

Legislative Assembly of Alberta

Title: Monday, March 18, 1996 1:30 p.m.
Date: 96/03/18
[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

At the beginning of this week we ask You, Father, to renew and strengthen in us the awareness of our duty and privilege as members of this Legislature.

We ask You also in Your divine providence to bless and protect the Assembly and the province we are elected to serve.

Amen.

Please be seated.

head: **Presenting Petitions**

MR. MITCHELL: Mr. Speaker, I rise to present a petition signed by 2,092 people. It's the first of a series of petitions that we are presenting today which will amount to 20,538 signatures by students and parents and general members of the public who are very, very concerned about what this government is doing to the quality of postsecondary education in this province. It needs to be invested in because it is fundamentally important to the future of this province.

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. As chairman of the Standing Committee on Private Bills I beg leave to present the following petitions that have been received for private Bills:

1. the petition of the Alberta Wheat Pool for the Alberta Wheat Pool Amendment Act, 1996,
2. the petition of Andrew Tiel and Neil Josephson for the Covenant Bible College Tax Exemption Act,
3. the petition of James Roberts for the Evangel Bible College Act,
4. the petition of Jeff Harmon for the Bethesda Bible College Act, and
5. the petition of Unifarm for the Farmers' Union of Alberta Amendment Act, 1996.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I have a petition signed by 1,733 people from all over the province. They're very concerned about the cost and the quality of advanced education in this province.

Thank you.

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

MR. DICKSON: Thanks very much, Mr. Speaker. I'm pleased to table at this time a petition signed by 2,719 Calgaryans concerned about ensuring "an affordable, high quality post-secondary education system."

THE SPEAKER: The Member for Calgary-North West.

MR. BRUSEKER: Thank you, Mr. Speaker. I, too, have a

petition signed by 1,876 Albertans from Fort McMurray, Edmonton, Calgary, and Lethbridge urging the government to continue "an affordable, high quality post-secondary education system."

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

MR. HENRY: Thank you very much, Mr. Speaker. I would also beg your leave to table a petition signed by 3,561 Albertans from various parts of Alberta: the Edmonton area, south, and the Calgary area, as well as Fort McMurray, Drumheller, and around the province. This petition calls for "the continued provision of an affordable, high quality" education system accessible to all.

Thank you.

THE SPEAKER: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm pleased to table this afternoon a petition signed by 1,604 residents from Edmonton and area asking the government to look at maintaining "an affordable, high quality post-secondary education system" in the province of Alberta.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I beg leave to present a petition signed by 2,562 residents of Calgary and area urging the government to continue funding postsecondary education to quality levels.

Thank you.

MR. VAN BINSBERGEN: Mr. Speaker, I too would like to present a petition signed by 1,314 concerned Albertans urging the government to continue to support the providing of "an affordable, high quality post-secondary education system."

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. With your permission I would table a petition signed by another 2,179 students and other Albertans concerned about the quality of postsecondary education in this province. As was indicated, this makes a total of 20,538 petitioners.

head: **Notices of Motions**

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to give oral notice that I shall rise again later pursuant to Standing Order 40 to present the following motion to the Legislature:

Be it resolved that this Assembly recognize and congratulate Chairman Don Sprague, the athletes, volunteers, and everyone associated with the world figure skating championships [1996], that officially begin tomorrow in Edmonton.

Thank you.

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

MS LEBOVICI: Thank you, Mr. Speaker. I also rise to give notice that immediately following question period I will seek unanimous consent under Standing Order 40 to propose the following motion:

Be it resolved that this Assembly recognize and congratulate the Jasper Place composite high school Rebels as provincial basketball champions.

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

MR. JACQUES: Thank you, Mr. Speaker. I would like to give notice that following question period I will seek unanimous consent under Standing Order 40 to propose the following motion:

Be it resolved that the Legislative Assembly of Alberta congratulate the Canadian rink skipped by Heather Godberson on winning the Karcher world junior women's curling championship in [the great community of] Red Deer on Saturday, March 16, 1996.

head: **Tabling Returns and Reports**

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

MR. WICKMAN: Thank you, Mr. Speaker. I'd like to table four copies of written views shared with us by Professor Stephen Hawking. I think everybody is aware of the brilliant gentleman and how valuable his views are. Just one statement where he says, "Gambling profits are a sleazy way" of raising money.

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

MR. DICKSON: Thanks, Mr. Speaker. I'm pleased to table at this time copies of correspondence with the Government House Leader identifying the problems that members of the public have in accessing what goes on in the subcommittees of supply and proposing a mechanism to try and resolve that and ensure that the public continues to be in the driver's seat.

Thanks very much.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to present copies of a bilingual press release from Le Faculté Saint-Jean at the University of Alberta officially announcing this week as La Semaine Nationale de la Francophonie Canadienne.

Thank you.

head: **Introduction of Guests**

THE SPEAKER: The hon. Leader of the Opposition.

MR. MITCHELL: Thank you, Mr. Speaker. It's with a great deal of pleasure that I introduce a number of people in the public gallery today who are here in support of the petition that was presented earlier on postsecondary education and its importance in this province. I'd like to recognize the following: Arthur Wong from the University of Lethbridge, the Students' Union president there; Matthew Hough, the University of Alberta Students' Union vice-president external; Lance Kayfish, University of Calgary Students' Union vice-president external; Hoops Harrison, CAUS administrator; Nicole Lyotier, University of Alberta Graduate Students' Association vice-president-elect external; Sussana Gaviria, counselor and acting chair, AUSA; and Kate Kimberley, University of Calgary Students' Union president. I would ask that they rise in the public gallery and receive the welcome of the Members of the Legislative Assembly.

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

MR. BRACKO: Thank you, Mr. Speaker. I am honoured to

present to you 77 dynamic grade 6 students from one of St. Albert's finest schools, Neil M. Ross. I had the privilege of meeting in their classrooms with them. They're very knowledgeable and asked some very intelligent questions. They are here with their educators, educational colleagues of mine, Sandy Kordyback, Cathy Bagdan, Dale Rurka; two student teachers, Jocelyn St. Arnaud and Noella Holst; and parent assistant and a former student of mine, Elaine Sadler. They are in both the members' and the public gallery. I'd ask that they rise and receive the warm welcome of this Assembly.

1:40

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

DR. MASSEY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly an additional 22 postsecondary students, including some of those students elected to student associations across the province. They're here to see their petition presented to the Assembly today. With your permission I would ask them to stand and receive the traditional welcome of the Assembly.

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

MS CALAHASEN: Thank you very much, Mr. Speaker. It's with a great deal of respect that I rise to introduce to you and members of the Legislative Assembly a well-respected elder and his wife. Raven and Rita Makkannaw have been primary motivators in improving access by aboriginal people to provincial health services and have been actively involved in developing partnerships between aboriginal and western health practitioners. Presently Raven is a resident elder at the Royal Alex hospital, the first of its kind in Canada. They are seated in the public gallery, and I'd ask that they rise and receive the warm welcome of the Assembly.

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

MRS. FORSYTH: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you two people who make a great deal of difference in my life. They've come down from Calgary and they work in my constituency office: Diane Leinweber and Terri Douglas. I'll ask them to rise and get the warm welcome of the Assembly.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I'm very pleased today to introduce two very fine young Albertans to you and to members of this House. Kevin Stener is a constituent and a resident of the city of Fort Saskatchewan, is very interested in the political process, and he's here to observe question period. Also in the members' gallery a young lady I've known for 26 years who is here to see the petitions being tabled and is very concerned about what's happening with advanced education: Janine Bandcroft. I'd ask Kevin and Janine to please stand and be recognized by the Assembly.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's indeed a great pleasure for me to introduce to you and through you two

very special guests who are here all the way from Brazil. They are Rudy and Luiza Zimmer. They have come to our province to enjoy our great outdoors, to take a look at the legislative process, and also to have a look at what Alberta's economy is all about, what it's doing, because they themselves are employees of the Bank of Brazil. They are accompanied today by Sandy Pow and also Brian Williams. I would ask all four of these guests of the Legislature to rise and receive our warm welcome. *Mucho gusto de verle.*

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

World Figure Skating Championships

MR. MAR: Thank you, Mr. Speaker. I rise today to invite you and all members of this Assembly to join me in welcoming the world to the city of Edmonton and the world figure skating championships. Over the course of this week we're proud to welcome 170,000 fans from 41 countries to the city and to the province of Alberta. They are here to see competitions involving 45 men, 39 women, 33 dance teams, and 23 pairs of world-class skaters. Over 700 media people will report the results by satellite to every corner of this globe.

All of this is possible because Alberta has a strong figure skating community, including the Alberta-Northwest Territories section of the Canadian Figure Skating Association, the Royal Glenora Club, world-class coaches, and so many talented skaters, Kurt Browning being the most notable among them. They have established Edmonton as a centre for excellence for the sport of figure skating. I want to acknowledge Al Hauptman, Rosemary Marks, and Jim Wheatley, who first dreamed of hosting the worlds in Edmonton. Along with Don Sprague on board as the chair, they've made it happen. I want to thank the many thousands of volunteers without whose dedication and hard work this event could not be possible.

While they are here, I hope every fan takes the opportunity to see all that the city of Edmonton has to offer in theatre, historic resources, arts, and culture. I know that Edmontonians everywhere will make them feel welcome.

Thank you.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's a great pleasure for me to rise on behalf of all members on this side of the House and specifically on behalf of my colleagues in the Liberal caucus to join the Minister of Community Development in officially thanking and welcoming the thousands of individuals, sponsors, and associated organizations who are participating in the 1996 world figure skating championships here in Edmonton this week.

Our city, our province, and our country are indeed proud to host some 700 skating family members, as they themselves prefer to be called, including skaters, coaches, choreographers, judges, and other officials. As well, we extend our heartfelt thanks to more than 1,100 officially registered volunteers who are part of the incredible infrastructure that supports this world-class endeavour, which will have a direct economic impact of about \$39 million to our city and province but an indirect impact on our cultural and community spirit of immeasurable proportions. Nineteen ninety-six, of course, marks the 100th anniversary of the

world figure skating championships, and Albertans are well prepared to welcome the world to Edmonton, the city of champions.

Many figure skating champions such as Kurt Browning, Kristi Yamaguchi, Michael Slipchuk, and others who are from here and/or who have trained here at the Royal Glenora Club stand as living testaments to the wonderful world of ice skating. These individuals have become tremendous ambassadors for our city, our province, and our country. Mr. Speaker, our youth look up to these champions as very positive role models whose actions they idolize and wish to emulate.

Congratulations to Don Sprague, chairman of the 1996 world figure skating championships in Edmonton, and to all the other chairmen and volunteers, and a special thank you to those who had the vision and relentless spirit to influence having the championships come here to Edmonton.

Thank you, Mr. Speaker.

head: **Oral Question Period**
Hotel de Health Inc.

MR. MITCHELL: Mr. Speaker, Hotel de Health wants to run the Galahad and Islay hospitals for profit. The East Central health authority has been left on its own to create health policy for the province and by default will be handing this duty over to investors and stock promoters behind the Hotel de Health. The Premier and the Minister of Health unbelievably haven't even bothered to develop a policy on private hospitals. To the Premier: why is this government shooting first and asking questions later when it comes to privatizing Alberta hospitals?

MR. KLEIN: Well, Mr. Speaker, once we receive a proposal, then we would be very, very happy to look at that proposal and to see if in fact it is consistent with the fundamental principles of the Canada Health Act. But to this date, to this very moment, we have not received a proposal. Now, as I understand it, the East Central RHA has decided to seek more information on this matter. I don't know what they have in their hands at this particular time. They want to seek, as I understand it, more information on the identity and the number of doctors who will work for Hotel de Health in Islay and Galahad, if indeed it comes about. They want to know the exact type of services that will be provided out of the facilities, if in fact it comes about, and they want to know the financial stability of Hotel de Health. I think it's quite appropriate that the RHA ask these kinds of questions.

MR. MITCHELL: Mr. Speaker, how would the Premier – not the RHA but the Premier, who has this responsibility – ensure that the needs of Alberta taxpayers will be put ahead of the corporate interests of Hotel de Health and its business partners or any other corporation that wants to lease, buy, or do anything to Alberta's public hospitals?

MR. KLEIN: Mr. Speaker, I'm sure that the hon. Minister of Health will do absolutely nothing that would in any way, shape, or form violate the fundamental principles of the Canada Health Act. Let's see what Hotel de Health has to offer. What are they presenting to the RHA and what then will come back to this table, to Executive Council, in particular the minister, to be reviewed? That's what we want to see.

1:50

MR. MITCHELL: I sent this document to him on Thursday, Mr. Speaker. He's seen the proposal. It's pretty light. It's not

particularly professional, but he's got a copy of it. I'll table it again.

Given that the Premier clearly cannot be sure that the Hotel de Health's scheme will work, what instructions has he given the Minister of Health to safeguard the tax-funded equipment that will fall into the hands of this speculative business?

MR. KLEIN: You know, Mr. Speaker, what we're talking about here is something that is purely hypothetical at this particular time. Nothing has been approved. Nothing has been accepted. The RHA, as I pointed out, will probably take weeks and perhaps months to investigate this proposal. If indeed it's a proposal the RHA and the people of Islay and Galahad feel they can accept, then it will go to the minister, and the minister will then make an adjudication along with her colleagues in cabinet and in caucus as to whether this in fact is policy that is consistent with the Canada Health Act. If it's not, it will not go ahead. It's as simple as that.

MR. MITCHELL: The Minister of Health and the Premier keep saying that they know nothing about Robert Talbot and the Hotel de Health. Yet on July 5 last year, Mr. Speaker, the Alberta Liberals wrote to the Minister of Health and asked her to investigate Hotel de Health's proposal to privatize the Devon hospital. As if that weren't notification enough, on July 25, 1995, Viola Edgar, Robert Talbot's mother-in-law, wrote to the Minister of Justice drawing his attention to what she believed to be a fraudulent house transaction involving Robert Talbot. The Minister of Justice referred that matter to the Minister of Municipal Affairs. So we now have three cabinet ministers who are asked to look into the activities of Robert Talbot and Hotel de Health. My question is to the Minister of Justice. Why did he fail to investigate the claims made by Viola Edgar about a man whom he knew wanted to do business with the government of Alberta, wanted to lease or buy Alberta's hospitals?

MR. EVANS: Mr. Speaker, I don't remember – unfortunately, I don't have total recall – what was in a letter that came to my office related to Mr. Talbot. However, it would have been reviewed and it would have been forwarded to the department that had responsibility for the matter that was raised in the letter. I think the Leader of the Opposition has referred to that, and I'm surprised that he'd be asking me this question. He also realizes that if there were an investigation ongoing, it would certainly be inappropriate for me in this House to make any reference to any kind of an investigation.

MR. MITCHELL: But it wouldn't be inappropriate for him to tell the Premier, Mr. Speaker.

To the Premier: is it the government's policy to ignore the financial and business track records of individuals who want to privatize Alberta's health care system?

MR. KLEIN: Mr. Speaker, again I reiterate: we don't have a proposal. We don't have a proposal. Everything that is happening today is simply in the Leader of the Opposition's mind. Something has been put before, as I understand it, the East Central RHA. That matter is under review, and again I repeat: once a proposal is received by the minister from the RHA, the minister along with her colleagues will review it. Again I repeat: if it's found to be in contravention of the Canada Health Act, it simply will not happen. I can't understand how he can't get that

through his head, or maybe I can.

MR. MITCHELL: And I can't understand why he thinks he hasn't received the proposal yet.

Mr. Speaker, how many cabinet ministers in this government have to be asked to do something of importance for Albertans before action is taken, and what does it take for the Premier to follow up when they haven't taken the appropriate action?

THE SPEAKER: The Chair would say that this supplemental is altogether too unfocused.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Mr. Speaker, we'll try to focus the attention of the government on this issue then because maybe the Minister of Health can inform the Premier. In plans approved by the Minister of Health, health region 7 announced that it was going to close all of the long-term care beds in Islay and Galahad. Now, that was before a closed-door meeting between board members and at least three cabinet ministers and before a beds-for-cash scheme was being proposed by Hotel de Health. On March 14, 1996, region 7 announced that in total 65 more long-term care beds than they had originally budgeted for will now be kept open. Will the Minister of Health please tell the Assembly what promises or threats were made at that February 5, 1996, meeting that led to such a large change in region 7's business plan?

MRS. McCLELLAN: Mr. Speaker, absolutely no threats or anything else were made at that discussion. I think it's quite appropriate that board members meet with the MLAs to review activities in their region. Frankly, I would recommend that if the opposition members were invited by their regional health authority in the same way, they would take it upon themselves to do it. We might get more intelligent questioning on some of these issues.

Mr. Speaker, it is clear in Bill 20 who has the responsibility in these areas. In Bill 20, a Bill that was passed in this Legislature, it states clearly that the regional health authorities have the responsibility for delivery of services. It's also clear that if a region declares a building excess or surplus to their needs, they must bring any request for disposition or other use of that to the minister. I have not received that from this region.

As far as the tabling that was made again by the hon. Leader of the Opposition, there is no date on it. It is not submitted to the Minister of Health. In his preamble he talked about a proposal in WestView for Devon. It was rejected by the regional health authority. Now, why would the Minister of Health get involved? I ask the hon. members to read the legislation to understand who has the responsibility, because I certainly do.

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

MR. SAPERS: Thanks, Mr. Speaker. Maybe the minister will pay attention and answer the question. Now, the question is: how could the health authority in the East Central health region make the decision to reopen these 65 beds given that your department has actually given less money in this year's budget than last year, that they are projecting a deficit including their amortization capital, and that the budget has not been finalized according to next year's funding formula? How could they possibly keep an additional 65 beds open if no promises were made?

MRS. McCLELLAN: Mr. Speaker, again I answered the question the first time. There were no promises made. Again I would invite the hon. member to get more involved with the regional health authorities and understand what they do. If he is invited to meet with them in a proactive way, I would hope he would. The regional health authority has the responsibility of delivering services. If they need 65 more beds, they will put them in place. If they need 65 less beds, they will take them out. That's their responsibility. He should be commending the authority for balancing the needs of the community and meeting their budget. To raise the issue of a deficit because of amortization of capital he knows is a red herring, because that is included on a consolidated statement. The province is the builder of facilities, not the regions.

THE SPEAKER: Final supplemental.

MR. SAPERS: Thanks, Mr. Speaker. How will the Minister of Health ensure that health region 7's latest promise to keep the long-term care beds open in Islay and Galahad will be kept once the Hotel de Health beds-for-cash scheme fails?

2:00

MRS. McCLELLAN: Mr. Speaker, there's one thing for sure: I have a lot more faith in the regional health authority's ability to carry out their responsibility than the opposition does, and I think that's been well founded over the past two years while they've been in place.

The East Central region is looking at the needs of that community. They are looking at the age of their seniors' population. They are adjusting it as that age increases, Mr. Speaker. They're responding to community needs that are brought forward by the communities.

Mr. Speaker, I really would invite this hon. member to get involved in a proactive way, in a proactive way try to bring forward something that would improve the health services to a region rather than try to find things wrong when there hasn't even been anything happening.

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

Student Loans

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Alberta's remission program for postsecondary education ensures a manageable debt load for students after graduation. The maximum amount of money that we will lend to an undergraduate student for a four-year program is \$40,000, but the 1996 debt limit before remission is payable for a four-year university program is only \$18,300. My questions today are all to the Minister of Advanced Education and Career Development. Does the minister mean to tell me that where a student borrows the maximum of \$40,000, the taxpayers are writing off the difference of \$21,700?

MR. ADY: Well, Mr. Speaker, I think there are some things that the hon. member needs to understand. First of all, let's remember that student assistance is based on need, and the entire student loan system is geared to help those in financial need access postsecondary education. The hon. member's figures are correct, though. The minimum debt before remission is payable is \$18,300 in 1996 for a four-year university program. This amount will increase to \$20,000 by 1997-98. This level is based on established consumer lending practices. In other words, what do

we expect a student could conceivably pay off; how much debt could they really carry? That's what it's based on. We don't really believe in burdening graduate students with more debt than they can handle when they graduate, and that's why the remission policy is in place.

The \$40,000 maximum that we loan to a student, though, would be in a case of a very high-needs student. Yes, the remission policy would apply to them as well. It's important to note that the average gross debt upon graduation for our undergraduates in Alberta is \$16,400, and in this past year there were 5,800 students who did access the remission program, and remissions were paid on their loans.

THE SPEAKER: Supplemental question.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Can the minister advise the House as to the amount that the taxpayers of this province dedicated to our remission program for Alberta's students last year?

MR. ADY: Mr. Speaker, we don't often hear a lot about the money that we spend for remission, but I think it's an important indicator of our government's commitment to postsecondary education. In 1994-95 we spent \$15.9 million on the provincial remission programs in Alberta.

THE SPEAKER: Final supplemental.

MR. HAVELOCK: Yes. Thank you. Mr. Minister, does the federal Liberal government have a similar remission policy for their student loans?

MR. ADY: I believe the hon. member is referring to the fact that there are two levels of student loans: the Canada student loan program and the provincial student loan program. His question pertains to whether there is remission offered by the federal government for their side of the program. As a matter of fact, no, the federal government does not have a remission policy. It would certainly be helpful to us if they did have one because it would enhance the opportunity for more banks to come in and pick up involvement in the student loan repayment system. It would certainly be advantageous to the students if they were there, because that's one of the stumbling blocks that's holding more banks from getting involved in the income-sensitive loan repayment system.

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

Social Housing Corporation

DR. PERCY: Thank you, Mr. Speaker. The mandate for the Alberta Social Housing Corporation is to fund social housing for low-income families and individuals, seniors, and those with special needs. In their 1989-90 annual report the Alberta Mortgage and Housing Corporation, now the Alberta Social Housing Corporation, said that it would get rid of its land located in the exclusive upmarket SilverTip development in Canmore, yet today Alberta Social Housing is still the registered owner of 13 blocks of land amounting to approximately 94 hectares in SilverTip. My questions are to the Minister of Municipal Affairs. Can the minister tell us why the Alberta Social Housing Corporation remains the registered owner of 94 hectares of land in this exclusive development despite its 1989 commitment that it would sell its land in Canmore?

MR. THURBER: Well, Mr. Speaker, as we have land in this province that's declared surplus to the province's needs, we try and put that on the market on a fair market value and try and dispose of it in a very orderly fashion. We don't always put large tracts of land into a market position at one time because it has the tendency to destroy the market in that particular area.

DR. PERCY: Well, he's certainly taking his time doing it, Mr. Speaker.

Can the minister tell us why this land remains registered to the Alberta Social Housing Corporation but has been transferred to Stone Creek Properties, the developers of SilverTip?

MR. THURBER: Well, Mr. Speaker, when we do transfer land to other people, there are times when we don't transfer title until such time as it's been paid for. I don't know that this has been paid for in full. He would have to give me more specifics so that I would know exactly what properties he's talking about.

THE SPEAKER: Final supplemental.

DR. PERCY: Thank you, Mr. Speaker. Will the minister table in the Legislature the agreement between the Alberta Social Housing Corporation and Stone Creek Properties telling us exactly who got what for how much?

MR. THURBER: Well, Mr. Speaker, any time that we deal with third party information, we would certainly have to have their permission in order to table anything in the House. We're not about to do that at this time.

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

St. Michael's Hospital

MR. DUNFORD: Thank you, Mr. Speaker. My questions today are to the Minister of Public Works, Supply and Services. Recently through public meetings and media reports there's been some confusion as to the project called reconstruction of St. Michael's, so I want the minister to be as specific as he can to these questions. Would the minister please provide an update of the status of the request from the regional health authority to proceed with the demolition of the old St. Michael's health facility in Lethbridge to allow future development on this site?

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

MR. FISCHER: Yes. Thank you, Mr. Speaker. We are in the process of forwarding funding now to the RHA to allow them to proceed with the demolition of the existing building. That is given that it is vacant now and it's not suitable for future needs, and that has already been identified by the RHA.

THE SPEAKER: Supplemental question.

MR. DUNFORD: Thank you, Mr. Speaker. Would the minister advise us of the status of the redevelopment proposal submitted by the regional health authority regarding St. Michael's?

MR. FISCHER: Yes. In August of '95 funding was approved and given to proceed with a detailed study and define the scope and the cost. This study was submitted in January of this year, and

it's under review by the Department of Health and by my department. The proposal incorporates the redevelopment of St. Michael's and the replacement of the Southland nursing home to provide a new 200-bed facility.

THE SPEAKER: Final supplemental.

2:10

MR. DUNFORD: Thank you, Mr. Speaker. Will the minister advise as to when we can expect a final decision to be made in respect to the St. Michael's redevelopment proposal?

MR. FISCHER: As I've indicated, Mr. Speaker, this proposal is currently under review. It's one of a number of proposals currently under consideration from the regions around the province with a total estimated construction value of over \$200 million. These projects are being evaluated using our capital planning guidelines to establish their relative priority. We expect that this process will allow a decision to be made later this spring regarding approval and when to proceed with the design and the construction. It will be based on the relative priority and on funding availability.

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

Advanced Education Costs

DR. MASSEY: Thank you, Mr. Speaker. The 21 percent cut to postsecondary schools across the province means that the number of new books and periodicals purchased is dropping dramatically. Classes with more than 200 students are rising, as is the number of classes taught by junior faculty. In addition, increasing tuition and debt loads are excluding some students. My questions are to the Minister of Advanced Education and Career Development. How can the minister continue to promote a policy that allows tuition to rise while service to students declines?

MR. ADY: Mr. Speaker, the member seems to be concerned about tuition increases in this province, and I have to say that this was certainly an item for discussion when we did our public hearings. Students were involved. All the stakeholders were involved. A great deal of effort went into developing a tuition fee policy that would be fair to the taxpayers and fair to the students. The outcome of that was that there was a cap of 30 percent placed on how high tuition could rise in relation to the total cost. The students also petitioned me on an occasion that there be an annual increment cap so that they could not be hit with unexpected increases, that there would be a three-year business plan brought forward by the institutions so that students would know what their tuition would be.

All of that is in place, and frankly as I look across Canada, I'm not sure where they have a better tuition fee policy than there is right here in Alberta, and I've reviewed them. I haven't had a submission from any student who indicates that there is a better one. Our tuition in this province is competitive with other jurisdictions.

DR. MASSEY: I could rephrase it then. I don't think the minister quite understood. Tuition is going up, and service is declining. How can you support that policy?

MR. ADY: Well, Mr. Speaker, I don't believe that we have definitive evidence that the quality of our postsecondary system is

declining in this province. Certainly there are some indicators that that's not the case. Enrollment is up 7 percent over the past three years, 2 percent in this very year that we are still in, and the universities have enhanced their research-granting council awards. The most recently completed exit survey in 1995 shows a higher level of satisfaction, about 90 percent, among graduates. University graduates certainly have a statistic that shows that their employment level is much higher than the average Albertan.

Mr. Speaker, I think there are indications that the system is responding remarkably well. Certainly there have been reductions in funding, but funding is not necessarily always linked to quality. I think our institutions have done an admirable job in responding to that to provide quality education to our postsecondary system.

THE SPEAKER: Final supplemental.

DR. MASSEY: Thank you, Mr. Speaker. My final question is: given that a \$100 increase in tuition produces a 1 percent decline in the college-going rate, what action has the minister taken to make sure that high costs do not deter students?

MR. ADY: Mr. Speaker, the members across the way seem to be so concerned about the tuition and the amount of impact on students, as I am, but I wonder if one member across the way can show me one letter that they wrote to their mother government in Ottawa asking how come they took \$42 million out of postsecondary education in Alberta, \$90 million over two years. Not one letter have I seen any copy of in support: what about that 12 percent reduction? That would equate to 12 percent more that would have to be taken out of our postsecondary education system. This government covered that. Where were the Liberals then? Where were they?

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

Mobile-home Sites Tenancies Legislation

MR. DOERKSEN: Thank you, Mr. Speaker. Over this past year the government has held a number of public consultations to do with proposed changes to the Residential Tenancies Act, and it has decided at this time not to proceed. As part of that discussion were some principles and purposes which were incorporated from the Mobile Home Sites Tenancies Act, which was passed by the Assembly in 1992. My question is to the Minister of Municipal Affairs. It has been brought to my attention by a constituent that you are proceeding with the proclamation of the mobile-home sites tenancy amendment Act. I'd ask him to clarify to this Assembly the purpose and principles behind that Bill.

MR. THURBER: Well, Mr. Speaker, the hon. member is absolutely correct in that there was a Bill put in place, the Mobile Home Sites Tenancies Act, and it was not proclaimed at that time. It was the intent of the government at that time to amalgamate that with the Landlord and Tenant Act because there are some very large similarities in the way that that group should have regulations in place. At that time, as I said, it was proposed to amalgamate those, and we started to do that in this session, to amalgamate the two of them, but because we needed some more consultation on the Landlord and Tenant Act, we decided to hold that for now and go ahead and proclaim the Mobile Home Sites Tenancies Act, which will be in force I believe on April 1.

MR. DOERKSEN: Mr. Minister, would the proclamation of this

Act mean that a landlord has no rights as to how to direct his park?

MR. THURBER: Certainly not, Mr. Speaker. It just makes it more clear what the responsibilities and what the latitude are and what the landlord can do, the mobile-home park owner. Certainly they can still set the standards, and they can by bylaws decide whether they want pets or whether they want certain types of operations to happen within that park. So it in no way curtails their activities as a landlord.

MR. DOERKSEN: Again, Mr. Minister, would you be clear in saying that the landlords would have the right to specify standards or architectural controls for their parks and whether you'd be prepared to delay the proclamation for some further discussion?

MR. THURBER: When we originally went through the process, Mr. Speaker, there were some 400 stakeholders that were sent letters and dealt with on two separate occasions to try and bring this to the place it's at now. Because of some pressure from some landlords and tenants, it was decided to go ahead with this. Certainly the landlord still has the rights that he had before to a certain degree. There are some things that are little more stringent in that the tenants have a little more ability to be flexible with what they consider to be their own property, and it is. They can sell their own mobile home or they can rent it or they can do whatever they like with it because they own it. So there's some on both sides. There some more flexibility for the landlords but certainly some more flexibility for the tenants as well.

Video Lottery Program

MR. WICKMAN: Mr. Speaker, Albertans want a government that acts. Albertans are now fighting back. Loud and clear they are saying: enough is enough; we won't take it anymore. Witness Medicine Hat: hundreds of petitioners, even suicides. Albertans want slot machines junked, and they want them junked now. To the minister responsible for gambling: is the minister prepared to act upon the concerns of the petitioners from Medicine Hat?

2:20

DR. WEST: Mr. Speaker, during the long and arduous task of getting information back from Albertans, they did indicate to us through the Gordon report that they wanted choices for municipalities or communities or individual citizens of this province, choices that they could make themselves as to whether they wanted community standards set as it related to certain events around these dollars that came from gambling and also the ability to remove them from their municipalities if they so desired. Today any municipality in the province of Alberta can take a plebiscite, either one done by petition early under the Municipal Government Act, which will say that they have to get 10 percent of the signatures and then the municipality can take the plebiscite forward, or the municipality can vote to take the plebiscite forward to remove VLTs once and for all. If the majority of people say, "Remove them," then this government, through the Alberta liquor and gaming commission, will move out immediately and remove the VLTs from that community.

MR. WICKMAN: Mr. Speaker, to the minister: why does the minister insist on holding an economic gun to the heads of these municipalities?

DR. WEST: Mr. Speaker, he's bringing in the other side of it.

Of course, these do generate revenue which we put back into the good of society at this time in various forms. Yes, we have said that if you remove these, then that is a choice you have. Life is full of choices. One of the choices when you remove these is that you can't have the same dollars that you remove. You can't be a hypocrite when it comes to these and take gambling dollars from some other area and put it into your programs in your community but remove gambling from your society.

MR. WICKMAN: My last question, Mr. Speaker, to the Premier: will the Premier do the right thing and direct his minister to junk these machines now?

MR. KLEIN: Well, Mr. Speaker, the hon. minister already alluded to the Gordon report. It was a very good report. It was done in the right way to really glean from a cross section of the Alberta public their feelings on VLTs. That report has come down. The hon. minister responsible for gaming in the province has indicated that any municipality who wants to get out of gaming or out of VLTs can do so.

You know, I hearken back to a brochure that was produced by the Liberals and, I would suspect, widely distributed that really demonstrates sometimes the hypocrisy of words. On one hand, in the pamphlet it says that we should get out of VLTs, and then on the back page of the pamphlet, if I recall, it says that there should be a better distribution of the proceeds from VLTs to the communities.

I find it very strange also that the hon. Member for Fort McMurray would be writing the minister on behalf of a constituent who was complaining about not having his fair share of VLTs. I would refer to the hon. Member for Lethbridge-East, who is not in the Chamber today, again, who wrote the hon. minister responsible for gaming complaining that one of his constituents could not get enough VLTs. You know, you can't suck and blow at the same time, but they seem to be able to do it.

DR. WEST: Mr. Speaker, I have supplemental information following the question from the hon. member. I want to supplement the information by tabling two letters, one from the opposition Member for Lethbridge-East in which one of the paragraphs says:

The Miner's Library does exceptional community based work and uses these funds very effectively. Removing their terminal only serves to limit the community work that can be done through groups such as the Miner's.

I hope you reconsider this reduction of VLTs that's referred to.

Second, a letter from the member of the opposition from Fort McMurray asking us to also reconsider. It says:

Could you advise me as to what immediate steps you will be taking to provide some VLT machines to those people who want them.

The letter goes on.

THE SPEAKER: The hon. Member for Peace River.

Crop Insurance

MR. FRIEDEL: Thank you, Mr. Speaker. These questions are to the Minister of Agriculture, Food and Rural Development. With drought conditions in many parts of northern Alberta last year and too much moisture in the southern part of the province, crop insurance has become a major issue. While many farmers rely on the program and purchase it every year, many others say

that the premiums are too costly, that the payout for claims versus the cost is not effective, and that there should be a better way to provide this protection, including the option of privatization. I wonder if the minister could give us an indication of where the national crop insurance review that is presently under way is now at.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker, and thank you to the hon. Member for Peace River. This is certainly an issue that's been dealt with for some time now in the agricultural community and an issue of concern as well. It was dealt with at the ministers' conference two years ago and again this past year, because as the hon. member has correctly pointed out, there are concerns regarding the cost of premiums relative to the potential return. As a result of the concerns that have come forward, not just from Alberta but from all of Canada - every province in Canada had indicated their concerns regarding crop insurance.

The study was commissioned in conjunction with the federal and provincial governments, and indeed regional meetings were held throughout the province in Alberta as well as throughout the rest of Canada. Subsequent to those regional meetings, three provincial meetings were held. Those meetings were held in Strathmore, Camrose, and Grimshaw. The information was then compiled by our officials. They're taking this information to Ottawa. They're going to meet with federal officials, and ultimately, towards the end of the month, the results will be coming forward.

This is something . . . [interjections] It's unfortunate that our hon. members aren't interested in this. Certainly the agricultural community is. It's something important to them. [interjections]

MR. FRIEDEL: The magpies are in good form today.

Considering, Mr. Speaker, that higher, inefficient overhead costs can have a major impact on any program, could the minister tell us what the approximate costs are of administering this current program?

MR. PASZKOWSKI: Well, once again Alberta is leading as far as administrative costs are concerned. Alberta's costs for administration of the program for the year 1990-94 were 10 percent. I'd just like to compare this with Saskatchewan, which was 12 percent, Manitoba 13 percent, Ontario 14 percent, British Columbia 30 percent, and Quebec 34 percent. An interesting comparison is with private enterprise. The Insurance Bureau of Canada indicates that the average cost of administration relative to total premiums is 15 percent for casualty insurance. That's the one that's most directly comparable to this type of insurance. So obviously we're very cost effective as far as the administration of this program is concerned.

MR. FRIEDEL: Again to the same minister, Mr. Speaker: considering the calls for a revamp of the program, is privatization a viable option that can or should be looked at?

MR. PASZKOWSKI: During the consultative process the producers had indicated that yes, indeed, privatization should be looked at but only in the administrative area. When it comes to sharing the cost of premiums and all, they weren't that supportive of privatization. So ultimately the direction that was given was

that indeed privatization should be considered.

The important element that we have to draw from this is that we have to be as cost effective as we possibly can be. As I mentioned, the administration of casualty insurance under the private-enterprise system is 15 percent. We're presently doing it for 10 percent. So overall we have to assess what's going to be the most effective and most efficient way of delivering the service. At the present time it appears the way we're doing it is that.

2:30 Holy Cross Hospital

MR. DICKSON: Mr. Speaker, the Holy Cross hospital, complete with 33 million tax dollars in renovations, now sits empty in the middle of Calgary. Hotel de Health and health profit centres have approached the Calgary regional health authority with a view to taking over this facility. Now, to the credit of the local RHA its response has been only lukewarm, but since it's this Minister of Health who can overrule her appointed RHA at any time on any issue, I wanted to ask her this: what steps has this minister taken to ensure that private health care for the wealthy doesn't gain a beachhead in downtown Calgary?

MRS. McCLELLAN: Mr. Speaker, again one more time, if a regional health authority deems a building to be surplus to their needs of delivering health services, they have the opportunity to make a recommendation for disposition of that. The regional health authority has not brought any proposal forward for the future use of that building. The regional health authority knows the procedures. They fully understand them. I am sure that if the hon. member spoke with the regional health authority, he would understand that they understand that process. Our procedure is very clear; it is very transparent. The regional health authority will bring any proposal forward to this minister for consideration.

MR. DICKSON: Well, to the same minister then: does that mean that this minister commits this afternoon in this Assembly that she will be bound by whatever decision is made by the CRHA subcommittee, which is looking at disposition of the hospital?

MRS. McCLELLAN: Mr. Speaker, it's unfortunate that the hon. member can't formulate a question after the first question has been answered, because obviously if he'd have listened to the first answer, he would have known that that's not the process. The question was: would I be bound by the decision of the RHA? I just told the hon. member that the process is this: when a region declares a building surplus to their needs and wishes to dispose of that building, they must bring forward for approval from the minister and this cabinet any disposition of that building. That is the process, Mr. Speaker. That is the process.

MR. DICKSON: Given the importance of health care and given the fact that the budget for the CRHA is almost as big as the budget for the entire city of Calgary, will this minister commit that regional health authorities not only in Calgary but anywhere in the province will be subject to the freedom of information law now so that all of those activities and decisions and documents will be subject to the same level of transparency that every one of the other government departments is held to?

MRS. McCLELLAN: Mr. Speaker, when the freedom of information and privacy Bill was brought forward before this Legislature, there were some activities in health that were not

included immediately in that Bill. There is a time for review to ensure that the privacy and confidentiality of matters that should be private and confidential would be protected as they are today under legislation. There is a time period for that review, and that review will go ahead.

To suggest that the regional health authority does not put forward documents that are important in this Legislature – they submit their business plan, which I have tabled. They submit their financial statements, which are far more thorough than any hospital board in this province ever brought forward. In fact, there were only five hospital boards in the province that had their financial statements tabled. Mr. Speaker, there is far more transparency, far more financial information laid before this Assembly under the Regional Health Authorities Act than ever was before.

The minister of public works may wish to make a comment on the disposition of buildings. The hon. member seems to forget that those buildings are Crown assets. They are owned by the Crown. They are given over to the regional health authorities, or in the past to hospital districts, for use, but they cannot dispose of those without the Crown's permission.

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

Family Violence

MRS. LAING: Thank you, Mr. Speaker. Domestic violence continues to pose a serious threat to many Alberta families. My question is for the Minister of Justice. Could he provide to this Assembly details of some of the activities that have been undertaken by his department and by the police to address this problem?

THE SPEAKER: The hon. Minister of Justice and Attorney General.

MR. EVANS: Thank you, Mr. Speaker. One of the first things that I'd like to talk about in answer to that question is a recent initiative that we've undertaken in Justice, and that is the establishment of a domestic violence registry project. There are a few things that that does to try to address this issue of domestic violence. First of all, it allows us to use the Canadian police information centre computer to input information on all of the restraining orders that have been granted by courts in the province. Secondly, that information that's on CPIC is now available to our chief provincial firearms officer, and he is able, then, to review applications for firearms acquisition certificates and can prevent a certificate from being issued and in fact can withdraw a certificate from somebody who has been successful but who is the subject of a restraining order. Thirdly, it gives us the opportunity to track both convictions and sentences to see how the courts are dealing with these kinds of domestic violence issues.

There's another part of this process as well, Mr. Speaker, and that relates to special training that we're giving to our Crown prosecutors so that they are aware of domestic violence issues. They are then in turn taking ongoing educational opportunities, that are also available to probation officers, to our corrections officers, and to other agencies, to ensure that we are up to date on information that's available on how to deal with this very serious matter.

THE SPEAKER: Supplemental question.

MRS. LAING: Thank you, Mr. Speaker. My supplemental is to

the same minister. Many women are frequently harassed or stalked after they have left their family homes in fear of violence. What recourse in the law do these women have? Would the minister please tell us?

MR. EVANS: Well, firstly, Mr. Speaker, I would just go back to the comments I made about CPIC and the Canadian police information centre computer. We now have the ability to have information available to police forces across the country about individuals who have been charged with any kind of offence related to domestic violence or who are the subject of restraining orders. There have been at the federal level some changes to the Criminal Code sections dealing with harassment. We have sent out a protocol to the police forces in the province asking them to view these issues very seriously and giving them some suggestions as to how to deal with the matters. Thirdly, I would just point to the decision that we made effective in the first part of January of this year, and that is that we are waiving the \$200 filing fee for applications related to stand-alone restraining orders. We don't want that financial requirement to be an impediment to someone making an application in the proper circumstances. So I think all three of those are certainly helping, and those are tangible things that women in this province and elsewhere in Canada can look to.

THE SPEAKER: Final supplemental.

MRS. LAING: Thank you, Mr. Speaker. Again to the Minister of Justice: as many victims of family violence are increasingly the elderly, what steps have been taken to ensure their protection and safety in our communities?

MR. EVANS: Well, those same courses that I talked about earlier that are available to our probation officers and corrections officers and our Crown prosecutors are also available to those who are dealing with seniors' issues. The hot line that my colleague the hon. Minister of Community Development has set up to deal with seniors' issues is also another opportunity. We must recognize that we consider domestic violence in all its aspects, including seniors' violence, so those things are all taken into account. With respect to the seniors' hot line, perhaps my colleague the Minister of Community Development may wish to supplement.

2:40

MR. MAR: Well, Mr. Speaker, I'm sure that all members in this Assembly will agree that the issue of elder abuse is a serious one, meritorious of a great deal of effort and consideration. As set out in the most recent throne speech, my department is undertaking at this time a comprehensive strategy to raise public awareness on the issue of elder abuse. At this time we are going to be assessing the needs of seniors and service providers and developing protocols and an inventory of existing services that will deal with the issue of elder abuse. In these activities we've been working with seniors' organizations and service providers, the police, and other government departments.

Mr. Speaker, as members are well aware, this Assembly passed the Protection for Persons in Care Act last fall. This Act will help protect all adults from abuse, including seniors, who are residents of health and social care facilities and lodges. As the Minister of Justice outlined, my department is chairing an interdepartmental team that's working on the implementation of this legislation, which includes a 1-800 telephone reporting line.

Mr. Speaker, to ensure that co-ordinated implementation of the Act occurs, we are about to embark on a consultation process with

residents of care facilities, their family members, and of course the agencies themselves. As outlined by the Minister of Justice, not only are there a number of things being undertaken in his department but in other departments as well, including Health, Municipal Affairs, and Family and Social Services. Our aim of course at this time is to build upon those services and resources that are already in place.

THE SPEAKER: The time for question period has expired.

There apparently are some points of order to be raised. The Chair feels that maybe these points, without anticipating, may have been dealt with already, but we will see as they develop.

The hon. Member for Fort McMurray.

Point of Order Imputing Motives

MR. GERMAIN: Thank you very much, Mr. Speaker. You're right. The issue of members supporting on behalf of their constituents a constituent position in this Legislative Assembly has been raised before under 23(h), (i), and (j), the same citations that I again rise on. I frankly find this to be a serious area of concern, and I think all Members of this Legislative Assembly should view it as such.

Approximately two years ago, Mr. Speaker, the hon. Member for Barrhead-Westlock purported to indicate that he was in a position to release telephone numbers of phone calls that various MLAs had made on their private lines. I think in retrospect the hon. member disagreed ultimately with his suggestion being treated that way, but not before it stimulated extensive debate, some of it from the hon. Member for Medicine Hat, who published in his own newspaper indicating that he would find that to be a shocking situation.

Now, the situation that again presents itself is that when a member, in this case myself, writes for and on behalf of a constituent outlining a specific position and then has the Premier of the province and the minister to whom that letter was addressed take that private constituent's point of view and that private constituent's business into the public forum of this Legislative Assembly, Mr. Speaker, that's simply wrong. It's wrong particularly under 23(h), (i), and (j) when the content of the letter is misinterpreted and misconstrued.

I recognize, Mr. Speaker, that you may suggest that this is just a disagreement as to facts, but the point of view is that in September, when I wrote those two letters – and there were two; the other the Premier has never seen fit to indicate that he's interested in – video lottery slot machines were legal in this province based on the legal status and position of the Alberta Progressive Conservative government. As such, I have the right on behalf of a constituent who is similarly situated in the interests of fairness and equity to write and ask basically why business X has lottery machines and business Y does not.

Never once did I suggest that the number of video lottery machines be increased in the province of Alberta. Never once did I suggest that they be increased in Fort McMurray. If people are thinking about things, you can appreciate that there are lots of ways to bring equity to a problem without simply increasing the number of machines. Now, for the hon. minister and the Premier to take the position that this member advocates the increase in video lottery machines in an effort to appear to drive a wedge between this hon. member and the leader of the Alberta Liberal Party is simply reprehensible, Mr. Speaker.

More importantly – and I urge you again to protect all Mem-

bers of the Legislative Assembly – we require the ability to write to ministers in confidence when we write to ministers. The hon. Minister of Health many times has refused to get into dialogue about constituent concerns because of the concern about patient health confidentiality in this province. Frankly, I do not believe that MLAs on both sides of this House when they write to their ministers, because that's the only source of ability that we have to resolve problems for people – when we write to our ministers to fight for a constituent, if their personal business and the letter and its tone and its sentences taken out of context are going to become part of the policy of the Liberal Party and the Progressive Conservative Party of this province, it puts a chill on the ability of an MLA to do his job, it's an affront to every elected Member of this Legislative Assembly, and it has nothing to do with the fact that in this case it happens to be me. Next time it might be the hon. Member for Calgary-Shaw or the hon. Member for Medicine Hat. It is a serious, personal concern, Mr. Speaker.

THE SPEAKER: Before the hon. Government House Leader responds, does the hon. Member for Edmonton-Rutherford wish to supplement the hon. Member for Fort McMurray?

MR. WICKMAN: Mr. Speaker, I rise under Standing Order 23(i), and I rise as a Member of the Legislative Assembly concerned that what has happened to one individual could happen to any of us, and that's where a minister of the Crown or in this case the Premier is imputing false or unavowed motives to another member. It has been made very, very clear that all Members of this Legislative Assembly, whether they be on this side or on that side, have a responsibility to their constituents, and the responsibility to their constituents is ensuring an equal playing field, the same playing field that others get.

Simply because this particular caucus may have opposed the Bill to privatize registries, for example, does that mean to say in my riding I should not have any registry offices? No, that would be ridiculous. The same holds true for the VLTs. You take them out throughout the entire province; you take them out entirely. But you can't say that you're only going to put them in certain ridings because they're held by government members and that opposition members don't have the right to try and protect the interests of their constituents to the same degree that constituents in other constituencies are protected.

Mr. Speaker, the Member for Fort McMurray has said very clearly, the Member for Lethbridge-East in the past has said very clearly that it is a situation where an MLA is simply acting in the best interest of their constituent or constituency, which they are sworn to duty to do when they take the oath to become a member of this House. So in my opinion it is incorrect for any member of the House to impute those types of false motives on another member.

MR. DAY: Just briefly, I think there are three issues here at stake, Mr. Speaker. Number one, obviously, at least in my humble view, there is no point of order at all. We have a member who is feeling very self-conscious about a possible accusation – a possible accusation – of duplicity, and again he's rising on that point to clarify. There's no point of order. I understand how he feels. As I mentioned to the Member for Leduc, who was quoted as being the best salesman for the Hotel de Health, they get nervous when they disagree with their leader, because two of them did it, got booted, and are now in our caucus and one sits as an independent. So I understand their pain.

The final point. I wish to take the words of the Member for Fort McMurray and present them to him in a personal challenge, because he said he didn't just leap to his feet, jump up like a preprogrammed cuckoo clock because it was him. He said he would do this for any member. So I would challenge him first, at some proper point, to apologize to the Member for Barrhead-Westlock, who did not make public the telephone lists that came to him from the Liberal caucus in a brown envelope. He did not make those public. This member has accused him of doing that.

2:50

Finally, Mr. Speaker, I would ask the Member for Fort McMurray to take the challenge upon himself, because he's quite sensitive when something comes in his direction that does not quite properly represent his feelings on a particular matter. I would suggest to him to look at *Hansard*, question period every single day in this House. Are they questions just of straight fact? You read the questions. They are loaded with innuendo, with all kinds of negative connotations and tone, slamming – slamming – accusations all the time. So I would ask him to challenge his own members of his own caucus to just stand and ask straight questions, not slipshod, accusatory, pejorative types of questions that cast a negative pall on this entire Assembly. Take up the challenge of your own words.

THE SPEAKER: On this particular point of order the Chair feels at some disability. The hon. Minister of Transportation and Utilities did quote from the letters, but it was at a time when there was turmoil in the House, and the Chair is not sure that it heard the quote entirely. The Chair unfortunately has not had the opportunity to examine the letters that have been tabled, so the Chair wants to examine those letters and will make a final ruling on this tomorrow.

head: **Motions under Standing Order 40**

THE SPEAKER: Now we have applications under Standing Order 40. The order in which these applications were received is as follows: the hon. Member for Grande Prairie-Wapiti, the hon. Member for Edmonton-Avonmore, followed by the hon. Member for Edmonton-Meadowlark.

World Junior Women's Curling Championship

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

MR. JACQUES: Thank you, Mr. Speaker. In speaking to the issue of urgency, this championship was held over the weekend and indeed was won by this team on Saturday the 16th. I know that this is day 19 of the sitting, but it is the first day after the event, and I think it's the most appropriate opportunity and the earliest opportunity to congratulate the members.

Thank you, Mr. Speaker.

THE SPEAKER: Having heard the application pursuant to Standing Order 40 by the hon. Member for Grande Prairie-Wapiti, all those in favour, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried.
The hon. Member for Grande Prairie-Wapiti.

Mr. Jacques moved:

Be it resolved that the Legislative Assembly of Alberta congratulate the Canadian rink skipped by Heather Godberson on winning the Karcher world junior women's curling championship in Red Deer on Saturday, March 16, 1996.

MR. JACQUES: Thank you, Mr. Speaker. You may recall that it was last month, in fact specifically February 15, that I had the pleasure to stand in the House and propose a similar motion, at that time with regard to the rink from the Grande Prairie Curling Club winning the Canadian junior women's curling championship. Of course, that earned them the right to represent Canada at the world junior women's curling championship, that was held in Red Deer last March 9 to 16. I might say, not at the prompting of my colleagues, that I certainly do want to commend the community and the district of Red Deer, because there were volunteers from all over the area. Without question they not only put on a first-class event, but they certainly supported the Godberson rink.

Mr. Speaker, I think we owe a lot of congratulations to this team, that consisted of the coach, Brian Moore; the lead, Terelyn Bloor; the second, Kristie Moore; the third, Carmen Whyte; and the skip, Heather Godberson, on certainly the great achievement of being world champions. I should note that this is the third world junior title in a row, and it's certainly well deserved after a very, very hard-fought game in the final against Scotland. For those that saw it, it had to be one of the most thrilling types of finishes, where you go into the extra end and it's the last rock and you win the final 7 to 6. It seems to be a trademark of this rink. If you recall, when they won the Canadian championship, it was also the same dramatic fashion in terms of an extra end and the last shot.

Mr. Speaker, to Brian, to Terelyn, to Kristie, to Carmen, and to Heather: you have worked very hard, and you have performed extremely well. Certainly as all Albertans and indeed as all Canadians we are extremely proud of your achievement, and again I would like to extend congratulations and best wishes.

Thank you.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to join in on the congratulations to Heather Godberson and her rink on winning the world junior women's curling championship in Red Deer this weekend pursuant to the motion brought forward by my hon. colleague from Grande Prairie. In so doing, I want to thank him for bringing this to our attention and assure him that he has the full support of our side of the House in bringing forward this motion today.

It seems there are a lot of ice-related successes that we're celebrating just now. Of course, the world figure skating championships, that are taking place here, and now the team skipped by the Grande Prairie native for winning the world junior crown, and later on today this coach and proud father will be on the ice trying to help his son win the local Stanley Cup for novice 4, Mr. Speaker. So there just seems to be no end to the good news surrounding the world of ice skating and hockey.

I know that as we extend these congratulations to Heather, she would expect us to also personally extend and reiterate our thanks to her third, Carmen Whyte, to her second, Kristie Moore, and to her lead, Terelyn Bloor, for having done such an outstanding job. Mr. Speaker, it goes without saying, of course, that they didn't get to where they got to without a lot of good hard work and solid

determination, because I know that to accomplish this it takes a great deal of discipline. In order to get there, they had to defeat Norway and Nebraska and Denmark and Japan and Switzerland and ultimately that great final with Scotland. As I recall, it was a near perfect record, hon. member, that took them to this height.

So once again on behalf of the Liberal caucus I join with the hon. member in saluting and congratulating these fine winners and these fine young women for a tremendous accolade and a tremendous attribute to that sport, to themselves, and to this great province.

Thank you, Mr. Speaker.

THE SPEAKER: Is the Assembly ready for the question? All those in favour of the motion proposed by the hon. Member for Grande Prairie-Wapiti, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried, let the record show unanimously.

The hon. Member for Edmonton-Avonmore.

World Figure Skating Championships

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to speak only to the issue of urgency surrounding my Standing Order 40 motion. The matter of urgency, as we all know, is a parliamentary term, not mine, and it really refers only to the timeliness of the motion. I would submit that since the official opening ceremonies are tomorrow night and since this has garnered the attention of the world, it really does behoove and befit the Legislature to pay them this very small but significant tribute in this House today.

THE SPEAKER: Is there consent in the Assembly for the hon. Member for Edmonton-Avonmore to put his motion?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

The hon. Member for Edmonton-Avonmore.

Mr. Zwozdesky moved:

Be it resolved that this Assembly recognize and congratulate Chairman Don Sprague, the athletes, volunteers, and everyone associated with the world figure skating championships, that officially begin in Edmonton tomorrow.

MR. ZWOZDESKY: Well, Mr. Speaker, I'll make this very brief, because of course we did have the opportunity earlier in the day to cover many of the points of congratulations and thank yous that accompany world-class events such as the world figure skating championships. Those points were covered of course by the Minister of Community Development as well as by myself in responding to his ministerial statement.

I just want to underscore a couple of things. One is that of course in saluting the tremendous organizational and volunteer spirit that surrounds this event, we are also taking this opportunity to promote Edmonton and Alberta and Canada to one of the largest television audiences ever for any event throughout the world. This event, just to put it in some sort of perspective, will attract hundreds of millions of television viewers worldwide. As my colleague from Calgary-West here just said awhile ago, it will

be a larger audience than even the Super Bowl itself.

Toward the end of last week, Mr. Speaker, you will recall that yourself, the Minister of Community Development, the hon. Member for Clover Bar-Fort Saskatchewan, and myself were present to recognize and welcome the Ukrainian contingent of skaters when we saluted the activities of the NAARR group surrounding the elimination of discrimination.

3:00

Our Canadian-Ukrainian community in Alberta, specifically the one in Vegreville, did a great deal to welcome these people through billeting and fund-raising and feeding them and cheering them on, and the Vegreville businesses dressed up their shops in a special way. So, too, is the same thing happening here in Edmonton as we now welcome that contingent here to our city.

Also this afternoon at the noon hour, Mr. Speaker, I had the great pleasure to be at the press conference announcing la Semaine Nationale de la Francophonie Canadienne, which is the Francophone national week celebration announced by the Faculté Saint-Jean. I noted on their list of activities for this week that they, too, are welcoming specifically the French-speaking skaters but all skaters with a special reception on Wednesday night. It's a small tribute that the Francophone community is paying, and I know that there are many other examples of many other communities who are saluting people who have either a cultural tradition or a cultural similarity or a language similarity or some other form and so too should we.

Mr. Speaker, the current two-time world mens figure skating champ, Elvis Stojko, probably said it best this morning on a radio news program when he said that what he experienced at the Edmonton Coliseum during his preskate last night was the most incredible response that he has ever had anywhere for a preskate practice drill, complete with a standing ovation and a flurry of flowers.

It's all part of the tremendous community spirit generated by these games in Edmonton and throughout Alberta. We have an incredible infrastructure, Mr. Speaker, as you well know, that supports amateur athletes, that supports amateur athletic organizations. These volunteers comprise themselves of parents and other well-wishers who join me in saluting this tremendous accomplishment for our city, our province, and our country.

Congratulations once again to Don Sprague and the hundreds and thousands of people involved with these games, and thank you so much for bringing them to Edmonton for all of us to share. We hope you have an incredibly warm and wonderful stay here.

In closing, I would just reiterate the thanks to all members here for allowing this motion to come forward and for the few brief moments they've given me to talk to it. Thank you, Mr. Speaker.

THE SPEAKER: Is the Assembly ready for the question? All those in favour of the motion proposed by the hon. Member for Edmonton-Avonmore, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried, let the record show unanimously.

The hon. Member for Edmonton-Meadowlark.

Provincial Basketball Championship

MS LEIBOVICI: Thank you, Mr. Speaker. With regard to the matter of urgency, the provincial 4A boys basketball champion-

ship ended Saturday, March 16. It is therefore appropriate, with the Assembly's permission, to recognize and congratulate the success of the Jasper Place composite high school Rebels.

Thank you.

THE SPEAKER: Those in favour of allowing the hon. Member for Edmonton-Meadowlark to put her motion, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried.

The hon. Member for Edmonton-Meadowlark.

Ms Leibovici moved:

Be it resolved that this Assembly recognize and congratulate the Jasper Place composite high school Rebels as provincial basketball champions.

MS LEIBOVICI: Thank you, Mr. Speaker. The Jasper Place composite high school Rebels won the provincial 4A boys basketball championship in an electrifying game in Red Deer on Saturday, March 16. The final score was 78 to 77 from a basket that came at the last one and a half seconds of the game. Now, that's a cliff-hanger for you. Their coach, Clint Burrows, credits a bunch of kids who never quit for the win. Their persistence and winning attitude should be applauded by all. The second-place team was M.E. LaZerte's Voyageurs, who also displayed determination and good sportsmanship. It has been several years since the provincial final featured two Edmonton teams, and it was 25 years ago, in 1971, that Jasper Place composite high school last won this championship. This game was the culmination of a tournament featuring the top eight high school teams from across Alberta and took place from March 14 to March 16.

I urge the Assembly to not only send congratulations to the 10 members of this basketball team and their coach but also to the other teams and their coaches from across Alberta on participating in a very important and exciting tournament.

Thank you.

MR. DOERKSEN: Mr. Speaker, it was a busy weekend in Red Deer. Not only did we have the Karcher world junior curling championships, but we also hosted the 4A and the 3A provincial basketball championship teams for both men and women, and just down the road in Sylvan Lake the 2A basketball championships were being held for the province. So what better place can you be at than Red Deer? While other people get to read about these games, I had the privilege of attending both the 4A and the 3A boys championship finals, and they were indeed sensational.

The Jasper Place Rebels, who won the 4A championship, did not do so without a fight. It was a very game team who opposed them, the M.E. LaZerte Voyageurs, who fought back from a three- or four-point deficit in the dying seconds to take a one-point lead with 12 seconds left. The ball then turned over to the Rebels who, with those last 12 seconds left in the game, were able to pull out a victory by making that basket, as the member has pointed out, in the last second and a half. It was a thrilling match, Mr. Speaker, and both teams are to be commended for just a real show of talent and a real show of a great basketball game.

Mr. Speaker, while this motion only recognizes the Jasper Place composite team, I also want to mention that during the weekend there were other teams there who also deserve recognition. In the 3A finals the Camrose Trojans were able to outlast and gave it a

gutsy effort to beat the Bert Church Chargers from Airdrie in a real match of central Alberta talent. Another thrilling game to be at. It was a great weekend of basketball.

I also want to note that in the 2A boys, the final held down at Sylvan Lake, the Acme Redmen were the champions for the weekend. So we should congratulate them.

Then, of course, Mr. Speaker, we should not fail to mention the women's teams. Unfortunately, I was not able to attend their games, but I understand that the Medicine Hat – and I know I'm going to mispronounce this, but hopefully *Hansard* will spell it right – Kwahommies won the provincial championship. They were the top-rated team across Alberta and, true to the rating, were able to come out on top.

The 3A girls team, Mr. Speaker, was the Airdrie Lady Chargers from the Bert Church school. So the Bert Church school did not come away empty-handed from the weekend. They put on a great match in the 3A boys' final, but they were able to be victorious on the 3A ladies' side. So our congratulations go to them.

The 2A girls team was the Edmonton Christian school, who were able to pull that one off down in Sylvan Lake.

Mr. Speaker, unfortunately not everything happens in Red Deer but just about everything. At Pincher Creek the 1A provincial championships were held, and the winners there were the Olds Koinonia Royals, another central Albertan team, who were victorious in the boys' final. Unfortunately, I've not been able to find out who won the 1A girls' match, but I want to congratulate all the basketball players in Alberta. They put on a great show for the fans at Red Deer, and I'm sure at Pincher Creek and at Sylvan Lake, and our hats go off to all of them.

THE SPEAKER: Is the Assembly ready for the question? All those in favour of the motion proposed by the hon. Member for Edmonton-Meadowlark, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried, let the record show unanimously.

MR. BRUSEKER: A point of order.

THE SPEAKER: The hon. Opposition House Leader.

Point of Order Opportunity for Debate

MR. BRUSEKER: Thank you, Mr. Speaker. I rise under a number of citations, but I'd like to start with our own Standing Orders, 58(4), that deals with the issue of:

The Leader of the Official Opposition may . . . prior to 4 p.m. on a Monday, designate . . . estimates to be considered by the Committee [of Supply].

Mr. Speaker, there are a number of other citations that I would like to refer to in referring to this particular point of order. If you refer to *Erskine May*, page 200, there's a reference there – most of the way towards the bottom of the page, three-quarters of the way down the page – that says:

Accordingly, the Opposition has acquired the right to exercise the initiative in selecting the subject of debate on a certain number of days in each session.

Further, *Erskine May*, page 259, says:

It should, however, be stressed before going on to describe the formal arrangement for allocating time that the actual time spent

in debating a particular matter, or one particular aspect of a matter, is frequently determined by the wishes of the Opposition, and on other occasions by the wishes of [certain] groups of private Members or even of a single private Member. While certain days are specifically allotted to the opposition parties, there are a wide variety of other ways in which the official opposition, and to a lesser extent the minority parties, are able to influence the amount of time spent by the House on particular matters.

Now, Mr. Speaker, we are in the midst of our debates on the estimates today. I think we are on day 16, if I recall, at this particular time. We have in our Standing Orders to wrap up by 20 sitting days. However, there is a provision within *Beauchesne* that I would like to refer to. If we refer to our own Standing Orders – and this does tie together – Standing Order 19(1)(c) says that with respect to the address in reply to the Lieutenant Governor's speech there shall be 10 sitting days. Now, *Beauchesne* at 271(6) says that any days that are not used in debate of the Speech from the Throne may be added to the debate in estimates. When I reviewed the dates that we had spent on the Speech from the Throne, in reply to His Honour the Honourable the Administrator's speech, I noted that we started our debates on Thursday the 15th of February and wrapped them up on Tuesday the 5th of March. But there were six days, Wednesday the 21st, Thursday the 22nd, Monday the 26th, Tuesday the 27th, Wednesday the 28th, and Thursday the 29th, that did not get used – those are all in February – in debating the Speech from the Throne. Accordingly, therefore, on request from the Leader of the Official Opposition, we would like to designate that those six days be added to the debates on estimates on consecutive Thursdays, if that's appropriate or in sequence, whatever is the intent of the House.

Thank you, Mr. Speaker.

3:10

THE SPEAKER: The hon. Government House Leader.

MR. DAY: Well, this is a purported point of order, Mr. Speaker. You will have to rule on that. If there are suggestions about improvements on timing and how debates are handled, then the Opposition House Leader knows that I'm always open and available for discussion on that, as are all the members of this caucus. Whether there's agreement is another thing, but certainly I'm willing to acknowledge that I would spend time with the Opposition House Leader looking at some of the questions he's raised. Not having heard all of them, I'm somewhat at a disadvantage to respond to each. I would think it's however not a point of order, would be my humble opinion, but something to be pursued in discussion with the Opposition House Leader.

THE SPEAKER: The hon. Opposition House Leader started off by citing a Standing Order regarding designating certain departments but ended his comments about extending the time for consideration of estimates. Is there a linkage between the two?

MR. BRUSEKER: If I might reiterate, not that I'll repeat it all, Mr. Speaker. Certainly there is a linkage with respect to adding the days on. The reason I'm making the point of order today, on a Monday, is because of the fact that there is the opportunity for the Leader of the Official Opposition to designate certain departments. *Erskine May* says that there are times that are allocated for debates as designated by the Official Opposition. I also referred to *Beauchesne* 271(6), that allows for the addition of days

from the reply to the Speech from the Throne to be added to the number of estimates days over and above the Standing Orders. So really what I've done is taken the different references from the different sources and put them together, looking at what we have available according to the rules that we've adopted in this Legislative Assembly, and I'm really just sort of providing by way of notice to the government side that we would like to designate those next six days to be estimates days.

MR. DAY: Well, now having heard a little more fully what is being proposed, I would suggest that we're hearing some creative and poetic licence in terms of interpreting the Standing Orders, but again I'll leave it to you whether that is a point of order. I would suggest it isn't. I would be more than happy to sit down with the Opposition House Leader to pursue this matter further.

THE SPEAKER: The Chair really believes that Standing Order 58(1) is the controlling matter here. The reference to *Beauchesne* and to *Erskine May* had reference to other Standing Orders: *Beauchesne* with the House of Common's Standing Orders at Ottawa's and *Erskine May* with the Westminster Standing Orders. It's the Chair's feeling that when our own Standing Order is very clear, that certainly takes precedence and is binding on the Assembly. Here Standing Order 58(1) says, "The Committee of Supply shall be called to consider the main estimates on not more than 20 sitting days." The Chair does not believe that there's anything in *Beauchesne* or *Erskine May* that can override – because after all those two authorities are dealing with the Standing Orders of their jurisdictions – this very clear language of our Standing Order that says that there will be 20 sitting days for the consideration of main estimates. Therefore the Chair must rule accordingly.

head: **Orders of the Day**
 head: **Government Bills and Orders**
 head: **Second Reading**
Bill 12
Services to Persons with Disabilities
Foundation Act

[Adjourned debate March 12: Mr. Collingwood]
 THE SPEAKER: Is the Assembly ready for the question?

HON. MEMBERS: Question.

[Motion carried; Bill 12 read a second time]

Bill 13
Registries Statutes Amendment Act, 1996

MR. SEVERTSON: Mr. Speaker, I move second reading of Bill 13, being the Alberta Registries Statutes Amendment Act, 1996. Mr. Speaker, this Act is an omnibus Bill which amends eight Acts administered by the Municipal Affairs registries. As a result of these amendments, it is necessary to include consequential amendments to 22 other Acts. The intent of this Bill is to support the government's direction of improving efficiency and finding new ways of delivering services to Albertans. The proposed changes will create the opportunity to modernize the way Albertans communicate with government. It will make it easier for businesses formed elsewhere in Canada to do business in Alberta as well as improving operational efficiencies within Alberta's Municipal Affairs.

If you'll allow me, Mr. Speaker, I will continue with the main changes to each Act. The Business Corporations Act: we are proposing some changes to support the agreement on internal trade. This amendment will reduce the administrative burden on corporations formed elsewhere in Canada and wanting to carry on business in this province. It will also permit the continuing reduction of filing and reporting requirements as agreements for co-operation in administrative processes are reached with other provinces and territories.

Another amendment to the Business Corporations Act recognizes the demand of the ever expanding global marketplace. It recognizes that some of our international trading partners have different ways of organizing business entities than we have in Alberta. This amendment will allow us to set the rules to permit these entities to enter the Alberta marketplace. In addition, a number of other minor amendments are brought forward to allow businesses to better organize their corporate structures.

With respect to the Land Titles Act, currently there are two land registration districts in Alberta, and documents must be registered or filed in the land registration district within which the land is situated. In my own circumstances where I farm, I have to file in two different land titles offices.

3:20

AN HON. MEMBER: You've got that much?

MR. SEVERTSON: That's where the line is.

Now we're proposing to have only one district for all of Alberta. This will eliminate a lot of duplication and make it easier for Albertans to file land-related documents.

Another amendment is being made to allow flexibility in dealing with situations affected by restricted covenants.

Finally, a mortgage is one of the most common transactions of land titles. Mr. Speaker, to make this process easier, we are proposing to allow mortgagors to file standard forms of mortgage. Each time a mortgagor issues a new mortgage, they will only be required to file particulars of the transactions instead of the complete documents. This makes the filing and registrations easier for the mortgagor and for the government.

The change of the two land titles registration districts into one will make consequential amendments to 22 other Acts, which are stated in the Bill.

In the Companies Act we're making amendments to streamline the process for the administration of unclaimed assets and the payment of claims. This is to be accomplished by centralizing the process with the office of the Public Trustee and by increasing the amount of a claim that can be handled administratively from \$2,000 to \$7,500. This change has been requested by Alberta Treasury and agreed upon by the Public Trustee's office.

In the Change of Name Act we're removing the present requirement to advertise the intention of change to a person's surname in the *Alberta Gazette*, as the Vital Statistics Act requires all changes to names processed be advertised in the *Alberta Gazette*. This is duplication.

In the Government Organization Act, Mr. Speaker, we're amending sections to allow Alberta Municipal Affairs' registries to keep pace with an ever changing marketplace by allowing for forms to be filed electronically and by streamlining the process for changing the content of the forms.

Regarding the Marriage Act, we are repealing the sections which permit Indian agents to issue marriage licences. This practice is obsolete as there are no longer Indian agents.

In the Vital Statistics Act we're proposing some minor house-

keeping amendments to remove some redundant clauses resulting from previous amendments in other statutes.

Currently, the Societies Act does not allow a society to file a change to its address or directors except on its annual report. An amendment is proposed to permit a society to update the official records when the changes take place.

In closing, Mr. Speaker, these are amendments that are all intended to improve the efficiency and to accommodate new ways of delivering service to Albertans. Formal discussions have taken place with various stakeholders, and these changes reflect those discussions. This Bill consolidates the improvements of the above-mentioned Bills.

Thank you.

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

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to speak to the Registries Statutes Amendment Act, 1996, Bill 13, as tabled by the Member for Innisfail-Sylvan Lake. At first brush this Act certainly gives the impression that it will bring a level of efficiency, and naturally the Official Opposition is supportive of any improvements when it comes to legislation.

It's a piece of legislation that can be deemed as housekeeping and tends to be a dry piece of legislation and doesn't create much excitement, but I'm very sensitive to that. Indeed, it's often pieces of legislation like this where things can be slipped past members of this Assembly. So it certainly should be looked at closely to ensure that it is indeed an effective piece of legislation inasmuch as it's dealing with a number of present statutes that serve all Albertans.

Certainly, it would appear that the main purpose of this Bill is to amend, as the member stated, the Business Corporations Act to allow the minister to make regulations regarding the governing registration application of that Act to extra-provincial corporations, what are now classified as "extra-provincial legal entities."

Once again we see that word "regulations" and the delegation to the minister, and I would put forward at this time, Mr. Speaker, that we will be looking at amendments coming forward dealing with the authority of ministers of the Crown having the ability to develop the regulations. Historically, they've not been referred to the rules and regulations committee, that as yet has not met, and that's totally inappropriate. So we'd certainly want to see a change there.

The Bill interestingly also eliminates the two registration districts, north and south, in Alberta pursuant to the Land Titles Act, as well as the Lieutenant Governor giving him the ability to create new land registration districts. However, this Bill also creates new land registration districts, north and south, with respect to writs, including writs of enforcement and their registration.

Now, Mr. Speaker, we also see that there are consequential amendments that have been made to the Change of Name Act, the Companies Act, the Government Organization Act, the Marriage Act, the Societies Act, and the Vital Statistics Act, all key areas. We as Albertans at some time in our business or in our life have some need to use legislation under these Acts. It's been identified that the permanent resident in section 1(2) indeed has been changed. There's no exception any longer for the definition of "resident Canadian." It now is indicated as a permanent resident in Canada for more than one year under the definition of "resident Canadian." I think that certainly would not create any difficulty.

Indeed looking at the Business Corporations Act, we have to acknowledge that now in 1996, when we're dealing with internal trade and global markets, we've got to have legislation that allows us to be effective partners in that global market. At the same time, Mr. Speaker, we should ensure that the objectives of all these pieces of legislation that are being amended indeed protect the rights of Albertans and Canadians in the international trade and global marketplace. So certainly at committee we'll be looking at this Bill, in essence putting it under the magnifying glass, ensuring that we scrutinize it.

Section 1(8) will be where we're looking at an amendment to make reference to the rules and regulations committee to ensure that the democratic process is honoured in this Assembly and that every member of this Assembly has the right to scrutinize regulations, that we don't suddenly by default find there are regulations out in the province of Alberta that really don't serve this Legislature or the people of Alberta in a positive way.

We're seeing in 1(9) that annual returns of extra-provincial corporations are now filed on a date to be determined by the minister. That certainly allows for discretion to the minister.

What we need to be concerned about in asking the minister – under 1(10), the extra-provincial legal entities, an organization not registered as an extra-provincial legal entity recognized as a legal entity under the laws of another jurisdiction is not a partnership and has now been created, and the Lieutenant Governor in Council can now make regulations regarding the registration under an application to this Act. It sounds very complicated. So once again I think it's important, when you have legislation that reads like this, when it's being amended in section 1(10), that we have the ability to refer those regulations to the Law and Regulations Committee.

3:30

Mr. Speaker, when we look at the Change of Name Act and look at the amendments there, on first perusal of this I don't believe that it would create any difficulty. But when we look at the Companies Act on page 6 of Bill 13, we have to ask a question under section 3(2). We're seeing a significant change to the numbers. The amount prescribed for the disposal of unclaimed or undistributed assets by a person beneficially entitled has been amended from \$2,000 to \$7,500. It now goes to the Public Trustee when it used to go to the Provincial Treasurer. We see these substantive changes in dollar amounts, and I would hope that the hon. Member for Innisfail-Sylvan Lake will be able to tell this Assembly why we're looking at those dollar amounts being changed.

In the Government Organization Act on page 7, I have a question once again that relates directly to regulations. I would really ask why this government is so reluctant to allow this Legislative Assembly, through the Law and Regulations Committee, to be able to scrutinize regulations. I mean, that's the very basis of democracy, the regulations. Really, in a piece of legislation the objects of it should be fairly concise and to the point, and the substance is in the regulations. It would behoove this government, if it really respected the democratic process, that members of the Assembly would have the ability to look at those regulations before they become law. I don't think that's too much to ask, Mr. Speaker.

I remember well sitting on a committee that worked on developing the regulations for public health. Actually, I was really concerned at the end of the day when I looked at the regulations that governed public health that they really did not represent what this very representative committee, the lay

committee with legislative planners – and in fact the legislative planner who sat on that committee is now a member of the judiciary. So I felt that that committee really did a very credible job of developing the regulations for the Public Health Act, yet when they became law, they had been substantially changed. Well, to my mind it's tokenism if you put a committee of experts in place and find that within a caucus, a government caucus, somehow those regulations get changed. I don't think that serves anyone well. That's why you need an all-party committee, which is the Law and Regulations Committee, to peruse the recommended regulations before they become law.

So I'll continue to chastise this government when they bring forward legislation like this, Mr. Speaker, that repeats time and time again the right of regulations to be authored under the name of a given minister. That certainly is not acceptable.

The Government Organization Act. Once again it's the same thing. I won't recycle my comments, but we will be looking at an amendment there.

I certainly am all for making filings in the Land Titles Act easier. In section 5(2), the northern and southern registration districts in Alberta, the registration procedures as well as the Lieutenant Governor in Council's ability to create new registration districts have been eliminated. Why indeed has this been done? Is this part of this "easier to file"? I'm not quite sure that this actually fits in with the Member for Innisfail-Sylvan Lake, who was talking about making it much easier and less cumbersome for Albertans. If that indeed is the case through that section, well, I would commend him for that, but I would like him to address it.

Mr. Speaker, with regards to section 17, I have a direct question that I feel has to be addressed, and it may be because I don't fully understand this whole process. Two land registration districts, north and south, in Alberta have now been created with respect to writs, including writs to enforcement and registration. I'd like the member just to share with me what that section's actually doing in respect to writs.

The heading Names of Married Persons has been replaced with Change of Name, and the procedure to change your name under certificate of title has now been outlined, and I think that certainly is an improvement in that area.

Under section 5(24), the value of land may now be ascertained by oath of the transferer or their agent only and no longer by the transferer. Now, once again, I'm not a lawyer, Mr. Speaker, but I would ask the question . . .

MR. DOERKSEN: It works in your favour.

MRS. ABDURAHMAN: I would agree with you. I just come from a very commonsense perspective, Mr. Speaker.

Why is the transferer being eliminated from this process? I mean, maybe to lawyers or legislative writers it makes sense to them, but I'm not quite sure indeed why that is being eliminated. I think that we need an answer to that as well.

The other area that somewhat puzzles me, Mr. Speaker, is under section 5(27). The registrar can now forgo giving notice to the Crown, who is deemed to have notice at the time of the registration of a caveat. I'm puzzled. Why would the Crown not be notified? I mean, why are we excluding the Crown here? I would think that the Crown should be notified, unless I can hear a really good reason, because the Crown should be there to protect the people. I may be missing something in this exercise, but I'd certainly want the Member for Innisfail-Sylvan Lake to address that.

Now, as a volunteer, Mr. Speaker, the Societies Act always was a very key component in how we as a volunteer organization conducted ourselves. I can remember well when I became involved in communities in the province of Alberta, through the Alberta Hospital Auxiliaries Association, that it was important that you were registered under the Societies Act. It gave credence, and I think it made sure that honesty prevailed. Perception is everything, and I think it served us well. So I have to ask this question under section 7(2). Annual reports and audited financial statements no longer need to be filed annually; a filing is only required where changes in addresses or memberships occurred. Well, I have to ask the question: shouldn't these documents be filed on an annual basis so that the business of these societies can be tracked?

You know, as I've indicated through the Speaker's Chair, perception is everything. I get really concerned. The Societies Act is a very important piece of legislation. We indeed should ensure that all volunteer organizations are above reproach and that they have a level of security that they're following the legislation that's presently in place. I need that question to be addressed, Mr. Speaker.

I'm pleased to see at this time under the Vital Statistics Act, page 29, that we're repealing the definition of "Indian." This is long overdue. I can't believe that it continued to exist.

Another question. It's an area that I'm not too familiar with, but I'd certainly want the government to explain this to me because I think it's very important. Under section 8(3) burial permits for deaths outside Alberta with burials inside Alberta no longer need to be countersigned by a medical examiner. Now, the fact that the medical examiner's name is stated there in the legislation – are we talking about all burial permits? Were we only talking about burial permits that we've not have the medical examiner's office involved in? Or are we talking about burial permits where indeed the medical examiner's office has been party to examining the cause of that death? I'm not quite sure in my own mind. I want to be reassured that the appropriate signatures are on that permit, so I'd ask the member who tabled this Bill to please address that.

3:40

Mr. Speaker, I look forward when we get into Committee of the Whole or even before that to some of the questions that I've asked on Bill 13 being addressed. I would urge all members to look at this Bill closely. Yes, at first blush it looks like a housekeeping Bill, but that's in many instances when things go past you, when you don't look at something closely and scrutinize it. The very word "registries" should heighten one's attention, because certainly out in the communities that I represent and other communities, people have come to me from the registries offices and said, "Does this Bill have any impact on opening up the marketplace, on more people getting into the registries office?" These people, with the privatization, are trying to make a go of their businesses. There is a concern out there that there may be something in this amending Bill that would negatively impact them.

Thank you very much.

MR. KIRKLAND: A few brief words on Bill 13, the Registries Statutes Amendment Act. I would compliment the Member for Innisfail-Sylvan Lake for bringing it forth. When we look at the principle of it, which we're discussing at the second level, certainly the principle seems to be to streamline and also to eliminate duplication. It would be difficult to stand and oppose that particular principle.

I listened to him as he spoke about the Business Corporations Act. Again, he referred to the reduction of administration and that particular component of it and also indicated there were some amendments there to recognize expansion in the global market, certainly two timely and I would suggest necessary amendments. They weren't, by quick view, amendments that I thought desired a lot more attention or scrutiny.

We went on to chat about the Land Titles Act, Mr. Speaker, and the fact that the Act would again be amended to reduce duplication. He indicated that it would require that a title be filed in a land district within which the land is located. Now, when I listened to those comments, I wondered if there was a legal implication. I can recall a Bill that came through this Legislature recently – I think it was the commencement of actions Bill last session – and I wondered if in fact there was a tie and perhaps a complication in that particular situation.

Now, the Companies Act. The member indicated it was simply streamlining. I didn't see anything that suggested otherwise.

When we looked at the Act in regards to change of name and removing the necessity to publish it in the *Alberta Gazette*, Mr. Speaker, it struck me that that in fact might be a little premature. When I say that, I think of some of the discussion that I've listened to in this House whereby there is some thought being rendered at this point to give consideration to whether this province would give notification if an offender, a sexual offender or a dangerous offender, was to move into your neighbourhood. Now, I wonder, when we remove the need to publish a name in the *Alberta Gazette*, whether that does not provide the opportunity for such individuals perhaps to slide into those neighbourhoods and if we're not removing one of the safety nets to deal with it.

The Member for Clover Bar-Fort Saskatchewan spoke about the outdated terminology with Indian agents and the fact that they could issue marriage licences. That falls, I think, under that bailiwick of the Vital Statistics Act. Again, there was chat about just eliminating the duplication and the likes thereof. I think that certainly is to be commended.

[The Deputy Speaker in the Chair]

Overall, Mr. Speaker, it's 30 pages of amendments, and certainly when you're going through it, it's very difficult to actually put it all together and make sure that in fact it would be for the benefit of all Albertans to amend some of these Acts. So I would look forward to some of the questions that the hon. Member for Clover Bar-Fort Saskatchewan asked of the member.

For clarification, the situation that I brought up, Mr. Speaker, I believe deserves some consideration as well. Elimination of duplication and elimination of paper and streamlining the process is desirable. You can't lose sight of the fact why a lot of the clauses in the Acts were put in place with specific caveats and specific restraints. I would like to think the department has fulfilled their obligation and has attempted to foresee and envision the complications that would result if in fact some of these Acts are changed. Sometimes it does not always jump out at us when we're amending legislation, and it takes a legal battle after the fact to resolve it.

So with those few comments I would compliment the member for bringing forth a Bill that is superficially intended, we're led to believe, simply to houseclean and eliminate some duplication and to streamline the process. We struggle as average Albertans to deal with government bureaucracies in government departments some days, and if this is a step to easing that or simplifying it,

then certainly I would be very much in support of it.

Thank you, Mr. Speaker.

MR. WHITE: Mr. Speaker, I rise to speak to Bill 13, Registries Statutes Amendment Act of this year, and I must compliment the work of the member opposite, the Member for Innisfail-Sylvan Lake, on bringing this forward and for all the work that it took in his committee to go through all of these statutes line by line. I must say that it does get rather complicated and convoluted at times, but it is most necessary for the administration of this province to go through these things line by line, every single Act and in fact every single regulation.

It is unfortunate that this government feels there's no place in this Legislature for regulation, to review the regulations, which is in fact the complicated part, the much more complicated part of the administration of this province. It's in all Acts, whether it be the Marriage Act, the Societies Act, or any number of Acts that this province administers. It's unfortunate that the citizenry doesn't have that opportunity to review every one of those amendments, because quite frankly there's a lot of business they could do on our behalf and help us legislators to streamline some of these, because some of them certainly aren't needed.

Mr. Speaker, in speaking to the fundamentals of the Act, that which is the streamlining of some of government and to remove some of the superfluous wording, I have to compliment the government in a particular area as it refers to the Marriage Act and, in particular, the Vital Statistics Act. Two members have spoken of it prior to my speaking on this side of the House, in the way of compliments too. It's to remove the word "Indian" and "Indian agents" from the legislation of this province. We have come to agree quite some time ago that in fact that's a very offensive term. Those of aboriginal descent in our province do not appreciate that designation. It has been wiped clean in the federal House. Now it behooves us to do the same thing in this House, and we have to compliment the government.

The question that I ask though: has the government gone through all of the Acts of this province to highlight those areas where there is reference to the Indian Act of Canada or an Indian agent or a definition of an Indian? Have they located these, and have they purged them from our system? I must ask this in all honesty, being nonaboriginal myself. It is difficult for some of those with aboriginal descent to ask these questions and point out the bias that this former legislation has shown to those citizens of our province and to clear the air, as it were.

Mr. Speaker, I want to once again compliment the government in their diligence and urge them on to do more of this sort of thing, and hopefully we can cut the chaff from the wheat and come up with legislation that is fitting for all and in fact the regulations can be read with ease and understood by all.

Mr. Speaker, thank you for your time and your indulgence.

3:50

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

MR. SEKULIC: Thank you, Mr. Speaker. I, too, rise to speak to Bill 13, the Registries Statutes Amendment Act, 1996. I was quite surprised when I first saw this Bill come over, because the word "teachers" wasn't in the title, so I didn't, naturally, assume that the hon. Member for Innisfail-Sylvan Lake had put it forward. Nonetheless, that little bit of humour aside, Mr. Speaker, I do commend my colleague from across the way for bringing this Bill forward. I think that if there are ways we can

improve and assist business by taking down some of the barriers that in fact government regulations have put in front of them, we are doing all Albertans a favour. For that point of view I do commend the member.

My concerns are somewhat similar to what my colleagues said before me. I'll just cite specifically the first one, and that is the manner in which regulations are made and can be made. I do believe quite sincerely that the scrutiny of the Assembly is an integral part of our democratic process, and the more that flows through here, hopefully we as elected officials can catch potential problems prior to them being implemented into legislation.

Mr. Speaker, one of the other concerns that I had was similar to one that I'd raised on a previous Bill. I can't think offhand – I think it was an economic development Bill that came up last fall. Specifically, when regulations can be made in such a way that they modify any provisions of this Act – and that's in fact a quote from section 283.3 – where “The Lieutenant Governor in Council may make regulations” and then subsection (c) goes on to say in the first part of it, “modifying any provisions of this Act,” my specific concern with that direction is that once again we're making a statute, a law, subservient to a regulation, and we know that that is a significant concern to all members. In particular, when those regulations will be made outside of the purview of this Assembly and perhaps at a bureaucratic or a senior management level, I'm worried that we are debating statutes or Bills at this level which may a month or six months from now be subservient to regulation made by someone in senior management in the public service.

I'm not sure that was the intended direction that the hon. Member for Innisfail-Sylvan Lake was wanting to go. I know he respects the democratic process, and perhaps I haven't read accurately as to how that section would be implemented and applied. I'm sure when he rises near the end of the debates, perhaps even at the second reading, he will clarify for me or give me some assurance that laws that we pass in this Assembly will never be subservient to regulations made outside of this Assembly.

So that was in effect my key concern in terms of this Bill, and I would like to have it addressed. However, the principle, once again, Mr. Speaker, I fully endorse. I will be supporting it in principle, and then perhaps at different levels – at the next level, at the third reading, at the Committee of the Whole – if we can't resolve some of these concerns, I may have to vote otherwise. But at this point I do commend the member for bringing this Bill forward, in fact for changing his focus slightly from our teaching professionals into a new and bold direction that'll assist Albertans and businesses in Alberta.

So with those few comments, Mr. Speaker, I'll pass the floor to a colleague.

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

MR. BRACKO: Thank you, Mr. Speaker. I also rise to speak to Bill 13, the Registries Statutes Amendment Act, 1996. Again we commend the member for bringing this Bill forward. We're looking at the Business Corporations Act and changes that need to be made to make it easier for businesses and corporations to do business in our province, between provinces, and internationally. Anything that can be done to help is a tremendous benefit. The bureaucracy at times is not only extremely costly but time-consuming for businesses, for corporations to have to go through. At one time you used to have a handshake and the business would be done, carried on through word of honour, through one's

honour. Now we've brought in a lot of regulations, a lot of Bills to prohibit, that take away to protect perhaps our own province and corporations, but these need to be changed to move into the changes that are taking place in the province and interprovincially in our country. We see that we need to encourage and utilize the business skills of our corporations in doing business for Albertans and for creating jobs, instead of running and having to spend money on the bureaucracy and taking the time and energy from that.

We do have a concern again that any regulations, any changes should be taken to the Standing Committee on Law and Regulations as part of the democratic process in our province. I want to be able to say to the younger generation that this democratic process is one this party, the Liberal Party of Alberta, has fought for. I know we have a chairman, but apparently nothing really happens or hasn't happened since I've been in this Assembly. We do want to make sure it does go to this committee so it can be looked at by all members or any member interested from this Assembly, so it can be perused and the best possible rules and regulations made. Ones that aren't needed could be eliminated or ones added to make it easier for a corporation to do business. If something happens that could or should have been picked up and isn't, it can be costly and time-consuming again. So we challenge the government and members on the other side and the member who introduced this Bill to refer any laws, regulation changes to the standing committee, one that would look at it closely and give them perhaps a different perspective to it also in the best interests so all Albertans benefit.

Moving on to section 3(2), the amount prescribed for disposal of unclaimed or undistributed assets by a person beneficially entitled has been amended from \$2,000 to \$7,500. I have a question to the member who introduced this Bill. Why has this dollar amount been changed? It would have been nice to have an explanation when you introduced the Bill, been given information on it so we understand why and we don't have to stand and ask questions. Although we appreciate all you've done, it could even be done further so that more information can get to both sides of the House, so we don't have to waste time and energy here asking this.

Also the changes in amount: at one time it was over \$7,500, and now it goes to the Public Trustee. Before it went to the Provincial Treasurer. Can you give us an explanation for that? It would be greatly appreciated. If the amount is less than \$7,500, now it goes to the Minister of Justice where it used to go to the Lieutenant Governor in Council. Again, why the change? It may be very appropriate, and we would like that explanation.

Section 5(24): “The value of land . . . may [now] be ascertained by the oath of the transferee . . . or [their] agent” only and no longer by a transferer. Why is the transferer being eliminated from this process? If we could have an explanation for that, it would be appreciated.

4:00

Lastly, section 7(2): annual reports, audited financial statements no longer need to be filed annually. Filings are only required where changes in address of the membership occur. I guess the question here is: shouldn't these documents be filed on an annual basis so the business of these societies can be tracked? Ninety-nine point nine percent of societies do an excellent job. Many volunteers commit great time and energy and do a tremendous job, a great job. One or two can make a number of societies look bad, and people hesitate to give money or work for some societies because of the negativity of one or two or a small number. I

realize it isn't a great number. If they're filed annually, at least they can be tracked, and the government and the Legislative Assembly can do their duty as needed to protect the interests of all Albertans. We would look at perhaps making some amendments after these explanations when it goes to Committee of the Whole.

Thank you for this time.

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

MR. BRUSEKER: Thank you, Mr. Speaker. I want to make a few comments about Bill 13, the Registries Statutes Amendment Act. The Bill has quite a neutral-sounding name and proposes to amend a number of statutes that we have in the province of Alberta. Specifically, eight are mentioned in bold type under headings, if you will, such as the Business Corporations Act as the very first one. The Bill then proposes to amend additional pieces of legislation – the Change of Name Act, the Companies Act, the Government Organization Act, the Land Titles Act, the Marriage Act, the Societies Act, and the Vital Statistics Act – and there are appropriate sections that deal with each of those.

Mr. Speaker, when one reviews the different sections of the Bill, there are a number of consequential amendments that occur as a result of amendments to different pieces of legislation. For example, in the section dealing with the Business Corporations Act, there is, then, a consequential amendment to the Partnership Act, that is mentioned further on in that particular section. When one goes through different pieces of legislation that are being amended in here and the consequential pieces of legislation that are being amended by this Bill, in fact one comes up with a rather lengthy list. I went through and listed all of the Bills that are amended consequentially. At least I think I have them all; I may have missed some indeed.

Many of these in fact occur under the Land Titles Act section, that starts on page 8 of the Bill. As we go through, we see amendments to the Builders' Lien Act, the Domestic Relations Act, the Dower Act, the Drainage Districts Act, the Expropriation Act, the Historical Resources Act, the Income Support Recovery Act, the Insurance Act, the Interpretation Act, the Irrigation Act, the Loan and Trust Corporations Act, the Matrimonial Property Act, the Public Trustee Act, the Public Utilities Board Act, the Public Works Act, the Railway Act, the Religious Societies' Land Act, the Special Areas Act, the Surface Rights Act, the Surveys Act, the Turner Valley Unit Operations Act – you may have intimate knowledge of that one, Mr. Speaker – and the Water Resources Act. They are all amended consequentially under the section of the Land Titles Act.

Mr. Speaker, far be it for me to criticize the government, but that is my job, so I will continue to do so. I would have to say that when I see amendments to eight titled Acts and then all of those consequentially amended Acts, I get concerned. We've had this Bill presented in the Legislature. It was tabled for first reading by this Member for Innisfail-Sylvan Lake on Wednesday. We got it in our offices Thursday. On Friday we had a chance to look at it. Here it is Monday, and we're debating second reading of a Bill that proposes to amend – and I haven't done a count; I'm sure someone in *Hansard* could do that – a good number of pieces of legislation.

Now, the government I'm sure will be saying: "Trust us. We've got it right. We've got everything down pat, and there are no errors in this piece of legislation." When I read through all

those different pieces of legislation, I guess I have to wonder why this Bill has been presented in the fashion that it has. In the past we've had something called the miscellaneous statutes Act. To me this would certainly fall under a miscellaneous statutes Bill, where we in the opposition get a copy of the Bill considerably in advance of this Bill being tabled in the Legislative Assembly. To my knowledge that did not occur with this particular piece of legislation, yet we are being asked to amend directly eight pieces of legislation and consequentially all of those others. Mr. Speaker, that gives me considerable discomfort, and at this time I am not prepared to give agreement to second reading of this Bill until we see the implications of all of those sequential changes. As one changes one piece of legislation which then changes another piece of legislation, we are changing many of the Acts in this province.

Having said that, Mr. Speaker, there's one section, for example, under Business Corporations Act that deals with the issue of "intent to dissolve a corporation." It says that a notice will simply be sent under "ordinary mail" as opposed to registered or double registered mail, which ensures (a) delivery, and then in the second case (b) receipt of a notice of such intention to dissolve a corporation.

Now, I have to confess that I have not taken the time at this point to read all of the original eight pieces of legislation that are going to be amended plus the many pieces of consequential legislation that are being proposed to be amended. Until we have an explanation of all of those sections, I think it would be imprudent for members to support this Bill. I'm not saying necessarily that it is a bad piece of legislation, but we need further explanation from the government side of what would be the impact of all of these changes that are contained within Bill 13, the Registries Statutes Amendment Act.

So, Mr. Speaker, I look forward to that further discussion, further explanation, further outlining of the impacts of all of these consequential amendments that may persuade me to change my mind to support that Bill, but until that time I have difficulty supporting this particular piece of legislation.

[Motion carried; Bill 13 read a second time]

Bill 14 Health Foundations Act

MRS. McCLELLAN: Mr. Speaker, I'm pleased to bring forward Bill 14 for second reading, the Health Foundations Act.

As I explained to my colleagues in the House when I introduced this Bill last week, the Health Foundations Act would provide for the establishment of foundations to receive private donations for the benefit of regional health authorities and provincial health boards. As my colleagues are aware, foundations have played a very valuable role in supplementing the resources of our publicly funded system for many years. They've greatly enhanced the quality of life of patients receiving services in our facilities and, I believe, have provided an important bond between the facilities and their communities.

The role of the new foundations provided in this Bill would be similar to that of existing foundations, but I want to emphasize that these new foundations would not interfere with the mandate of any existing foundation. The new foundations will differ from those we're familiar with in two key aspects. First, they'll benefit health facilities and programs across entire regions rather than individual facilities, and secondly, the new foundations would have the status referred to as "agent of the Crown" status.

The key difference between an agent of the Crown foundation and other foundations concerns the taxable status of donations. Persons who are making donations to an agent of the Crown foundation can claim the full amount of their donation to a maximum of 100 percent of their income for the year in which the donation is made. Agent of the Crown foundations can accept donations only of at least \$5,000 – so they cannot accept donations under \$5,000 – or property valued at \$5,000 or more. The value of nonmonetary gifts would be determined according to Revenue Canada rules.

It's a long-standing concern across our charitable sector as a whole that unfavourable tax rules hamper nonprofit organizations in their efforts to attract major donors. This Bill will give our health system a mechanism to offer the same tax advantages available to donors in other public-sector enterprises. Because the new foundations are restricted to a specific class of potential donors, it's important to point out that they will complement existing foundations, not compete with them.

4:10

It's worth pointing out also, members of the Assembly, that gifts to agent of the Crown foundations are unconditional. Donors may indicate a preference for the way their gifts are used, but the foundation would not be bound to follow that preference. This is necessary in order to comply with federal tax legislation. On the other hand, the minister has the authority to set definite priorities for the use of foundation funds in general to ensure that the work of foundations is co-ordinated with the overall goals for the health system and to avoid duplication of effort with other agencies. This authority is similar to other foundations such as the Wild Rose Foundation and Alberta Sport, Recreation, Parks and Wildlife.

As for the organizational details of this Bill, one agent would be established for each regional health authority or for groups of regions, if they wish. There would be a maximum of 19 foundations, so in addition to the 17 regional health authorities, there is the Provincial Mental Health Board and the Alberta Cancer Board.

The foundations, as I say, would benefit either a health region or groups of regions or a provincial board. It can benefit, of course, a health facility or facilities under agreement with a regional health authority as well. It could also benefit health programs that are run by other organizations but provided through a regional health authority or a provincial board. A foundation could support enhancements to services provided by a private operator as long as those services are provided on behalf of the authority.

The board of trustees of each foundation would be appointed by the Lieutenant Governor in Council. A minority of the members would be selected from a list of nominees received from the regional health authorities or the provincial boards, and the majority of the members would be selected through a public nomination process. Each foundation would be required to submit to the minister an annual report, including audited financial statements, and these would be tabled in the Legislature.

Mr. Speaker, I believe that this initiative builds on the outstanding work of existing foundations in our health system by appealing to a class of donors who are particularly sensitive to tax advantages of an agent of the Crown foundation. These new foundations will draw dollars into the charitable sector to the benefit of all Albertans, and they'll continue the long tradition of generosity that enhances services provided to countless thousands of patients who receive care from our facilities every year.

With that, Mr. Speaker, I look forward to the questions and debate on this Bill and will endeavour to answer those questions.

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

MR. SAPERS: Thanks, Mr. Speaker. Thanks, Madam Minister, for that introduction to the Bill. It does provide some new information and perspective, but it also raises a couple of issues. I certainly have to agree that foundations have been invaluable in providing both an opportunity for public support in health care and also for health facilities to provide necessary services, particularly in the area of the replacement of capital equipment. There have not been new funds forthcoming from government, and hospital foundations across the province have been instrumental quite frankly in maintaining standards and quality of service. We should congratulate them. We would not want to do anything, of course, that would interfere with their ability to do that, however much we might wish that the government was better able to fulfill its responsibility in providing those funds directly to the hospitals without having to rely on the charity of the local communities.

The minister mentioned that there are some important differences between existing foundations and the foundations contemplated in Bill 14. Now, Bill 14 at first blush does appear to be a somewhat benign piece of legislation with a helpful attitude, that what we would do is simply create up to 19 new foundations, each one of them having an opportunity to attract major donations and provide the donors with a preferable tax status. That in and of itself is not troubling. What is troubling, however, is the way that the Bill is structured and the lack of protection in some circumstances that the Bill fails to provide.

Perhaps the minister will be able to give the Assembly some more assurances, for example, about the degree to which individual donors may be able to either direct donations or control the outcome of their donations. I know that the minister mentioned that Revenue Canada regulations prohibit donations made to the Crown being tied to any purpose. What this means, Mr. Speaker, quite literally is that if a donor wished to make a \$10,000 donation to a foundation established under this Act, that donor could not know with any certainty that that donation would be used for any health care purpose. In fact, that donation may be used to pave a road in Barrhead. That donation may be used for any purpose that the Crown wishes to use it for.

Under section 4 “the Minister may give directions to a foundation” – that's not shall, and it's not binding – “may give directions.” In other words, the minister may make suggestions to the foundation about how gifts may be used, and the minister may co-ordinate the work of all of the foundations and all of the existing health facilities. But section 10 very clearly says that “a foundation is not bound by the directions or wishes of a donor of money or other property to the foundation.”

What we have is a Bill that tries to accommodate Revenue Canada rules which prohibit the donation to an agent of the Crown being tied to any specific purpose and, at the same time, tries to insert some ministerial responsibility for the use of those moneys but really fails to do so. I'm not sure, Mr. Speaker, that this is a reconcilable problem. I'm not sure that we could craft a Bill that would both allow a donor to have some sense of security about how the donation would be used and would satisfy Revenue Canada prohibitions about tying a gift to the Crown.

MRS. McCLELLAN: Read section 3.

MR. SAPERS: I'm getting some advice from across the floor, and that advice is to read section 3, where it's clear that the purposes of the foundation are spelled out. Mr. Speaker, I'm glad I'm getting that advice from the minister, because that leads to the next concern that I have about the Bill.

Now, if you read section 3, as the minister has asked all members of the Assembly to do, you'll see that the purposes of the foundation are in part to provide "gifts of money" and real property "for the benefit of." If you look at 3(b)(i)(B):

A health facility that is owned by, or is operated by or under agreement with, the regional health authority or authorities.

Mr. Speaker, this is not comforting. In fact, if anything this raises a larger red flag than the problem about tied donations, and I'll explain why.

We have been discussing in this House, primarily through question period, a proposal by a private consortium to take over the operation of two hospitals in east-central Alberta. If that proposal was successful and the regional health authority contracted that consortium and they in turn subcontracted, as they intend to do, another for-profit business to operate parts of those hospitals and then we had a donor in the East Central region who decided they wanted to make a substantial gift to the East Central region, what this means is that the benefit of that gift may go directly to the benefit of either the private-enterprise subcontractor or the primary private-enterprise contractor but not necessarily to the public good, which of course should be the minister's primary interest.

4:20

So there is nothing in section 3 that would provide that kind of protection, and certainly there's nothing in section 4, which does not empower the minister but really limits the minister's power. There is nothing in section 10, which of course is the one that says that you can't tie a gift in any case. What we have is a situation where the government will be establishing a foundation, which is unusual – it's not an absolute precedent, but it's not the most typical way that things are done – for the purpose of attracting large, large donations, donations, the minister has said, of over \$5,000. That's another point we'll come back to, because that's left to regulation. Those donations may in fact go directly into the pocket of private business enterprises that this government may be involving in the provision of health care services. Mr. Speaker, I think this is troubling and should be a huge red flag to the charitable community and to the donor community, not to mention taxpayers who fiercely want to defend their publicly administered, publicly accessible health care system.

Now, the next difficulty also flows out of section 3 and to a lesser extent, I believe, section 4, and that is this, Mr. Speaker. You have a situation contemplated by the way this Bill has been drafted whereby a single large donor, for example, could be an individual who is in fact a practitioner or provider of medical services. You could have the situation where a significant gift could be made by, for the sake of argument, let's say a cardiologist, a cardiac surgeon. The cardiac surgeon may decide for his or her own tax advantage to make a sizable gift out of their professional corporation to a regional health authority with the understanding – of course, they can't direct it – that that gift goes back into supporting the program area that that cardiac surgeon has a direct benefit from; in other words, the heart surgery that they do. So you have a situation where the government may in fact be creating a tax advantage for those practitioners who have a sizable enough income to take advantage of the preferable tax status that would be granted them because they're making now a

gift to an agent of the Crown foundation.

Now, again I'm not sure that this is a problem that can be easily resolved. Certainly we have had tremendous support over the years from all kinds of health providers. Many health practitioners, many doctors, many nurses, many other individuals involved in the provision of health services have made it their business to give generously to hospital foundations and to other health care fund-raising activities. We would not want to stop that. We would not want to interfere with that, Mr. Speaker, nor would we want to create a situation where there is a particular advantage provided to the most wealthy of those providers that would then allow them to use that advantage not just for the provision of services but also use that advantage for their own pocketbook.

Mr. Speaker, this is not a problem that I have independently identified. I should say that right up front. This particular problem is something that has been brought to my attention by several individuals who have already had an opportunity to review the Bill. So, again, I would very much welcome the minister's comments. If it's possible to amend the legislation to prevent that kind of situation from happening, I think we should work towards those amendments.

What we have, Mr. Speaker, is a Bill that on the face of it creates agent of the Crown foundations, perhaps as many as 19 of them in the province. The specific purpose of these foundations is to attract large donations for the purposes of providing health services, but it is fraught with contradiction and with difficulty in terms of the mechanics of the Bill, not the least of which is found in section 15. This is the section, of course, that invites the Lieutenant Governor in Council to make regulations. Certainly one amendment that will be forthcoming from this side of the House will be an amendment that will compel the government to ensure that all regulations attendant on this Bill, should it be passed, will be automatically referred to the Standing Committee on Law and Regulations.

Health care has perhaps become the most sensitive public issue facing Albertans, and to even contemplate that the heart and soul of such a Bill would be dealt with by Executive Council behind closed doors is repugnant. This is a Bill where the regulations must absolutely be dealt with in public, where there must be public debate, public scrutiny, and public input.

So, Mr. Speaker, until the minister can satisfactorily address some of these questions and certainly until we get a commitment that all regulations will be automatically referred to the Standing Committee on Law and Regulations . . .

MR. PHAM: Question.

MR. SAPERS: You have a question?

Until we get the guarantee that this will be referred, I certainly cannot support this Bill.

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

MRS. ABDURAHMAN: Yes. Thank you, Mr. Speaker. I rise to speak to Bill 14. I have grave concerns about this Bill. I can remember well the days when I was actively involved as an auxiliary through the Hospital Auxiliaries Association in the province of Alberta and when indeed we had health care professionals actively lobbying hospital auxiliaries for specific pieces of equipment that they would view as enhancing the procedures that

could take place in a hospital.

If I recall, it goes back to previous ministers of Health, as far as the Dave Russell days and Marvin Moore days, and it resulted in there being a real concern around the province of Alberta that pieces of equipment were being purchased for hospitals that were really not deemed appropriate and that were increasing the expenditures in procedures that indeed enhanced the incomes of physicians. There was a concern by Progressive Conservative governments about that trend, and in fact the government moved in and started a process where hospital auxiliaries through their administrative structure had to get approval from the Minister of Health to purchase certain equipment. If that approval didn't happen, that equipment was not allowed to be purchased for that hospital entity because it was deemed not appropriate.

Now, I see the makings of this in Bill 14. Quite frankly, I get very concerned when I read part 4 of the Hospitals Act, hospital foundations, and start to compare the two pieces of legislation. I start seeing first- and second-class processes or citizens evolving, and that quite frankly appalls me. In Bill 14, the Health Foundations Act, we see the ability to remunerate the trustees of the foundations that would come into place, yet under the hospital foundations Act, you're prohibited from actually remunerating the volunteer who's on that foundation. You certainly can pick up the expenses, Mr. Speaker, of that incredible volunteer. When you look at the whole focus of how volunteers ended up on the present foundations that are existing in the health care system from one end of this province to the other, it truly is a local focus. It truly is people coming forward without looking for benefit through remuneration for the time that they expend, and we've had some incredible volunteerism through that process. So that in itself, to me as an elected official in this Assembly and as an Albertan, is totally unacceptable. I don't think we can have two standards, quite frankly, when people are out there actively looking at how to improve patient care, the quality of care in their hospitals. Whether it be the foundation at Alberta Hospital Edmonton or whether it be the hospital auxiliaries, that are not foundations, they're out there raising money and improving patient comfort.

4:30

What I see in Bill 14, and I would concur completely with my colleague from Edmonton-Glenora – I would suggest that the things when the Dave Russells and the Marv Moores were ministers of health are actually being enhanced and elaborated through this Bill. When you look at the level, the minimum donation that one can give: \$5,000? One has to ask the question: when you get into that minimum level, who are the people that have that kind of money? Now, the kind of people that have that kind of money are incredible individuals, and I can think of right now right here in this city of Edmonton where people have come in unconditionally and made huge donations, millions of dollars to the arts, to the community foundation, and to many other areas.

I must say, Mr. Speaker, looking at the possibility of private Bills creating this kind of foundation that I believe is within this Bill 14, that didn't get the support of this Assembly, I firmly believe that Bill 14 in essence sets up a backdoor way of creating that. I don't think for one second that that would serve Albertans well. I don't believe it would serve the other hospital foundations that are out there doing an incredible job, which is improving the quality of health care and the services delivered.

I would hate to see the day that indeed we could see substantive moneys coming in where there's a hundred percent tax advantage to people through professional corporations that in essence could create an independent cardiac entity, an independent ophthalmol-

ogy entity, a pediatric entity, where indeed the very physicians – and I say this as a physician's wife – are the ones that in the long run reap the benefit. They've got their hundred percent tax benefit for this incredible donation, but at the same time it enhances their ability to earn in an environment that they in many instances have looked for. I don't think that that's what Albertans want, and I don't believe, however you look at this Bill, that it can truly be justified. Unless the minister has something to offer other than her opening statements, I just can't see how this is going to serve a publicly funded, fully accessible, affordable health care system to Albertans, how this Bill enhances that. I think it undermines it quite frankly, Mr. Speaker.

The other is that indeed every regional health authority and then the Cancer Board and the Provincial Mental Health Board can have one of these. I have to ask the question under the Hospitals Act, part 4, how these other hospital foundations fit in. Indeed, is this legislation going to be amended? We make reference to boards. Well, we don't have boards; we have authorities. So what are we looking at? Is this the cart before the horse? Why didn't we address part 4 of the Hospitals Act, hospital foundations, first and clearly define the roles of hospital auxiliaries, the roles of these hospital foundations? In fact, I would like to know because I actively got involved in the mental health care system because I was invited to become a founding member of the Alberta Hospital Edmonton Foundation board because we were so concerned about the lack of services and the quality of care for the mentally ill at Alberta Hospital Edmonton, to try and enhance the government's position to get rid of some of those deplorable buildings out there and bring us into the 20th century far less the 21st century. The only way we were going to do that is through volunteers and creating a hospital foundation.

To that end, one of the things that people said to us, Mr. Speaker, was: there's no drop-in centre where we can take friends or family or where I as a psychiatrically ill patient or a psycho-geriatric patient – there's nowhere that has this homey environment. So what we did was start to raise significant dollars for this drop-in centre. We were very successful because we found in the Edmonton region that there were people who were prepared to give their name and time and money to raise moneys for that drop-in centre. I have to ask the question to the minister: what's going to happen to all those funds that were raised specifically for a specific project? When you go out to raise money, you clearly state the purpose of that donation. Now, when that purpose has been clearly stated and that drop-in centre is not going to become a reality, what happens to that money? To me there's a moral and a legal issue there. I haven't heard those things addressed, yet here we are with Bill 14 coming in – and I say once again: the cart before the horse – which I believe is going to be a backdoor way of creating a two-tiered health care system and be very beneficial to certain Albertans.

I start to see the physicians in Calgary beginning to reflect the same concerns the Official Opposition has about the role of the chairman, Mr. McCaig, in that whole health care delivery system. You know, perception's everything. When it comes to integrity and accountability, perception is the key. When you start to see people that are in public positions of trust appearing to have a direct financial benefit, the integrity's gone. The perception is that certain Albertans are benefiting by their positions through appointments by the government. That is wrong, wrong, wrong and has to be stopped. I thought, when every one of us was campaigning three years ago, that that was one of the things that we made a commitment to Albertans: we would be accountable,

we would be transparent, and no one would get direct benefit. I see the minister of transportation agreeing with me. You know, Mr. Speaker, I agree with him, but I haven't seen that demonstrated.

DR. WEST: Oh yes.

MRS. ABDURAHMAN: Oh no. You wouldn't have headlines in the Calgary paper, Mr. Speaker, that are questioning whether the chairman of the Calgary regional health authority is indeed in conflict of interest. This in Bill 14, I would suggest, is setting the stage. You are setting the stage through Bill 14. The fact that you see that the members of this foundation can be remunerated, can have remuneration, that in itself speaks volumes to me. Yet it says quite clearly in the hospital foundations part, part 4 of the Hospitals Act, that those incredible volunteers don't have the right to remuneration. The very people that donate money here are going to get a 100 percent tax receipt. I mean it really is of benefit to people who have substantial incomes or a substantial cash flow, who can do this type of donation.

Now, I want to hear from the minister through the Chair that indeed there is some way within this legislation that the people of Alberta can be guaranteed that "the minister may direct" should be removed, that we should have arm's length. I don't see in this piece of legislation and I've advocated for years, whether it be hospital boards, whether it be municipal boards, whether it be provincial boards, that you have a separate entity, a commission or whatever you want to call it. People's names are put forward, and it's that body that makes the final decision and recommendation to Executive Council on who is appointed to what. I don't see that in here.

4:40

I see there's another route – and yes, I'll be accused. When I was on the Public Health Advisory and Appeal Board, the Provincial Treasurer invited me to accept a position. I'll be accused by the members across there that when I accepted to go on the Alberta Hospital Edmonton board, it was political patronage. Yes, I knew those ministers, and I got the appointment probably because I knew the ministers. You know, Mr. Speaker, the one thing I always said, because I'd had many other offers by government ministers, was that I would never accept an appointment unless I had the background and the credentials to do the job, and I firmly believe that under the Public Health Advisory and Appeal Board I had the credentials, and certainly for my position at Alberta Hospital Edmonton I think it was demonstrated that I was there for the right reasons.

I would have preferred, Mr. Speaker, if I had got there through an independent entity, which I used when I was mayor with my council members in the city of Fort Saskatchewan. I've advocated that for years, but the government of Alberta has never seen in their wisdom to put such an entity in place. Now here's the time, through Bill 14, that you, in essence, have the opportunity to do that. Only then will we be able to be assured that people that are on this foundation will not allow a minister to influence where that money is going to be expended. You start to get some credibility there.

I would also want to see somewhere in this Bill that indeed the money could not be used to fund an independent, private entity within the health care system. If there's nothing to fear in this Bill, then the government of Alberta through the Minister of Health can easily do that. It can be easily demonstrated within this legislation that this is not the back door to a two-tiered health

care system, where indeed the physicians are once again in the driver's seat determining the future of Alberta health care. That has to happen. Quite frankly, until I see that, Mr. Speaker, I've got grave concerns, and I will continue to speak against this Bill.

I'm certainly not against foundations. I support foundations, but I support a foundation where there's no remuneration, where it's a truly volunteer body, where people have come forth because they wish to volunteer and do the right thing, not because it's deemed that we want to have certain people on those boards that the minister may indeed influence. That's what's in this Bill. It's not what's in the Hospitals Act, hospital foundations, part 4. If that's what the minister was wanting, what's in part 4, hospital foundations, would have been reflected, and the only thing that would have been really different would have been the fact that you could get a hundred percent tax receipts for your \$5,000-and-over donations, but it's not there, Mr. Speaker.

One has to question why we would not utilize the foundations that are in place today. All you need to do, which needs to be done, is amend the hospital foundations part of the Hospitals Act, I would suggest, because we don't have hospital boards. [interjection] I beg your pardon? Through this Chair.

Thank you, Mr. Speaker. I believe I've made my point, and I look forward to upfront answers disputing what I have put forward with clear evidence. If indeed that happens, I'll be the first to support this Bill, but it's got to happen in this Chamber: an independent commission for appointments to this foundation, a clear statement in this Bill that it's not the back door to allow clinics under the private sector to do the very things that we're fighting against as an official opposition so that we won't have a two-tiered health care system.

Thank you.

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

MR. SEKULIC: Thank you, Mr. Speaker. I wasn't going to at first enter debate, but then my hon. colleague for Calgary-Montrose I noticed was signaling me to rise to my feet to speak on behalf of my constituents and some of his. I'm taking this opportunity to speak to Bill 14, the Health Foundations Act.

When we debate Bills pertaining to Alberta's health care system, I think we have to have a better understanding, one we can take back to our constituents, as to the broader picture of what health care will look like two years or five years or 10 years from now. We have to know how these different pieces of the puzzle are coming together.

Mr. Speaker, despite not having missed a day of the sitting of this House since my election to this House – perfect attendance – I've listened to all of the debates pertaining to the Bills that come from the Department of Health, and I can't say that I have a clear picture of where health care in this province is going. This Bill doesn't clarify for me what direction health care in Alberta is going. As I said when I spoke to Bill 12, my concern is that as we see more of these Bills of this nature introduced, it seems to me that we have to exercise some caution, because it seems like it's an opportunity for the government to abdicate its responsibilities, if not abdicating then perhaps diminishing the extent of their responsibilities. I have a concern with that. If there are areas where I think the public sector, the government, does have a definite role which it cannot compromise, it's in the areas of health and education. I'm concerned that this piece to this puzzle that may evolve over the next three, four, five years is a piece

which takes the public sector further away from being integrally involved with public health.

There are very few times when I would stand and support larger organizations or perhaps what could be referred to as a monopoly, but when it comes to health and when it comes to education, I think there are definite efficiencies in the economies of scale. Once you start introducing a charitable, nonprofit for profit on top of the public-sector delivery, you do see the costs of delivery increasing because the administrative costs are now a larger component of the delivery model than in fact the health service. We need not look further than to the U.S. to see that very point being lived out by many Americans, who, when they're paying their health care costs through their various private insurance companies, many times are paying to two or three. I think within the last three months there was a newspaper article where one individual had 300 different insurance companies or something along those lines. Well, clearly the costs of health care are being redirected not to the service but to the administration. I thought that this government was trying to go in the opposite direction and ensure that more of the moneys were in fact paying for the service. I just don't see that this Bill does anything to remedy that.

4:50

I also thought that one of the government's directions was to go away from a model in which power was supposedly centralized in Edmonton and that they would try to spread these powers into the various regions across Alberta, but this Bill and some of the powers contained in this Bill are quite inconsistent with that goal. One of the specific examples of that within the Bill is the fact that the minister may direct donations that come to this foundation. So in fact we're hearing one thing as Albertans, that we're going away from the centralized model, yet the actions are quite the opposite and in fact seem to be centrally controlled. So there's a requirement there that we do pursue some consistency.

[Mr. Clegg in the Chair]

Mr. Speaker, we've seen departments, for example, like Energy where there's voluntary payments of royalties for gas due to problems with the MRIS. We see the department of the environment where we go into a voluntary monitoring of externalities by corporations. You know, the one group that has not gained any power to volunteer are those which the Premier often refers to as the severely normal Albertans, those being the taxpayers. They have no options. Essentially, they must continue to pay taxes. So my concern is that we are not empowering taxpayers. We are empowering various groups but not the severely normal or the working Albertan who's paying taxes in an increasing amount in the different sources, be they fees or premiums or taxes. Essentially, it's one pocket that we're taking it out of, and it's for the same purposes that it used to be some five, 10 years ago. So taxpayers in this province are in fact seeing an increasing cost for services, and they're seeing a decreasing quantity and quality of services. Now, quality: I have to be cautious, because the health professionals are doing their very best to deliver, so I don't want to slight the work that they are doing.

My main concern with Bill 14, the Health Foundations Act, because we are in second reading of this Bill, is with the principle. I am really worried that without a broader picture than has been articulated by this government – all these different pieces we do have to look at very closely, and they do have to be scrutinized before we take them on because we're just not sure what the end

results will be for adopting this piecemeal approach to putting together a new, reformed health care system. So if the minister at the next reading rises and gives me some indication as to where we can expect Alberta's health care system to be in a way that I can take it back to my constituents, then perhaps I can change my view towards this Bill. At this time, Mr. Speaker, I am quite hesitant to offer my support. I do expect the minister will respond to many of the questions raised by myself and by my colleagues.

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

THE ACTING SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. It's my pleasure to stand and speak to Bill 14 this afternoon. I did hear some chats by the minister, and she did make some comments that in fact I would agree with. One of them was the good work that some of the foundations have completed in the province of Alberta, and certainly I would agree with her on those particular aspects of it. I would also say that the minister indicated that this was an intention to eliminate some duplication, and I would also suggest that I could agree with the minister on that if in fact that were the case. It's going to take some more convincing before I arrive at agreeing with the minister wholeheartedly on that particular aspect.

Now, when I looked at the Bill – and I'm always trying to extrapolate how a Bill will actually fit into the health care services and what the impact will be; I really think that's what we as legislators are elected to do – this Bill does cause me some concern, Mr. Speaker. I don't mean to belabour the point, but I am going to reiterate clause 3, the purpose of a foundation. Clearly that clause states that “the purposes of a foundation are to receive gifts of money and real and personal property.” Now, Edmonton-Glenora pointed that out. I had a large concern, as he did, with the health facility when we read on and we go down to clause 3(b)(i).

- (B) a health facility that is owned by, or is operated by or under agreement with, the regional health authority or authorities, or
- (C) a health program that is provided by or through the regional health authority or authorities.

Now, when I look at clause 3, I have to take it very closely in the context of clause 4 as well, and of course that stands to reason. In that particular clause, “the Minister may give directions to a foundation for the purpose of.” Now, I certainly accept the word “may” as being permissive, and I wish I could provide more confidence that the minister would fulfill the wishes of Albertans in that particular health care concern that they express daily in this province. It goes on to say:

- (b) co-ordinating the work of the foundation with the programs, policies and work of the Government and public and private bodies in order to achieve the effective and efficient use of health care resources and to avoid duplication of effort and expense.

Now, I would certainly support the elimination of duplication of effort and expense. I think there's nobody in this House that wouldn't stand and support that, Mr. Speaker.

We look at that, and again we have to look at it in the backdrop and frame that discussion around clause 10. I understand the explanation that the minister gave in this matter, stating that in fact you can't tie the funds that you donate to a foundation to a specific expense. Clause 10, to refresh everyone's memory, Mr. Speaker, states:

- A foundation is not bound by the directions or wishes of a donor

of money or other property to the foundation, but the foundation may consider such directions and wishes when the foundation is carrying out its purposes under this Act.

I would suggest to the minister that there's certainly going to have to be more assurance in some way to convince individuals that want to make a substantial contribution to a foundation that there can be an understanding that their dollars will be applied where they would like them to go.

Having looked at clause 3, clause 4, and clause 10, I don't think that we can overlook, Mr. Speaker, the driving force behind the Bill, and that is clause 8(1), which states:

Subject to this Act and the regulations, a foundation shall make by-laws respecting the conduct of the business and affairs of the foundation.

Now, I could draw some comfort from that particular clause, but the subsequent clause gives the minister full override of that clause, gives her the hammer in this situation.

The minister indicated when she was speaking that in fact a goodly percentage of the foundation members would be selected by merit from the public. I would draw comfort from that, Madam Minister, but it's not the example we've seen with the health authority, so my comfort level wanes somewhat in that particular area. When I look at clause 14, you certainly have the authority to make those regulations respecting the nominations. So with due respect, today's example is not one that in fact provides me with a lot of comfort in your assurances that they would. I think the Member for Clover Bar-Fort Saskatchewan spoke of an independent commission or committee to select such members, and I certainly think that's the only way to go. I would suggest it gives the minister the opportunity to distance herself from some decisions in fact that may come back to haunt her.

Now, as I carried on and looked at this Bill and listened to the discussion, the minister has tremendous input in all of the implications and impact of this, but there's an overriding message here that causes me a large concern, Mr. Speaker, and that overriding message is the fact that we in this province accept a \$422,000 penalty for subsidizing private health care. Now, that message is something that's foremost in most Albertans' minds. I think if the minister could eliminate that, she would bring a degree of comfort to most Albertans and a sigh of relief, because the message that is out there is very much that the Premier and the Health minister support private clinics. Daily I'm asked why we accept that if there's a shortage in health care funds. Certainly we could use that and implicate it. It does taint and it does colour my view of this particular Bill, as it does with most Albertans.

5:00

I want to take you back to the comments that Edmonton-Glenora advanced and his concerns about the minister having an understanding of where funds could be directed if somebody of wealth donated a large and substantial amount of money to a foundation. Now, the hon. Member for Edmonton-Glenora spoke of the Hotel de Health concept, and maybe that's stretching it a bit because that's not in existence at this point. But we saw, as he pointed out clearly, that it would give a doctor an opportunity to donate substantial money to a foundation with an understanding behind closed doors, I guess, that it would be redirected.

The situation that struck me when he was speaking about that, Mr. Speaker, was the Gimbel eye clinic. We can all remember that there was a private Bill before this Legislature where they were seeking a favoured, charitable status. Now, I attempted to envision how this particular Bill would fit in that situation and how it would benefit. I would see, as the hon. Member for

Edmonton-Glenora pointed out, that here's an opportunity for that particular organization, again with due respect, to contribute a considerable amount of dollars to a foundation based on an understanding – and that certainly can't be in writing because of the federal income tax implication – that it be spent perhaps back in their clinic.

I was wondering, as I tried to unfold this particular Bill, whether this is not a step in letting the minister off the hook, of dumping that \$422,000 penalty with some sort of innovation behind the scenes to redirect the money back in under the foundation Act. I'm not going to accuse the minister of that. I'm thinking out loud and of course trying to raise alarms and concerns that this Bill presents to me.

Another example, Mr. Speaker, would be in the Calgary health authority. They entered into an agreement with a surgeon down there to provide eye surgery for the Calgary health authority. Now, in speaking to other professionals in that field, they feel that in fact he can't perform that task at the dollar that he bid. I wondered, if that comes to be, whether the foundation and his companies, if he's a wealthy individual, could again direct money into the foundation with an understanding that it be directed back in there, which in essence means that we would end up subsidizing private health care.

Now on a more personal basis, Mr. Speaker. When I looked at it in the Crossroads health region, which encompasses Leduc, Wetaskiwin, stretches out to Drayton Valley, and includes the Breton hospital as well, we are struggling in that particular region right now. I've made the allegation that the health authority itself is moving jobs and centralizing them in Wetaskiwin not based on cost efficiency but based on political decisions. That's where the CEO and the chair of the board live. My allegations have not been dispelled, though I have requested many times to have information to substantiate their moves and indicated that if it's on cost efficiency, I would support that wholeheartedly. That hasn't materialized, but I look at the Bill and look at some of the innovation that can be applied here, and I could see a foundation being set up there; again, the better part of the proceeds ending up in one particular hospital as opposed to benefiting the entire region.

That concern, I think, materializes again because the minister has the final and ultimate hammer when it comes to appointing those particular members on the board. I would admit that I do not have confidence that the minister would select most from the public based on their merit and their ability to contribute to it.

So when I tried to determine the impact, Mr. Speaker, certainly I see some deficiencies in this Bill, and I see some very large openings that can work very much to the detriment of the public health system. I know foundations exist in Alberta, and I know those foundations in the past have certainly done some commendable work. This Bill, as I look at it, has too many gaping holes in it. A couple of the scenarios that I presented I certainly would like to see the minister address and convince me that in fact that is not the intention nor would that ever happen. Again, I would just reiterate that the overriding message is the \$422,000 penalty that the provincial government accepts from the federal government. That has to be overcome to bring comfort and confidence back to Albertans and their thoughts on health care. When that is done, this Bill to me takes on a different tone, Mr. Speaker.

With those comments I will draw my analysis of the Bill to a conclusion. I would ask one further question, and that's pertaining to clause 7, and the hon. Member for Clover Bar-Fort Saskatchewan spoke of it. There is, of course, in that clause

remuneration to be paid to trustees. One of the terms used in that clause caused me a great deal of concern, and that is "travelling, living and other expenses." I think "living" bears some definition, and I would use an extreme example, Mr. Speaker. If I was one of those board members and I made a very good pitch to live in perhaps the United States to explore their health care system for six months, would that be covered there? I wonder if that is the intention of that particular clause.

Mr. Speaker, I have identified my concerns with the Bill. I've provided some examples so that the minister might give some thought to allaying those concerns that the Bill causes in my mind, and I would ask for clarification when she stands to speak to it. At this point, in principle I would oppose it. If there is removal of some of the impediments that I spoke of, then certainly I would revisit that particular position.

Thank you.

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

AN HON. MEMBER: We want Bettie.

MR. BRACKO: Thank you, Mr. Speaker. We've saved the best for the last, and that's why the Member for Edmonton-Gold Bar will proceed at the final debate. I appreciate your wisdom.

On speaking to Bill 14, the Health Foundations Act, my learned colleagues have already spoken to some of their concerns, concerns about the Bill, concerns that they wish to make the Bill better. I have some concerns also, and those deal with fund-raising. I know that fund-raising is probably one of the most difficult things to do in our society. Most people would avoid it. Those that do it work hard at it and just to raise money may spend six to eight months preparing for an event that will fund-raise. So we want to thank all the fund-raisers that have in the past and will be taking part in fund-raising in the future for the foundation for health care in our province.

I have a concern about the expenses again. Half of the members are appointed, apparently, the other half nominated from the regions, and that does concern me.

MRS. McCLELLAN: Is that a minority/majority half and half?

MR. BRACKO: Pardon me? I'd be glad to see you after to discuss it.

Will they be given per diems? That can also lead to abuse. I have been on committees where it has been abused: extra meetings that weren't needed so they could get more money, meetings stretched out so there were extra meetings. So we want to make sure that it would be done voluntarily instead of paid people to do it. If it's the case of paying people, we want to make sure it's done efficiently and done in a manner that for the people who give to these fund-raising events, their dollars are used wisely. Also take into account in rural Alberta that some of them may have to drive three, four hours to get to a meeting. That also has to be taken into account for the event, so even the timing of meetings is important.

The second concern I have besides expenses and the appointments is the administration. What percentage of the fund-raising will go to administration instead of to the project or to operations? That is one concern that most people who give to fund-raisers want to know. Will this be set out every year in the annual report? Will the amount going to administration be set out? This question is to the minister. I'd like her to respond to that at an

appropriate time.

Also, another concern is: if you hire professional fund-raisers, is the percentage going to be outlined before the event or activity takes place? The professional fund-raisers I guess take about 58 percent on the average from the amounts they raise. Some go 82 percent, and we've seen up to 96 percent in certain places. We have to make sure that this doesn't take place, that people know. Many people won't give if they know that their money isn't going directly to equipment or to a structural facility or whatever it is. So these are the major concerns, where you make the amendment to allow this to be in the Bill so we know exactly what amounts will take place.

5:10

The other one is in the appointments. Again, I am very concerned about appointments where, instead of getting the best people, there are patronage positions many times, as was seen in the appointment of regional health authorities. This was told to me right across the province, wherever I went. The different health authorities said people were given the position not because of their ability, not because of hard work, not because they deserve it, but because of political patronage. This we have to eliminate for all Albertans, for our young generations so they have role models and mentors, so that the best people are appointed, if appointments are being made, and the best people of course nominated so that people will support this. People want to know, in the appointments, exactly why people were selected, and this has to be given for responsible government, for a level of people knowing exactly what is happening and being able to move forward and have full confidence in the foundations. This should be the case in what's happening today.

With that, I conclude.

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

MRS. HEWES: Thank you, Mr. Speaker. I do have a few comments to make on this Bill, and I thank the minister for putting it before us. I have to admit that I'm ambivalent about it. While on the one hand I think it has the potential to benefit our health care, our regions, and the institutions of our regions and to take advantage of the boundless generosity of Albertans that has been proved over and over, it also, it seems to me, has the potential of letting the government off the hook. This has to do with my continuing concern about this government not being able to tell us clearly what is public responsibility and what is private responsibility in an ongoing fashion, not only in health care but in many other services as well.

Mr. Speaker, it does something else. It creates two kinds of benefactors. There are the benefactors over \$5,000, and there are benefactors under \$5,000. That then relates to the tax benefits that come to those benefactors. If you can give more than \$5,000, you get a tremendous tax advantage. If you can give less, then the advantage is not there for you. I'm not sure about the health of doing that kind of thing and separating out, as I say, the generous benefactors of our province of Alberta.

Mr. Speaker, in introducing this, the minister told us there were two major advantages. One is that it will benefit whole regions of Alberta, not just facilities or institutions, as have foundations in the past. Second, it will confer Crown status on the benefactors to these foundations, which will give them an immense tax advantage. The minister I think was trying to reassure us that this in no way will impinge on the work of existing foundations. I

don't believe that. I simply cannot accept the idea that by creating this system, which will give a tax advantage, we will not in many ways destroy the capacity of those health care foundations that exist now and have for some years to raise funds for their particular institution or their particular project. I don't think there's any doubt that it will make a tremendous difference in the capacity of those foundations. In fact, some of them will probably go out of existence and fairly quickly because their capacity to raise money will be seriously put at risk and jeopardized.

Further to that, I have deplored the notion of the proliferation of foundations both in health care and in education. Every institution in our province now has one, and there's a tremendous amount of competition for dollars. There's also competition for professionals to run the fund-raising events, and we're drying up very rapidly, not even to mention the kind of cut that the VLTs are taking out of our communities, the dollars that are available. So this particular Bill, Mr. Speaker, enables the donor of tremendous means to have a tax advantage, but I think it also does put at risk that smaller benefactor who doesn't have huge amounts of money and whose funds will not return the same tax advantage.

Mr. Speaker, there are a number of other things in the Bill that are troubling to me at first glance. The notion that the minister will co-ordinate the work of the foundations in order to have the most effective use of the health care resources and to avoid duplication of fund-raising efforts: I'm not sure how that's going to work, and the minister in her opening statements did not enlighten us as to that. So I would ask that we get some better understanding of how it is intended that that's to work.

I am concerned about section 3(b)(ii)(B) where "a health facility that is owned by, or is operated by or under agreement with" the regional health authorities may in fact receive gifts or money from this foundation. I think, Mr. Speaker, that opens up the whole door to what I thought we were talking about last year when we had some preliminary discussions about the Gimbel foundation and the operation of that foundation, and I think this allows for exactly that to happen in a different way. Perhaps the minister will help me to see that that isn't part of the reason that this Bill is created and that that won't occur.

Now, sections 4, 6(6), and section 10 give tremendous power to the minister. The minister looks surprised by that, Mr. Speaker.

MRS. McCLELLAN: No. I'm kind of pleased.

MRS. HEWES: And pleased, of course.

MRS. ABDURAHMAN: But she may not always be the minister.

MRS. HEWES: Yes, that's true. Ministers come and ministers go, and I am troubled by placing this tremendous amount of power in the hands of one minister of the government.

In section 4, "The Minister [will] give directions . . . providing priorities and guidelines for the foundation," and, in section 4(b), "co-ordinating the work of the foundation" with other private bodies and the policies of the government. So this invests in the Department of Health a tremendous amount of control over what is anticipated to be large amounts of money. I think it's certainly very clear from the way this foundation is set up.

5:20

In section 6 we have, "Fewer than half of the members" of any board will be appointed from nominees suggested and the rest

presumably by the minister. Now, I wonder about that. One would have thought it would be the other way on. Section 6(4) is: no person unless they're "ordinarily resident in Alberta." Now, Mr. Speaker, there's another section that may in fact cover this, but I wonder if this means that if I were a resident of region 17, I could be on the board of the foundation for region 7. I expect there may be some way that the minister plans to manage that. I would think it would be inappropriate for someone who is a resident in, say, a northern region of the province to be part of the foundation for an authority in the south of the province. I expect there's some way that can be cleared up.

Mr. Speaker, in section 8(3), "The Regulations Act does not apply to the by-laws of a foundation." Now, I find that somewhat curious. Then as we go on, we see how the regulations are to be developed. As always in current legislation in this House we have this situation where we have a piece of legislation that is quite open-ended. We do not see the regulations at the time the legislation is presented for passage, and the regulations themselves really carry the meat of the operational part of the legislation. Much is left to my imagination about how this thing is going to work, how it will be operationalized, and I would be a lot more comfortable in supporting this kind of legislation if I had a better understanding before I was expected to vote on it.

Again, in section 10, Mr. Speaker, "A foundation is not bound by the directions . . . of a donor." Now, I understand this is to conform with federal tax regulations, but again it still leaves a fair amount of control being drawn into the centre, where presumably the minister, back to section 4, gives direction to the foundation about how the moneys are to be used.

In section 15, Mr. Speaker, "The Lieutenant Governor in Council may make regulations." There are a couple here that worry me. One general factor is that all of these regulations can and may be changed by order in council. Here we see the section under (d)(i): "prohibiting a foundation from accepting a gift that is in an amount" of whatever. The minister mentioned an amount of \$5,000. That presumably can be changed. It can't be changed down, but it could be changed up.

MRS. McCLELLAN: Not there.

MRS. HEWES: Not there. Well, perhaps we can have a description of that.

Mr. Speaker, I have listed a number of the things that trouble me about it. If I can just repeat to the minister that mostly I am very concerned about the competitive kind of situation that I believe this inevitably will create with existing foundations. In spite of our very best intentions, I don't think that can be avoided. It will create two classes of benefactors: one that will have the tax advantage and one that will not. I am also ambivalent about the way this is drawing so much control into the ministry and the department when I would think that the whole notion of foundations is to place more control back where the authority is operating the government's requirements in health care, and the authority should know best what's needed to happen.

Thank you, Mr. Speaker, for the opportunity to voice those concerns.

MR. DAY: Mr. Speaker, I move that we adjourn debate on the Bill.

THE ACTING SPEAKER: The hon. Government House Leader has moved that we adjourn debate on Bill 14. All those in favour, say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

MR. DAY: Mr. Speaker, I move that we adjourn until 8 p.m. in Committee of Supply.

THE ACTING SPEAKER: The Government House Leader has moved that we adjourn until 8 p.m. and that we meet in Committee of Supply. All those in favour, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any? Carried.

[The Assembly adjourned at 5:26 p.m.]

