we are developing regulations around the operations of tanning beds and tanning salons.

THE SPEAKER: Final supplemental.

MRS. FRITZ: Thank you, Mr. Speaker. To the minister: with the development of regulations, would that include giving public health inspectors the power to close down tanning salons, and if so, under what authority and for what purpose would that power be used?

MRS. McCLELLAN: Mr. Speaker, this authority would be under the Public Health Act, and it would certainly be if there were a breach of the Public Health Act.

Mr. Speaker, it has not been our policy to direct or legislate lifestyle choices. We don't tell people that they can't go tanning at the beach, and we don't tell them that they can't tan at a tanning salon. However, what we do ensure is that the tanning salons do meet health inspections and safety inspections. I think what we should be doing is giving people the knowledge and information about the risks of any type of interface with UV rays and letting them make their choices as to whether they use them.

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

### Social Assistance

MS HANSON: Thank you, Mr. Speaker. Increasing poverty, a growing gap between the rich and the poor, lack of opportunity, powerlessness, increased stress, fear and insecurity, jobs that are scarce, low wages, a social service system that is punishing and rigid, and a government with misplaced priorities where people come last: these desperate and revealing comments on the state of our province were gleaned from Albertans bravely making presentations to the Quality of Life Commission. My questions are to the Minister of Family and Social Services. Will the minister explain why a mother on assistance struggling to create a small business had her chance snatched away when a worker demanded that she either give up the business or assistance just a few months before the business could sustain her? What are the savings being that rigid and keeping someone on assistance?

MR. CARDINAL: Mr. Speaker, of course I cannot answer specific questions on specific clientele in this House. Generally the direction we are going in is to ensure that wherever possible, whenever possible we assist individuals to become independent and self-sufficient. That is why we have reformed the welfare system, specifically that. We have reduced the welfare caseload by 50 percent, put over 35,000 students through various training programs to become self-sufficient and independent. If this one isolated incident is brought to my attention, I'll have a look at it and deal with it accordingly.

THE SPEAKER: Supplemental question.

MS HANSON: Thank you. Mr. Minister, why are you forcing workers not to tell people about the benefits they're entitled to? Haven't you cut enough from your department without resorting to deceitful tactics?

MR. CARDINAL: Mr. Speaker, there is no policy in place in my department that would restrict a worker from identifying what an individual's eligible for. There's absolutely no policy of that nature.

MS HANSON: How are clients supposed to find work when your

department consistently blocks their chances by denying support for suitable clothing, for bus fare, for child care, for telephones? Do you call this being helpful?

MR. CARDINAL: Mr. Speaker, probably more helpful than the Liberals would be, because their policy would be to increase welfare. That is not the answer. That is not what Albertans want. Our policy is to increase support – and we have proof here – for those people that want to become self-sufficient and independent.

MR. N. TAYLOR: Lies.

MR. CARDINAL: All you have to do is go through the report. I ask the member to go through it carefully. It is all documented in there as to what you are eligible for if you want to get back into the workforce or a training program.

THE SPEAKER: The hon. Member for Bow Valley.

### Education Funding

DR. OBERG: Thank you, Mr. Speaker. In the new funding formula for schools there is included a sparsity adjustment that is arrived at by dividing the area of the school jurisdiction by the number of funded students to get a so-called sparsity factor. This works very well and is much appreciated in districts such as Prairie Rose. However, in the Grasslands school division, where over half the students are in a nonrural setting, there are some problems. To the Minister of Education: will you consider amending the sparsity adjustment factor to divide the area of the school jurisdiction by the number of rural funded students rather than having the nonrural numbers bias the formula?

2:00

MR. JONSON: Well, Mr. Speaker, I'd like to first of all indicate that, yes, from year to year we will continue to monitor and to fine-tune the formulas that we operate under in Alberta Education in terms of flowing money to school boards, and in fact during the past year we have made some adjustments in the sparsity and distance formula. I think there have been some improvements there in terms of representation that has been made to us.

The only other comment I would like to make, Mr. Speaker, is that the Grasslands school division, while one of our new regional school divisions, is not unique in the province quite frankly. It has, yes, one major urban centre and some others. It is one of our smaller regional divisions. I would estimate that right now really our current sparsity and distance formula treats them quite fairly, but I am prepared to review it in the future in terms of our overall system.

THE SPEAKER: Supplemental question.

DR. OBERG: Thank you, Mr. Speaker, and thank you, Mr. Minister. To the same minister: the plant operation and maintenance envelope penalizes isolated rural schools that have low attendance relative to the size of the school, so will the minister consent to allowing a sparsity adjustment for this envelope as well?

MR. JONSON: Mr. Speaker, in the development of our current funding system in the province a great deal of work was done by the committee chaired by the Member for Grande Prairie-Wapiti.

It was a contentious issue quite frankly, but I think the balance that was arrived at, where 75 percent of the operations and maintenance formula was driven by enrollment and 25 percent in terms of the areas of the schools that needed to be used – this particular activity came up with, I think, a good formula, which we've had, you know, relative support for across the province.

In the Grasslands school division, I think once again that we should back up and examine the relative merits of that formula. You do have in that school division, Mr. Speaker, a very large urban centre which benefits from the population side of the formula, and then, yes, there's that allowance for those schools that have space and are underutilized.

So I think, first of all, Mr. Speaker, to the hon. member, we should examine the way the current formula is applied and its fairness. At this time, quite frankly I'm not prepared to commit to changing it until I'm shown that it is unfair.

THE SPEAKER: Final supplemental.

DR. OBERG: Thank you, Mr. Speaker. Again to the same minister: will the minister consent to introducing a sparsity component to ECS funding where geographical distances dictate that the classes must be under 20 students?

MR. JONSON: Mr. Speaker, I would be willing to discuss with the hon. member the current regulations as they apply to early childhood services. In that particular program for some considerable period of time there have been allowances in terms of the application of regulations to provide for service in rural areas of the province. Once again I'm quite prepared to sit down with the hon. member and discuss those, but I think some allowances should be recognized that are already there.

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

#### Abuse of Seniors

MR. BENIUK: Thank you, Mr. Speaker. With the increasing number of individuals approaching retirement age, the government's proposal that a 1-800 number be established for use by and on behalf of seniors who are being mentally or physically abused by their caregivers is a very positive initiative. My hope is that the investigations of abuse will extend to all areas where seniors are cared for: their own homes, seniors' lodges, hospitals, and extended care facilities. To the Minister of Justice: as the minister responsible for law enforcement what procedures does the minister intend to put in place to ensure that when the 1-800 number is phoned, a complete, detailed, efficient investigation is immediately carried out, appropriate actions are taken, and the senior is protected from possible reprisals during and after investigations?

SOME HON. MEMBERS: Good question.

MR. EVANS: Well, Mr. Speaker, I've heard that it's a good question, and it is a good question. It also, to me, seems to have some budget implications. I think you're well aware that the budget of the Department of Justice is before the committee tonight, and I would ask for your comments on whether I should be answering the question.

Certainly my preliminary comments, though, before you get to that, sir, are that we do want to have a process that will initiate and take quick action. It requires a very co-ordinated approach

and effective communication between the Department of Justice and police forces throughout this province as well as a co-ordinated effort with health services, family and social services, and those who are dealing with seniors' issues specifically.

MR. BENIUK: To the Minister of Health: considering the vulnerability seniors experience during their stay in hospitals, extended care facilities, et cetera, if the 1-800 number is used, would the minister have investigations within these institutions performed quickly and quietly by external investigators, or will measures be in place such as removing the caregiver from the situation while protecting the seniors from possible reprisals until an internal investigation is completed?

MRS. McCLELLAN: Mr. Speaker, we do have a process in place today for our long-term care facilities. The Health Facilities Review Committee, which is chaired by the Member for Calgary-Egmont, does review today . . .

MR. HENRY: It's a joke, Shirley.

MRS. McCLELLAN: Mr. Speaker, one of the opposition members is suggesting that the Health Facilities Review Committee is not an adequate mechanism. [interjections] However, that committee has a record that stands far better than the hon. member's chattering over there.

For the hon. member, when there is a concern raised by an individual or a family, it is referred directly to that committee or to my office. If they come to my office first, we try first to work with the institution to see if the matter can be cleared up there. Secondly, we would refer it to that committee. I can assure you that that committee is an arm's-length committee. It does report to the minister. It provides an annual report each year. Beyond that, Mr. Speaker, there is a great deal of follow-up with the institution to ensure that whatever the circumstance was, this does not reoccur. So that system is there. I can assure the hon. member that we will follow up any calls that we get through the 1-800 number.

The other thing I want to mention just quickly to the hon. member is that the Provincial Health Council is in place. The first request that we made of that council was to review the appeals mechanisms that we had in this province for health concerns. Through that review they will give us some recommendations as to whether there are some better mechanisms that we could have to respond to those. I am looking forward to that review being completed.

MR. BENIUK: To the Minister of Labour: when professional, semiprofessional, or other employees working with seniors are accused of abuse, what procedures does the minister intend to establish to respect the rights of the workers while still protecting the senior until the investigation is complete?

MR. DAY: Mr. Speaker, there was noise coming from across the way, and I just missed the centre part of that question. Could you repeat it, please?

MR. BENIUK: I'll repeat the question. Mr. Speaker, when professional, semi-professional, or other employees working with seniors are accused of abuse, what procedures does the minister intend to establish to respect the rights of the workers while still protecting the senior until the investigation is complete?

MR. DAY: Mr. Speaker, there are already standards and provisions within occupational health and safety legislation which would actually extend to that. There's been a recent Bill passed in this House, a private member's Bill, the Member for Highwood actually, related directly to the care and also reporting of these types of instances. So there are provisions in place, and they will be carefully followed.

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

## 2:10 Social Policy

MR. SHARIFF: Thank you, Mr. Speaker. A group of Edmonton volunteers organized under the Edmonton Social Planning Council have issued a report titled Listen to Me. I was reading through this report, and I noted the group alleging on page 45 of this report that the social policy in Alberta has the wrong set of priorities. To the Minister of Alberta Family and Social Services: what can the minister tell us about this report?

MR. CARDINAL: Of course, Mr. Speaker, you know, the program that's been in place for social support took about 50 years to develop. It has proven that it hasn't been a very positive program in many areas, and that is why we made changes in this government. It's something that the clients want, it's something that taxpayers can afford, and I think it's something that most Albertans would definitely support.

The report has about 50 pages. It's Listen to Me. It's a number of people who took about two and a half months, I believe, to develop. It covers a lot of areas, but one of the major areas specific to social services is that they're basically requesting us to reverse the decisions that have been made in the last two and a half years completely. Of course we will not do that because the direction we are going has allowed us now to move and concentrate more human and financial resources in the high-needs areas. In fact, in the last two and a half years we managed to move \$178 million . . .

AN HON. MEMBER: How much?

MR. CARDINAL: . . . a hundred and seventy-eight million dollars into high-needs areas. Without reforms we would continue paying young, healthy Albertans not to work, Mr. Speaker, and that is not what we are doing.

This report addresses another area. They do support a balanced budget, Mr. Speaker, but they fail to identify how you would finance the programs. So it's a report . . .

THE SPEAKER: Order. The Chair was rather relaxed with this question. While the Chair has made comments saying that it was not going to allow members to ask ministers to comment on something, that's really what the hon. member has done here. It's not really asking about a government policy.

Supplemental question relating to government policy, hon. member.

MR. SHARIFF: Well, to the minister again: what are the effects of the welfare system on the native people of Alberta? [interjections]

THE SPEAKER: Order. Briefly, hon. minister.

MR. CARDINAL: Mr. Speaker, that issue may be funny to the

Liberals, but it is not a funny issue.

The welfare system and the poverty have been devastating to the native people in Alberta, Mr. Speaker. In the last 40 to 50 years the welfare system was developed to support people, but what it did to aboriginal people in Alberta was create a dependency and trap people in the system. The changes we are making, the reforms we are making reverse that trend, and in fact it's not only . . . [interjections]

THE SPEAKER: Order. [interjections] Order. [interjections] Order.

Hon. minister, quickly please.

MR. CARDINAL: Mr. Speaker, I just want to indicate that is a serious issue. The welfare system has been devastating to native people, not only in Alberta but in Canada. The federal Liberals and all jurisdictions are battling with the same issue: to move people from welfare to become independent either through training or placements in jobs or economic development. That is exactly what we are doing in Alberta.

THE SPEAKER: Final supplemental.

MR. SHARIFF: Thank you, Mr. Speaker. My final supplemental is again to the minister. In the event that the minister was to accept the recommendations made by this report, what would be the cost to the taxpayers of Alberta to implement these recommendations relating to social services?

THE SPEAKER: Order please. This is clearly a hypothetical question.

The hon. Member for Edmonton-Whitemud.

## Treasury Branches

DR. PERCY: Mr. Speaker, every Albertan, every member of this Legislature should be outraged when Larry Ryckman claims that bankruptcy will not cost taxpayers, that the Alberta Treasury Branches will swallow it, that there's no taxpayer loss here. Mr. Ryckman thinks there's a free lunch, and for some people with the Treasury Branches there is. The Treasurer encourages this when he says: well, the ATB is going to earn a profit anyway. The bottom line is that the ATB has an accumulated deficit of \$57 million, and losses on Ryckman or any loan losses for that matter mean smaller profits for the Alberta Treasury Branches, possibly losses. Either way the government's budget surplus or deficit is directly affected. My questions are to the Provincial Treasurer. How can the Treasurer justify Alberta Treasury Branch loans to Norm Green, backstopping the Minnesota North Stars, then the Dallas Stars; to Peter Pocklington, backstopping the Edmonton Oilers; and to Larry Ryckman, the Stampeders, in any way, shape, or form being consistent with the mandate of the Alberta Treasury Branches? For his information I'll table four copies of what the mandate of the Treasury Branches is.

MR. DINNING: Mr. Speaker, I don't get involved in the day-to-day activities of the Alberta Treasury Branches, and I don't get involved in the client relationship between the Treasury Branches and any one of its clients. He's absolutely correct. The Treasury Branches in 1995 made a net income of \$34.8 million. They are on track to eliminate their deficiency by the middle of the next fiscal year. I think the hon. member is right to applaud the good banking efforts of the Treasury Branches because they are in a net

income position. They are not losing money. They are actually contributing to the province's improved bottom line, and I think that speaks well for the Albertans who've placed their trust in the Treasury Branches.

As for the member's desire for me to get involved in the day-to-day banking transactions between any one of its customers and the Treasury Branches, I won't do that, Mr. Speaker.

DR. PERCY: Mr. Speaker, no member of that cabinet allows a deputy minister to run a department, yet he's allowing an acting superintendent to manage \$9 billion.

Will the Treasurer tell this Assembly why the senior management that he has kept in place for the last two-and-a-half years in the Alberta Treasury Branches gave permission to the Treasury Branches to pay Doug Flutie a million dollars a year? The Treasury Branch has paid his salary for two years – that's 2 million bucks – until they started backing off. Why is Alberta Treasury Branch backstopping professional sports and quarterbacks in the province of Alberta under your control?

MR. DINNING: Mr. Speaker, as I understand it, the Treasury Branches filed papers on Friday, and they will be in court, I am told, tomorrow morning to ask that a receiver be appointed for Ryckman Financial Corporation. The receiver, if the court agrees to appoint that, will have to consider the assets and the liabilities of Ryckman Financial Corporation and dispose of the assets in an orderly fashion.

2:20

DR. PERCY: Will the Treasurer make a commitment now in this Legislature that there will be no further funding of commercial sports teams in the province of Alberta by Alberta Treasury Branches? Even if Mother Teresa comes in with a professional softball league, we won't back her. Just give us a commitment now.

MR. DINNING: Mr. Speaker, I gather that Mother Teresa is coming to the Rotary convention, and I'm sure the hon. member would want to raise that with her at that time.

Mr. Speaker, the fact is that at the Auditor General's recommendation, the recommendation of the Financial Review Commission, and the recommendation of the hon. member himself, we have taken steps to put in place a board of directors for Alberta Treasury Branches. The legislation was passed last year, and we expect that we'll be able to pass that order in council sometime in the next few weeks once we've got a chairman in place that will improve the governance structure of Alberta Treasury Branches so that a number of the questions or comments that are raised by the hon. member will be more completely addressed.

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

### Kindergarten Programs

MRS. FORSYTH: Thank you, Mr. Speaker. With the recent announcement of our government reinstating 400 hours of kindergarten, my constituents are requesting a mandated kindergarten program that will ensure that all facilities must follow the curriculum that has been developed by Alberta Education. Scheduled reviews and updates of the curriculum by individuals that are knowledgeable in early childhood learning are guaranteed in a mandated program. Parents and teachers of Calgary-Fish Creek are concerned about the future of this program. My questions today are to the Minister of Education. Will the

minister commit to mandating a kindergarten program?

MR. JONSON: Mr. Speaker, the early childhood services program in this province is provided for, and, yes, we have increased funding under our overall approach to reinvestment to support 400 hours of early childhood services instruction.

In terms of mandating, we get back, I think, to an issue which has been raised at least twice in this Assembly before, about what that means. If it means making it compulsory for all five year olds to attend an early childhood services program, the answer is no. I think that that should be a choice for . . .

MR. N. TAYLOR: "Mandated" and "mandatory": two different words.

MR. JONSON: I'm getting advised from a great expert on the dictionary over here, which I'm not sure is good advice to take, Mr. Speaker.

In any case, I'm trying to be clear about this, and that is that in terms of compulsory attendance for five year olds the answer is no. I do not intend to propose to the government that that be the case.

Secondly, there is another meaning, as I understand it, connected with being mandatory, and that is that the only providers of early childhood services in the province should be school boards. On that question my answer is also no. The history of ECS in this province is that as originally proposed and planned and implemented, it was entirely community-based councils that operated ECS. We still have a significant number of those in the province that I think are providing these services well. Therefore, I think we should be providing these services still using the mixed system that we have.

MRS. FORSYTH: Thank you, Mr. Minister. Parents are concerned that if ECS . . .

AN HON. MEMBER: Question.

MRS. FORSYTH: Is it correct that ECS will be unstructured and unfocused if not mandated?

MR. JONSON: Mr. Speaker, I don't think being mandated has anything to do really with the focus of the ECS program. In fact, Mr. Speaker, one of the issues, if we go back a year or a year and a half, that I as minister had raised with respect to our previous early childhood services program is that it did not have a great deal of specific objectives and direction and meat in it, if you want to refer to it that way. We did bring in a revised program statement which gives some clear objectives and directions for ECS, and that is in place. I think it's been generally very well received, and we are operating on that basis right now. So I think that we have acted on the part of making ECS more meaningful and more objective oriented.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Thank you, Mr. Speaker. To the same minister: has special-needs funding been reduced for preschool children?

MR. JONSON: Well, yes, Mr. Speaker, it was reduced for preschool children, if we take preschool children as being before grade 1, by 50 percent. Quite frankly, it was. We have reinstated that funding amount. If the reference is to students with

special needs and students prior to the age of five years, no. We emphasized way back at the beginning of our budget announcements that we were protecting and maintaining the funding for special-needs students and for those high special-needs students below age five that needed the service and support of our programs. That has been maintained all through this restructuring period.

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

### Physiotherapy

MR. SEKULIC: Thank you, Mr. Speaker. From the Liberals' Health Care We Can Trust, I would like to table five copies of positive and proactive measures for improving access to physiotherapy services. Physiotherapy has been plagued with confusion and inaccessibility since the inception of the community rehabilitation program. Although we are now entering into another year of funding, the future of physiotherapy remains uncertain. Capital health authority physiotherapists have been given just two weeks to create proposals, receive a contract, and organize their clinics to meet patient needs. My questions are to the Minister of Health: how does the minister expect the problems to disappear for physiotherapy service when physiotherapists are given only two weeks to develop business and treatment plans for the upcoming fiscal year?

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

MRS. McCLELLAN: Mr. Speaker, I can have some expectations of this group because they have had about two years plus of planning for this program. I'd like to remind the hon. member that the College of Physical Therapists, the independent association of physiotherapists, and the physiotherapists association of Alberta were part of the task group that developed the community rehab program. I also want to remind the hon. member that the community rehab program is not all about physiotherapy. It is about using a number of therapists for high-needs persons.

There are only four provinces in Canada that fund physiotherapy. Physiotherapy, as the program in Alberta is, is not included under the Canada Health Act. Albertans think it's important. We as a government think it's important. However, we know that we have to target those public dollars to the persons with the highest needs.

We had a task group with all of those groups, Mr. Speaker: the speech therapy people, occupational therapy people, all part of a rehabilitation program. Somehow this whole focus has become physiotherapy focused. We still have a physiotherapy program in a hospital-based program, we still have physiotherapy in our home care program, and we have a community rehab program.

The hon. member wants the answer. The answer is this: the parties can come together, they can sit down, and they can put the needs of the clients first.

THE SPEAKER: Supplemental question.

MR. SEKULIC: Thank you, Mr. Speaker. The minister speaks of some projected plans and some theories. What I'm speaking to is the outcomes and the actual problems.

My second question, Mr. Speaker, is: what plans are in place to deal with the long waiting lists which are now a reality for physiotherapy clinics and those Albertans who so desperately need the service?

2:30

MRS. McCLELLAN: Mr. Speaker, again I have to say: what does the hon. member think they do in the other seven places where they don't have any physiotherapy?

We've made a decision here to target those public dollars to the areas with the highest needs. What we are doing is reviewing the effectiveness of the rating tool, which says that on a scale of one to 15, if you are seven and above, you will be covered by the community rehab program. If you are below that, you will be covered by your private insurance or you will pay out of your own pocket. Mr. Speaker, we have asked to have that rating tool reviewed, to give it a chance to work. That review is occurring. I have asked my department to ensure that that review is completed before the end of March.

I believe that the waiting lists can be solved. However, there's no excuse for waiting lists. The number of dollars that were in physiotherapy before have been transferred to this program. Those dollars are still available. The hospital program is still there; the home care program is still there. However, Mr. Speaker, it just simply isn't available on an entitlement basis. Somehow there seems to be an understanding that we should all be entitled to a certain number of dollars for this whether we need the service or not. I happen to believe the service should go to those who need it.

THE SPEAKER: Final supplemental.

MR. SEKULIC: Thank you, Mr. Speaker. The waiting lists reflect the needs that should be addressed: that's my comment.

When will the minister recognize the problems in physiotherapy access and create one provincial program that follows the same guidelines throughout the 17 health regions in Alberta?

MRS. McCLELLAN: Mr. Speaker, the hon. member brings up a good point. However, it was felt that each region might have some unique circumstances that should allow them some flexibility in developing their program to meet their community needs. If that simply isn't going to work, I suppose we can look at putting some provincial rules in place beyond what we already have, which are the guidelines that say: these are the areas that we will pay for through the public dollars, and these are the areas that we will not.

I repeat: there is no excuse, if this program is managed well, that there are waiting lists for people in the high-needs areas. The same number of dollars were transferred to that program as existed in the program previously. Administration should not take up extra dollars in this area. Simply, all of that money is there. The home care program in fact I believe has been expanded; the hospital program is still there. Mr. Speaker, there's no excuse for these waiting lists. It's simply a matter of these groups sitting down with the management in the regions and putting the patients first and getting on with getting their programs settled.

THE SPEAKER: The time for question period has expired, but before proceeding to Members' Statements, might we revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Stony Plain.



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

MR. WOLOSHYN: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the members of the Legislature 13 visitors from the Alberta Vocational College, the Stony Plain campus. They are here to observe, as we can see, the goings on of the Legislature. They're working on upgrading their education in order to get back into the workforce. They are accompanied by their instructor, Mrs. Agnes Epp. I'd ask them all to rise and receive the warm welcome of the Assembly.

head: **Members' Statements**

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

**Federal Budget**

DR. PERCY: Thank you, Mr. Speaker. Tomorrow Paul Martin delivers the federal budget. This budget is of particular significance for Alberta. Albertans need five things from this budget, and these are items that I think members on this side of the House and I suspect members on the other side as well have pushed for in discussions in Ottawa.

First, a continued commitment to deficit reduction. The 3 percent target will be achieved, but the Finance minister should set out clearly when and how the deficit will become zero and ensure that the focus is on expenditure reduction, not tax increases.

Second, fairness. Transfers under the Canada health and social transfers should be based on equal per capita grants, deal with equalization through the equalization formula, not through federal transfers to core programs. A postsecondary student or hospital patient in Alberta deserves exactly the same fiscal consideration from the federal government as one living in one of the have-not provinces.

Third, any changes to the GST should do the following. Keep the federal rebate for the MASH sector in place and ensure that they pay no more than they did with the manufacturer's sales tax. Second, ensure that there is no increase in the amount of GST or its replacement paid by Albertans. A harmonized tax regime with a higher common rate facing Alberta would be met with opposition by all Albertans. Fourth, move on the generic fiscal regime for the tar sands. It makes good economic sense for the province and will benefit all Canadians. Fifth, Mr. Speaker, make sure that changes to the resource allowance are revenue neutral from the perspective of the industry. Fix the problem, but don't go for a tax grab.

We think that this federal budget can do a lot for the province of Alberta, that the federal government has shown a steady hand on the tiller in terms of eliminating the deficit, but this is what we need for the province of Alberta.

THE SPEAKER: The hon. Member for Little Bow.

**Government Restructuring**

MR. McFARLAND: Thank you, Mr. Speaker. In January 1992 the government of Alberta had 23 departments and ministers along with a complement of caucus committees. Constituents went from office to office within districts or regions to deal with a wide variety of programs. There were pages upon pages of application forms, from agricultural support to interest shielding programs for homeowners. Many communities throughout Alberta had hospitals that operated in name only as active treatment hospitals. In actual fact, their occupancy rates were far from a hundred percent, and if an operation was required, an anesthetist had to be

called in. There were hundreds of hospital and school boards supported by individual administrative support systems. Many Albertans saw this slow-moving, huge government as incapable of changing its mode of operation.

In January and February of 1992 I campaigned to represent the constituents of Little Bow. To go back to my nomination speech is a refreshing reflection, to say the least. What a great feeling of satisfaction it gives me to know that those things I campaigned on – wiser spending, reducing the size of government, eliminating duplicated efforts within a multitude of departments, and reducing paperwork for Albertans – could be achievable in a relatively short period of time.

When I was elected, four years ago today, I wasn't sure that any of these changes could be accomplished. Balanced budgets, downsizing, and duplication weren't fashionable words. All I knew was that I would do my best, try my hardest to influence the government in my own way that it had to change to survive.

There never will be an MLA who can claim to represent a unanimous consensus of a riding, but I represent the majority of the views of our residents. It's with respect that I stand today and am proud to say thank you to the constituents of Little Bow for allowing me this privilege.

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

**Advanced Education Access**

DR. MASSEY: Thank you, Mr. Speaker. In our future in Canada the limits to progress most likely will be determined by the education levels of our citizens; I for one do not want our future to resemble what we now witness in some major U.S. cities where a huge permanent underclass is evolving: those are the words of Ted Newall, the University of Alberta business faculty's Canadian business leader award winner for 1995. Newall advocates what he calls the development of a learning culture and recommended that universities should admit anyone with a reasonable chance of success.

Well, the reality for Alberta postsecondary students today is more a life in a debt culture than a learning culture. Those being encouraged to enter universities are the well-to-do. Tuition at postsecondary schools in the province will be allowed to rise to 30 percent of program costs by the year 2000. To meet those rising fees, the limits for loans students can take on have been raised. The result is that postsecondary education in this province will be increasingly financed by student debt. What hypocrisy. Here is a government dramatically altering the lives of thousands of Albertans for the worse in the name of slaying the demon debt while encouraging the best brains in this province to run up the chargex.

**2:40**

At one point in our history we strove to create Newall's learning culture. Graduates from high schools with reasonable ability could expect a place in one of our postsecondary schools at minimum cost. That was then and this is now. Access to education is no longer something students might expect. Education is now considered a privilege, and we know to which end of the economic scale privileges belong. Sharing Newall's fears, students pleaded with the Premier not to proceed with a further 3 percent cut to advanced education. It is a plea, it seems, the head of Nova would support, and it's time for those pleas to be heeded.

Thank you.

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

**Point of Order**  
**Reflections on Nonmembers**

MR. DAY: Mr. Speaker, citing *Beauchesne* 493(4), mentioning people outside of the House. In my opinion there probably is not a woman alive in the world today more revered than Mother Teresa, and there was a reference made today which I felt and others have – I've already received communication on it – could be interpreted as slighting this great woman.

I'm not assuming at all, Mr. Speaker, that the Member for Edmonton-Whitemud was deliberately doing that; I don't think he was. However, I did send a note to him asking if he would clarify it with an apology after question period to which he had indicated at that time: no, he would not. I'm just wondering. Mother Teresa, being the woman that she is, that all of us admire and love – and the fact is that she is considering coming to Alberta. In responding to my point of order under *Beauchesne* 493(4) – the reason I waited was to give him time to see the note and the request to do this unprompted – I wonder if the member would just clarify the issue with an apology.

DR. PERCY: I'm frankly, Mr. Speaker, very surprised at the hon. House leader. I would think all members of this House know that Mother Teresa is held in the greatest of respect and that her reputation is beyond reproach.

What I was suggesting was that even a person of such sterling character, were they in fact to own a sports team, would not be deserving of a loan from Alberta Treasury Branches because that's not their mandate. So in fact what I was doing was just juxtaposing the person I thought reflected all of the qualities that one would want, and I was saying that even given those qualities, one would not want the Alberta Treasury Branches to be in the business of financing commercial sports, notwithstanding the great and noble character Mother Teresa. Many of us in this Legislature and I myself have given money to charities that have been supported by Mother Teresa. I think her name is a benchmark, is a litmus test of all that is good and right in our society. I'm frankly very surprised that the hon. House leader would in any way draw an inference or somehow impugn Mother Teresa's character from something I said, because it's very clear from my statements, Mr. Speaker, that her character is beyond reproach, notwithstanding what the hon. House leader has to say.

THE SPEAKER: Well, the Chair definitely does not believe the hon. Government House Leader in any way impugned the reputation of Mother Teresa. The House has now had the opportunity of hearing the use of Mother Teresa's name by the hon. Member for Edmonton-Whitemud, the context of which he has explained, and the Chair feels the matter should be left there.

head: **Orders of the Day**  
 head: **Public Bills and Orders Other than**  
 head: **Government Bills and Orders**  
 head: **Second Reading**  
**Bill 204**  
**Protection of Personal Information**  
**in the Private Sector Act**

[Adjourned debate February 28: Mr. N. Taylor]

THE SPEAKER: The hon. Member for Redwater.

MR. N. TAYLOR: Thank you, Mr. Speaker. I'll have to be very

succinct when I hear the House leader making as ridiculous a move as he stated. It obviously shows you've got to spell it out and put it in big letters and everything else. I thought he was educated.

Mr. Speaker, speaking to Bill 204, I only have one other item to bring up. The major complaint I believe I noticed from Calgary-Currie and Pincher Creek-Macleod was that big companies shouldn't be called upon to have to go to this extra expense of letting someone know what they have in their files or records, and if they were, we needn't worry about it because the present laws are sufficient.

It's fortunate neither one of these representatives has a name like Taylor or Jones or something that's very common. I don't know if I want to lend them my name because it would be on the opposite side of the House and that would be very bad. Nevertheless if they had a common name, they'd realize how their records can get jammed. I would suspect that both my wife and I have spent a great portion of the last number of years writing back or filling out or denying something that appears on the record. It's absolutely amazing how often you have trouble with an organization that has sent you a letter or sent you a summons or sent you a bill that you've never heard of from another part of the world because your name happens to be, as I say, a very common name. I understand when I talk to other people that have other common names that they, too, have the same problem.

What intrigues me is that you cannot make those people turn over the records on what the heck they're getting after you on. It should be very, very simple indeed. If a member gets some sort of a note or a letter or some reference is made to him that is absolutely out, you could ask the corporation to make clear what they have in their files. It's a very small thing indeed. To suggest that big business doesn't ever do anything wrong like that, to suggest that somehow or another in this computerized age that errors don't occur and that there's no need to worry whatsoever, that the records that are kept by the organization are done in such a way and done so perfectly that we never have to worry about a false reference creeping out, Mr. Speaker, I think shows a complete lack of understanding or at least a lack of doing any business that amounts to much not to realize that you can get your name in crossways on somebody's record or somebody can get something mixed up that can do a great deal of harm.

So, Mr. Speaker, in closing I just want to say in supporting this Bill that it's long overdue. We have to somehow or another make people who keep records on people fess up. The small organizations don't have a big computer file on their customers, but the large organizations do, and I think we have to move in the field to say: look; whenever someone asks or someone wants their record, it's got to be turned over.

Thank you very much, Mr. Speaker.

MR. KOWALSKI: Mr. Speaker, I'd like to say a few words this afternoon about Bill 204. Never before in my mind has there been a greater need for all of us to be concerned about privacy of the individual, and never in my mind did I believe that there's more need now for governments to take whatever initiatives they might have to ensure the protection of privacy about the individual.

Some in this Assembly can recall the great debate that occurred some decades ago when an item called the social insurance number was invented in this country, as it was invented in other countries. There was a great outcry in terms of what information would be stored with respect to social insurance numbers and

what the extent of it was. We were always promised at the time that if we were to go into banks, as an example, and attempt to borrow money or go into other kinds of agencies and attempt to borrow money, they would never demand of us a social insurance number. That's become a practice of record, I guess, that goes on virtually all the time.

2:50

This Bill has some very, very useful and important points that I really believe members of this Assembly should address themselves to. Mr. Speaker, if I look at section 2 in this Bill, the purposes of it, there isn't anything in there that I could be opposed to as an individual. In fact, I advocate them all, and I think it's extremely important that all members of this Assembly take a look at this.

Other sections of the Bill, however, I find confusing. Mr. Speaker, if this Bill is approved here today, this afternoon, then we'll go on and debate certain sections of this in committee. The difficulty is that I fear this Bill is going to be defeated this afternoon, and my reason for standing up this afternoon is to suggest a process that the Assembly might want to consider in dealing with private members' Bills. There is some good, positive information and useful items in this particular Bill that might be of benefit to all the citizens of Alberta.

I've watched and I've observed in this Assembly, Mr. Speaker. In 1983 there was great hope when there was a change in terms of some nearly 80 changes that were made in the Standing Orders of the Legislative Assembly. The hope and the intent was that private members, after having gone through a great deal of work in presenting a Bill, would have their Bill taken and given a great deal, I think, of respect. That was the hope that some of us had.

Mr. Speaker, it's my observation in recent months and in recent days in this particular Assembly – and I suppose I'll be in trouble with everybody for having said this and saying it now. But I've heard from members of the opposition that there's no darn way they'd ever support a private member's Bill coming from this side because it was a Tory Bill, and I've heard from some of my colleagues – and I will never disclose who they are – that they in fact will never, ever support a Bill coming from the other side because it's a Liberal Bill. I'm making my point today on behalf of private members.

It seems to me that there has to be a better solution, and I'm going to ask here as part of the debate of this part of Bill 204 that, should they find time, the House leader for the government side and the House leader for the opposition side perhaps get together and see if there's a better mechanism for dealing with private members' Bills than the one we currently have. If there is a Bill that has some substance and it's ideologically not opposed by the other side, perhaps we might want to refer it to a committee that we have called the Standing Committee on Law and Regulations.

Now, there was a hope, Mr. Speaker, in 1993, when there were reforms made in the Standing Orders, that in fact there would be a useful purpose for that particular Standing Committee on Law and Regulations. In fact, the gentleman who is the chairman of that committee, the MLA for Calgary-Shaw, looked forward to having greater opportunities, and I'm sure that the deputy chairman himself, the MLA for Red Deer-South, was looking forward to having a more useful role than currently is being played within the context of the Legislative Assembly. Needless to say, they're playing outstanding roles as individual MLAs. Perhaps, then, there would be an opportunity to advance the cause of some of these Bills.

I don't know how anybody can oppose section 2 of this Bill.

I know not of one person in the province of Alberta who does not believe that we need to protect privacy. Mr. Speaker, if ever there was a time that individuals were getting very, very nervous about the whole world knowing everything about them, that time is now. On the other hand, there are some sections of this Bill that I find very confusing and very troublesome. So on that basis, when the vote is taken, I think the Bill will be defeated and that will end it.

My plea is that perhaps sometime into the future there will be an opportunity to really look at a more meaningful role for private members. They spend a great deal of time creating some of these Bills, weeks and months in some cases, doing research, interviewing a lot of people, staying up to all hours of the night. I'm sure the sponsor of this Bill before the day that he presented this Bill in the Assembly probably worked till 3 or 4 in the morning getting his notes ready because he wanted to do it the right way, and I say that in respect to all Members in this Legislative Assembly, regardless of which political party they belong to. If a Legislature and if an Assembly is to prove its worth, then its worth will be measured by the opportunity it gives to all elected people to in fact present their ideas and present their wishes on behalf of not only their constituents but the people of Alberta.

So I congratulate the author of Bill 203. Lots of debate going back and forth. I think it has merit, but unfortunately it'll probably die today, and I think the citizens of Alberta will be the losers because of it.

MR. DECORE: Well, I was impressed with that speech, Mr. Speaker. That was a good speech. As a member of this caucus I'm going to ask that our House leader take up that challenge and deal with his opposite counterpart and attempt to find some way of pushing forward private members' Bills in a better way.

I was part of those initial discussions. It's 1993, not 1983. It was intended that hon. members would bring forward their ideas and that there would be more time given to them, that they wouldn't be given short shrift and sort of pushed aside on the basis of partisan politics. I see too much evidence that partisan politics, I think on both sides, is playing too much of a role in dealing with these private Bills.

Perhaps the Member for Barrhead-Westlock has a good point that could be improved on. Say you take three Bills from the opposition side and three private Bills from the government side, and you send them to special committees. In England they have committees that deal with specific Bills. You take the best of the lot – and caucuses will have to decide that – and you allow them to move forward.

Mr. Speaker, I too agree, with respect to section 2, that nobody can disagree with the purpose and intent of this Bill. This is a world that is becoming very intrusive in terms of how business and government deals with our lives.

I just want hon. members to reflect a little bit on what happened to freedom of information. It was Albertan Ged Baldwin who first took the issue of freedom of information to the Parliament of Canada, and Liberals and NDP and even members of his own caucus said: "We don't need that. That's regulation. That's just more government intrusion in lives, and we don't want that." It took Ged Baldwin a long time to convince his own caucus and the Liberal caucus and everybody else that this was good legislation. That legislation exists in almost every government of Canada now, at the federal level and at provincial levels. I think it's only P.E.I. that doesn't have freedom of information legislation, and I like to joke and say that's because everybody knows what's

happening in P.E.I. because there are so few of them there. I'll get a few letters on that one, too, I'm sure.

I want members to reflect on some of the debate that took place. The Liberals put forward freedom of information legislation – I know because I was the leader that did it – on four occasions, and now we have the Premier and members of the government standing up and applauding, patting themselves on the back saying, “How wonderful we were to establish freedom of information legislation.” But I can point and show some of the members on the other side who stood in this Assembly and said, “We don't need freedom of information legislation.” I think that was on the second or the third time that I presented it. “We don't need such legislation.” One member who's sitting right here today said, “All you have to do, members of the Legislature, is come in and ask a question at question period, and we'll give you the answers,” or “All you have to do, members of the Legislature, is come in and put a motion on the Order Paper, and we'll answer the most detailed of questions.” Well, it didn't work and it never worked and it never could work.

Now that same member, who's sitting in this Assembly – there were two of them that were the point people. He's still sitting here. He's out there trumpeting the cause of freedom of information and thank God it was done. Thank God it was done. But you couldn't get the information and you couldn't get control and you couldn't see what was happening to your records with a huge government entity that was leading or directing your life.

It's the same way with the businesses that you deal with. If you go to a bank and you start to deal with a bank – and this is from my own experience, Mr. Speaker. I remember when I was attempting to finance with seven or eight other Edmontonians the up and development of cable television in Edmonton. The process was that you had to go to your local bank in Edmonton and then that matter went to Calgary to the regional office and from Calgary it went to the national office in Toronto for determination. It was a bigger account than Alberta could handle at that time. There always seems to be something lost in interpretation, and I discovered subsequently that this particular bank simply had some person that had misconstrued or had misplaced or had misdirected facts that should have been set out in a much different way. I found that out much, much later. Didn't get the money from that bank; got it from another one.

**3:00**

I don't see why individuals can't go to a bank and say: “Look; you know, I've been told that my credit rating has just taken a tumble, and I've been told that some information out of this bank has led that to happen. I'd like to see what information exists on my file that led that to be.” Now, Mr. Speaker, why couldn't an individual access that information? Why can't an individual access information that's specifically harmful to that individual if that information isn't correct, isn't true?

I agree with my learned colleague on the other side when he says that there are some sections in this Act that do need cleaning up. Well, that's what Committee of the Whole is all about. You send it off to Committee of the Whole, and if there's a section you don't like, you get rid of it or amend it. But we don't simply defeat it because for political reasons it doesn't work.

I go back to the analogy with freedom of information. I read the speeches from the hon. Member for Pincher Creek-Macleod and the hon. member from Calgary who said: we have standards that are set in a voluntary way, that this is more intrusion into the system of human beings and their lives. Hon. members, those are exactly the same arguments that Canadians heard from the first

time that Ged Baldwin put forward his Bill in the House of Commons, and close to home it's exactly and completely the same arguments that I heard on the four occasions that I introduced freedom of information legislation in this Assembly. It isn't an intrusion. It isn't more intrusion into the lives of human beings. It's protecting human beings and ensuring that human beings are treated in the way that they should be treated – honestly, openly, and correctly – in the way that we expect human beings to be dealt with when they deal with government.

Mr. Speaker, I hope that hon. members pass this matter on second reading and allow some corrections that are needed to be made so that we can perfect the lives of Albertans. Thank you.

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

**MR. FISCHER:** Thank you, Mr. Speaker. I'm also pleased to have an opportunity to address the issues in Bill 204. I think everyone recognizes the importance of protecting people's privacy, and I don't think there was ever a greater need than there is now with all of the technology changes. Things are changing extremely quickly, and it is difficult to keep up with how we are going to protect, especially when we get into the microchips and all of our technology, the networking that we have in place. But I think we have to address how we're going to do this. I keep saying all the time that we need to do it, but how are we going to do it?

We have gone through with the government – and I'm fairly familiar with the freedom of information Act that we have in place now and how it is operating and what we are protecting. I've listened to the opposition wanting to get in and hopefully get some records that sometimes the heads of public bodies think should not be given out. They are protecting somebody's privacy. We are getting into a huge cost to try and identify these things. I don't begrudge the cost of that if it is truly doing its job. I have had an opportunity to look at some of the whiteouts, if you like, that the federal government has done to some people when they have asked for information, and I felt very strongly that that information should have been given out. I think it was protecting the bureaucrats who were giving the information out at the beginning, and I'm sure that'll be a feeling from people as we go through this process.

If we put in Bill 204, especially before we've had a better opportunity to see how this is working from a government's perspective, I think we would be doing something that we're not quite ready for. I'm not sure that we couldn't do it on a voluntary basis. I want to use the bank for an example. I do know that if you go to a bank – and first of all the employees have to sign an oath of confidentiality, and their jobs certainly are at risk if they let out information they're not supposed to let out. I had a good wife who worked in the bank in earlier years in a small town. In a small town you still don't get information, and you would get information if it were leaked anywhere. You still don't get that from the banks. I believe that shows that they are doing a pretty good job.

The other thing that I really want to stress is that the marketplace itself still is a good controller in the area of trying to keep the banks in place so they don't let out information. The marketplace will do it if people operate accordingly. Yes, sometimes there are lawsuits over it, and yes, sometimes people will disagree. Overall, if we look at the past, I think they've done a reasonably good job. I don't hear a hue and cry as of yet, and

I think probably we will in the future. I don't hear a hue and cry now to please put in a whole bunch of regulations to protect my freedom. Maybe you're different in some of your areas here. I just want to say that we should give this a lot more consideration before we pass this Bill.

We do have to recognize that the industry has been and is continuing to work steadily on how they are going to voluntarily protect freedom of information. Certainly the Standards Council of Canada has done a lot of work. They have a model code for the protection of personal information, and this code is almost exactly what is in Bill 204. Now, the industry, if we go by history, may be able to do that on their own. I think we could give them a chance, and I would like to see us do it that way.

Having said those few words, I would suggest and urge members to give it a little time and turn this Bill down for now. It's not something that's going to go away. I think it has to be looked at very carefully in the future.

Thank you.

[Mr. Bruseker rose]

THE SPEAKER: It's so close to the time, hon. Member for Calgary-North West, that the Chair feels this is the appropriate time to allow the hon. sponsor of the Bill to sum up the debate and close it.

The hon. Member for Edmonton-Manning.

3:10

MR. SEKULIC: Thank you, Mr. Speaker. It's my pleasure to sum up the debate here. I do want to follow up on some of the words of the Minister of Public Works, Supply and Services, where he states that we need more consideration before we pass this Bill. In fact, the only way we can give it more consideration is by passing this Bill in principle.

I want to reflect on some of the words that I heard during the debate. I think I can summarize it that good ideas don't have political boundaries. I would appreciate that during this, what I consider, particularly important debate we remember that principle, in addition to the principle that we're being asked to vote upon.

This Bill is clearly ideologically consistent with all parties. It represents each Albertan's interests without ever pandering to any special interest. When the minister of public works speaks of industry and they'll come up with some ideas - well, I was elected by constituents who live in Edmonton-Manning, some who own industry, some who work with industry, but each of them is a constituent who has a personal life, which they've sent me here to represent. So this Bill represents each of those constituents and in fact each constituent in the hon. minister's constituency as well.

In roughly five minutes we're going to be asked to vote on the principle of Bill 204, and at second reading the Assembly debates and votes only on the principle. The Bill as a private member's public Bill is a free vote Bill, and we heard that earlier. In keeping with the spirit of the purpose of such Bills, the parties now represented in the Assembly agreed back in 1993 to permit, promote, and utilize the free vote approach, and I hope that would be reflected in just about a few minutes. This is a real test of every individual MLA's ability to truly represent their constituents and thus the interests of each and every one of their constituents.

I must concede that I've brought this issue to my own caucus on two occasions and explained my intention in putting this Bill forward. Based on those meetings, the debate put forward in this Assembly, and the individual interests of their constituents, which

they're here to represent, I expect my colleagues to support this Bill, and by "my colleagues" I refer to members of the Assembly on both sides.

Mr. Speaker, I want to remind all hon. members and particularly the one that just laughed, who I think is from Vegreville-Viking, that *Beauchesne* makes comments to the second reading of a Bill. Section 659 in *Beauchesne* states:

The second reading is the most important stage through which the bill is required to pass; for its whole principle is then at issue and is affirmed or denied by a vote of the House. It is not regular on this occasion, however, to discuss in detail the clauses of the bill.

Likewise, *Erskine May*, 21st edition, makes comments which support the same interest in the second reading.

The second reading is the most important stage through which the Bill is required to pass; its whole principle is then at issue, and is affirmed or denied by the House.

Mr. Speaker, I go back to the comments that I heard during our debates. I'm not going to attack some of the comments which I heard, even though I believe they are truly in error or in fact poorly researched. I want to reflect upon one issue, that issue being that when you do business with any business in Alberta, when you as an Albertan do business, the information that you provide to a private entity is your possession. It is your property. It is not the property of the entity that you do business with. Consequently, they are only borrowing that information for the time during which you do business with them. It is expected and I would say required that as a result of that relationship they provide you as an Albertan access to that information and in areas or cases where that information is improper or incorrect, you would have the opportunity to correct it. Although it's I think abdicating our responsibility to say that we should perhaps let industry carry out this function, I think that our function is at question, not the industry's function, and that we, not industry, have been sent to this Assembly to reflect and represent the interests of our constituents.

I would hope that each and every member that will be voting on this Bill has read section 2 of this Bill. That's critical. If you do disagree, I can honour the fact that you disagree, but you have to read it first.

Mr. Speaker, I would just say that this principle is embodied I think in the interests of all Albertans and in the interest of every MLA here representing those Albertans. I hope that when we do call the vote, this good idea is passed to the next reading, where we can address specific clauses or concerns.

Thank you.

THE SPEAKER: The question is on the motion for second reading of Bill 204, Protection of Personal Information in the Private Sector Act. All those in favour of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 3:16 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Hanson	Sekulic
Bracko	Henry	Soetaert

Bruseker	Kirkland	Taylor, N.
Carlson	Leibovici	Van Binsbergen
Collingwood	Massey	Vasseur
Dalla-Longa	Mitchell	White
Decore	Nicol	Wickman
Dickson	Percy	Zwozdesky
Germain	Sapers	

## Against the motion:

Ady	Havelock	Pham
Amery	Herard	Renner
Brassard	Hierath	Rostad
Burgener	Hlady	Severtson
Cardinal	Jacques	Shariff
Clegg	Jonson	Smith
Coutts	Kowalski	Stelmach
Dinning	Laing	Tannas
Doerksen	Langevin	Taylor, L.
Evans	Magnus	Thurber
Fischer	McClellan	Trynchy
Forsyth	McFarland	Woloshyn
Fritz	Oberg	Yankowsky
Gordon		

Totals: For - 26 Against - 40

[Motion lost]

THE SPEAKER: The hon. Minister of Public Works, Supply and Services indicated to the Chair that he wishes to clarify something he said a few minutes ago.

MR. FISCHER: Thank you, Mr. Speaker. I would just like to make a correction. I said that I had a good wife, and I wanted to say that I have a good wife that used to work in the bank.

**head: Motions Other than Government Motions**

3:30

**Publishing Offenders' Identities**

502. Mr. Woloshyn moved:

Be it resolved that the Legislative Assembly urge the government to adopt a policy of notifying communities about offenders upon conviction and prior to their release from prison.

Mr. Dickson moved that the motion be amended by striking the words "of notifying communities about offenders" and substituting "whereby correctional and justice authorities specifically determine what kind of information should be communicated and how widely it should be communicated to communities about persons convicted of child sexual abuse or dangerous offenders".

[Debate adjourned February 27: Mr. Sapers speaking]

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

MR. SAPERS: Thank you, Mr. Speaker. I understand there are about four minutes left in debate on this motion, so I will obviously constrain my comments, although there is much to be said about the topics of public safety and crime prevention. I would like to refer to the amendment and once again affirm the importance of the amendment passing, because it is in fact the only way to make the motion operational.

Mr. Speaker, when the Member for Calgary-Fish Creek was speaking, she declared that the amendment was too broad, but nothing of course can be broader than the motion as it was originally penned by the Member for Stony Plain. Calgary-Buffalo's amendment is designed in fact to make it specific. The Member for Calgary-Fish Creek mentioned that there is no definition of dangerous offender and this makes it problematic. Well, in fact, I would tell Calgary-Fish Creek that she should read the Criminal Code and maybe some other federal statutes, because there are several places where dangerous offenders is clarified. It seems that this has confused the Member for Calgary-Fish Creek, and I know of her interest in matters pertaining to criminal justice, so I would commend to her, of course, the Criminal Code as a place to start in her journey trying to find out more about criminal justice.

[The Deputy Speaker in the Chair]

Mr. Speaker, the motion talks about releasing information and ensuring that information is available to all members of the public, and of course this is nothing new to Alberta Liberals, who have time after time after time advocated for freedom of information. Unfortunately the government side continues to vote against freedom of information, as they just did on my colleague from Edmonton-Manning's Bill 204 and as they did back in May of 1995, when an amendment to the freedom of information Act was being debated and that amendment would have seen to it that the reason for somebody not being charged would be made known to the victim of the crime that the police were investigating. This was an amendment that was brought forward because it was consistent with the 1994 version of the legislation, but somehow mysteriously it was taken out of the actual Bill brought forward by the government. What the amendment would have done is restore the full value of that section by ensuring that it was not discretionary.

Unbelievably both the Member for Calgary-Fish Creek and even more unbelievably the Member for Stony Plain, who now stand in this House and try to pretend that they're concerned about freedom of information and notifying victims, voted against that amendment. There is something to be said for consistency in politics. There is something to be said for making sure that you are consistent, and unfortunately the government members cannot claim that consistency, and it is a shame, because the freedom of information legislation of this province is all the poorer for that lack of consistency. You'd think that they'd learn from their mistakes, Mr. Speaker, but unfortunately not, because once again the Liberal opposition has risen to the challenge of saving a government motion to ensure that it can be operationalized in a way to benefit all Albertans by making the motion specific.

That is why it is so important that all members of this Assembly at their earliest opportunity raise their voices or jump to their feet, as the case may have it, and vote to support the amendment raised by the Member for Calgary-Buffalo. This is far too important – far too important – an issue to be left to just partisan politics. The Whips should be off, Mr. Speaker, and this amendment must pass.

THE DEPUTY SPEAKER: I must interrupt the hon. Member for Edmonton-Glenora under Standing Order 8(4), all questions to conclude debate on this motion under consideration.

All those in favour of the amendment to Motion 502 as proposed by the hon. Member for Calgary-Buffalo, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed to the amendment to Motion 502, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Defeated.

[Several members rose calling for a division. The division bell was rung at 3:34 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Henry	Sekulic
Bracko	Kirkland	Soetaert
Bruseker	Leibovici	Taylor, N.
Carlson	Massey	Van Binsbergen
Collingwood	Mitchell	Vasseur
Dalla-Longa	Nicol	White
Decore	Percy	Wickman
Germain	Sapers	Zwozdesky
Hanson		

Against the motion:

Ady	Havelock	Renner
Amery	Herard	Rostad
Brassard	Hierath	Severtson
Burgener	Hlady	Shariff
Cardinal	Jacques	Smith
Clegg	Kowalski	Stelmach
Coutts	Laing	Taylor, L.
Dinning	Langevin	Thurber
Doerksen	Magnus	Trynchy
Evans	McClellan	West
Forsyth	McFarland	Woloshyn
Fritz	Oberg	Yankowsky
Gordon	Pham	
Totals:	For - 25	Against - 38

[Motion on amendment lost]

[Motion carried]

**Child Prostitution**

503. Mrs. Forsyth moved:  
 Be it resolved that the Legislative Assembly urge the government to address the problem of child prostitution in order to end the exploitation of Alberta's children.

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

MRS. FORSYTH: Thank you, Mr. Speaker. I am pleased to be able to begin debate today on Motion 503 to address the issue of child prostitution in Alberta. Child prostitution is a growing industry in this province. Every year 80 of Alberta's children begin the life of prostitution, while only a few will receive the support and services that they require to get off the streets. It is estimated that both Edmonton and Calgary support a child

prostitution population of 400 children. These girls are only 11 to 15 years old. The average age for these girls entering the life of prostitution is 13 years old. These are not just statistics on paper. They are our children, our grandchildren, our nieces, our nephews, and our family friends. Child prostitution is an issue that affects all of us.

When we think of the young children in our lives, we think of their birthday parties with friends, riding bicycles, and playing sports, activities that we normally associate with childhood. Mr. Speaker, the young girls on the street are robbed of a normal childhood. One prostitute who has since escaped from the streets stated: I literally went from playing with Barbie dolls one day to doing hard drugs and being a prostitute. A recent article in the *Calgary Sun* referring to juvenile prostitution reads:

Forget sugar and spice and all things nice.  
 Frequent rapes from bad dates, drug addictions to cocaine and heroin, regular beatings and torture sessions from pimps.

That's what these little girls' lives are made of.  
 We must call it what it is, Mr. Speaker. It is child abuse, and men that prey on the bodies of these children are pedophiles. Juvenile prostitutes are not whores or promiscuous girls. They are sexually abused children. They are victims.

**3:50**

Children do not desire to become prostitutes. Most of these children come from a history of emotional, psychological, and sexual abuse. Statistics show that four out of five child prostitutes were victims of sexual abuse in their early years. Many have been abused by the people in their lives that they loved and trusted. In an attempt to run away from their abusers, the children turn to the streets, only to be faced with continued victimization. Once on the street, these children are alone and vulnerable and easily fall prey to the lure of pimps. Pimps are master manipulators, Mr. Speaker. They seduce the girls with empty promises, buy them new clothes and gifts, and tell them they are beautiful. As the relationship develops, the pimp forces the girl to be completely dependent upon him. Soon he will tell her that she owes him, and she will be coerced into a life of prostitution.

Most prostitutes will be forced to work the streets every day and earn the amount of money specified by their pimps. If a child does not turn enough tricks to achieve the targeted amount of money, she will face the consequences, usually a severe beating. Mr. Speaker, pimps have been known to take bats or red-hot coat hangers, commonly known as pimp sticks, to the girls as punishment. The less fortunate girls will be forced to work in trick pads. To clarify, working a trick pad entails providing sex to dozens of men a day on a mattress in the back room of a restaurant or in a hotel room.

Soon after entering the life of prostitution, the girls will be badly malnourished and addicted to drugs or alcohol. Pimps provide girls with drugs to increase their dependence upon them, and the girls will often take drugs to lessen the pain associated with prostituting their bodies. Many child prostitutes will contract sexually transmitted diseases, get a criminal record, and may become pregnant. They are now trapped in the life of a prostitute.

The horrific stories of these children's lives are real. I have devoted much of my time over the past year to working with the Calgary vice squad and the Calgary-based Street Teams to address child prostitution in this province. In fact, in response to my effort to assist Street Teams, I have been named an honorary member, as has Christine Silverberg, chief of police. To date,

Mr. Speaker, I have been on eight ride-along programs, and I have seen firsthand the brutality and injustice that are endured by these children.

On my most recent ride-along I met a 15-year-old girl who had been working on the streets in Calgary for six months. Her father has never played a role in her life, and her mother abandoned her to the streets. She is a beautiful young girl, all except for the huge black and purple bruise covering her right eye. Mr. Speaker, during the three weeks prior to the time I met her, she had been rushed to the hospital emergency four times. Each time her injuries were the result of a beating from her pimp. He beat her so badly that he broke bones. During the last incident he drove over her with a car.

I've met many young, bright girls on my ride-alongs. As we drove along the popcorn stroll, as it is commonly referred to, I was horrified to learn that if my next ride-along was not for seven years, each of these girls that I have met will be dead. Street Teams estimates that seven years is the average length of time that a girl prostituting herself on the street will survive. These children will either commit suicide, be murdered by a pimp or a john, or die from a drug overdose or a disease. Mr. Speaker, clearly, we cannot sit idly by as Alberta children die. It is our responsibility as adults and members of this government to help these children.

I often refer to the economic model of supply and demand when speaking about the problems associated with child prostitution. If we eliminate the demand for child prostitutes, we eliminate the need for children to prostitute their bodies. Mr. Speaker, it's a chain reaction: if we get tough with johns and pimps, the demand for young children will be reduced.

Unfortunately, there is no one jurisdiction that is specifically mandated to deal with child prostitution. Prostitution falls under federal jurisdiction, but child welfare is a provincial responsibility. Neither jurisdiction is adequately addressing the issue of child prostitution. Precious time is wasted while jurisdictions pass off their responsibilities to address the issue to another jurisdiction. Mr. Speaker, during this time Alberta children are being victimized and they are dying. Someone must take the lead role to save these children. The province can implement a number of strategies that are tough on the predators of Alberta's children. We can begin by calling child prostitution what it is. It's child abuse.

It is within the province's jurisdiction, if it so chooses, to amend the Child Welfare Act, section 1(3)(c). Mr. Speaker, this would extend protection from sexual abuse to children subject to prostitution-related activities. If this provision were to be included in the Act, it would provide police with a legal reason to pick up child prostitutes off the street. When a child is sexually abused, whether she is a prostitute or not, it is still sexual abuse and should be treated as such. It would also assist child prostitutes if the length of the time between the arrest of a pimp and his trial date was decreased. To obtain a conviction, in many cases the prostitute must testify, but many are not willing because they fear for their safety. Often while waiting for a trial, a pimp is out on bail and on the streets. In addition, when a pending trial is looming in the future, it is difficult for a child to get on with her life off the street and the healing process.

Mr. Speaker, a handbook for action against prostitution of youth in Calgary was recently released by the Prostitution Policy, Service and Research Committee for Calgary and tabled in this House. The handbook is in response to the committee's research on the issue of child prostitution. The committee's findings

suggest that there is a lack of co-ordinated services available to vulnerable youth and an absence of guidelines for our professionals in education, justice, health, and social services. Recommendations to address these issues are outlined in the handbook.

Mr. Speaker, it is the recommendation of the committee that services be available to vulnerable children to prevent them from turning to a life of prostitution. The committee also recommends amending the Child Welfare Act to protect kids who are sexually abused through child prostitution. Additional recommendations in the handbook include addressing the issues of prevention, crime intervention, treatment and follow-up for children contemplating prostitution or those already involved in the sex trade. Each of these recommendations deserves the consideration of this government.

I would also urge the government to consider devoting additional resources to fighting child prostitution. There are many community programs aimed at fighting child prostitution that struggle to operate due to the lack of funds. The majority of these organizations are almost solely funded through private donations. As the flow of donated money is somewhat sporadic, they are often faced with the possibility of not having enough funds at the end of the month to pay salaries.

Just one example of a nonprofit group that assists juvenile prostitution to beat the streets is Street Teams. It was founded one year ago by Staff Sergeant Ross MacInnes, a retired vice cop. Through outreach workers and counseling, Street Teams builds a relationship with the girls on the street based on trust and love. When the girls are ready, Street Teams provides counseling and the support necessary to help these girls begin a normal, healthy life.

Mr. Speaker, nonprofit organizations such as Street Teams play a vital role in the fight against child prostitution in Calgary, but they could do much more. With additional resources to fund more outreach workers, these groups could reach more children. If additional funding were provided to assist more nonprofit organizations, the province would be helping to reduce the number of Alberta's children that are victimized on the street.

Another suggestion would be to establish a provincial task force to look at various solutions to the problem of child prostitution in Alberta. The task force could consider programs to be implemented on a provincewide basis. For example, an antiprostitution reform program aimed at teaching johns about the downside of prostitution similar to the program in San Francisco could be implemented.

Mr. Speaker, children in Alberta are hurting, and they are also dying. Child prostitutes are victims, and they are falling through the cracks because no one jurisdiction will claim responsibility to help them. I urge the government to take a stand and fight for the safety of the children of this province.

Mr. Speaker, Motion 503 is dedicated to all of the young children in Alberta that are fighting to survive on the street. I urge the members of the Assembly to support me on this motion.

Thank you.

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

4:00

MS HANSON: Thank you, Mr. Speaker. I applaud the Member for Calgary-Fish Creek for bringing forward this Bill. I was, however, disappointed that it was vague and not strongly worded, although many of the suggestions were brought forward during her speaking.



The police and inner-city residents have been aware for some time that sex with children for money is on the increase, and we need to try out some concrete ideas and test those that have been put forward by youth workers and other experienced people.

There's a lucrative market out there for child sex, and the only ones who profit are the pimps. Sex with children for money is child abuse. This government should treat it as such. I was pleased to see that the Member for Calgary-Fish Creek agreed with my suggestion from question period yesterday that it be included in the Child Welfare Act so that youngsters working the streets would be protected and entitled to intervention programs. That's the least we can do for our children. The whole do nothing, blame Ottawa attitude by the Minister of Justice and the minister of social services is nothing more than a cop-out.

The study by Dr. Sue McIntyre found that 75 percent of today's child prostitutes had earlier been victims of sex abuse. Abused children often leave home in desperation. Homeless children and youth have few income options, so for many of them prostitution is a solution, not a problem.

This motion is timely, and if strengthened, it could begin to turn things around. Current services are failing because child protection, police, and income support and preventive services all disagree about the responsibility, so the responsibility needs to be made clear. To include child prostitution in the child welfare legislation would clarify matters for police and social workers and allow appropriate intervention programs to be developed.

Homeless youth are in a unique situation. The traditional programs serve and identify homeless youths as behaviour problems, not as victims. They treat pathology instead of economic need. As well, traditional programs target youths who are already established in prostitution, when the most responsive group is those that are not quite established yet, the ones who are new on the street. In reality, most of them quit voluntarily, either on their own or supported by their peers, but the damage is extreme and can be long lasting to a young person who hits the street even for a short time.

Homeless youth are in between most of the services that are offered. For example, education and training programs are based on age or previous success or criteria that often these young people can't meet. There's no income or housing support for youth under 16 unless they have child welfare status.

Innovative ideas for education and rehabilitation of street youth have been tested by a variety of community organizations. Alternative schools and some residential programs for homeless youth have had real success, but they're low key, and the government hasn't picked up on trying to develop these programs.

This motion could be used as a springboard for a better system if the government has the courage to be innovative. I will support the motion.

Thank you.

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

MRS. FRITZ: Thank you, Mr. Speaker. I'm pleased to speak to Motion 503, and I'd like to commend the Member for Calgary-Fish Creek on her efforts to address the growing issue of child prostitution in this province. Although the Member for Edmonton-Highlands-Beverly said that this motion is vague, I really believe that the motion is clear, forthright, and well thought out.

I know that the intentions of the Member for Calgary-Fish Creek in bringing this motion forward are very sincere, Mr.

Speaker. As the Legislature heard, my friend from Calgary-Fish Creek has been on numerous ride-alongs with Street Teams, the Exit van, the vice squad in Calgary, and, more importantly, she has dedicated many hours to fund-raising for these nonprofit organizations. Her actions are truly commendable, because this motion will allow the community to take action by becoming involved in the discussion and the options that should be put forth through to the government based on what we have before us.

Juvenile prostitution continues to be a growing problem in communities throughout Alberta and in cities across Canada. Sadly, there have been very few government initiatives to put a stop to child prostitution. This cannot continue, Mr. Speaker. All three levels of government must make a firm decision that the preying of men on our children for sex will not be tolerated. It is not one government's responsibility, as the hon. Member for Edmonton-Highlands-Beverly would have you believe. All politicians must recognize the seriousness of this issue. They must examine the existing situation and act quickly to change laws that will protect our children from child sexual abuse.

Mr. Speaker, child prostitution is a major complex social problem which has been in existence for centuries. We must raise awareness by asking the questions: why do Alberta's children end up on the street exposed to violence and sexual abuse? Why are men committing violent sexual acts against our children? Why is our federal government reluctant to adequately change laws under the Criminal Code which would protect our children from pedophiles?

The use of children for sexual gratification through prostitution is a crime, and mandatory charges for the offender are necessary. Teen prostitution warrants being considered a heinous crime or a capital offence and deserves to be dealt with under the Criminal Code as a criminal offence. Since it is not, Mr. Speaker, the hon. Member for Calgary-Fish Creek is looking to expand our provincial legislation under the Child Welfare Act to include children exposed to sexual abuse through prostitution.

I applaud this hon. member's initiative and strongly support her goal to protect Alberta's children. Every Alberta child has the right to live a life free from sexual abuse. Child prostitution thrives in our society in part because of the sexist ideas of a few, Mr. Speaker. The view is out there that prostitutes prey upon the natural desires of ordinary moral men.

Mr. Speaker, these are 12-, 13-, and 14-year-old children. These are not ordinary moral men. They are, in fact, pedophiles. Sexism among pimps and johns is evident. Pimps feel that they own these girls and boys that they sell, and johns feel that they can buy other human beings for their own sexual pleasure. Statistics show customers are rarely arrested, while prostitutes frequently face charges. Although this attitude regarding prostitution is changing, it still exists. Efforts must be made to assist our police, judges, and social workers in recognizing that the perpetrator of this abuse is the offending adult and that the tragic victim is the child. As legislators we must focus on this victimization.

Significant barriers exist for the child who is arrested on prostitution-related charges. Legally, they are minors who are held accountable as the offender rather than assisted as a victim. I believe the acceptance of Motion 503 will lend support to our justice, social, health, and education systems when creating internal policies and procedures to change traditional attitudes. This motion will make it easier to protect and not punish our children, while rightfully charging the customer.

Mr. Speaker, most young prostitutes are likely to have been victimized at a tender age. Their early life experiences include

unspeakable acts of sexual, physical, and psychological abuse. Assault is common in their backgrounds. Unprepared, these children run away from situations that are frightening and terrible, only to face continued victimization on the street. Young boys and girls that are new to the street are vulnerable and are easy prey for pimps.

Mr. Speaker, pimps are parasitic. They live off the avails of the sexual exploitation of children. They're domineering, and they're violent. In fact, pimps will beat girls and boys with fists, feet, and bats. In some cases, if a girl does not bring home enough money to satisfy the pimp, he will invite his friends to beat and rape her, ostensibly to teach her a lesson.

Mr. Speaker, violence related to child prostitution is steadily on the rise. In fact, in the city of Calgary alone 10 children involved in child prostitution have been murdered since 1988. It is estimated that child prostitutes will be dead within seven years of working on the streets. They will either be killed by a homicidal pedophile, a pimp, a disease such as AIDS, or more commonly a prostitute will take their own life.

#### 4:10

Mr. Speaker, to help the children, we need to provide them with preventive and treatment services. Access to appropriate community agencies and resources that provide these essential services is a must. It is estimated that the average prostitute will run away from five treatment programs before finally leaving the streets. Therefore, we must provide a continuum of necessary support in order to prevent a relapse into sexually exploitive activities. Their complex needs will include a place to live where they will feel safe and be out of the reach of pimps. Medical attention will be urgently required, as many will have sexually transmitted diseases along with a host of additional medical problems. All three levels of government, as well as the non government-funded sector, bear a major responsibility in caring for the needs of these children in crises.

Mr. Speaker, as we heard in this Assembly, the Prostitution Policy, Service and Research Committee for Calgary is a group of Calgarians who organized themselves to investigate the problems related to child prostitution in Calgary and to devise solutions. They recently published a handbook for action against prostitution of youth in Calgary, which was filed in this Legislature last week. I'd like to take a moment to share two of their suggestions with the members of the Assembly.

The first recommendation is to amend the Child Welfare Act to include that child prostitution is a form of child abuse. The amendment would add the words "including prostitution-related activities" to section 1(3)(c) of the Child Welfare Act. The Act would then read: a child is sexually abused if the child is inappropriately exposed or subjected to sexual contact, activity, or behaviour, including prostitution-related activities.

Mr. Speaker, the committee concluded that adding these four words to the Act would make it easier for police and agencies to protect juvenile prostitutes. It would allow children to receive services as victims of abuse and not merely as young offenders. In addition, it would make it possible for judges to get tough with pimps and johns by criminally charging them with sexual abuse.

It is also a recommendation of the Calgary committee, Mr. Speaker, to provide a positive, secure environment for children and youth involved in prostitution who have to testify or appear in court. It is important that the amount of time between the arrest and the prosecution of a pimp is minimized and that children testifying feel safe. Possibilities to ensure this security may include allowing prostitutes to testify from behind a screen,

using video tape or closed-circuit television. Surely this recommendation would be simple to implement, given that this method of testifying exists now in various cases which are tried through our Alberta justice system.

Mr. Speaker, I'd like to take a moment to publicly recognize and thank the Prostitution Policy, Service and Research Committee for Calgary for their dedication and commitment to protecting children from sexual abuse through prostitution. Their recommendations are sound, and they deserve careful consideration.

As the Member for Calgary-Fish Creek said, Mr. Speaker, the existence of the child prostitution industry is largely responsive to the economic model of supply and demand. If we eliminate the demand, we eliminate the need for children to be supplied. There are programs that can be initiated on a provincewide basis to reduce the demand. As my colleague for Calgary-Fish Creek previously mentioned, San Francisco has implemented an anti prostitution program aimed at educating johns about the downside of prostitution. First-time johns caught picking up a prostitute are able to avoid a criminal record by attending a rehabilitation program. The program looks at the social, legal, and health problems associated with prostitution and the exploitation of women and children involved.

Three hundred first-time offenders, johns and prostitutes, have participated in the program, and to date not one has reoffended. The program works, Mr. Speaker. In fact, I understand the city of Edmonton police department is currently looking seriously at implementing a similar program.

I'd also like to mention another initiative for consideration that would address this very serious issue. Our government can encourage the media to publish in local newspapers the names of johns who are convicted of frequenting prostitution strolls. They must be held accountable and responsible for their behaviour by the community. Since most pedophiles are surprisingly well paid and well respected in their daily lives, this initiative may be effective by shaming these men away from sexually abusing children.

Mr. Speaker, in conclusion I believe that under Motion 503 our government should seriously consider the development of a new section under the Child Welfare Act that would specifically apply to the procurement of children through prostitution. This amendment would ultimately lead to the protection of our children from adult predators who seek children for sexual service or exploit young prostitutes for economic gain.

The hon. Member for Calgary-Fish Creek has shown leadership by calling for changes to the Child Welfare Act under Motion 503. I urge the members of the Assembly to support this initiative, Mr. Speaker, because we can make a difference.

MR. DECORE: Well, Mr. Speaker, I'm always amazed and taken aback by some of the things that hon. members in this House involve themselves in or do. I congratulate the hon. Member for Calgary-Fish Creek, because I was not aware of the fact that she has been on ride-alongs and that she has gone into the detail that she has on this issue.

I support this motion, Mr. Speaker. As a lawyer who did some criminal law and saw the other side, I sat down and tried to think about the things that should be done, the specific things that should be done. I thought about, from my own experience as an alderman, the success that the Poundmaker program had for the aboriginal community. I remember hearing the aboriginal representatives. I remember listening and hearing them say that they needed somebody on the street to meet people that were in

difficulty and to try to convince them to go the way of a shelter or to somebody's home or whatever. That's an idea that I think has merit to deal with this issue of child prostitution. Shelters I think are an important point. It's important to note that the assistance that government has given to shelters is shrinking rather than increasing. I think this is an area where more support has to be given so that child prostitutes know there is a place that they can go for shelter. I think a whole educational program could be and must be developed. I think drop-in centres are perhaps an idea.

I remember the success of an aboriginal counselor in Edmonton in our police court building. As soon as an aboriginal was in difficulty, that counselor was there dealing with the aboriginal and steering that man or that woman in the right direction. Maybe that's an idea that can be taken up in these special needs for getting these children off the streets.

There's no doubt in my mind, after listening to people in my own constituency, that we need to improve the allocation of moneys for welfare recipients. I listened to mothers in my constituency talking about how government moneys have been cut back to the point where they can't pay for their children to go on trips to the library or swimming trips or trips to the museum or whatever. Now, that's a big part of learning and experiencing life and making sure that you don't go off in the wrong direction. So resources, yes, resources in that direction.

I think we have to be bold about some of the new things that need to be done. What about licensing prostitutes? Provinces in Canada have the responsibility of the administration of justice, and they have the responsibility of health and education. Why can't we say to people who want to take up prostitution that they've got to be licensed? This will give us a better way of controlling and dealing with the problem and ensuring that we move towards the eradication of that kind of unsavoury activity, that not "kind of" but that "unsavoury" activity.

4:20

Mr. Speaker, it all comes back down to one issue: resources. How do we take meagre resources and apply them in a way that 400 young children, 80 per year, aren't at the mercy of some man on the street? I think the suggestion from the hon. Member for Calgary-Fish Creek that there be a provincial task force is a good idea. I'm prepared to suggest that I'm prepared to sit on that task force, and I think other members of our caucus are prepared to sit on that task force. In the same way that we dealt with freedom of information and dealt with it unanimously, I urge the hon. Member for Calgary-Fish Creek to push forward with that provincial task force and to call on the assistance of some of the members of this caucus to make it work more smoothly. I'm not an expert in this area. I think there are social welfare people, psychologists and so on that can give us some guidance that would be of invaluable help. So I applaud the hon. member's action.

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

DR. L. TAYLOR: Yes, Mr. Speaker, thank you. I'd like to comment on this Motion 503, this problem of child prostitution in Alberta. As the Member for Calgary-Fish Creek mentioned, this is an issue that affects us all. As you may know, I have four daughters of my own, and it's disturbing as a father to even consider some of these issues. I mean, it makes you sick to your stomach to think of some of these things these little girls are doing and putting up with.

You know, I think on the whole we like to pretend it's not even there. We like to sit in our middle-class suburbs and ignore the problem. Most people in Calgary, Edmonton, and perhaps even in Medicine Hat, where these things occur, don't want to acknowledge that they occur. They want to pretend the evil isn't there. And it is an evil, Mr. Speaker. It's a sickness in our society. The pimps, these men that exploit these children, are child abusers, they're pedophiles, and they prey on our children. We as Albertans have allowed this to go on far too long. We as legislators have allowed it to go on far too long. It's time that we take some action. It's time that we do something about it here in Alberta, here in this Legislature. We just have to do something. To allow child prostitution to continue, to do nothing to address the problem because we don't feel that it is in our mandate is to my idea completely and totally unacceptable. I refuse to accept that.

What we're doing if we do that, Mr. Speaker, is we are sending a message to the pimps, we're sending a message to the johns that it is acceptable to exploit these young girls. It's sending a message to Alberta's children that we don't care. As one john put it – and I have a quote here that I'll read – he says: yeah, I like younger girls, but to say that it's child abuse or that I'm a pedophile is ridiculous; in fact, I'm really helping the girls a bit, because they need the money.

We cannot allow this attitude on behalf of the johns to continue. These men are child abusers, and they have to be treated as such.

You know, Mr. Speaker, this is a symptom, only a symptom of the breakdown of our society. It's a symptom of the family breakdown in our society. Another symptom one could look at is pornography, a symptom of the breakdown in our society.

You know, it's not, as members suggested, a resource problem. I don't believe it is fundamentally a resource problem. I believe it is a problem with the societal morality that is breaking down and continues to break down. It is a problem of morals, Mr. Speaker, that allows people to exploit children like this, not a resource problem. Until we recognize that it is a problem of morality first and not a problem simply of resources, we will do nothing to address the problem.

We have to start with the first steps first. Certainly there need to be resources, but we need to recognize the problem of morality to start with. We have to force these pimps and johns to see their sickness. We could do this by including child prostitution in the Child Welfare Act as sexual abuse. This would provide legislation to allow the police to charge these people with sexual abuse. In addition, it would treat these young people as victims, and I assure you that's what they are, Mr. Speaker. They are victims; they are not young offenders.

Currently the police can lay only minor charges for prostitution-related offences. Johns typically face only a fine for obtaining the services of the prostitutes; in other words, a slap on the wrist. If this were included under the Child Welfare Act, if child prostitution were defined as child abuse, they could be charged with serious sexual assault crimes.

I've been warned here, Mr. Speaker, by the mover of the motion to not suggest some of the solutions that I would like to suggest for some of these pimps and johns, other than to say that it would be a good dose of rather harsh western justice. We need to have some very serious penalties in place for this. I assure you that I think my solution would cure them once and for all. You'd never have to worry about them again. But in our society my solution is not acceptable. We still need some serious sentences. If they were accused of and charged with serious sexual assault,

they could face sentences of life imprisonment. Under current legislation it is very difficult, apparently, to prosecute people in the sex trade. It's difficult to get a conviction against a pimp, and that's because a prostitute must testify. Unfortunately, girls will often run away rather than testify against their pimp.

I have one example, really a sad example, where two girls in Medicine Hat, friends of the family actually, ran away from their home. They were 14 and 15 years of age. This happened eight to 10 years ago. They ended up in Calgary. They ended up as young prostitutes on the street. It took the families about six months to find where they were and finally be able to get to talk to them. They learned that the two girls were going to be in a bar one night in Calgary. One of the sisters went in and talked to the girls and said: come; we'll get you out of here. Basically the story was that they were afraid to leave because their pimps would follow them, their pimps would kill them. This was the story that the elder sister was told. She did convince one of the girls to leave, and the other one said that she would leave the next day. So the one girl that committed to leave left with the elder sister. The other girl stayed and was going to leave the next day. That girl was murdered that night in Calgary. That's a true story.

The pimp started looking for the other girl. The parents had to get her into eastern Canada into a secure environment. She lived in that secure environment for about five years because there was this fear of this pimp coming back to find the girl and harm her as well. Today this young lady is married and has a family and is living a productive life.

There are many examples of this, Mr. Speaker. Another example I have in front of me that's been provided was that in 1993 a girl was beaten to death in Toronto just two days before her best friend was to testify against her pimp. This is the danger unless we put some severe penalties on this kind of action, unless we protect the young ladies, young girls, young children that are involved with this.

The federal government introduced a Bill last session that was aimed at protecting children from adult predators who seek children for sexual services or exploit young prostitutes for economic gain. The Bill introduced mandatory prison sentences of five years for those convicted of profiting from child prostitution. This would include those who for their own profit . . .

THE DEPUTY SPEAKER: Order. I hesitate to interrupt the hon. Member for Cypress-Medicine Hat, but the time limit for consideration of this item of business has concluded.

**head: Government Bills and Orders**  
**head: Second Reading**  
 4:30

**Bill 7**  
**Municipal Affairs Statutes**  
**Amendment and Repeal Act, 1996**

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

MR. SEVERTSON: Thank you, Mr. Speaker. I move second reading of Bill 7, being the Municipal Affairs Statutes Amendment and Repeal Act, 1996.

This Act, Mr. Speaker, repeals four obsolete Acts and amends six other Acts. Because of these repeals and changes it is also necessary to include consequential amendments to five other Acts. The intent of this Bill complements the government's direction of streamlining and simplifying procedural requirements and

repealing obsolete legislation. The proposed changes will reduce the burden on businesses to file their routine contracts, forms, and letters with the department for approval and will also eliminate some licensing requirements. At the same time, the amendments ensure that consumers will be protected from sales that contravene the Act. There are also changes to harmonize the existing legislation dealing with direct selling in Alberta with the requirements of other provincial governments in accordance with the agreement on internal trade.

If you allow me, Mr. Speaker, I'll continue on the main changes to each Act. First, the Alberta Educational Communications Corporation Act is repealed, as we have completed the privatization of Access Network and CKUA radio.

The Fuel Oil Licensing Act is repealed. This Act was first enacted in 1936. It licenses retail and wholesale fuel outlets and establishes fuel oil standards. Both the industry and government agree that the present fuel oil standards are obsolete and do not protect the consumer. Repeal of the Fuel Oil Licensing Act would result in the reduction of approximately 2,100 licences of the total number of licences issued by Alberta Municipal Affairs. Presently Alberta Treasury uses the list of licences under the Act to determine liability for paying fuel taxes under the Fuel Tax Act. To replace this list, a mandatory registration system is proposed as a consequential change under the Fuel Tax Act.

To provide continued consumer protection, a draft regulation is being prepared under the Licensing of Trades and Businesses Act which will require retailers of motor fuel to comply with the fuel standards of the Canadian General Standards Board. These standards, Mr. Speaker, are the benchmark in most provinces, and they will ensure that the provincial fuel standards remain current. Advertising standards in the proposed motor fuel registration will encourage a level playing field for business and prevent unfair competition. Consultations on this have occurred and will be ongoing with the Canadian Petroleum Products Institute, the Petroleum Tank Management Association, the Alberta Research Council, and the Consumers' Association of Alberta. These stakeholders have indicated their approval of this initiative and are anxious for the proposed changes to proceed.

Two obsolete Acts, the Act to authorize and permit the city of Edmonton to enter into a certain agreement with Calgary Power Ltd. and an Act to confirm Order in Council 1275-52, are also repealed. The affected municipalities, being the city of Edmonton and the town of Spirit River, have indicated support for repeal of these two obsolete Acts. An amendment is included in schedule 12 of the Government Organization Act so that municipalities could use the electronic network offered by Alberta Public Works, Supply and Services.

The direction of the government as reflected in the Municipal Affairs business plan is towards deregulation. Under the Cemeteries Act, forms, contracts, and leases must now be filed with and approved by the director of licensing of trades and businesses. Presently there are two private-sector cemetery companies in the province, who have to submit contracts on an annual basis. Similarly, Mr. Speaker, approximately 75 collection agencies and 500 collectors are licensed to operate in Alberta under the Collection Practices Act. Presently they cannot use a form, agreement, or letter until it has been filed and approved by the administrator of the Act. These requirements are not necessary and should be eliminated. Also, it is proposed that the director or administrator can order changes to contracts or order cemetery owners or salespersons or collection agencies to stop any activities that are contrary to the respective Acts.

These provisions, Mr. Speaker, would streamline the reporting requirements yet at the same time allow the department to deal effectively with contracts and activities that are not in the public's best interest. Industry stakeholders have been consulted and support these changes. A consequential amendment is also required to the Collection Practices Act to remove the conflict between it and the Civil Enforcement Act, which was proclaimed in January of this year.

Mr. Speaker, some minor amendments are also proposed for the Licensing of Trades and Businesses Act to resolve a number of issues which arose over the past two years. The amendments offering bonds claims will make the Act consistent with the terms of the bonds and harmonize bonds claims between the direct sellers and other business licensing Acts.

The signing of the natural gas direct marketing regulations on October 1 of '95 created the need for an amendment to conform with the minister's ability to establish terms for registration. Fines handed down to persons who contravene the Act have not kept in step with inflation. It is often less expensive for a business not to get a licence and pay a possible fine than it is to comply with the Act's licensing and bonding requirements. The proposed amendment would provide for a minimum fine of \$1,000 for a corporation and \$500 for an individual. Maximum fines would remain at their present levels of not more than \$10,000 for a corporation and not more than \$5,000 for an individual.

Another proposed amendment will confirm that Municipal Affairs has the ability to refuse, cancel, or suspend a licence when the Act has been violated or when it is in the public's interest to do so. This allows the department to deal effectively with those situations where the applicant has a related criminal record, a prior history of losses while running a similar business, or a history in other jurisdictions that should be considered when being issued a licence in Alberta.

A similar amendment to the Public Auctions Act clarifies the ability of the department to refuse, suspend, or cancel a licence when it is in the public interest to do so. An example of this would be when an applicant has a related criminal conviction or extensive complaint history or previously operated an auction company where consumers have lost money.

Finally, but perhaps most importantly, Mr. Speaker, this Bill includes changes to the Direct Sales Cancellation Act. The agreement on internal trade, signed by all provincial Premiers in July of '94, called for the provinces to harmonize their direct selling legislation by July of '96. Industry groups such as the direct sales association of Canada support the need to harmonize direct selling legislation across the country. Currently members of the association are forced to use separate contracts for each of the 10 provinces because of the difference in direct selling legislation. The present situation places an unreasonable administrative burden on those businesses and increases the cost of doing business. The proposed changes will mean a reduction in regulations of businesses operating in two or more provinces.

4:40

THE DEPUTY SPEAKER: The hon. Member for Fort McMurray is rising on a point of order.

#### Point of Order

#### Questioning a Member

MR. GERMAIN: I was wondering if the hon. member would entertain a question.

THE DEPUTY SPEAKER: The hon. member needs only to say

yes or no or "at the end of my speech."

MR. SEVERTSON: Not at this time. After I've finished a couple of more Acts, then I'll entertain a question.

#### Debate Continued

MR. SEVERTSON: Mr. Speaker, the proposed changes will mean a reduction in regulations for businesses operating in two or more provinces, as I stated earlier. The changes include increasing the length of time a buyer can cancel a direct-sale contract from four to 10 days. Many direct-sales consumers are seniors, who often need extra time to consider their options and for consultation with family and friends. Another change would also specify the information that must be included in direct-sales contracts, including the buyer's cancellation rights.

Mr. Speaker, I've briefly outlined the contents of this Bill, and I'll wait for further debate.

[Mr. Herard in the Chair]

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. In speaking to Bill 7, the Municipal Affairs Statutes Amendment and Repeal Act, 1996, I take this Bill very seriously inasmuch as it certainly has a significant impact on the consumers of Alberta. So indeed when we come forward with housekeeping, with a dry piece of legislation like this, we tend to make light of it. But believe you me, the areas that are covered in this amending Bill indeed deal with some sensitive areas where we're seeing amendments specifically being done, whether it be dealing with the Cemeteries Act, the Collection Practices Act, the Direct Sales Cancellation Act, or the Licensing of Trades and Businesses Act.

These are all areas that have a significant impact on the consumers of Alberta and in some instances at very vulnerable times in their lives; for example, with the Cemeteries Act. Also, it was identified by the presenter of this Bill that they're areas where our seniors in their most vulnerable time may indeed get into difficulties when it comes to contracts. So we should not treat this Bill lightly. We should ensure that the principle behind the Bill and the objects of this Bill are good, that they're streamlining legislation, that they're removing unnecessary legislation by repealing that legislation.

These are all positives, Mr. Speaker, but when we look at this Bill 7, I would suggest that it can actually be improved upon to ensure that Albertan consumers are indeed protected in a very positive way. When we look at the Cemeteries Act, specifically section 2 - it's not my intent to go through it, and I know that the Chair wouldn't allow me at this point in time to go through the sections - one has to ask the question: with the director not requiring filings, how could that director effectively carry out his duties and ensure that there's proper control over the practices of sellers to make sure that rights are not violated?

As I've mentioned, when you're dealing with the death of a significant one in your family, it's a very emotional and troubling time, and you'd want to ensure that with the amendments to the Cemeteries Act, that time is indeed done in such a way that your rights are protected. I would suggest that with the way this Bill has been amended, it may indeed cause some difficulties in that area. So I would be suggesting that we should be looking at some amendments, and I look forward to bringing forward those

amendments dealing with the Cemeteries Act when we get into committee.

In the area dealing with the Collection Practices Act, I have a concern. It may be because I'm not reading the Act correctly, but it looks as though private agencies are escaping this Act's application. One has to ask the question then: who will be governing them? This is in the Collection Practices Act in section 3. Or am I not reading this Act correctly? Is indeed some other piece of legislation going to govern them?

With regards to filings and approvals when we're looking at amending the Act once again, it seems as though the administrator's powers have been diluted through this amending Bill. One has to ask again: how is that administrator going to effectively maintain control of the practices of agencies and their debt collection methods to ensure that debtors' rights are not violated? That's very important. If you are indeed a debtor, you still have rights, and those rights should not be violated. I'm certainly looking for a response from the government on how we're going to ensure that those rights are indeed protected.

When we're dealing with any term of an agency agreement which has been misrepresented and is misleading or contravenes the Act or regulation, being "void and severable from the valid terms of the agreement," the administrator now also has the power to issue an order that the agency will correct any misleading agreements. Yet our concern is that voiding and severing a contract may mean that the person may still be left with a generally bad contract. So I want to be reassured that this amending Bill doesn't result in that. I would suggest that the only way we can achieve that, Mr. Speaker, is that we do an amendment to that section of the Bill. With no filings or approval requirements, how indeed will the administrator have knowledge of the existence of any agreements which are misleading? I think that that is very important. If that administrator doesn't have that information, he's not going to have the appropriate information to correct a wrong.

Now, with the Direct Sales Cancellation Act, which also has been dealt with at this time through this amending Bill, we see the striking out of the \$25 amount. It's suddenly finding its way into regulation. I get very concerned, because the reality is that if someone moves it from \$25 to \$99 or whatever that magic number may be, it may be beyond the sights of seniors. The member who moved this Bill mentioned the vulnerability of seniors. I would say that this section that's being amended increases that vulnerability. I think we've got to make sure that in 1996 we look at the economic reality of where many of our seniors are.

I could use examples. I can think back to my own mother-in-law, when in the last years of her life we didn't realize how vulnerable she was. When we started looking closely at her affairs, we found, for example, that she had four memberships for the same magazine. You have to have the ability, either a family member or the guardian, to ensure that there is some way of reimbursing that individual, because they're being misused by the marketplace. I think that this section of the Direct Sales Cancellation Act makes many people more vulnerable.

#### 4:50

We're talking about regulations. I'd state once again – and my colleague for Fort McMurray speaks admirably and brings it forward in a consistent way – that it's so important when we're dealing with regulations that every piece of legislation have a section dealing with the fact that before regulations become an

integral part of that legislation, they actually go before the rules and regulations committee. I was gratified to hear the Member for Barrhead-Westlock use the same reference point when he stood and debated the merits of private members' Bills in this House. You know, I could use some of the same arguments or, rather, debate. Argument is not the right terminology at all. What the Member for Barrhead-Westlock was doing was talking about the positive results of good debate in this House. I would suggest that in Bill 7 at the end of the day what you want is the best legislation possible, and if the amendments come from the Official Opposition, that should not be reason why they are not accepted.

I think back to the Franchises Act and the Real Estate Act. We could actually have had better legislation if there'd been an agreement to accept all the amendments rather than sort of negotiating: okay, you're the Official Opposition; we're only going to accept one of your amendments. I would suggest that if you really want to serve Albertans in a positive way, Bill 7 needs amending, and all those sections in the legislation that have any reference to regulations should find their way to the rules and regulations committee, which as yet has not met. As the Member for Barrhead-Westlock has clearly stated, I'm sure that the chairman is just waiting for this government to allow that committee to be convened to deal with the pieces of legislation I'm speaking to at this point in time.

When we look at section 5(3), yes, there's a lot of unnecessary legislation that's on the books that needs to be repealed. As I mentioned, we've got the Charitable Fund-Raising Act in place, so that section certainly is appropriately being repealed. We will, however, be proposing an amendment to section 2(1)(b) stating that the Act will not apply to sales contracts negotiated in the seller's normal place of business unless the product marketed is a time-share in a piece of real estate, in which case the Act will apply.

I'm sure I'm not the only Member of this Legislative Assembly who has had to deal with the unfortunate contractual arrangements that have resulted from many time-share propositions that have been put to people in Alberta. I had the unfortunate responsibility as an MLA to deal with a concern where two elderly Albertans somehow had gotten talked into a time-share, who in their mid-70s had signed a 60-year lease and through that . . . [interjection] Yeah, the member's laughing. It isn't funny. I think it's tragic that we don't have a marketplace that actually makes available the information to prevent people getting bunged like this elderly couple were.

Right now in the city of Fort Saskatchewan I have six constituents, some of them first-time homeowners, who were bunged because they didn't have the information or the knowledge level to know how not to get into a bad contractual arrangement. We've got to make sure that when we're amending and repealing these pieces of legislation, we create fairness in that marketplace so that seniors don't end up at 70-odd years signing a 60-year contract in buying a time-share, so that every month they're finding money being removed through, in this instance, their Visa bill. You know that's just one small example.

The other example, Mr. Speaker, in the city of Fort Saskatchewan is where you see the same lawyer representing all parties. When you start to look into the problems that these people have had, it boils down to five places that don't meet the Fire Code because of lack of inspection, where furnaces that have been put too close to the wall don't meet the fire regulation. The home-

owners didn't realize that if indeed a fire takes place in their property, their insurance won't cover them. Now, you can't make light of situations like that. I could give you more examples, and I know I'm not the only MLA or Albertan that is hearing these tragic stories. These people have worked hard to earn the right to buy their first home. Seniors have the right not to have their life savings suddenly lost through some poor contractual arrangement they've entered into. So I think it's very important that we look at the amendments that are being brought forward.

When we're dealing with the Fuel Oil Licensing Act being repealed and look at what's happening in that area, yes, this is long overdue. We're seeing some good things happening here. It's also important that through the Licensing of Trade and Businesses Act the public has to be informed when it comes to section 9(3)(b). This section is new, and it allows the minister to make regulations informing the public of any sale of or dealing with any goods, services, or products of a business under the Act or if it is in the public interest to do so. So it's important that the public is informed.

It also allows the minister once again to make regulations regarding the terms and conditions where a contravening business can remain in operation under this Act. That's very important, because if businesses have violated the legislation, do they have the right to stay in business? I would suggest they don't. So we have to know: do we want contravening businesses to continue operating, and how will this affect the consumer? We need to know some answers to that question. Once again, that section that gives the minister power will hopefully be amended to go to the Standing Committee on Law and Regulations. We will go into much more detail, of course, when it gets into Committee of the Whole.

Just before I take my place and allow some other colleagues to speak to this Bill, we should certainly note that the Canadian Association of Petroleum Producers and its members are working towards the national standards in this area, and the government can be asked: how are they participating in this process? I heard some mention of that, but certainly I'd like to hear what the government of Alberta is doing in that whole area. I believe through that we'll end up with a better informed consumer when it comes to the products they're buying within the province of Alberta.

I believe at this time I'll leave my comments at that, and we can in Committee of the Whole get into much more detail, particularly dealing with the whole area of the Canadian petroleum producers and looking at that whole area of section 9. It's certainly an interesting area that should be looked at closely. In that section, Mr. Speaker, just to give notice, under 9(12) we will be proposing an amendment that no certificate can be admitted in any prosecution under this Act unless a true copy has been served on the defendant no less than 10 days before the commencement of the trial. I'm not going to go into details on that. I'm hoping that my colleague from Fort McMurray will address it more closely.

With those comments, Mr. Speaker, I will take my place.

**5:00**

THE ACTING SPEAKER: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Speaker. It's difficult to characterize patterns emerging from an omnibus type of Bill that deals with eight or 10 other minor government Bills,

but one of the things and one of the trends that you can see in this Bill that I urge all members of the Assembly to take some note of is that this Bill generally claims to protect consumer protection. The hon. member opposite was presenting these thoughts to this Legislative Assembly today, and his colleagues seated around him were laughing right in his face.

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

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

#### **Point of Order Allegations against Members**

MR. EVANS: Mr. Speaker, 23(h), (i), (j) of Standing Orders. There is no question that the member opposite has misinterpreted – and I'll be gentle and charitable with him – what was going on on this side of the House when the hon. member was giving second reading and making his comments on second reading of this Bill. I will be charitable because I will presume that he just misinterpreted what was going on.

The members of this House on this side of the House have great respect for the hon. Member for Innisfail-Sylvan Lake, and we were prodding him along and having good fun with him, and I think he enjoyed the good fun. To characterize it other than good fun and to characterize it at the expense of the hon. member is really quite despicable. But again, as I mentioned, I will not assume that the member opposite was trying to do anything untoward here with respect to his comments but merely misinterpreted what was going on on this side of the House.

MR. GERMAIN: Speaking to the point of order, if the hon. members opposite were not laughing at the member, I would apologize and withdraw my remarks. But the hon. Minister of Justice himself has confirmed on the record that hon. members from that side of the House were laughing at the hon. member. I will be charitable and I will concede that it was not possible to interpret whether the members opposite were laughing at or with their hon. member, but they were clearly laughing at him during several presentations of this important consumer protection Bill. I must conclude from that that either they were laughing at his comment that it protects the consumer or they were laughing at the member himself. So I will confirm based on the point of order that they must have been laughing at the protection that the individual purported to say that consumers receive.

THE ACTING SPEAKER: Hon. members, it's obvious we have a disagreement between members here. I was thinking just before all of this happened how nice and quiet it was in here, and I thought it was because of the great reverence that all the members from both sides have for order and the Chair and all of this sort of thing. I heard some words that were of a nature likely to create disorder, and I think the hon. member should stick to the debate.

MR. GERMAIN: Very good, Mr. Speaker. I'll stick to the debate.

#### **Debate Continued**

MR. GERMAIN: You will recall that I'd begun by mentioning, before we got sidetracked into the issue of laughter, that in an omnibus Bill such as this, it's difficult to pick up individual

threads, but there are two threads that do seem to flow from this particular piece of legislation.

Thread one is that it doesn't matter which Act is being amended; what we have is secret government, government by regulation, nonpublished regulations, nondebatable regulations, regulations that again are not even referred to the chairman of the Standing Committee on Law and Regulations. One has to wonder as we see Bill after Bill after Bill in this House, including this Bill, why that chairman is in fact still retaining his position as chair of that committee and why in fact we even have a committee if it intends to never meet and never review a regulation.

[The Deputy Speaker in the Chair]

I think all Members of this Legislative Assembly should look back to those mentors previously – the late Ernest Manning and the previous Premier the hon. Peter Lougheed and perhaps others – who instilled and inserted these committees and ask themselves why that committee was struck if it was not to provide a sort of cleansing, daylight look at regulations. So that's the first thread that flows through all of the segments of the legislation dealt with in this Bill, once again moving more and more into the regulatory stage.

Now, the second issue that comes in this particular Bill is what appears to be a derogation of consumer protection on what fundamental benchmark. The fundamental benchmark, Mr. Speaker, is that while we will save paper, save time, save regulation, we will make it easier for marauding, traveling door-to-door salesmen to come into the province and sell to our seniors and sell to others and sell to people who are lonely and catch them at a particularly weak and vulnerable time. We will make it easier for people to run funeral homes and cemeteries in an unregulated, uncontrolled way. That's what we will do.

We're all ready to sing off the government's song sheet: now cut the budget. Earlier in this Legislative Assembly we had to debate whether prostitution and funding for community programs are related, but now what we will do in the interest of streamlining efficiencies is we will remove consumer control and consumer protection, and we'll all stand up and say: "Hurray, hurray, we have now less work, and our directors who are entrusted with regulating these things have less jobs to do and less regulation. By golly, maybe we can even fire a couple of them because we've now made their job redundant and superfluous." So that's one of the themes that flows from this legislation.

The other theme that flows from this legislation is the cavalier way in which the government assumes that it can do no wrong in the trampling of civil rights and civil liberties here: filing and using in court certificates and documents without even the obligation to give the accused person a copy of the material, taking away the court's discretion to grant the minimum fine in the area of an inadvertent breach and coming in with minimum, thousand-dollar fines, not touching the maximum and then having the temerity in this court to stand up and say that the fines have not kept up with the times. Well, whose fault is that? If there are no minimum fines, then the job of the prosecutors hired by the Minister of Justice is to present the government's case for whether fines should be higher or not. Don't come into the Legislature and ask that fines become minimum fines. There is nothing more odious than having a minimum fine when you can have uncontrolled, inadvertent, nondamaging, technical breaches of legislation, and boom, you've got a minimum fine of a thousand dollars.

So the three themes, Mr. Speaker, that this omnibus Bill contains in all or in part are the hidden government through regulations in secret again, a common theme; the removal of consumer rights and protections by this government; and finally, the derogation of civil liberties and rights of people that are accused of violating these various crimes.

Now, leaping off from that platform of overview, Mr. Speaker, I want to draw the hon. members' attention, as we talk about the policy of this Bill, to some of those specific concerns. I need go no further than the regulations to the Cemeteries Act. Now, the regulations to the Cemeteries Act simply say that now you just have to be registered. Before you had to file your contracts. You had to have your contracts approved. There were audits; there were controls. I don't see any of that anymore. Unless it is the intention now that somebody simply be registered with no other control, where did those sections go? Are they elsewhere? Are they picked up in another piece of legislation? Let's hear about that. Let's not just say, "Oh, well, we think we've got too much paperwork," for those people who sell crypts and coffins and cemetery plots to widow ladies when they're sitting there crying because they've just lost their spouse of 40 or 50 years. At the most vulnerable time that somebody is in their life, their absolute most vulnerable time, this Alberta government is going to turn their back on them in the interests of regulatory efficiency. How can that be? How can that be fair? So you can see why I would conclude that when hon. members on the opposite side were laughing with their own member, it could be inferred that they had some grievance that they were expressing in laughter to the quality of this legislation.

5:10

We move on to the Direct Sales Cancellation Act, Mr. Speaker. The Direct Sales Cancellation Act is an important piece of consumer legislation. What does it deal with primarily? It deals with door-to-door sales. When you go door to door selling things, who do you find most often? You find the elderly, the people at home recovering from illness, people who are shift workers and as a result they've just been woken out of their sleep: that's who you find when you sell door to door. That's why the Direct Sales Cancellation Act came in: to protect people from abuses by direct sellers.

Well, now the member stands up and he says: we're going to streamline and harmonize nationally. Why would that be important to us? Surely I agree that interprovincial commerce and trade is important, but there is one thing more important than that, and that is protecting our seniors in their homes in Barrhead and in Westlock and in Fort McMurray. The hon. Member for Calgary-Currie I know has many seniors living in homes in her riding. Maybe she should stand up and speak up for those seniors and fight for those seniors and fight for their consumer rights right now in this Legislative Assembly rather than saying that what we will do is turn our back on these Albertans because we want to make it easy for traveling salesmen to come in here from Vancouver and sell pots and pans in the nursing homes of our province. That's what the Bill does, Mr. Speaker.

Now, what I want to do is I want to talk about something else that's changed. Since the Direct Sales Cancellation Act came into effect, we've got another bit of a problem that's circling the province. Now because of technology and because of travel and because of new sales techniques, we have something new. We have the time-share. Is there a single member elected in this particular Assembly, Mr. Speaker, that has not had a complaint in his office about a time-share. Some members have put their



hands up. Some members have not had complaints about time-shares.

Let me share my anecdotal experience, the last experience that I had. An individual went to a vacation fair. This is a sophisticated individual, Mr. Speaker, phoning me and saying, "Why wasn't there some protection from my own stupidity?" [interjections] Yeah, he went to a time-share, and he got to watch a movie of a nice beach. [interjections] All right. Now, some of the members say: okay; let's not legislate to protect somebody. But why? If we can do this so easily, why should we allow somebody to be sold a time-share in Mexico because they get caught up in high-pressure sales techniques at a travel trade fair where the focus of the trade fair is to sell people products that they won't need, can't need, and will never need?

What would be wrong with us taking a proactive step and saying: look; if you buy a time-share, then we're going to allow you four days to get out of that contract? What would be wrong with that? It's a clear problem. All you have to do, folks, is listen to those cries from those people who have bought time-shares where they did not have all the facts, did not get all the facts, did not get to inspect the product. So why don't we add a little protection for those people?

The hon. member sitting to the far left, Mr. Speaker . . .

THE DEPUTY SPEAKER: I hesitate to interrupt the hon. Member for Fort McMurray, but under Standing Order 19(1)(c) I must now put the question on the following motion for consideration of His Honour the Administrator's speech.

head: **Consideration of His Honour  
the Administrator's Speech**

Mr. Stelmach moved:

That an humble address be presented to His Honour the Administrator as follows:

To His Honour Mr. Justice J.W. McClung, the Administrator of the Province of Alberta:

We, Her Majesty's most dutiful and loyal subjects, the Legislative Assembly, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has been pleased to address to us at the opening of the present session.

[Motion carried]

head: **Government Motions**

**Address in Reply to Throne Speech**

13. Mr. Day moved on behalf of Mr. Klein:

Be it resolved that the address in reply to the Speech from the Throne be engrossed and presented to His Honour the Honourable the Lieutenant Governor by such members of the Assembly as are members of Executive Council.

[Motion carried]

MR. DAY: Mr. Speaker, seeing the consenting nod from my counterpart across the way, I would move that the Assembly adjourn until 8 o'clock tonight in Committee of Supply in the Assembly and room 512.

THE DEPUTY SPEAKER: The hon. Government House Leader has moved that the Assembly do adjourn and that when we

reconvene this evening at 8 p.m., we do so in Committee of Supply subcommittees in room 512 and in the Assembly. All those in favour of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

[The Assembly adjourned at 5:17 p.m.]

