

Legislative Assembly of Alberta

Title: Tuesday, March 19, 1996 1:30 p.m.
Date: 96/03/19
[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

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

Amen.

Please be seated.

head: **Reading and Receiving Petitions**

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

MR. BRUSEKER: Thank you, Mr. Speaker. Yesterday I presented a petition asking that advanced education be preserved and maintained in this province. I would ask that that petition be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the government to support the continued provision of an affordable, high quality post-secondary education system.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I, too, would like the petition I presented yesterday now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the government to support the continued provision of an affordable, high quality post-secondary education system.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I, too, would like the petition which I presented yesterday read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the government to support the continued provision of an affordable, high quality post-secondary education system.

head: **Presenting Reports by
Standing and Special Committees**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNEN: Thank you, Mr. Speaker. In accordance with Standing Order 94 I have reviewed the petitions that I presented yesterday and can advise the House that all but one of the petitions complies with Standing Orders 85 to 89. The Standing Committee on Private Bills has considered the remaining petition and recommends to the Assembly that Standing Orders 89(1)(b) and 89(2) be waived for the petition of the Farmers' Union of

Alberta Amendment Act, 1996. I would ask for the Assembly's concurrence in this report.

THE SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? So ordered.

head: **Notices of Motions**

MR. BRUSEKER: Mr. Speaker, I rise to give oral notice of motion that following question period I will raise a purported point of privilege on behalf of the Leader of the Official Opposition with respect to yesterday's question period documents, which you have received.

head: **Introduction of Bills**

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

Bill 18 Energy Statutes Amendment Act, 1996

MR. MAGNUS: Thank you, Mr. Speaker. I request leave to introduce Bill 18, the Energy Statutes Amendment Act, 1996.

The Bill provides for the amendment of three Acts: the Gas Resources Preservation Act, the Oil and Gas Conservation Act, and the Petroleum Marketing Act. Its aim is to update or streamline provisions regarding diversions, common carriers, common purchasers, and common processors of gas. It also allows the flow through of certain penalties the Alberta Petroleum Marketing Commission may become liable for due to the conduct of others.

Thank you.

[Leave granted; Bill 18 read a first time]

MR. DAY: Mr. Speaker, I would move that Bill 18, the Energy Statutes Amendment Act, 1996, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

head: **Tabling Returns and Reports**

MR. WICKMAN: Mr. Speaker, I'd like to table four copies of a letter that I'll be making reference to when I make my private member's statement later this afternoon.

Thank you.

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

MR. SAPERS: Yes. Thank you, Mr. Speaker. The first of two tablings is correspondence from Marsha Carnat of Calgary to the Minister of Health regarding the closure of the Bow Valley centre, in particular the Dr. Carnat outpatient program. Dr. Carnat, of course, was the father of Marsha Carnat, and Dr. Carnat had a lifetime of service to the province of Alberta. I'd like to table the newspaper articles that go along with that correspondence.

Mr. Speaker, the second tabling consists of two packages of postcards. The first package of postcards is 669 cards addressed to the Minister of Health regarding the importance of protecting

the five principles of the Canada Health Act, and that is complete with correspondence to the Minister of Health regarding Hotel de Health and NAFTA and the importance of protecting public administration and universally accessible health care in Canada.

The second stack of postcards, Mr. Speaker, is 656 postcards addressed to the Premier regarding the five principles of the Canada Health Act and correspondence. The Premier is asked to respond personally to the writers of the correspondence.

Mr. Speaker, this brings the total to over 7,000 postcards sent to the Premier and the Minister of Health regarding the importance of protecting the Canada Health Act in the province.

head: **Introduction of Guests**

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

MR. HLADY: Well, thank you, Mr. Speaker. I'm honoured today to introduce 10 students from the University of Alberta. These students are strongly supportive of the Premier receiving an honorary degree. They see it as an honour for the university to be able to give that to the Premier. Their names are Carla Barkley, Heather Glebe, Jason Hilborn, Kimberly Budd, Brad Smid, Kevin Monk, Paul Bury, Bill Curry, Danielle Burns, and Debbie Boyko. I'd ask them to please rise and receive the warm welcome of the Assembly.

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

MR. YANKOWSKY: Thank you, Mr. Speaker. It is indeed my pleasure to rise and introduce 46 bright, young students from Fraser elementary school, which is located in my constituency. They are here to observe the proceedings of the House. They are also accompanied by their teachers Mr. Dennis Hennig and Mr. Harvey Hiob, and parents Mrs. Pam Embly, Mrs. Darlene Nosko, Mrs. Maureen Topham, and Mrs. Pat Willekes. I would ask them to rise at this time and receive the traditional warm welcome of this House.

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

MR. SEVERTSON: Thank you, Mr. Speaker. It's a pleasure for me today to introduce to you and through you to the Assembly 29 grade 6 students from John Wilson elementary school. They are accompanied by their teacher Mrs. Linda Pederson; Mrs. Marlene Dow, teacher's aide; and Mrs. Lynda Oberg, who's a cousin to our Member for Bow Valley. They're in the members' gallery, and I'd ask them to rise to receive the warm welcome of the Assembly.

1:40

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

MR. WICKMAN: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to Members of the Legislative Assembly 42 visitors from St. Stanislaus school, grade 6 students, accompanied by two teachers, Cecile St. Pierre and Louise Saad. I had the opportunity of having my picture taken with them earlier, and I look forward to visiting them in their school on April 12. If they would stand, please, and receive the warm welcome of this House.

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

MRS. GORDON: Thank you, Mr. Speaker. I wish to introduce to you and through you two individuals. Lori Hellofs is an invaluable employee who manages the Lacombe-Stettler constituency office most efficiently. Krista Duke is a grade 8 student at Diamond Willow school in Ponoka. Both are here today to listen to the debate on Bill 208. They are seated in the members' gallery. I would ask that they rise and receive the warm welcome of the House.

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

MR. SAPERS: Thank you, Mr. Speaker. It's a privilege for me today to introduce to you and all members of the Assembly several members of the Edmonton Raging Grannies. I think they are well known to several of us, and they should be better known to the Premier and the Minister of Health. Today joining us in the public gallery are members Louise Swift, Betty Mardiros, Vera Stevens, Elvira Leibovitz, Jean Rogers, and Julie Korbeil. I would ask them all to stand and please enjoy the warm welcome of this Assembly.

THE SPEAKER: Before proceeding to the next item in our Routine, might we revert to Notices of Motions?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

head: **Notices of Motions**
(*reversion*)

MR. DAY: Mr. Speaker, pursuant to Standing Order 34(2)(a) I give notice that tomorrow we'll move that written questions stand and retain their places on the Order Paper and also that motions for returns stand and retain their places with the exception of 178.

head: **Oral Question Period**

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

Hotel de Health Inc.

MRS. HEWES: Thank you, Mr. Speaker. The residents of Islay and Galahad are faced with a difficult choice: either accept the promises made by the Hotel de Health or risk losing their hospitals entirely. They're expected to trust their regional health authority to negotiate a proposal with a commercial company that will fundamentally change the nature of publicly funded health care in this province. This government has provided no leadership or support and simply claims: we haven't seen the proposal yet.

MR. DINNING: Is there a proposal?

MRS. HEWES: Yes, indeed, Mr. Minister, there is. We have tabled it in the House.

MR. DINNING: Have you got details, a detailed proposal?

MRS. HEWES: Mr. Speaker, do I have the floor, sir?

THE SPEAKER: Order.

MRS. HEWES: Mr. Speaker, my questions are to the Premier.

Since you control the 3 and a half billion dollar budget for health care, how can you say that this isn't your responsibility, and how can you not have a policy in place?

MR. KLEIN: Our responsibility, Mr. Speaker, is to provide quality health care. Our responsibility also is to give certain flexibility to the regional health authorities to do their job, especially in terms of finding better and more effective and more efficient ways of doing things and delivering quality health care at a price that we can all afford.

MRS. HEWES: Mr. Speaker, it's incomprehensible to me that we don't have a policy. How can the regional health authority or the government judge any proposal when the government has no criteria against which to test it?

MR. KLEIN: Mr. Speaker, the hon. Minister of Health in a letter to the Member for Edmonton-Glenora that was filed by that member yesterday indicated that these are precisely the kinds of discussions that are now being pursued with her federal counterpart. This is the whole issue of whether physicians and other health care practitioners can operate in the public system and outside of the public system. Until we get a ruling on that particular issue, our hands are tied in terms of developing a policy.

MRS. HEWES: Mr. Speaker, the people of Islay and Galahad are faced with deciding this as we speak.

My question to the Premier, Mr. Speaker, is: with no policy in place, Mr. Premier, who will be responsible to the citizens for liability issues or the enactment of these decisions based on promises? Who's responsible?

MR. KLEIN: Mr. Speaker, first of all I reiterate that our commitment is to quality health care at a price we can all afford. I'm going to ask the hon. Minister of Health in a moment to table two letters. One is a letter that was received this date from Dennis Magnusson, who is the chief executive officer of the East Central regional health authority. He says – and I'm paraphrasing a bit – that “there has been extensive discussion through the media and the Legislature” regarding the Hotel de Health proposal. He goes on to say:

It is important to point out that no agreement or contract has been established and [that the regional health authority] will only negotiate such an agreement upon completion of a thorough examination of Hotel de Health and its ability to meet the RHA's expectations.

MRS. SOETAERT: Well, where do you stand on it?

MR. KLEIN: Mr. Speaker, just tell her to keep it closed for a moment, please.

He goes on to say:

Our legal counsel is conducting an examination with due diligence and their findings will be presented to the Board once available. The Board has its monthly public Board meeting scheduled for this Thursday . . . in Camrose.

I'm sure that members of the Liberal opposition will be there as will our officials and perhaps some of our MLAs.

He goes on to say:

I can assure you . . .

This is very important.

. . . that any services provided in Islay and Galahad will not contravene the Canada Health Act and will be provided within all

recognized standards and regulations. East Central Regional Health Authority 7 will continue to maintain long term care services in Islay and Galahad and to act in the best interests of the communities, patients, government and the RHA.

That's what it's all about, Mr. Speaker.

The next letter I'm going to defer to the hon. Minister of Health, because this is very important in terms of the negotiations she is now pursuing with the federal Minister of Health, the same kinds of negotiations that the Member for Edmonton-Glenora was calling for.

MRS. McCLELLAN: Mr. Speaker, I believe I outlined in the Legislature yesterday, probably twice anyway, the policy on the disposition of facilities and their use, so I won't go through that again. I would invite the hon. member to read *Hansard*. The hon. member is also aware that we have regulations and standards in long-term care, and if she wishes, I will send her a copy of them to refresh her memory.

1:50

Mr. Speaker, last week the opposition Health critic wrote to the federal minister asking advice on this issue, so I wrote to the federal minister. I'm happy to table that letter. In that I agreed that a vetting of any proposal against the Canada Health Act would be extremely useful. I looked forward to doing that with the federal minister's assistance. I outlined to the minister that no detailed proposal had been presented either to the region, to the minister, or to the government, that my staff had been in attendance, and that I would continue to remain in contact with the federal minister. I went on to say:

Premier Klein and I have both said – inside and outside the Legislature – that if and when a formal, detailed proposal is presented to us, we will review it thoroughly and explore any and all policy issues raised by the proposal. We are fully committed to acting within the principles . . . of the Canada Health Act.

Mr. Speaker, I will put these letters on record for the Assembly.

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

MR. SAPERS: Thanks, Mr. Speaker. Maybe these questions will be more to the liking of the Premier. The Premier and the Minister of Health continue to deny, as they've just done, that they have any knowledge regarding the details of Hotel de Health's proposal to privatize the Galahad and Islay hospitals. The Premier has promised to look into questions about Hotel de Health's business practices, but the Minister of Health has said that she'll rely on the regional health authority to do all the homework. Meanwhile, the people of Galahad and Islay have been subjected to intense lobbying from Hotel de Health, and Hotel de Health has involved former Conservative cabinet minister John Oldring to add to their sales pitch. Now, Mr. Premier, Albertans want you to do your job. Why don't you get a head start on cleaning up this mess? Why don't you just pick up the phone and ask for the proposal?

MR. KLEIN: Well, who says it's a mess, Mr. Speaker? The people in Islay and Galahad and the East Central regional health authority have written us – the letter has just been tabled – saying that they don't consider it to be a mess. They consider it something worthy of examination, and that they will do with the appropriate due diligence. They have their lawyers on the case. This member was sitting in the television room yesterday when I

said that, yes, we will continue to monitor the situation. I was asked how I proposed to do that, and I said: well, the way I normally do it, and that is to keep my ear to the ground and to keep my eyes open and to keep my nose to the wind.

MR. SAPERS: Well, keeping your eyes and ears open, Mr. Premier, is great. It's a first step.

Why don't you acknowledge, Mr. Premier, that it's your job and the duty of your cabinet to make health care policy and not the responsibility of an unelected health authority?

MR. KLEIN: Mr. Speaker, I think we've made some tremendous strides through the development of policy. One was to reduce the number of health jurisdictions in this province from 200 to 17. That was a matter of policy. I know that they would like to have 200 separate bureaucracies. I know that because that's the way they like to operate. Ninety-five percent of those 200 separate bureaucracies that the Liberals liked so much were not elected – were not elected – unelected bureaucracies, but the Liberals liked it that way. That was a matter of policy.

It was a matter of policy also that we challenged the regional health authorities to rationalize health services in their own regions. We brought in people closest to the community, closest to the problem. I would suggest that the people of Islay and Galahad are in a much better position to examine this proposal than the Liberals ever will be.

MR. SAPERS: Mr. Premier, the people of the province don't want rhetoric; they want answers. [interjections]

Now, maybe the Minister of Health . . .

THE SPEAKER: Order. Final supplemental, hon. Member for Edmonton-Glenora.

MR. SAPERS: Yes. Thank you, Mr. Speaker. [interjection] As long as the hon. Minister of Labour is ready . . .

THE SPEAKER: Supplemental question, hon. member.

MR. SAPERS: Thank you. Will the Minister of Health please tell the Assembly how many conversations, how many letters she's exchanged, and how many meetings she has had with John Oldring regarding Hotel de Health?

MRS. McCLELLAN: Mr. Speaker, I guess I could collect my thoughts and try and give a figure for that. I would say that they were very small in number, but I will endeavour to do that. Contrary to the hon. member across, when I do make a statement, I like to have it be factual in those numbers. I want to make sure if I do respond. I don't believe that I have had any correspondence on this issue, but I will certainly review my correspondence to see if I have.

Mr. Speaker, I think the hon. member realizes quite fully that we have policy in this area. I think it's clear from the tabling in the Legislature today that the regional health authority fully understands that policy. Those 15 individuals are very capable. They have management abilities. They have legal counsel. I am quite confident they're carrying out what they need to carry out.

The interesting thing, Mr. Speaker, is that the concept of this type of institution is not unique in Canada; this is not the first. I would remind the hon. member of the Shouldice Clinic in Ontario, which provides hernia surgery for private individuals.

I would also remind him that a senior policy adviser with Health Canada yesterday went on record as saying . . .

THE SPEAKER: Order. The Chair will have to remind the hon. minister that she is now digressing quite a ways from the original supplemental.

The hon. Member for Calgary-North West.

Community Facility Enhancement Program

MR. BRUSEKER: Thank you, Mr. Speaker. Equity for students and their families has been one of the biggest casualties of this government cutting a quarter of a billion dollars out of education investment. Some families pay transportation fees; some don't. Some pay for kindergarten; some don't. Some pay material fees; some don't. Some work fund-raisers to buy computer equipment; some don't. Now we see community facility enhancement program dollars going to some schools to pay for computer upgrading. My question is to the minister responsible for lotteries. When was the decision made and what notification has been sent to schools notifying them that CFEP money is available for computer equipment?

DR. WEST: The community facility enhancement program is going into its third phase, which will make nine years of it. It's been used across this province for many, many things. That decision is made locally. People come forward and see if they can access the program for certain community benefits. So you don't go out and tell various groups that they're eligible for these dollars. It's done on a case-by-case decision. That discretion is left to the application, and it's very broad, I must say. You can access the community facility enhancement program for just about anything.

MR. BRUSEKER: To the same minister, Mr. Speaker: how is it, then, that the Member for Calgary-McCall can access an \$85,000 CFEP grant to a school for computers when that school has not raised the matching \$85,000?

DR. WEST: Mr. Speaker, I would say that the school has that much in their budgets at any one time that would match. [interjections]

THE SPEAKER: Order. [interjections] Hon. members, your member would like to ask his final supplemental.

MR. BRUSEKER: Well, Mr. Minister, they didn't have it an hour ago.

My supplemental question to the same minister then: why is it that CFEP grants are being made out in the name of individual parents who are on parent advisory councils instead of the name of the school? Why are you making out cheques that way?

2:00

DR. WEST: Mr. Speaker, I would have to follow up on that to see what individuals you're talking about, but they are scrutinized and watched very closely and I would say that it's all within the parameters of the program.

Provincial Credit Rating

MR. DOERKSEN: Mr. Speaker, yesterday . . . [interjections]

THE SPEAKER: Order.

MR. DOERKSEN: Thank you, Mr. Speaker. We're trying to ferret out some good news here today.

Yesterday the Canadian Bond Rating Service upgraded Alberta's long-term credit rating to double A plus, Mr. Speaker. I understand that this is possibly the first upgrading that any Canadian jurisdiction has seen for quite some time, and we're going to let the Provincial Treasurer expound on that in a minute. To the Provincial Treasurer: can you explain the relevance of this rating to the province of Alberta and how it affects our fiscal plan?

MR. DINNING: Well, Mr. Speaker, the Member for Red Deer-South is absolutely right. The Canadian Bond Rating Service yesterday did advise Alberta and did indeed advise the market that they had upgraded our long-term rating from double A to double A plus. What this does is simply confirm what the market really already knows, in that the market is already trading Alberta's bonds, Alberta's paper, in a way that reflects a double A plus rating. Canada has a double A plus rating and so does British Columbia.

In fact, we are able to and have been able for quite some time to borrow money in the market at a rate lower than that of British Columbia, because the market sees through those credit ratings, sees that this government has spelled out a plan. It made a promise some three years ago that we were going to balance the budget over three years. We were going to do it by reducing our spending, not the Liberal way of raising taxes. Mr. Speaker, the market already knows what Albertans know, that the hard work that Albertans have worked at so much over the last three years is paying off in reduced interest costs and in a way that allows us not to pay money to bankers, with all due respect to the hon. member, but to make sure that money goes to priority programs like health or education. Indeed, the hon. member is right: this is the first time that the Canadian Bond Rating Service has done an upgrade of a provincial credit rating since the late 1980s.

MR. DOERKSEN: Mr. Speaker, again to the Provincial Treasurer: did the Canadian Bond Rating Service give any indication as to what factors they used or took into consideration prior to upgrading our credit rating?

MR. DINNING: Well, Mr. Speaker, if I may, I'm going to read briefly from the Canadian Bond Rating Service release and summarize. I will also table a copy. It says that the upgrade was based on the following rationale:

Alberta has recorded two successive surpluses, with a third budgeted [this year]. The province has finally begun to start paying down the principal on its debt . . .

rather than just paying the interest on its debt.

The province's consolidated financial reporting, now one of the most comprehensive in Canada ensures that the surpluses being recorded are truly reflecting Alberta's overall financial position.

We've legislated that the debt "will have to be retired over the next 25 years."

Alberta will continue to be one of the lowest taxed jurisdictions in Canada. In fact, the budget indicates that taxes could be reduced further if the province's projections remain on course.

Finally they acknowledged what all Albertans already know: "The province's economy continues to perform well." That's confidence by CBRS in the hard work done by all Albertans.

MR. DOERKSEN: Mr. Speaker, again to the Provincial Treasurer. We're going to ask him to move past the financial jargon and say what impact this will have on the constituents in Red Deer and in fact all of Alberta. Will this have any impact on our

reinvestment plans?

MR. DINNING: Mr. Speaker, it does. What it does first of all is that as we refinance maturing debt, it allows us to borrow those funds at a reduced cost. That means that those dollars don't have to go to bankers. They can go to priority programs and into the reinvestment plan that the hon. member has mentioned.

More importantly, Mr. Speaker, I had an opportunity to speak with people who assist us in borrowing money and a number of investors in Montreal and Toronto yesterday. What they see is that we now are better positioned to be able to attract the very kind of work that the Member for Red Deer-South and the Member for Lacombe-Stettler were talking about the other day when you talk about Union Carbide and Nova being able to have the confidence to invest their dollars in this province. I had the opportunity to talk about Imperial Oil's investment, about the work that Amoco's doing, and the work that Lakeside Packers is doing. All of those people, those companies, see that they may create jobs in this province by investing their dollars because they're confident that they're going to get their money back and that they're going to get a return on their investment. What does that do for the people of Red Deer-South and indeed the people across the province? It creates lasting, quality jobs and in the end makes for a stronger, more secure province.

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

Aboriginal Child Welfare

DR. NICOL: Thank you, Mr. Speaker. Family and Social Services has developed a policy manual that sets out clear guidelines for all child welfare staff to follow when dealing with protection and adoption issues for native children. On top of that, we have a minister who vocally supports the concepts of keeping families together and making sure native children in the child welfare system retain contact with their aboriginal heritage. My questions are to the Minister of Family and Social Services. Does your department follow the procedure and the policy for aboriginal children set out in the child welfare manual, particularly those that speak to placement guidelines?

MR. CARDINAL: Mr. Speaker, of course, recently we announced the welfare reforms in relation to children's services in Alberta, a very sensitive and complicated area. We've managed to move more financial resources and human resources to that particular area to ensure that the policies we are moving forward address the issues that are out there. It's a very complicated area. We have an ongoing review of our policy to make sure the services that are provided to families and individuals are the best in Alberta. Generally, wherever possible, of course, the staff follow the procedures that are laid out.

THE SPEAKER: Supplemental question.

DR. NICOL: Thank you, Mr. Speaker. I'd like to ask the same minister: why is it that your staff in Lethbridge did not seem to know about this policy until it was raised in an appeal concerning the permanent placement of a Métis child?

MR. CARDINAL: Mr. Speaker, I have reviewed the case personally, and because this matter is under the purview of the Child Welfare Act and a decision by the child welfare appeal committee is currently before the court, of course I am unable to

provide any additional information. I have done a thorough review of it, and I will continue to do it to make sure that whatever our plans are in relation to services to children and families, especially aboriginal children, they will be addressed effectively. In this specific case I cannot release the information because it's under the Child Welfare Act.

THE SPEAKER: Final supplemental.

DR. NICOL: Thank you, Mr. Speaker. The minister has talked about the case in Lethbridge that's being appealed to the Queen's Bench. I'd like to ask the minister: why is the department going to court to overturn a ruling by the Child Welfare Appeal Panel, which based its decision on the placement guidelines for aboriginal children and returned a Métis child to its native foster family?

MR. CARDINAL: First, Mr. Speaker, I've always said it is very unfortunate that so many aboriginal children have to be in the care of government. It is not a simple solution. It's a very complicated problem, and we have to take the time to resolve it with the assistance of the community.

I wish the Liberal opposition would also assist us in designing better programs. Recently they released their social policy in relation to including aboriginal children's services. It's a six-page policy, and the first page is a blank page, so it's not much of a policy. They seem so concerned about adoptions. Not one word on adoptions is mentioned in their new policy, not one word.

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

2:10 Disposal of Grain Hopper Cars

MR. BRASSARD: Thank you, Mr. Speaker. In the recent federal budget the federal government announced its intentions once again to sell the entire fleet of grain cars. That's approximately 13,000 cars. Recognizing our dependence on the availability of grain cars, I'd ask the Minister of Agriculture, Food and Rural Development if he has any idea what effect this is going to have on our transportation system for grains in this province.

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

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly, this will have some dramatic effect, and this of course goes back to our overall policy and request of the federal government when the changes were being made to the WGTA that perhaps we should be looking at a holistic approach to all the changes which would have included the sale of the hopper cars. There are some 13,000 hopper cars that are at stake here. My understanding is that the federal government will be selling these hopper cars through an open tender process. They're going to be accepting bids from any of those who are producer friendly groups in agriculture. There have been no details regarding the lot sizes of the sale of these cars, so we're still uncertain. Those are still details that have to be worked out.

Our understanding is that there is to be a 75 cent charge per tonne beginning August 1, 1998, put in place to allow this to happen. That's to be legislated. The five-year rate freeze which began on August 1 of '95 will be increased by 75 cents in '98. Indeed, they did accept the SEO group report that between the producer, the rail company, and the grain company they should be allowed to share in the benefits along the way.

This is something important and very critical, because as I mentioned last week, we're well behind in our grain shipments as far as the province is concerned. We've only moved 40 percent of the grain that we've produced. We're two-thirds of the way through the growing season at this stage. It's serious, because the producers of this province have bills to pay. They're not able to move the grain that they have in their bins.

MR. BRASSARD: Mr. Minister, you indicated that these grain cars would be sold in lot groups. Can you indicate the time frame that you see this happening? Is it going to be immediately or over a period of time?

MR. PASZKOWSKI: Again, this is in the hands of the federal government. There's been no clear indication as to a time frame. However, it appears that it would happen within the period of two years, because they'd indicated that a rate increase of 75 cents per tonne would be put in place in 1998, so our assumption is that indeed the sale would transpire some time between now and 1998.

MR. BRASSARD: Mr. Minister, can you give us the status of our Alberta hopper car fleet and if indeed it will be sold?

MR. PASZKOWSKI: The Alberta hopper fleet which now consists of 982 cars – originally it was 1,000 cars – is something that we have not made any final decisions on. At this stage we're more concerned with just what the federal government is going to do with theirs, and ultimately we'll be in a better position to make a better judgment and a better decision as to how we dispose of our hopper cars here in Alberta. No, no decision has been made. However, we'll be monitoring just what the feds will be doing with the disposition of their 13,000 cars.

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

Social Assistance for Single Parents

MR. BENIUK: Thank you, Mr. Speaker. My constituency office has received a number of calls from teenage girls across the city seeking confirmation regarding additional money available from Family and Social Services if they were to become pregnant. It was explained to these individuals that any additional funding was solely for meeting the needs of the child and not extra spending money. Their reply was that they heard from friends that it was enough money for them to be able to move away from home, obtain their own apartment, and become independent. My office then explained that having a child should not be used as a means of gaining independence and encouraged them to look at educational opportunities or job training programs. These calls, combined with the fact that Alberta has the third highest teenage pregnancy rate in Canada, are very disturbing. To the Minister of Family and Social Services: approximately what percentage of young, single women applying for assistance are either expecting, are already single parents, or become pregnant when on assistance?

MR. CARDINAL: Mr. Speaker, again it's a very unfortunate situation. You know, when we announced the welfare reforms two and a half years or so ago, we found that a high percentage of the 96,000 or so caseload was single, young, healthy Albertans that were able to work. Of course, our plan was to put in processes that would assist those individuals to become independent and self-sufficient. One of the problem areas we had, of

course, was single people under 18 years old that would choose to move out of their family's home and live independently.

Mr. Speaker, that went on for years, costing taxpayers thousands of dollars for single people to live independently on welfare. Of course, this government will not put up with that. We had to make changes to ensure that wherever possible individuals under 18 were given the opportunity to either go to school or work or live at home with their parents. That is the plan. That plan hasn't changed.

Specifically, to be fair to the member's question, Mr. Speaker, I would have to provide it in writing to him to give him the exact information on the question he is asking.

THE SPEAKER: Supplemental question.

MR. BENIUK: Thank you, Mr. Speaker. To the same minister: would the minister consider re-examining the possibility of equalizing the amount of funding provided for housing supplements to single individuals and single individuals with a child in order to remove any possible unintentional incentive for these teens to have children born into the welfare rolls?

MR. CARDINAL: Of course, Mr. Speaker, our plan is to make sure that wherever possible individual single people are given the opportunity to be independent and self-sufficient. When we design our programs, we design those programs exactly that way. In fact when you look at the student grants, for example, that we provide now, which have put over 35,000 individuals in the last two years, jointly with Advanced Ed and Career Development, through different forms of academic upgrading, life skills, and upgrading to a grade 12 level, the grants actually provided to these individuals to assist them go through this transition were 30 percent higher than the old welfare rates before the welfare reforms were introduced back in 1992-93.

Therefore, Mr. Speaker, we do provide an incentive for people to stay independent and self-sufficient wherever possible. Now, we do continue on an ongoing basis to review our programs to ensure that we don't create a dependency out there. That is not what we want; that is not what the clients want; that is not what the taxpayer wants. The taxpayer and the client want the people out there to be working and independent.

THE SPEAKER: Final supplemental.

MR. BENIUK: Thank you, Mr. Speaker. To the same minister: as only 55 percent of single parents on social assistance currently receive some form of maintenance support for their children, what procedures does Family and Social Services have in place to obtain information about the noncustodial parent so that this percentage can be increased?

MR. CARDINAL: Mr. Speaker, of course that particular issue is under the Department of Justice, but we do have the support system necessary also to ensure that the basic income is always there for the individual. In addition to that of course the Department of Justice is involved in the actual recovery.

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

School Fund-raising

MRS. FRITZ: Thank you, Mr. Speaker. In order to fund-raise through bingos and casinos, a school council must be incorporated

under the Societies Act. I understand that regulations do not allow school councils to incorporate, yet school councils in Calgary-Cross learned that some councils in the province have been allowed to hold bingos in order to raise funds. My question is to the Minister of Education. Have some school councils raised funds through bingos and casinos, and is this now allowed as a public policy?

2:20

MR. JONSON: Mr. Speaker, I think it is important to remember that during the extensive discussion process that took place leading to the formation of the current school councils and the regulations that pertain to them, there was a strong expression that school councils should not be required to become societies, particularly if the purpose of forming a society was to be a requirement on all members of the school council to be part of fund-raising. Therefore in the regulations that have been established and the policy that has been established, school councils are specifically prohibited from having to incorporate under the Societies Act.

However, in the period of transition that we're currently in, it's my understanding that there are a number of the previous parent councils or school councils that had licences for the purposes of fund-raising, and in a transition period, those licences will be honoured until they expire. Therefore, I acknowledge what the hon. member is saying, that some school councils may very well still be conducting those kinds of activities.

THE SPEAKER: Supplemental question.

MRS. FRITZ: Thank you, Mr. Speaker. To the minister again: when a parent advisory group is incorporated as a society and is fund-raising for the school, does the school council have control over the money that is raised?

MR. JONSON: Well, once again, I would just like to emphasize, Mr. Speaker, that according to our policy and regulations, a society can certainly be formed at the school level, but it must be distinct from the activities and distinct from the newly formed school council. Given that that is the case, then that society could go ahead with their fund-raising activities. However, in direct response to the member's question I would like to indicate that fund-raising activities that are carried on for school purposes, be it by a previous parent group or a newly formed society, must conform to school board policy with respect to fund-raising in their system.

THE SPEAKER: Final supplemental.

MRS. FRITZ: Thank you, Mr. Speaker. To the minister again: does that mean, then, that the parent advisory group must apply directly to the local school board for approval in raising the funds and ultimately the school board will have control over the funds and they can place them where they wish to or not?

MR. JONSON: Mr. Speaker, I think that first of all I'd like to just emphasize that school boards normally have a policy with respect to fund-raising within their jurisdiction if in fact fund-raising is taking place within their jurisdiction. The policy I think would normally be one in which the purposes for which fund-raising could occur related to a school would be outlined. The funds would be directed for use for educational purposes. In most cases the policy allows considerable latitude within those broad education-focused parameters for the local body at the school level

to make certain decisions in conjunction with their school staff.

THE SPEAKER: The hon. Member for Sherwood Park.

Water Management Legislation

MR. COLLINGWOOD: Thank you, Mr. Speaker. Since 1991 the government has been promising new water legislation for the province of Alberta based on sound water management planning, principles, and objectives. After extensive public consultation and a thorough report by the Water Management Review Committee, the government tabled Bill 51 last fall, but that's the last we've seen of the new legislation. The concern is that private lobbying today will undo much of what was accomplished through the public review process last year. My question to the Minister of Environmental Protection: what exactly is preventing the minister from reintroducing new water legislation this year?

MR. LUND: Mr. Speaker, when Bill 51 was introduced, we said that we were going to leave it over the winter and have public input and then come back with a new piece of legislation. If you look at the time frame that we had to gather this public input, it was very short, and this is a comprehensive piece of legislation.

Another commitment that I have made is that we would be tabling either with the legislation or very shortly thereafter some proposed regulations that could go out for public consultation. This requires a lot of work, and, Mr. Speaker, we just haven't completed that work.

THE SPEAKER: Supplemental question.

MR. COLLINGWOOD: Thank you, Mr. Speaker. To the same minister: will the minister assure us that when new legislation is introduced, it will include all water users under the new legislation and that he will not introduce a two-tiered system which treats those with rights under the current legislation differently from those who will receive rights under the new law?

MR. LUND: Mr. Speaker, the proposed legislation is what we term enabling legislation. The reason for that is that we will have to treat some areas of the province differently than other areas because of the availability of water, the consumption of water, and the current commitments of water. So to say that everything is going to be exactly the same in the future as it was in the past, no.

THE SPEAKER: Final supplemental.

MR. COLLINGWOOD: Thank you, Mr. Speaker. The question was just about whether they were going to be under the legislation.

My final supplemental to the same minister: will the minister research and review the 1930 natural resources transfer agreement to confirm that changes to a water licensing system will not violate constitutional rights of existing licensees as is currently being suggested to the minister?

MR. LUND: Mr. Speaker, we'll be making sure that the Act complies with all of the requirements of past legislation. Constitutional issues are also entering into it. We're researching all of those things. Of course, this is part of the total review, and it all takes time.

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

Drug Benefit Program

MR. LANGEVIN: Thank you, Mr. Speaker. On Friday, March 15, the Minister of Health announced that some over-the-counter drugs and prescription drugs will be deleted from the Alberta Health drug benefit list. This is causing some anxiety amongst Albertans, and I would like to ask the minister today: would she advise why these drugs are no longer being covered under the Alberta drug benefit list?

MRS. McCLELLAN: Mr. Speaker, as all hon. members know, about twice a year we update the drug benefit list, and that occurs on April 1 and October 1. Last week I announced that 75 new drugs would be added to that drug benefit list. That's in addition to about 3,300 drugs that are presently on the list. Also, there were some drugs that were deleted from that list.

Some of the drugs that have been added are really quite exciting. One is a new treatment for arthritis. Some of the others deal with chronic pain, depression, schizophrenia, and hypertension. So, Mr. Speaker, when the expert panel makes these recommendations for additions to the list, they do it with the idea of what drugs will provide a greater benefit to the people who are in this program who are seniors and widows and, of course, nongroup members.

THE SPEAKER: Supplemental question.

MR. LANGEVIN: Thank you, Mr. Speaker. Again to the same minister: because the government is promoting the use of interchangeable products to further reduce the cost of health care, can the minister tell us how this affects the health care choices of Albertans and the costs associated with the drug benefit program?

MRS. McCLELLAN: Mr. Speaker, by having more flexibility in the program, by using interchangeable products, I think we've been able to show that we've been able to add a significant number of new drugs to our program each time that we have the review, which is twice a year. It is always a difficult choice as to which drugs to add on and which to take off. For example, this year we removed ASA. Now, that would raise some concern with some people. However, when you investigate this product, you find that indeed you can purchase it over the counter cheaper than you can get it through a prescription.

I had some of my department people do a little bit of shopping around one weekend before we made this change just to make sure that that was accurate. In fact, they found that it was selling for about \$2.89 in one pharmacy and just over \$3 in another, and the cost of it through the plan was higher than that. So it made sense to remove that.

It makes sense to use interchangeable drugs wherever we can. The expert panel ensures that the utilization of those drugs is appropriate for the clients.

2:30

THE SPEAKER: Final supplemental.

MR. LANGEVIN: Yes, Mr. Speaker. Again to the same minister: how many Albertans are covered by the drug benefit program, and what percentage of drug costs are individuals responsible for under this program?

MRS. McCLELLAN: Mr. Speaker, the drug plans that we have

in place cover about 433,000 Albertans. We have the seniors/widows plan. We have the nongroup plan. Our budget is about \$165 million for that. The client pays 30 percent of the cost of the drug. We pay 70 percent. Of course there is a maximum of \$25 on high-cost prescriptions, which protects those who because of the disease or illness they have have to use those high-cost prescriptions.

THE SPEAKER: The hon. Member for West Yellowhead.

Forest Management Agreements

MR. VAN BINSBERGEN: Thank you, Mr. Speaker. On February 21 the former Member for Redwater asked the Minister of Environmental Protection for a copy of the draft report on forest management agreements. Now, the minister responded that there was no report, just the discussion paper, over which he had no control. We were able to procure a few copies, which I'm gladly tabling for his information. Forest industry people are alarmed because these recommendations in this paper regarding tenure and the need for sustainable management are sadly lacking. [interjection] So my question goes, if the Whip doesn't mind, to the Minister of Environmental Protection. Since there is no mention in the draft of sustainable management practices – I'm talking here about biodiversity and wildlife – will the minister make sure that this will be part of any changes?

MR. LUND: Well, Mr. Speaker, I'm not sure what all the hon. member is referring to, but if it's the subcommittee that I think he's referring to, it wasn't part of the mandate that was given to them to look at the overall forest practices. We certainly have other avenues for doing that work.

MR. VAN BINSBERGEN: Well, Mr. Speaker, perhaps they weren't, but instead what they did was shorten the term of an FMA. At least that's the suggestion. Why doesn't the minister look at extending the length of tenure for companies which practise good sustainable forestry techniques?

MR. LUND: Mr. Speaker, I don't know where the hon. member is getting the information that I haven't suggested that. As a matter of fact, maybe you should talk to some of your constituents. You might find that in fact there is that discussion going on from this minister.

MR. VAN BINSBERGEN: Mr. Speaker, I did speak to my constituents and constituents in Peace River and all over the place, and they are very much alarmed. They're very nervous about this committee's recommendation, Mr. Minister. Therefore, I'm asking the minister: will he commit to a full review of the forestry tenure system by a fully independent body?

MR. LUND: Mr. Speaker, it's my understanding that one of the reasons that the committee hasn't reported is because in fact they are conducting a very wide range of consultation with the stakeholders. So we'll have to wait to see what the report says.

head: **Members' Statements**

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

Public Adjusters

MRS. ABDURAHMAN: Thank you, Mr. Speaker. For the past

number of years a dispute between the law profession and public adjusters has evolved. One must acknowledge the increased demand by the public for the services of public adjusters. This resulted in the Law Society of Alberta obtaining an injunction preventing public adjusters from handling claims of uninsured third parties. In granting the injunction, Justice Lovecchio stated that public adjusters were, and I quote, providing a valuable economic service. He also stated that all that is required is, and again I quote, a simple change to either the Insurance Act or the Legal Profession Act to enable public adjusters to do what they want for third parties.

Mr. Speaker, what is this government doing to ensure that the public interest is protected while the public adjusters and lawyers are doing battle? Albertans have the right to know the position of the government regarding the role of public adjusters in the marketplace. It's totally unacceptable that they continue to sit on the fence regarding this dispute. [interjection] All that is required is a simple change to either the Insurance Act or the Legal Profession Act to resolve this.

Mr. Speaker, I reference and quote from the reasons for judgment of the Hon. Mr. Justice Lovecchio: I have the greatest sympathy for the position of Burch and McIver as I believe they do provide a useful cost-effective role in the ever increasing spiral of cost in property and bodily injury claims settlement; in my view, a very simple change to the Insurance Act or Legal Profession Act would permit them to do what they do for third parties, but that is the responsibility of the Legislature, not the courts.

Mr. Speaker, when will this government act and make these simple amendments to protect the public interest. [interjection] Uncertainty creates division and confusion in the marketplace and does not serve Albertans well.

Mr. Speaker, I wish these members to my right had some courtesy in this House.

THE SPEAKER: The hon. Member for Three Hills-Airdrie.

Airdrie Schools' Home Lottery

MS HALEY: Thank you, Mr. Speaker. It's always a pleasure to rise in this Assembly to address an issue, but today it's doubly so because I want to try and set straight the misinformation that's going around regarding the Airdrie schools' home lottery. Innuendo and negative comments would have you believe that schools in Airdrie needed to raise extra money in order to provide a well-rounded education for our children. Well, let's be perfectly clear: Airdrie schools have always and will always provide a well-rounded education to students with or without a home lottery.

An independent group of people set up a society two years ago to raise money for extras. Well, this is something that Airdrie parents have been doing for years. We have over the years worked in the food kiosks, raised money for basketball and volleyball, sold chocolates and advertising, supported silent auctions, to name but a few. The truth is that the home lotto raised a lot more money a lot faster than anything we've ever done before, something like \$110,000 in the past two years.

Last year George McDougall high school used the money for a school van and new jackets for their school band. Each of the six schools participating this year will receive approximately \$10,000. Some of the projects that they've talked about so far are enhancing outdoor education programs, extra money for their extracurricular activities, and one elementary school wants to

enhance their computer lab.

The home lotto did get two extensions from the gaming commission. Ticket sales were slow and probably for a variety of reasons, including but not limited to the heavy level of competition from a marketplace that's awash in home lottos and also that the price of their tickets had gone up this year from \$50 to \$100.

The society had the foresight to ask Bob Nelles for his help. He's a brilliant marketer, and with effort above and beyond the call of duty he turned this lottery from a possible failure into a positive success. I truly hope that the six schools that will each be receiving over \$10,000 this year will give him the warm thanks that he so richly deserves.

I congratulate Bob and the society for what they've accomplished, but at no time have I heard them say nor will I accept any others saying that they did this because students in Airdrie weren't getting a good education.

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

Seniors' Programs

MR. WICKMAN: Thank you, Mr. Speaker. It's ironic that earlier in the day we had the Raging Grannies sitting in the public gallery. It's the very topic that I want to talk about in my private member's statement.

Seniors in this province are our pioneers. They deserve to be treated with dignity, with respect. What have we seen happen in the last couple of years? Dramatic cutbacks: the property tax exemption gone, the home improvement program gone, health care premium subsidies gone, eyeglasses, everything, on and on and on.

What I call the government feel-good program, where they were going to provide special needs for who knows how many, has bombed out, quite frankly. It was publicized; it was advertised. I asked the minister: what percentage of the applications that had been submitted have been actually approved? I would say a very, very small percent, maybe as small as 3 percent.

2:40

A constituent of mine, Mrs. Green, who has given me permission to use her name, applied for special-needs assistance. She was turned down. She was advised then to go to the citizens' panel. She went to the citizens' panel with her daughter, who had to take time off from work. They were told upon arriving: "Sorry; we have no jurisdiction to hear this matter. Go to your MLA or go to your Ombudsman." She had gone to her MLA; that's where she started off. To go to the Ombudsman would be pointless because he wouldn't have jurisdiction. Mr. Speaker, that's no way to treat a senior citizen who has given to this province for years and years and years. They deserve the dignity of at least having their case properly handled. I would ask the minister to take the letters that I tabled earlier in the House, take these comments, go over the application, and direct the people in his department to treat Mrs. Green with the respect and the dignity she deserves and get her out of the spot that she's in simply because of the hardships imposed by this government.

Thank you.

THE SPEAKER: The Chair has received notices. The Chair proposes to proceed with points of order, first from the hon. Member for Bow Valley, followed by Calgary-McCall, followed by Grande Prairie-Wapiti. Then we will go on to the hon.

Member for Calgary-North West's matter of privilege.

Point of Order

Offending the Practices of the Assembly

DR. OBERG: Thank you very much, Mr. Speaker. I'm rising today under 23(l), and for the benefit of the members of the Assembly, I'll just read that:

introduces any matter in debate which offends the practices and precedents of the Assembly.

Mr. Speaker, on March 7 – and I apologize for the delay in bringing this up, but unfortunately the document that I requested was just tabled. I would like to read to you what the hon. Leader of the Opposition stated in what he said was a quote from *The Journal of Pediatrics*. The quote states: "It further indicates that babies have in fact died because of early discharge." What the article actually says is, "We do not have evidence that death or severe irreversible morbidity resulted from these changes," in alluding to the early discharge program.

I think these statements by the Leader of the Opposition do three things. First of all, it offends the conduct and the members of this House, because (a) it was premeditated; it was a question in question period, (b) it was deliberate, because he obviously had this article and was showing it in question period. I find that very offensive. Second point: I think it's extremely offensive to the people of Alberta because he is fear mongering about babies dying and raising unnecessary fears out there when in actual fact the study does not say that. Therefore, Mr. Speaker, I find that absolutely insulting. The third thing that I would like – anyone who reads *Hansard* from now on will have that statement in there. Mr. Speaker, what I would plead with you is to have that statement stricken from the records of *Hansard*, as it is obviously false.

MR. BRUSEKER: Mr. Speaker, I would respond except I don't have the article before me at the moment. I don't have the quotes that he's referring to, so I cannot respond on behalf of the leader at this time.

DR. OBERG: Mr. Speaker, I find that very hard to handle, purely because it was the hon. member who tabled the document.

THE SPEAKER: Order please. That's not adding to the argument.

The Chair feels it would be proper for the hon. Leader of the Opposition to respond to this point of order and therefore will defer this matter until the hon. Leader of the Opposition can respond.

The hon. Member for Calgary-McCall.

Point of Order

Imputing Motives

MR. SHARIFF: Thank you, Mr. Speaker. I rise on point 23(i). I am appalled, indeed disturbed that the hon. Member for Calgary North-West, himself a former teacher, is offended enough to raise in this House an issue about a technology upgrade that benefits the children of Alberta.

Mr. Speaker, he questioned the ability of the applicant to have matching funds. I need to correct a few points that the hon. member has made. First, the school never made that application. The application was made by the Colonel J. Fred Scott Parents for Progress Association. The application met all the criteria of the community facility enhancement program, and to the best of my knowledge they did have a plan for matching funding.

Mr. Speaker, I'm very upset that the hon. member is using the sanction of this House to attack and insult the people who have worked hard – the parents, the children, the volunteers – to raise funds that will improve the technological advancement of our children. It is sad to see those hon. members and this member in particular attacking children, using children and children's development as a point to make in this House. I demand an apology on behalf of my constituents. I will support them and the children all the time. [interjections]

THE SPEAKER: Order. [interjections] Order, hon. members. Let the hon. Member for Calgary-North West respond.

MR. BRUSEKER: Well, Mr. Speaker, that's the most ridiculous point of order I've heard in this House in a long time. Now, with respect to the issue of protesting, if he looks back at the question, my first question to the minister responsible for lotteries was asking indeed when it became policy that CFEP dollars would be available for this, because apparently only the member opposite is aware of such a policy. The minister still didn't answer that question.

With respect to the issue of imputing the motives of the persons who are attempting to raise funds, the member himself said that they had a plan for finding the funds. They don't have the money now. The CFEP grant says that they should have the money in the bank ahead of time, before the application is made. It's clear, then, that the member opposite does not understand the CFEP application. I'm sure the member right in front of him could educate him, being well versed in that issue himself.

Mr. Speaker, I have no problem with schools wanting to improve the quality of education by putting new technology in the schools. To suggest that I oppose such a thing, when indeed I have taught computers and have requested additional computer supplies in the school where I was teaching, would be absolutely ridiculous, as is this point of order.

THE SPEAKER: Well, this exchange demonstrates the flexibility of our rules, but unfortunately, hon. member, the section you quote refers to imputing false or unavowed motives to another member. The Chair didn't hear anything about that in the exchange today so therefore cannot find a point of order.

The hon. Member for Grande Prairie-Wapiti.

Point of Order Interrupting a Member

JACQUES: Thank you, Mr. Speaker. I rise pursuant to Standing Orders 13(4)(b) and 24(1). You may recall that on March 7 I rose under the same Standing Orders with regard to interjections by the Member for Spruce Grove-Sturgeon-St. Albert. As a matter of curiosity, since that date, bearing in mind your admonishment of that day, I have been on most days simply keeping track of each interjection. I would point out I was a little reluctant to rise because the member had shown some restraint. She had a low of 47 on Monday, March 11. That increased to 53 on Thursday, March 14. On March 12, two days earlier, it was up to 68. Yesterday, Monday, March 18, it was 60, and today, Tuesday, March 19, it was 88. [interjections] I guess the response by the members on that point indicates the lack of respect that they have for this House. They've shown it continually.

I should mention, Mr. Speaker, that today there was almost an honourable mention for the Member for Edmonton-Meadowlark,

but we didn't keep track of that. I think it was obvious during the first 30 minutes, approximately, of question period today. There were a lot of interjections from both sides of the House . . . [interjections]

2:50

THE SPEAKER: Order.

MR. JACQUES: As I was saying, Mr. Speaker, in the first 30 minutes today there was a lot of interjection from both sides of the House, and I acknowledge that. You did several times a day, I noticed, even admonish the Member for Spruce Grove-Sturgeon-St. Albert. I just wonder how much longer we have to continue to put up with this. I would request that she be named, pursuant to section 24(1).

Thank you, Mr. Speaker.

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

MRS. SOETAERT: Thank you. It is a pity that the Member for Grande Prairie-Wapiti has nothing better to do than stalk me in this House. You know what, Mr. Speaker? You have every right to admonish me if you so wish. That is your right. But that member cannot keep harping at me across the way. I don't stand up and whine every time the Treasurer yips and yaps at me. Take it. If you give it, you've got to take it.

The Minister of Labour harps across the way and Transportation and Utilities. But you know what, Mr. Speaker? I don't come whining to you every time they're yipping at me. If the ministers don't answer a question or if they go on and on about what the Liberals would do, sometimes they need a little help from this side, and may I say that maybe it's the dynamics of this House. The Member for Cypress-Medicine Hat: you don't see me standing up and whining and complaining about him. I daresay it was 112 times today that he interrupted.

Mr. Speaker, there is no point of order. With all due respect, I respect what you have to say about me in this House, but the Grande Prairie-Wapiti member has nothing to do with my behaviour in this House.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, with all due respect, I don't think has paid attention to what the Chair had to say less than a week ago. The Chair says also, just to keep things even, that it's really not up to the hon. Member for Grande Prairie-Wapiti to be second-guessing the Chair. Nevertheless, he does have a point, because the hon. Member for Spruce Grove-Sturgeon-St. Albert does not need to get involved in practically every question that's going on in the House. The Chair might be able to recognize one particular instance where somebody has gone astray that might attract a comment, but when it just is a continual harangue . . .

The Chair also wants to point out that on Monday the hon. member was pretty good. But all it succeeded in doing was for the Chair to hear her surrogate in the second row from Edmonton-Meadowlark much more than is necessary.

The hon. Member for Spruce Grove-Sturgeon-St. Albert in the Chair's view has been a leader in this escalation of noise in the House. The Chair is going to stick with that, and one of these days, hon. Member for Grande Prairie-Wapiti, your wishes may come true, because this is not going to carry on. So the hon. Member for Spruce Grove-Sturgeon-St. Albert better be more selective in her targets. The same can apply to the hon. Member

for Edmonton-Meadowlark and certain members on the Speaker's left. There are lots of people on the Speaker's left. [interjection] The hon. Treasurer was mentioned. There are provocative people on the Speaker's right too, but the hon. Member for Spruce Grove-Sturgeon-St. Albert certainly can't escape the fact that she is the leader of this group that should be reduced, and she must be more selective, because this scattergun approach is not going to continue for very much longer.

Thank you, hon. members.

Before Orders of the Day, the hon. Opposition House Leader provided the Chair with written notice of a request by the hon. Leader of the Opposition for him to raise a purported question of privilege.

Privilege Threatening a Member

MR. BRUSEKER: Thank you, Mr. Speaker. I rise under Standing Order 15(2) and 15(5) regarding an issue of privilege. In the last few days the Leader of the Opposition has raised questions regarding Hotel de Health, as has the Member for Edmonton-Glenora and, as recently as today, the Member for Edmonton-Gold Bar.

Mr. Speaker, I would like to refer you to, if I may, a number of citations with respect to this issue. I start with a citation from *Beauchesne* 119. It says:

The Standing Committee on Elections, Privileges and Procedure has a free hand within its terms of reference to hear witnesses and call for papers.

Beauchesne 123 says, "Privilege grants considerable punitive powers to the House of Commons." Of course here we would be referring to our provincial Legislature. *Erskine May* also provides a number of background issues. I also want to quote from *Beauchesne* 93: "It is generally accepted that any threat, or attempt to influence the vote of, or actions of a Member, is breach of privilege." *Beauchesne* 99, the next page over, says, "Direct threats which attempt to influence Members' actions in the House are undoubtedly breaches of privilege."

Mr. Speaker, I provided to you earlier today, in addition to the notice from the Leader of the Official Opposition, two documents. One is a letter from a lawyer, Robert C. Burgener, barrister and solicitor, from here in Edmonton on Riverbend Road. The letter is addressed to the Leader of the Official Opposition. It reads in part:

Mr. Talbot believes you may feel unaccountable for any statements that you make in the Legislature. Mr. Talbot requests that I make it absolutely clear that he will pursue his legal remedies in the event that you make any misleading or derogatory statements which may impugn his character or reputation.

Please govern yourself accordingly.

That letter and that paragraph that I have read from that letter, a copy of which you have received, is a clear threat to the Member for Edmonton-McClung, that his words in the Legislature must be given consideration.

3:00

I would also draw your attention to *Erskine May*, and this is at page 73:

"That every Member of the House of Commons hath and of right ought to have freedom of speech . . . and . . . like freedom from all impeachment, imprisonment and molestation . . . for or concerning any speaking, reasoning or declaring of any matter or matters touching the Parliament or parliament business."

Further on that page:

Crown and Parliament concluded that "the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament."

Indeed, Mr. Speaker, a number of individuals have referred to this Legislative Assembly as the highest court in the land.

Erskine May, page 129, further states:

Conduct not amounting to a direct attempt improperly to influence Members in the discharge of their duties but having a tendency to impair their independence in the future performance of their duty may be treated as a contempt.

My final citation from *Erskine May* and perhaps the most powerful one, page 126 of *Erskine May*, reads:

Correspondence with Members of an insulting character in reference to their conduct in Parliament or reflecting on their conduct as Members, threatening a Member with the possibility of a trial at some future time for a question asked in the House, for a question asked in the House,

calling for his arrest as an arch traitor, offering to contradict a Member from the gallery, or proposing to visit a pecuniary loss on him on account of conduct in Parliament have all been considered contempts.

What we have in the letter before us today is precisely what *Erskine May* addresses at page 126. It is threatening the Member for Edmonton-McClung with the "possibility of a trial at some future time for a question asked in the House." That is precisely what the letter does, and it is precisely what is referred to as a contempt of the House. Further, Mr. Speaker, I provided a copy of a newspaper article which claims that the Member for Edmonton-McClung and indeed the Member for Edmonton-Glenora will be served with papers sometime today. I would suggest that this is a prima facie case of a breach of privilege.

I would draw to your attention for your further information, Mr. Speaker, a similar situation which occurred in the province of Saskatchewan on April 25 and 26 of 1984, wherein the Speaker of that Legislative Assembly in a similar case did indeed find a case of a breach of privilege of the member at that time.

Mr. Speaker, if you find that a breach of privilege has occurred, then I will make a motion that this issue be referred to the committee, as it says in *Beauchesne* 118, "to the Standing Committee on Elections, Privileges," for review and that the members of that committee take into account the letter, the newspaper article, and presumably, if they follow through on the newspaper article, indeed the serving of papers upon those individuals I've mentioned and that those individuals should be called before that committee.

Thank you, Mr. Speaker.

MR. DAY: Mr. Speaker, first of all, I think we need to be aware of *Beauchesne* 27, which says:

A question of privilege ought rarely to come up in Parliament. It should be dealt with by a motion giving the House power to impose a reparation or apply a remedy. A genuine question of privilege is a most serious matter and should be taken seriously by the House.

I'll obviously be making the point that this is not a question of privilege and that as a matter of fact the very serious notion of privilege itself is being abused here by the Opposition House Leader and his absent leader.

I would also like to comment on *Beauchesne* 115, which is very clear that "a question of privilege must be brought to the attention of the House at the first possible opportunity." The member opposite has already alluded to some few days having passed, and the member apparently offended is not even here to supposedly raise this grave and serious matter. "Even a gap," it says in

Beauchesne, "of a few days may invalidate the claim for precedence in the House." The reason for that, as you know, Mr. Speaker, is that if there was a gap, the gap alone suggests it can't be that serious.

Mr. Speaker, there are a number of issues that have been raised in the letter. If this was that serious, the letter would have been made available so that we could respond more properly to it. There was a reference about a case in Saskatchewan, no direct analogies being drawn, just tossed out to us as if that would give some weight to an already very flighty argument.

Mr. Speaker, there's been a very dangerous erosion that, I think it's fair to say, all of us have noticed in this House over the last period of time. It's been brought to my attention by people outside the House and inside the House on both sides, and the erosion is the very rare privilege of immunity that is granted to members inside this House by which longstanding tradition protects us from being sued for things said inside the House. There has been, I would say, an abuse, a clear and consistent abuse, and if this matter continues, I will cite examples from over the last several weeks of that power, where the names of people outside of this House are continually trashed by members of the Opposition, absolutely, indiscriminately with no thought whatsoever to their reputations, to their careers, or to their business.

We already have on record letters from the WCB to the Member for Leduc, who absolutely trashed the name and reputation of a respectable lawyer in the Edmonton community. We have a request to the Leader of the Opposition to do something, to at least apologize. We don't even see the slightest bit of remorse. That's just one indication, Mr. Speaker, of this absolute, indiscriminate trashing of names and reputations.

The opposition leader, having done what in the eyes of many is an absolute assassination on people involved around this certain project, now gets wind that they are going to take some action. The letter cited – and we're at a disadvantage because we don't have it, but I listened as carefully as I could – does not say specifically words mentioned in the House. It simply says that there will be some kind of watching, and it goes on to say "will pursue . . . legal remedies." Now he's finally flashing the letter around. Even if it says "in the House," there's simply an allusion there that legal remedies, suggesting that there may be some, will be pursued.

I would suggest, Mr. Speaker, that what we are hearing here is a frantic, panicked attack by a person who is quite used to trashing the names, reputations, and life savings of Albertans. He's quite used to doing that. He's now totally panicked and is raising to hide behind, to take umbrage a rare privilege that is offered to members of this Assembly, a privilege that has been abused terribly over the last several weeks on almost a daily basis. I would like to see us all as members show more responsibility for that privilege.

I'd like to also suggest, based at the very least on *Beauchesne* 27 and 115, which I have cited, that there can be no point of privilege. We obviously leave that to your discretion, Mr. Speaker.

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

MR. DICKSON: Thanks, Mr. Speaker. Pursuant to Standing Order 15(6) I'd make this observation. Firstly, there's an additional authority I'd add to the list of those put forward by the Opposition House Leader. There was a decision on June 25, 1970, in the Ontario Legislative Assembly. The Speaker was the

Hon. Frederick McIntosh Cass. It appears in the Ontario legislative *Journals*, pages 174 and 175, and that is a support, an authority for the proposition that threats against members may constitute a matter of privilege but only if person making threat is known. We don't have that concern here because we know who the author of the letter is.

On the point of timing and timeliness I think the short answer would be this, Mr. Speaker. Quite apart from the date of the letter, you have, if you will, a republication because of the newspaper appearing that's of even date. So that clearly vests us with the kind of timeliness that would be required by Standing Order 15.

Just on the merits one has only to look at the four corners of the letter in issue. We have two references. The first one, in the first paragraph, says: "That you intend to raise issues in the Legislature." The second paragraph makes reference to: "You may feel unaccountable for any statements that you make in the Legislature."

There can be absolutely no confusion. There's no ambiguity. This is an attempt to restrain something that Mr. Burgener perceives may be raised in this Legislature. In most of the other precedents there is not as direct a connection between the threat and what goes on in this Assembly, but I'd respectfully submit, sir, that this is a most serious matter. In the four years I've been in the Assembly, I've never seen somebody outside the Assembly attempt to coerce or bully or intimidate a member from doing what that person feels appropriate.

3:10

The other point is in, I think, a full response to the observation of the Government House Leader. In *Beauchesne* 77 it talks about the remedies that exist in this Chamber for members who breach rules or do something that's untoward or not appropriate. There are remedies, as exist in Standing Orders and as exist in *Beauchesne*. That's the way we deal with conduct in this Assembly. We can't allow members in this Assembly or activities in this Assembly to in any way be influenced and have members dissuaded from raising things that they legitimately feel must be raised because of threats from anybody outside, whether it comes from counsel or from the client for the counsel.

So it would seem to me, with respect, that this meets all the tests, and I just make this observation: the Government House Leader in the entire time he spoke – almost the whole time – traversed the issue and talked about other things that are not before you on this standing order application. I'd ask you just to look at the merits, look at the evidence that's been put before you. There's been no reason offered, in fact, why this wouldn't constitute a prima facie case.

Thanks, Mr. Speaker.

THE SPEAKER: The Chair thinks, because of the seriousness of the question, that it should examine carefully the material that's been submitted and review the arguments that have been made, both points of view, before making a decision, which it will attempt to do tomorrow.

Point of Order Imputing Motives

THE SPEAKER: Before calling Orders of the Day, there is one point of order ruling that should be dealt with at this time which arose yesterday, March 18, when the hon. Member for Fort McMurray raised a point of order under Standing Order 23(h), (i), and (j) – almost a routine here – concerning comments made

by both the hon. Premier and the hon. Minister of Transportation and Utilities in response to a question by the Member for Edmonton-Rutherford concerning video lottery terminals. The member complains about the characterization of the letters by the minister and the Premier and insists that he was representing the interests of his constituents.

As members are aware, this is the Chair's second ruling on the matter. On February 26 the Chair ruled that the minister's characterization of the letter he received from the member was not a point of order but rather a dispute about facts. At that time the member clarified his position that the letter represented the views of his constituents and not his own views. The member has again made that point quite clear.

The hon. member also questions the propriety of the minister referring to the letter in the Assembly. On this point the Chair refers members to paragraph 495(7) of *Beauchesne*, which states:

When a letter, even though it may have been written originally as a private letter, becomes part of a record of a department, it becomes a public document, and if quoted by a Minister in debate, must be tabled on request.

A similar issue arose in the House of Commons last year when a minister quoted from a letter sent by a member on behalf of his constituents. The Speaker held that there was no question of privilege and relied upon the same paragraph of *Beauchesne*. Members may wish to refer to the House of Commons *Hansard* for February 16, 1995, at pages 9734 and 9735.

Although there is no point of order, the Chair wishes to remind all members that one of the ways a member can best serve his or her constituents is by writing letters to ministers on their behalf. Of course, in certain situations there may be statutory restrictions on releasing the information, but it is not the role of the Chair to comment on that issue. As a consequence, the Chair would ask all members to consider what the impact may be upon a member's ability to serve his or her constituents before referring to correspondence from another member in the Assembly.

Thank you.

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

Bill 207
Conflicts of Interest Amendment Act, 1996

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

MR. BRUSEKER: Thank you, Mr. Speaker. I rise to conclude debate on Bill 207 before us today, the Conflicts of Interest Amendment Act, 1996. The Bill proposes to make significant changes to the Conflicts of Interest Act that we currently have in this Legislative Assembly. The Bill would indeed make considerable improvements over what is currently in place.

I note in reviewing *Hansard* of last week that two members from the opposite side of the House, the Member for Olds-Didsbury and indeed the Member for Calgary-Shaw, spoke in response to this Bill. Both of the members, Mr. Speaker, in speaking to the Bill made reference to the fact that part of the reason why they have chosen not to support Bill 207 is because the Liberal caucus chose not to provide input to the Tupper panel.

The Member for Olds-Didsbury went through, I think virtually on a recommendation-by-recommendation basis, each of the recommendations and pointed out that some he agreed with and

some he did not agree with. I understand that position because I did not agree with all of the recommendations of the Tupper panel either, and indeed not all of the recommendations are included in Bill 207.

The Member for Calgary-Shaw also went through the Bill and went through in part the Tupper report and talked about some of the difficulties that he sees in legislation in both Ontario and British Columbia. He also made reference to the fact that because the Liberal opposition did not support the Tupper report or did not provide input to the Tupper report, somehow Bill 207 is the weaker for that.

Mr. Speaker, what we are talking about here is second reading, the motion at second reading, which is to move on principle the concept of improving the conflict of interest legislation. That is the motion before us today: to support Bill 207, to provide for better conflict of interest legislation than we have before us. Indeed, when we started this session, the Government House Leader made a list of proposed legislation that would come before the House from the government agenda, and on that list, conspicuous by its absence, was any recommendation for improving the conflict of interest legislation.

Mr. Speaker, on page 558 the Member for Calgary-Shaw makes the comment that

the government is presently examining the recommendations of the conflict of interest review panel, which I believe reported in mid-January.

Indeed, that's one of the problems we have with legislation: the government makes these reviews in closed chambers and does not provide for or allow for input by members of the public or members of the Official Opposition. I find it curious that that particular member would make that statement. As chairman of the Standing Committee on Law and Regulations he could under second reading make an amendment to refer this Bill 207 to the committee for further discussion if he feels there has not been sufficient discussion before the House today.

Now, the Bill before us, as I started out, does not purport to be a perfect piece of legislation. I would hazard a guess that no such thing exists, Mr. Speaker, but I think all members would agree that this is an improvement over what is currently in place. Therefore, I would encourage all members to support the motion at second reading, to pass this Bill at second reading and send it into Committee of the Whole.

Thank you, Mr. Speaker.

3:20

THE SPEAKER: Would all those in favour of second reading of Bill 207, Conflicts of Interest Amendment Act, 1996, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 3:21 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Henry	Sapers
Bracko	Hewes	Sekulic

Bruseker	Kirkland	Soetaert
Carlson	Leibovici	Van Binsbergen
Collingwood	Massey	White
Dalla-Longa	Nicol	Zwozdesky
Hanson	Percy	
Against the motion:		
Ady	Fritz	Paszkowski
Beniuk	Gordon	Pham
Black	Haley	Renner
Brassard	Havelock	Rostad
Burgener	Herard	Severtson
Calahasen	Hierath	Shariff
Cardinal	Hlady	Smith
Clegg	Jacques	Stelmach
Coutts	Kowalski	Tannas
Day	Langevin	Taylor
Dinning	Magnus	Thurber
Doerksen	McClellan	Woloshyn
Fischer	McFarland	Yankowsky
Forsyth	Oberg	
Totals:	For - 20	Against - 41

[Motion lost]

head: **Motions Other than Government Motions**

Tests of Effective Government

504. Mr. Mitchell moved:

Be it resolved that the Legislative Assembly urge the government to recognize that effective government must meet the tests of integrity, fiscal responsibility, and community building based on shared values in Alberta.

[Debate adjourned March 12: Mr. Sekulic speaking]

THE SPEAKER: The hon. Member for Edmonton-Manning's time has expired, according to the record.

The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Yes, Mr. Speaker. I rise to speak at this time to what I believe are the principles that Albertans are indeed desirous of, and that is that we bring integrity back into society through the leadership of government. It is something that has been sadly lacking for many years. Through my leader's motion it clearly identifies the principles by which this Official Opposition guides itself. Not only should there be integrity within government, but we should also demonstrate that integrity outside in our day-to-day lives. When it comes to integrity, if we don't have it from the top, we certainly don't give a good example to our younger generations. The way that we indeed can bring integrity back into government is to create an independence where you've got boards or commissions that represent and expend public funds on behalf of this Legislative Assembly.

It saddens me, when we look at the regional health authorities, that we have chosen not to go to fully elected regional health board members, that we've chosen the route to go with a mix. In essence, you create two classes of citizens. I thought we'd have learnt that lesson, Mr. Speaker, when we know that the county school system disenfranchised certain trustees, going back 10 years ago. But here we are, back repeating history. We haven't learnt from that history.

The other is the very example of the Bill that we just saw voted down by this government which would have substantively improved the conflict of interest legislation. It may not have been ideal. It could have been improved, possibly, by putting it into Committee of the Whole. But this Legislature, through the majority that the government has, in their wisdom decided to vote it down. To me that's another death knell to the integrity of this House and the message that we send out.

Our communities have to be based on integrity. Our communities have to feel that their elected officials - whether they be Members of the Legislative Assembly, Members of Parliament, a municipal government, or hospital or education - have integrity, that they're beyond reproach, beyond question. That is the very basis of seeing strong communities, because if you have integrity and you have that trust, I would suggest, Mr. Speaker, that indeed you end up with a caring community, that you end up being your brother's keeper.

What we're seeing in this province saddens me. When I came here to live in 1968, there was a sense that you always reached out to assist your neighbour. You always felt the extended family that wasn't here. Many of us came to Alberta as new Albertans, as new Canadians. We had no extended family, and we relied on others to reach out and assist us and comfort us at times when we needed that comfort.

But, you know, Mr. Speaker, when I sought election three years ago, I made a comment - in fact, it was reflected in one of my brochures - that the attitude that was evolving in Alberta really disturbed me. It was the divide-and-conquer attitude. Indeed, if you weren't successful, it was your own fault. You'd only yourself to blame if you weren't successful. I sense right in my own community that people feel it's through their fault that they can't find a job. It's through their fault that their limited income hasn't got the moneys that they want to, and I'm talking about seniors here. There's such few dollars after they've met all the needs in their life that they can't buy the things they'd like for their great-grandchildren or just buy those little extra comforts.

So when we talk about community, you need the integrity to ensure that there's caring in your community, that there's value in your community. You look to your governments for that integrity. The example of gambling and how we collect those revenues doesn't give you that message that it's a government with integrity. It gives a wrong message to the community. Indeed, if you have a good education, that will get you a job. It isn't the 6/49 or the VLT machines or the bingos that in actual fact will give you security. But you know - and I've said it before, Mr. Speaker, in this House - the sad reality is that that's what a lot of people in Alberta are banking on, winning that 6/49 or winning substantive amounts on the VLTs. Now, that's not being fiscally responsible, because when a government is using revenues from gambling to fund programs that are essential, it's once again the wrong message.

3:40

People say, "Well, if we don't have gambling, we won't be able to find the moneys to pay for those programs." That's nonsense. I use the example of how the congregation of the church that I attend in Fort Saskatchewan wanted to build a new church, and that's a huge capital investment. The sense was that because we have a policy within the church that we don't gamble to raise funds - even if it's a straight raffle, we just don't accept it - we were thinking, "Now, how are we going to raise this money to build this church?" Well, you know, we did it. You don't need gambling to raise funds, Mr. Speaker, and you shouldn't have to

rely on inordinate amounts of money from a resource to balance your budget. We should always be very cautious that you look at the very bottom line and you budget to that bottom line, and if you have this windfall from natural resources, well, this is wonderful. Then you can, as the former Premier of this province, Mr. Lougheed, said, keep it for a rainy day.

Well, you know, we've come and gone through a few rainy days, and it wasn't the upper echelon of society that felt that rainy day. It was the seniors, the psychiatrically ill, the people with physical and mental disabilities. These are the people that felt the price of poor government and the lack of integrity in government.

So, Mr. Speaker, I would urge everyone to support this motion, because it embodies the very principle that I believe Albertans and Canadians are looking for, and that is integrity. It's looking for caring communities. It's looking for governments that will be fiscally responsible. You know, if we vote against this, it's like voting against motherhood. It would be incomprehensible if this motion isn't carried unanimously, because I don't believe there's anyone in this Assembly, when they were running to be elected to this hon. House three years ago in June, who didn't say to their constituents that they stand for all these principles.

I can't believe there's any Member in the Legislative Assembly who doesn't realize that if we as a province are going to move forward and meet the challenges at the turn of the century, we need strong communities. You need respect in those communities for your environment. You need respect for the most vulnerable people in your community. We have to ensure we've got the best education for our future generations to be able to become employed. We also have to be very aggressive, Mr. Speaker. We hear all about the new petrochemical investment that's coming into the Stettler area, and I commend the government, but that's only one small component. There are many, many people out there with very strong skills. I've mentioned in this House that we have over 600 people listed with the Job Action Team that serves Clover Bar-Fort Saskatchewan, some of Redwater, and some of the Lamont area who have job-ready skills, who are looking for jobs. They range from lawyers, teachers, accountants to domestics. There's a whole range. Now, unless we look after the needs of these people, you don't have strong communities. You don't have a caring community.

With that, we have to be responsible in how we manage our environment, and I get very concerned when I see us asking the private sector to be judge and jury. You know, through the Municipal Government Act this government had the wisdom to remove the right from municipal councillors to be judge and jury by not allowing municipal governments to be the development appeal boards in totality. I had fought for that for many years. Now we have a majority that are not elected officials, so they are no longer judge and jury. But what are we doing when it comes to our precious environment? We're allowing it to be a judge and jury situation. I honestly don't believe that the major developers want to be judge and jury, and this government, in essence, has called it that.

Please support this motion, Mr. Speaker.

THE SPEAKER: I hesitate to interrupt the hon. Member for Clover Bar-Fort Saskatchewan, but under Standing Order 8(4) the Chair must now put all questions to conclude debate on this motion.

[Motion lost]

Equal Access to Education

505. Mr. Henry moved:
Be it resolved that the Legislative Assembly urge the government to ensure equal access to quality education for Alberta children by providing for disabled children; special needs children; early childhood services; English as a Second Language for each child whose mother tongue is not English, regardless of the student's place of birth; a wide variety of core and optional subjects; the incremental elimination of all user and transportation fees; and access to computers for all students.

THE SPEAKER: The hon. Member for Edmonton Centre.

MR. HENRY: Thank you very much, Mr. Speaker. I have to admit I'm still shaking my head, wondering how somebody could vote against Motion 504. But moving on . . . [interjections]

THE SPEAKER: Order. Order please, hon. members.
The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you very much, Mr. Speaker. I am very pleased to move Motion 505 standing on the Order Paper in my name. I won't read it into the record because it is already a part of the record. The essence of the motion is to ensure that we have equal access to quality education for Alberta children.

What I wanted to do first is perhaps look at what's happened in the last two and a half years since this government was elected and at what's happened in terms of access to quality education, as this government has brought in several measures under the guise of bringing more equal access or equity to education in our province.

[Mr. Clegg in the Chair]

Let's look at what this government has focused on in terms of education in our province. First they said: "Okay. We've got too many school boards in our province. Let's eliminate some of the boards, amalgamate others." We can argue with the government with regard to some of the mechanics of that, but we all agree that that was a worthwhile move in general, to move to less school boards in the province. And the record is clear; the Alberta School Boards Association was about five years ahead of the government in calling for this move.

What the government also moved to do in the guise of bringing equity into our system was to remove the right of taxation from local school boards and rest it in the hands of the provincial government. So now, quote, unquote, we have full provincial funding of education. The government now collects property taxes as well as the other taxes they've historically collected. This was in an effort to bring what the government said was equity, to try to provide funds to those school jurisdictions that had a low assessment base with which to raise funds on their own. I don't want to spend a lot of time going into the specifics, but I think the record will also show, if members want to look closely at it, that if the government had allowed the regionalization and amalgamation of boards to continue, most of the equity problems would have been solved without the government grabbing control of taxation away from local jurisdictions.

Then we saw a whole series of moves that essentially were designed to centralize control of education in the provincial government, to wrest it away from professionals, to wrest it away

from local school boards and parents and put it in the hands of the provincial government. Then we saw measures that were to bring in more accountability, according to the government, by spending money on the quadrupling of achievement testing in our province and increasing the nature of the reporting that we have.

Mr. Speaker, the reason I wanted to outline briefly some of these measures that the government has brought in is that this government has been preoccupied, in my view, with the structures. They've been preoccupied with wresting control away from people involved in education and with recreating structures. I get the sense that the government thinks that if it throws everything up in the air and creates a level of uncertainty and chaos out in the real world, it will then be able to move in and say: "Look; we've reformed the system. We've made it more equitable." Nothing could be further from the truth. This government has not brought in more equity in terms of equal access for all children in our school system.

3:50

I'd like to provide you with some examples of that, if I could. We have a responsibility in our society to care for those who aren't able to care for themselves and to provide opportunity for those, regardless of their level of functioning, regardless of the barriers that are in front of them in terms of full participation. We look at special-needs children in our province. This province has instituted a number of measures that have resulted in the withdrawing or curtailing of services and funds to special-needs children. Oh yes, they stand up and say that they want full inclusion of special-needs children, that every child has a right to an education, and that every child should be able to participate in the classroom. But what the government did was, number one, eliminate the categories of funding for mildly and moderately disabled children in our school system. Recently the Minister of Education finally acknowledged that there is supposedly a guideline out there, that \$250 per child of the basic instructional grant should be used for mildly and moderately disabled.

But let me tell you what's happening really in the classroom right now. We have a situation, one example, where a young child who has Down's syndrome and also lives with other disabilities had three years ago a full-time aide in the classroom to help that child integrate into the classroom. Government funding squeezes a little bit, a little bit more in cutbacks, and all of a sudden the school jurisdiction can't provide that full-time aide. So there's a half-time aide between that classroom and another classroom: half time in that classroom, half time in another. Lo and behold, we get into the current school year, and that child has absolutely no personal assistance, has no teacher's aide assigned to them. That child as a Down's syndrome child with multiple disabilities is simply shoved into the classroom, and hopefully that child will be able to make it through the school year.

Meanwhile, we've got a teacher who's left there trying to service the needs of that child. I remember – it wasn't that long ago, Mr. Speaker – that we agreed and said that in order to be able to teach a special-needs child, it requires special training to do that. Now we have a teacher, who may or may not have that particular kind of training, who is the only teaching personnel assigned to that child.

We have situations, Mr. Speaker, in classrooms where one-quarter of the children are special-needs children, have a mild or moderate disability, whether that be a behaviour disability, whether that be a disability of hearing, whether that be a disability in terms of learning. I'd like to actually outline from one of the

government's own publications some of the disabilities that would be included under mild and moderate that there is no longer designated funding for. That includes things like emotional or behavioral disabilities, learning disabilities, speech and language impairment.

Let me talk about that a little bit, Mr. Speaker. Not only do we not have the aides in the classroom, we do not have the support provided in the school system by the health system, that is mandated to provide that support for children. There is a jurisdiction in this province where for the first half of the school year there was zip, nothing, absolutely nothing in terms of treatment or therapy for children with speech impairments or speech disabilities, yet those children were in the classroom. Those children were expected to perform on the achievement tests; those children were expected just to muddle through. We're back to the 1930s and 1940s with regard to the treatment of special-needs children in our province.

This government would like to jump up and protest and say, "No, you don't know what you're talking about," but they haven't got a clue because they've stopped measuring. They're big on measurement, but they've stopped tracking special-needs children. Maybe if we don't count them, they'll go away, and there won't be a problem. I'm sure that if this government thought they'd get away with it, they'd stop counting the numbers of seniors waiting for long-term care beds or joint replacements. Then they could say: no problem; we haven't got a problem here. This government has let down special-needs children, mildly and moderately disabled children, in our province.

There is also a big change in the way we do our screening in this province with regard to health services, which has an impact on early intervention. We used to have a system where children were in contact with a public health nurse several times at regular intervals from age zero right up till they hit school age. That way they could be screened, and we could see which children were severely disabled and ensure that they got connected to the services. They could get the funding for the PUG or now PUFF grants.

Now we have a new inoculation system by the Department of Health and the public health authorities which stops inoculating at 18 months and then resumes it just prior to entering kindergarten. That's a good move, except the government, the Department of Health or Education, has not put anything in to replace the screening that happened along with that inoculation. So in terms of the system, often children are not identified as severely disabled until they are three and a half to four and a half years old. The funding is not a three-year funding to help them fully integrate; the funding is from two and a half years to five and a half years. So if you are identified as severely disabled and you require certain kinds of interventions that cost money and that doesn't happen till four years old, you're out of luck for the year and a half before. There's no makeup for that at all.

MRS. BLACK: Why don't you take the child to the doctor?

MR. HENRY: The hon. Minister of Energy is chirping away: why don't you take the child to the doctor? She should know that there are a lot of individuals in this province who are very reluctant to take their child to the doctor because it means a prescription that they can't afford to fill, and it is happening on a regular basis. Maybe she should step out of the ivory towers of the energy patch and look at what's happening to people in this province outside the oil rigs.

Mr. Speaker, the government has moved in terms of early childhood education in this province to restore funding to the 400-hour level. However, it is not . . .

MRS. BLACK: Why don't you take the kid to the doctor?

MR. HENRY: Just for the record, Mr. Speaker . . .

Speaker's Ruling Interrupting a Member

THE ACTING SPEAKER: Hon. Minister of Energy, I would kindly remind you that the hon. Member for Edmonton-Centre has the floor. So we will keep to that. Members may want to speak later. If you don't agree, that's normal procedure around here, but Edmonton-Centre has the floor.

MR. HENRY: Thank you, Mr. Speaker. I just want the record to be clear that the Minister of Energy sits in her place and advocates that we screen children, that every child should have to go a physician, and that the health care system be billed that rather than using public health nurses at about a third of the cost to do that kind of screening. That's what she's just chirped. No wonder our health care system is in chaos, with people like that at the table making decisions.

Debate Continued

MR. HENRY: Mr. Speaker, the government has moved to honour early childhood services funding, but the government has still not moved far enough in terms of that funding. They've not mandated the kindergarten program in legislation in the School Act in this province. Early childhood services in this province are woefully underfunded. What we have is a situation where the government says that when you're providing an education program to a five year old, yes, you have to be qualified to offer that program, the same qualifications you would have to have to offer that program in grade 1. Yet there are two very different levels of funding. Sometime, somewhere, the government is going to have to get up and explain why it is that when you're using the same teachers and the same facilities and you have the same government monitoring, it's cheaper in the government's view to offer a program for five year olds than it is for six year olds. The funding is not adequate, and it is not mandated.

Mr. Speaker, we have a very unfair situation in our province that the Minister of Education has been unable to address, perhaps because of some of the far right-wing, fascist-thinking members of the backbench.

Point of Order Parliamentary Language

MRS. BLACK: A point of order, Mr. Speaker. I believe that there was unparliamentary language used.

THE ACTING SPEAKER: On the point of order.

MR. HENRY: On the point of order, I'm not sure what word she's referring to. Maybe it's the word "communist," that's coming out of the government benches, or the word "socialist," that I heard over there. Mr. Speaker, all of those words are in the dictionary, and I stand behind my characterization of some of the policies. [interjections]

THE ACTING SPEAKER: Order. I thought I was listening to

the hon. member. I didn't spot any words that are unparliamentary, hon. member.

Edmonton-Centre.

4:00

MR. HENRY: Thank you very much, Mr. Speaker. [interjections] I would offer to talk louder so the Speaker could hear over the heckling.

MRS. BLACK: Mr. Speaker, I was just going to request that you review the Blues and *Beauchesne* 492. I believe the word "fascist" was used by the member. [interjections]

THE ACTING SPEAKER: Order. It seems like I've got a lot of advice coming from both sides of the House, which I really don't need. I'm certain that we will review the Blues, and then if appropriate action should be taken, we will deal with it tomorrow.

The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you, Mr. Speaker. What I would offer to do is if I characterized any individual, I daresay that I should withdraw that remark. But my remark does stand with regard to the policies involved of the government. Most specifically, members might find that offensive the way members over here might find communist or socialist offensive.

Debate Continued

MR. HENRY: Moving on, Mr. Speaker, with English as a Second Language funding. There are two standards set by this government. The funding for English as a Second Language for young children in our school system has absolutely nothing to do with whether the child needs the assistance in terms of English as a Second Language training or coaching but has totally to do with where the child was born. So we have two standards.

If there are two children who live side by side in two houses in a community, who go to the same school, and one child came to Canada six years ago with their parents from a non English-speaking country, that person, when they hit five years old, goes to kindergarten and at six years old goes to grade 1. The government provides additional funding through the school board to help educate that child and bring them up to speed in terms of the English language. However, if the family next door arrives and the mother is expecting the child and the child is then born four or five months later, that child, because that child was born in Canada, does not qualify even if that child has been at home with a non English-speaking parent for the five years and cannot speak the English language at a level that would allow them to participate fully in the classroom.

So we have two standards here. The funding is not based on need; it's not based on educational requirement. It is based on where the individual lives.

DR. TAYLOR: I've heard too many tears from you guys. Tear, tear, tear.

MR. HENRY: The hon. Member for Cypress-Medicine Hat says that it's a tear, tear. Well, it is a tear, and I invite the hon. member to come to my constituency where parents are very concerned. They thought they were doing the right thing in grounding their children in their mother language because they would get that additional assistance when they go to school, and now that is no longer there. There are parents who believe in

education, who want their children to succeed, who have approached me and have said that they didn't vote for me last time but that they'll vote for me this time because of that particular issue.

DR. TAYLOR: That's only because they don't understand English, Mike.

MR. HENRY: My previous comments stand.

Mr. Speaker, there is a discrepancy between access to core and noncore programs in our province in our education system. Let me give you an example. We know that we don't have tuition fees, and we're glad that we don't have tuition fees for public education in our province. But if a parent wants their child to have any extras in terms of wanting them to have a second language, if they want them to be in an immersion program, if they want them to be in a specialized program at all, the parent then is responsible for the transportation costs to send that child to that school if that school does not happen to be in the neighbourhood where the parent resides.

So my point is – as the Minister of Education wants to know – that access to those programs, to optional subjects such as French immersion or Ukrainian bilingual programs or other academic challenge programs or other programs of that sort that are truly educational in nature, is based on the parent's ability to pay. So there is not equal access in our province. It's based on the parent's ability to pay. Think about a single parent raising three children. In this city alone that parent could face a \$100 a month plus busing bill to bus those three children to a French immersion program or to an academic challenge program or to another program of what is called, quote, choice, unquote. So we don't have full equity for children in our province. We have one standard, one accessibility for those who can afford to pay and another for those who can't afford to pay. That's of grave concern to myself and all members of the Liberal caucus and, I daresay, most Albertans.

Mr. Speaker, we have seen a dramatic rise in the use of materials fees and transportation fees levied against students who are attending our public education system in our province. These fees have gone up dramatically during the tenure of the current government. So what the government has done is reduced the amount of, for instance, transportation funding, off-loaded that onto the school boards, who, because they're being squeezed, are off-loading it onto the parents in terms of increased user fees.

Mr. Speaker, if we want to bring equity to our province, if we want to make sure every child has equal access, the government should set guidelines that give school boards a guideline for charging transportation fees as well as a guideline for forgiving fees of transportation and materials and field trips, et cetera, for low-income parents. Yet this government doesn't want to do that.

Mr. Speaker, if we want to go to the core of public education, which is to create opportunity for every child in this province regardless of who their parents are, regardless of their personal life circumstances, then we must stop just fiddling around with what the government's done in the last two and a half years with structures and throwing everything in chaos and instead focus on children and focus on making sure every child has equal access to a fully funded broad education program. [A buzzer sounded] I hate to disappoint the hon. members on the other side, but there's one more minute left on the clock.

Mr. Speaker, again, if we want to ensure equal access, if we want to ensure a public education system that retains the nature

and retains the integrity that Ryerson talked about in his report many, many years ago about why we should have an education system which is the great equalizer in our province and that allows every child to fully maximize their potential, then we have to make sure that every child has every barrier removed from them so that they can have the opportunity. Then once they get that opportunity . . .

THE ACTING SPEAKER: Hon. member, I was very lenient with you . . .

MR. DALLA-LONGA: That's his own buzzer.

THE ACTING SPEAKER: Oh, sorry about that. I don't think we need buzzards all over the House. They usually fly up there; we don't need them in the House.

The hon. Member for Edmonton-Centre.

MR. HENRY: Thank you, Mr. Speaker. I'm going to be afraid to look up from now on with the buzzards up there.

However, Mr. Speaker. I do want to reiterate that it is our responsibility as legislators, as elected members of the public, to ensure that every child has equal access to a full education in our province, that not just those who can afford to pay have access and not just those whose parents have the skills to be able to wiggle through all of our systems have full access to education. Once we provide that opportunity, then some people will rise to the challenge and be able to make more of their lives, and some will not. That, in essence, is where this government has failed and where the next Liberal government will rectify the problem.

Thank you.

MS HALEY: I'm happy to be able to provide a few comments on Motion 505. Mr. Speaker, the hon. Member for Edmonton-Centre will find most of what he's looking for in this motion contained within a book called Agenda '96. This year's budget addresses the issue of ECS and the return of 400 hours of funding. It addresses the issue of computer access in our classrooms, and it addresses improving co-ordination and delivery of special-needs services in this province. If the hon. member had read the budget, his motion would be commending the government for doing such a great job rather than asking the government to do things that it's already doing.

In fact, it clearly states in the three-year business plan that all students have the right of equitable access to a quality basic education program that meets their diverse needs. This is one of the beliefs that the foundation of Alberta's education system is built upon: equitable access to quality basic education programs. It does not get any easier to understand than that, Mr. Speaker. High standards for education continue to be a top priority of the Alberta government.

Why the hon. Member for Edmonton-Centre included special needs in this motion is beyond me. He could have clearly read the department's annual results report that improving the co-ordination and delivery of special-needs services continues to be a priority for this government. "All Alberta students will [continue to] have access to a solid core program and the opportunity to acquire the knowledge, skills and attitudes they need to be self-reliant, responsible, caring and contributing members of society." The three-year business plan "supports government's commitment to high standards for students, to increased accountability, and to greater community involvement in education."

4:10

Mr. Speaker, areas that the government has targeted for improvement include "increasing school completion rates of high school students," "improving coordination of services for children with special needs," and "ensuring resources are directed to instruction, including expanding the use of instructional technology." The government is also committed to ensuring that all school boards and schools are funded adequately and equitably, allowing all students across the province to have equal access to educational opportunities. The restructuring of the education system has made it possible for resources to be focused equitably on student instruction at a greatly reduced cost of administration.

Mr. Speaker, had the Member for Edmonton-Centre read over the Department of Education's three-year business plan, he would have noticed several of the initiatives called for in his motion. For example, his motion calls for the government to provide for early childhood services. The members opposite have been calling for the government to resume full provincial funding for ECS to the amount of 400 hours. This government has done that. The member can verify this for himself on page 189 of the three-year business plan. Near the bottom of the page it states that "full provincial funding will be provided for 400 hours of ECS, including transportation." The part I like best says that "instruction fees will be eliminated." How many petitions have we received in this House calling for 400 hours of ECS? You say 475 now, but you were saying 400 then. How many times have we heard the members of the opposition call for the reinstatement of 400 hours of ECS? How many times have we heard them call for an end to transportation fees? Well, we listened, we cared, and we reinstated full funding: 400 hours of ECS.

Mr. Speaker, the member also calls for "access to computers for all students." However, he doesn't provide a definition of what he means by access. We do not know if he wants one computer per school or one computer per student, and currently our student to computer ratio is at 24 to 1; in other words, about one computer per classroom. I'd like to refer the hon. member once again to page 189 of that business plan, where immediately below my previous citation it states that

the Alberta Government recognizes the importance of integrating technology into the education program. Some \$40 million will be provided over the plan period to upgrade and expand the educational technology available to students.

Mr. Speaker, I want to point out that another \$5 million is dedicated to setting up a minimum of one Internet station in each school in the province.

This is a very costly motion, and I think it is essential to remember that. After all, this motion is following hot on the heels of a motion proposed by the Leader of the Opposition, who claims that fiscal responsibility is a test of government. Well, the members on this side of the House have met that test. This government has balanced the budget, and we have a mechanism in place to pay down the debt. We have proven that we are fiscally responsible. It is, by the way, the law that we be fiscally responsible, and I'll refrain from passing judgment on the members opposite on this particular point.

In light of this, I'm curious as to where the Member for Edmonton-Centre proposes to get the funding for the initiatives he has laid out in his motion. Does he intend to use some of the moneys that are available for reinstatement? It's obvious that his colleagues would spend money on many other programs. In fact, the only solution that they seem to have is spend, spend, and spend. I'm sure that the hon. member does not want to circum-

vent the democratic process, and he is willing to wait until the Provincial Treasurer has the results from the public consultation on how to reinvest those dollars. Perhaps in the meantime the Member for Edmonton-Centre would like to fill out one of those Straight Talk, Clear Choices surveys and list special needs, ECS, ESL, student transportation, and computers as areas to reinvest in.

Mr. Speaker, this motion has the potential to be very costly. For example, the cost of achieving a 3 to 1 student to computer ratio would be \$275 million. This cost does not include the cost of upgrading the hardware that schools have. Some schools in the province are still getting by with the older model Apple computers or the IBM compatible 286s. This government recognizes that this is a problem. We know computers are expensive. Computer networks are expensive. Software is expensive. Last fall roughly 541,000 students were enrolled in classrooms in this province. To have a student to computer ratio of 3 to 1, we would need 180,333 computers in our classrooms. That's a lot of computers.

The other programs which the member is calling for are also expensive. Teachers cost money. Resources cost money. Psychologists and specialists cost money. I want to make it clear that I agree that these resources are necessary. I can accept the intent of the member's motion, and I can agree with him that investing in education and our children is one of the best investments that we can make. However, I cannot agree to a redundant motion which calls for unnecessary funds to be spent. As I said earlier, if the Member for Edmonton-Centre would have done a little more research into his motion, we could be discussing a useful, meaningful motion that could address some real concerns; for example, providing additional funding for private schools. Mr. Speaker, that would be a motion I could support.

Thank you.

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

MRS. SOETAERT: Well, thank you, Mr. Speaker. It's my pleasure to speak to this motion. The Member for Edmonton-Centre knows that there's a great need for this motion to be passed in this House instead of people burying their heads in the sand and saying, "We've done this, we've done this, we've done this," when you haven't.

So, Mr. Speaker, let's look at this motion. It's got a lot of very good things in it that I'd like to speak about today. "Be it resolved that the Legislative Assembly urge the Government to ensure equal access to quality education." That's all we're asking for: equal access. You know, as long as they can get to the door of that school and have a fair chance in that school, what they do with it is their choice. But they should have a chance to get into that school and have the same chance as you and I. That's what we mean by this motion: give every kid a fair chance. Now, I don't know how the government can argue against that, but inevitably they will.

So let's talk about what we mean by once you have a fair opportunity to get into that classroom. Disabled children: what about mobility for those disabled children?

MRS. BLACK: What about severely normal children?

MRS. SOETAERT: If the Minister of Energy wants to talk, she can stand up and take her place. Otherwise, she might get corrected by the Speaker. That's what tends to happen to some members in this House.

Let's talk about the movement between classes. Let's talk about a student that has Tourette's syndrome, for example. I know of a student who had Tourette's syndrome, and what happened was the community got together and got him a computer that he could use. Well, you know, Mr. Speaker, that's the kind of thing that this government should provide. We should look at each individual child. There are children who are disadvantaged compared to the rest of us. They do need that extra boost to get an equal opportunity and an education. So I would mention disabled children.

Let's look at special-needs children. Now, maybe I'm biased in this because I have taught special-needs children. At the high school level it used to be the integrated occupational program, which has been changed a bit over the years. But you know what? You cannot have a crowded classroom with kids that need extra help. When I taught this class of about 15 students – and 13 were boys – they're frustrated because they have not been able for some reason to succeed in their education. So this was a program set up specifically for those kids to give them an equal chance, to give them a chance so that once they got out of school, they could succeed in the world and be contributors to society.

If we spend the money on those children now, it'll pay back then. That's what this government isn't doing anymore. When you push a whole bunch of special-needs kids into one big classroom, then you put a teacher who doesn't have a special-needs background teaching them, then you take away an aide, and then you add a few more other factors just for fun, that's not quality education. That's not an equal chance for the kids that deserve extra help. So that's why I support this motion. If the others would get their heads out of the sand, they would too.

Now, I want to mention a few things within special needs. There's a real lack of accountability with respect to the amount of money budgeted for special needs, with no guarantee of how the money designated is spent on that child. So why wouldn't the department request school boards to provide information which relates special-needs program expenditures to services delivered and the number of students served? That kind of accountability is needed when only severe special-needs students are considered special needs anymore. They've lumped the mild and moderate all into one basic funding, and that's not fair. If we don't give those kids an extra chance, we will pay for it later.

4:20

Now, let's look at the second part of this: early childhood services. The Member for Three Hills-Airdrie says: all the petitions, and we listened and we cared. Well, you know what? Probably in election year they're going to give back kindergarten funding. A little late. What about last year's kids? What about the kids last year who had to pay or didn't have the money to pay so they only got half, only got 200 hours of ECS? [interjection] The Minister of Energy can get up and talk if she wants, but not right now.

Anyway, Mr. Speaker, let's talk about that early childhood. If you really believe in early childhood, like this government says, and if it's not just politically expedient to put it back in this year, then put it in legislation. Put it in legislation. A lot of those parents who don't want their child in ECS can opt out of it. That's the Bill the hon. Member for Edmonton-Centre will be presenting later, and I support that Bill. I do have people in my community who are at home and want their children at home for that. They have the option to keep their children at home rather than send them to kindergarten. But you know what? Reality is that the kids who need kindergarten the most are the ones being

punished by this government when you have to pay extra funds. That's what they did last year. They're giving it back this year because they think it's politically expedient. But if you're really serious about it, put it into legislation. Put your money where your mouth is and put that into legislation. You can wax eloquent about how good you are about putting ECS in, Member for Three Hills-Airdrie, but if you really mean it, put it into legislation.

Now, let's look at the next part: English as a Second Language. The Member for Edmonton-Centre explained that quite well, but I think some people weren't listening. So I'm just going to briefly indicate what that means again. If we have somebody who has just immigrated here, they will get that special-needs funding for their child if English is their second language. However, if the child was born here and they're in a family where their main language is not English, they won't get any special help. Now, that's punitive.

Obviously we're not listening to the different cultural needs in this province if we can't support this motion. There are different families. When they come to school, they do not speak English. So if we want that child to have a fair and equitable chance and they're in a school where English is taught predominantly, except for the odd Francophone, a few private Ukrainian schools and – what's that called?

DR. PERCY: French immersion.

MRS. SOETAERT: Thank you. French immersion. These children deserve a fair chance. You know what, Mr. Speaker? Once again, if we spend the bucks where they're needed there, we won't have to pay for it later. They'll be able to succeed in school, and within a few years they'll be okay with that special help to help them speak English right away. I'm sure there are people on that side of the House that agree with it but maybe are afraid to speak to it.

Let's talk about core and optional subjects. Now, you know, Mr. Speaker, it's sad that so many schools are fund-raising for all kinds of programs. To me, we should really consider that core subjects are a lot more than reading, writing, and arithmetic, and we should all acknowledge that in here. Certainly we're well aware that computers are now almost a fundamental part of education. Certainly a music option should be covered. Certainly an art option should be covered and phys ed. These are core subjects. Suddenly now with so much funding being pulled from them, these subjects are in jeopardy of not being offered in certain schools. That's a shame, and I would express deep concern over that.

That's why people should support this motion. All it's talking about is an equal chance at a well-rounded education. Why would we deny that to the kids of Alberta? We are in this province; this government has with their cuts to education. They talk about fiscal responsibility. I never voted for eight deficit budgets. Some people on that side did. Who's paying for it? Our seniors, the average citizen, and most certainly our kids. When you think that kids now are 30 in a class – and I know this; this is an example – four with attention deficit, three hearing impaired, one blind student with one aide. That's crazy, Mr. Speaker. That's not an equal chance. Now, those children need extra help. What about the other students? They deserve to have more attention than that. That's just one example of what's happening in this province, and it's not good enough. So I would urge every member to support this motion.

Let's go to the next place. Let's look at the "elimination of all

user and transportation fees.” Mr. Speaker, I know that in an area of this province there was quite a hefty little transportation fee for kids to go to school, and this one family had four children in school. That could come to 800, 1,000 bucks, 2,000 bucks a year. I don't know about you, but most people with kids in school, they're just making ends meet. If you have to pay that kind of user fee, how are you going to do it? What are you going to say? “My kid can't go to school because I can't afford to send him?” Not in Alberta. That shouldn't happen in Alberta, and it is.

With the increasing decline of government support for education, there's an increasing demand for fund-raising in schools, a terrible demand for an increase in fund-raising. In fact, there's not a week goes by that I don't get a letter home that says: “Can you send money for this? Can you send money for this?” Mr. Speaker, I have four children in school. It's constant. We make a decent wage. People who don't have that extra buck, how do they afford it? How do they continually say no to their child because, “I can't afford it.” That's not fair, and that's what schools are doing more and more and more just to compete to get the basic necessities for classrooms.

Some teachers have to fund-raise just to get basic equipment in their classroom. That's not what we pay teachers for. We're asking them to teach, not to fund-raise, and I resent it if teachers have to spend a lot of energy on a fund-raising activity rather than teaching my child. That's where our priority should be, and that's what this motion supports.

Mr. Speaker, the last point is: “and access to computers for all students.” Now, today in this Legislature we talked about the availability of lottery dollars for computers. Well, if that's happening, that means we are now supporting education with lottery dollars. That's sad. We should support education. If education needs money, we support it. So now in this House today we found out that a school can apply for a lottery grant for computers. To my knowledge, those CFEP grants have never before supported computers. You had to have matching dollars or matching volunteer hours. I didn't see that today.

So I think it's time, if we're going to open up the lottery dollars for computer use for our schools, for every school in this province to know about it. Every school council should be able to fill out a CFEP grant and apply for it, because that would only make it fair, but quite honestly, computers and access to computers should be a fundamental of education. However, if we're going to go through the back door and support them, which often happens, then let's at least support it through the back door fairly. Let's let every school council – send them out a form and say: “Do you want to apply for CFEP money for your computers for your children? Do so. Here's how you do it.” – not just one member who happens to be of a blue colour that gets it for his students. That's not right. That's not equitable and accessible and fair education for all. [interjections] Mr. Speaker, I'm glad I've woken up the people on the other side.

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

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

Point of Order Clarification

MR. DAY: Mr. Speaker, I think under 23(i), at the very least, in the dying moments. If the member could clarify what I hope I

didn't hear her say about some member being a certain colour and therefore getting something. Could we get a clarification on that?

MRS. SOETAERT: Most certainly. I'll clarify that. I meant of a blue political stripe, you know – I'm sorry; I just get so passionate about education that I may have slipped up there – meaning Progressive Conservatives. Sorry, Mr. Speaker. I thank you for the opportunity to clarify that.

THE ACTING SPEAKER: On the point of order by the Government House Leader, I think that's been clarified.

THE ACTING SPEAKER: I hate to interrupt the hon. Member for Spruce Grove-Sturgeon-St. Albert, but the time for consideration of this item has concluded, so we will go to second reading.

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

Bill 14 Health Foundations Act

[Adjourned debate March 18: Mr. Day]

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

MRS. SOETAERT: Thank you, Mr. Speaker. I just have a few short comments on Bill 14 and a couple of concerns, if I may raise them at this point. Hopefully, then, before we vote on second reading, maybe some things can be clarified so that I can make a better judgment as to how I'll vote.

I want to look at section 3. “The purposes of a foundation are . . . to receive gifts of money and real and personal property.” Now, when we get these gifts, is there any dollar sign that we're talking about? Does this mean specifically over X number of dollars, for example, over \$5,000? If a person makes a gift of over \$5,000, from my understanding of this they don't get to direct the moneys where they want. They can make suggestions, but it's up to the foundation to decide.

[The Deputy Speaker in the Chair]

If the foundation is influenced by doctors or health care professionals in that area, could they not end up being in a bit of a conflict of interest, which regretfully seems to be a common theme around here? Could they not end up being in a conflict of interest? If a doctor lobbied to get a special program – let's say the doctor donated the money, over \$5,000, \$10,000 – then could he not benefit from that if that equipment was bought for him? What I'm saying is: could a doctor end up in a conflict of interest? That's just a question I have. Let's say a heart surgeon donates a million bucks – here's an example – to a specific health foundation, then receives a nice tax break on that donation, and then in turn the foundation gives the money to a specific program that the doctor can generate a profit from, like a research grant or fees. Then maybe that would be a conflict of interest. So that's just an honest concern I have with this Bill: if something like that could happen.

Now I want to look at section 4.

The Minister may give directions to a foundation for the purpose of

- (a) providing priorities and guidelines . . . and
- (b) co-ordinating the work of the foundation with the programs [and] policies.

For example – and you know it's my pet peeve out in St. Albert – if somebody gave a lump sum of money for the CT scanner to be up and running in Sturgeon and the foundation supported it, I just see this creating quite a bit of confusion in this whole circle of foundation, donation, request, and then back to the minister. So I have some concerns over that one and specifically, using an example, the CT scanner in Sturgeon.

The other one further down under section 6(3):

The Lieutenant Governor in Council may appoint a member referred to in subsection (2) despite the fact that a regional health authority, the Provincial Mental Health Board or the Alberta Cancer Board has not made a nomination in accordance with the regulations.

Well, I guess once again it's that old word “patronage” that seems to leap out on the paper there, that we can appoint people again. I see that “fewer than half . . . [the board] shall be appointed from a list of nominees.” I think that's probably good: if people in the community suggest some people to the minister. I know we can't have elections for everything; that's just not practical. If the community is suggesting people, it's obviously people that they think have a background in it or knowledge in it or some confidence of the community. So I would really once again express my concern about appointees to a foundation or a board. I only need look as far as WestView to say that it doesn't work; it certainly hasn't worked there. So there's another concern of mine.

Another one under section 7(2):

Any remuneration or expenses authorized to be paid under subsection (1) must be paid at a rate established by the regulations.

Every time I see the word “regulations,” I go ballistic, Mr. Speaker, because you just think – you know what? You're asking me to vote on an unknown. The regulations aren't in place. Now, maybe the members opposite in their caucus talk about what the regulations will be. Maybe they know what they'll be, so they can stand up and vote in good faith, “Yeah, it's a good Bill; trust me.” Well, honestly on this side, tell us what the regulations are or give us at least a guideline of what they intend to be, and then you could expect some support, some positive reinforcement from the opposition that the government's always asking for. [interjection] Well, then don't put the word “regulations” in a Bill without giving me some guidelines as to what those regulations will be.

I can see that the chair of the regulations committee once again would like to be flogged over this issue. I'm sure he'd like to meet and talk about the regulations and what they will mean to this Bill. So I would tell him that he can feel free to do that. [interjection] Yes, it's my turn to speak.

I just have a couple of other points about the Bill. Section 10:

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 think we're putting the foundation in a bit of a difficult situation here. If a person gives a huge gift of \$10,000 and the foundation decides to give it to maybe Hotel de Health within their health region – and we hope that never comes to be – or a private clinic, because there are private clinics, the donor has no say over that. So maybe there should be something in this Bill that says: within these guidelines the foundation can give money. I'd like to see here that there is no way a donation given to a foundation could go to a private clinic. It would also, I think, help with the conflict of interest of a doctor giving to his own private clinic and then maybe getting back. You know, maybe I'm not seeing

everything that is in there, but I sure would appreciate the clarification of that.

Section 11: “A trustee is not personally liable for anything done or omitted to be done by the trustee in good faith.” Well, I guess that protects the trustees. But if no one's liable, who's responsible? It's an age-old question: who's responsible for what happens? Reading section 11, that was my concern there.

Now section 13. I was pleased to see that they have to submit “audited financial statements” and that the minister sees them and that the Legislature gets to see them. Bravo; I liked something there. I'm sure you're all happy about that.

Section 15, “The Lieutenant Governor in Council may make regulations.” Then it virtually undoes the rest of the Bill, to my understanding. It can restrict the foundation's regulating. It can respect the winding-up of one. It can prohibit “a foundation from accepting a gift.” What it boils down to is that the Lieutenant Governor in Council, which is cabinet, can do anything. So, you know, like, this kind of undermines the whole purpose of the Bill: if what a foundation does and works towards and there are accountable mechanisms for them, then the cabinet can just undo it if they so desire. So unless that's just a safety precaution, that that money doesn't go to a private clinic, then I'd feel some comfort in that, but the way it is right now, it looks like the cabinet can undo everything in this Bill. So why have it, except that a foundation can be set up, and the minister can take it down?

Those are my concerns with the Bill, and I would really appreciate an explanation of those concerns so that we on this side can make an informed decision as to how to vote on it. I would once again reiterate our concerns about regulations. I think it's two or three times in the Bill – actually every time the government puts regulations into a Bill, they should expect the flogging on it, because it's of great concern to me that we are expected to vote on the unknown. I don't think anybody on that side would be expected to support something they don't know about, and I would expect the same respect for us, that we cannot be expected to vote on things that we just don't know are going to come about or whether they're not.

So with those few comments, Mr. Speaker, I will pass the floor to someone else. Thank you.

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

4:40

MR. COLLINGWOOD: Thank you, Mr. Speaker. I'm pleased to join debate this afternoon on Bill 14, the Health Foundations Act. I appreciate the comments that have been made by my colleagues, most recently the Member for Spruce Grove-Sturgeon-St. Albert.

Mr. Speaker, the Health Foundations Act certainly does continue the theme of the government to move out of the area of direct funding for health care in the province of Alberta. The interesting thing I noted about the Health Foundations Act, while it is consistent with the government's agenda, is that we now have regional health authorities that are themselves charitable organizations. In their incorporation they are charities, and of course then contributions or donations directly to a regional health authority will provide for tax relief to the donor. Of course, we also have other foundations that currently exist which have – I guess the intent of the Bill – somewhat less status than the foundations to be created under this piece of legislation in that these foundations will be, by virtue of section 5, “an agent of the Crown in right of Alberta” as a foundation established under this piece of legisla-

tion. So it potentially, I guess, has the possibility of creating some confusion in that those who are interested and willing to donate will have a variety of vehicles to choose from. If their intent is to make a contribution, they may have to get their accountant to tell them where they have to go before they can actually make a contribution.

The concern, of course, is with the proliferation of charitable organizations, lower level foundations, higher level foundations as agent of the Crown status. The message that the government is sending is very clear; that is: if you want health care in your region, you'd better be prepared to buy a lottery ticket for a home, because that's about the only way you're going to get the same level of service that you enjoy now. It's getting to the point, Mr. Speaker, where you won't even have to buy a house in the province of Alberta; you just buy lottery tickets for every house that is being built, because it's going to be built by some charitable organization or other because that seems to be the latest successful marketing scheme to raise money for the hundreds if not thousands of charitable organizations desperately looking for ways to raise money to maintain their aspect of the quality of life in the province of Alberta.

The Bill, Mr. Speaker, does contain the same sections that were of concern – as I recall, it was Bill 12 that we debated in second reading with the same kind of wording, in that the minister will have and retain the power to give directions to the foundation for “providing priorities and guidelines for the Foundation to follow” in the exercise of its powers, “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.”

So essentially, the minister can say: “Okay, foundation, you're out there; I'm here. I'm not going to fund this program anymore. If you want it, then I guess you'd better establish that and identify that as one of your priorities.” It becomes at that extreme, Mr. Speaker, an abdication of responsibility by the Minister of Health to provide a fully accessible, accountable, public health care system in the province of Alberta. [interjection] The hon. member says that the message has to be made clear.

At the extreme it will create a situation where the minister will abdicate responsibility for providing fully funded, accessible, affordable public health care in the province of Alberta. That is a concern.

In the context of section 4, giving the minister the power to pull the strings for these newly created foundations, the foundations themselves, in terms of the donors – I think it's section 10 – cannot be “bound by the directions or wishes of a donor of money or other property to the foundation.” So an individual who wants to provide a significant donation to one of these foundations – and I'm assuming, Mr. Speaker, that because this is going to have agent of the Crown status, there is a significant tax break for those donations relative to the regional health authority as a charitable organization, relative to other foundations that have lesser status, that the donations or contributions to be made to these foundations will be significant dollars. We're talking in the hundreds of thousands to millions of dollars range, dollars or value in lieu of dollars for a donation to one of these foundations.

It will be unfortunate, of course; it's a bit betwixt and between, because that individual cannot direct where those funds or where that donation will go. Yet, on the other hand, the difficulty here is that certain groups could fund private health care in the province of Alberta through one of these foundations if that

power, that ability, did exist. So I appreciate that there are two sides to this particular coin. The difficulty, of course, is the combination of the minister centralizing power in the hands of the government, in the hands of the minister to, as I say, pull the strings of the foundation, whereas in fact a donor to the foundation will not have any say on where those funds or where that property goes.

The problem continues to exist in terms of accountability, Mr. Speaker, in the creation of these foundations. The foundation can create its own bylaws, and the Regulations Act does not apply to the bylaws of the foundation. Yes, that is consistent. Yes, that is the same as we see in all pieces of legislation from the government, but it does again continue to cloud the transparency of significant government bodies that maintain and control a significant amount of funds.

I guess the other comment in terms of that transparency is that we again have a situation where the Lieutenant Governor in Council can make a significant number of regulations. It does, in fact, include the ability of the Lieutenant Governor in Council to prohibit

a foundation from accepting a gift that

(i) is in an amount, or

(ii) is valued at an amount

that is less than an amount determined in accordance with the regulations.

Well, I suspect that at this point in time, Mr. Speaker, the Minister of Health has a very clear understanding of what that regulation is going to say. What is the minimum amount that will be set in the regulations? Let's know that now. Let's not wait for the regulations to come out after the fact. Or even better, let's refer it to the chairman of the Standing Committee on Law and Regulations and have those regulations reviewed by the standing policy committee of this Legislature. I remind you that the Standing Committee on Law and Regulations hasn't met in over 10 years.

Mr. Speaker, those are my comments. I guess I'd add that we have a situation again where the minister will appoint the members of the foundation. They will determine for themselves the authorization of payment in the form of remuneration for traveling and other expenses incurred in the course of their duties as trustees. Fine, but let's see some transparency with that as well and that financial statements will be provided.

Those, I think, are the general comments in second reading, Mr. Speaker. I saw the minister shaking her head that I'm thinking in the extreme. I don't think that I necessarily am, because this is one more component, one more aspect, one more step in a path that, potentially, with the added significance of agent of the Crown status for a health foundation, will move us further down the track of eroding the public health care system in the province of Alberta.

With that, Mr. Speaker, I will close my comments.

4:50

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

MR. WHITE: Thank you, Mr. Speaker. There are two points that particularly bother me, that other members have touched on but not explored. It's interesting to note that in the Statutes of Alberta, volume 16, this piece of Legislation titled the Alberta Health Foundations Act will fit between the Health Facilities Review Committee Act and the Health Insurance Premiums Act. It's fitting that it does fit just there, sir, in that we're dealing with

a major change in how government funds hospital care. Having had the experience of being a member of a foundation board for a number of years, I know that the primary function is not and never was to provide facilities, nor was it to provide into that area of insurance such that every member of society would have equal access. In fact, it was to provide some of the extra items that could not be provided in the normal course of business. At one time in the particular field I was in, long-term care was looking to provide some very special, designed care for Alzheimer's patients and the like.

With this Act – and it seems not just this Act but the culmination of many Acts and directions – this government is moving to government by foundation and by donation. Now, I'm not sure that that is a reasonable route in that philanthropic organizations, hospital care, and others are having a great deal of difficulty raising funds. To take more out of that philanthropic level of our society that can in fact afford to come up to the plate and pay for a number of these things, I'm not sure that that is the direction that all Albertans would want to go. It varies from year to year as to who passes away, and it varies as to how the general economy is. It varies with all of these things. It is so uncertain that it makes it darn difficult to provide an even level of care over time.

Yes, donations of cash and kind are gratefully accepted at any level and particularly in health care when there are a number of areas that need some special care, but this particular piece of legislation does not allow that direction. So a donor that has a particular interest in Alzheimer's, for example, cannot direct those moneys to that location, which is a shame. Yes, I know the Canadian Income Tax Act prevents that, but it still does not require this kind of legislation over and above what we have had to provide that kind of service to get the gifts going to the specific location.

Another area that concerns me somewhat is the minister's directions of the foundation to exercise power through regulations and through appointments. It concerns me somewhat that the exercise of that power could in fact send donations in other directions, and if they left the province, it would be our net loss. I would like to think that those that wish to make substantive donations to our health care system would feel that they do have some control through that mechanism I mentioned earlier that is not available to them and through a board that is truly, truly independent. This Board cannot and will not be. We understand that all boards appointed by this government wear a particular political stripe and that only those that wear that stripe have the opportunity to serve in this manner. That is a great error, I believe. I'm sure members of the public would agree with me on that.

There are some other concerns of a lesser degree. A great number of my colleagues have in fact mentioned them. I will now take my seat and allow others to make their points, sir.

Thank you.

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

MR. SAPERS: No, no. Edmonton-Whitemud.

THE DEPUTY SPEAKER: Hon. Member for Edmonton-Glenora, if you're directing the House, please do so from the Chair. If no one is speaking, are you ready for the question?

The hon. Member for Edmonton-Whitemud.

DR. PERCY: Thank you, Mr. Speaker. I understand the intent of this Bill, which is to set up the foundations in a way that both

provides a consistent basis across regional health authorities where they're raising an allocation of funds and does so in a way that's consistent with minimizing the tax payable or enhancing the deductions payable to those making the decisions. Having read through the Bill, I guess there are just two or three issues that I would like clarification on in second reading, dealing with the principles.

The first point. On one hand, some of my concerns are allayed by the fact that each year an annual report is tabled in the Legislature. Given there's ample opportunity and scope there for an outline of how the funds are allocated to be presented, I guess there is this dichotomy that exists whereby individuals cannot earmark the funds. I understand that under the regulations they cannot earmark the funds. If a donor is aware of that, then I think it's an equivalent of buyer beware. If you're aware of the regulations, that you can't earmark, then you wouldn't give the money. So in some sense that's an argument that looks after itself.

But there is the issue of the ministerial direction of those funds and the extent and scope by which the minister would exercise that. I would hope that when the minister addresses some of the concerns raised about this foundation, she could outline specifically what criteria or under what conditions she as minister or any minister would in fact then direct the funds. To the extent that there is that scope for direction of the funds, it means that expenses for a hospital that might otherwise be paid for out of the general allocation from the province to the regional health authority could be offset by funds allocated from the foundation.

I think there has to be a very clear dichotomy as to what is funded directly by the province through the regional health authorities and what in fact the role or focus of the foundation expenditures would be. With the minister having significant discretion in terms of the allocation, it does leave me with some concerns. I understand the principle of the Bill. I just don't have a very clear idea of the circumstances under which the minister would exercise the discretion that is afforded her under this. I think the minister can appreciate that one wouldn't want to see donations to the foundations being used in lieu of the necessary grants from the province to the regional health authorities. So to the extent that the minister can address that specific issue, it would certainly clear up some of the concerns that I have with regards to the Bill.

I guess the only other issue I would like addressed is that, you know, part of the purpose of the Bill in terms of setting up the foundation is to ensure the maximum deduction allowable to the individuals making that donation. If the minister could just provide us with some idea of what – because this is, in a sense, equivalent in part to a tax expenditure. Just what is the potential cost? Both in federal taxes payable or provincial, just what is the tax expenditure associated with that Bill?

5:00

So those are the concerns that I have, and I think they could be addressed expeditiously by the minister at the next opportunity she has to address our concerns.

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

MR. DALLA-LONGA: Thank you, Mr. Speaker. I've had a little bit of an opportunity to speak to some people that are involved with some of these foundations that are looking to get this Bill passed. I must say that fundamentally I'm in favour of the intent of the Bill. There are some concerns that I have that I

think maybe the minister could address in her closing comments, a couple of concerns.

One of the concerns I have is a big problem in the United States particularly. If you make a contribution to the Crown, or the government – and this is like one of those contributions – there's a real problem when you make those contributions other than in cash. The big abuse comes with art work, in valuing the contribution being made. Certainly we don't need more problems than we're trying to solve, and that's turned out to be a big problem in some jurisdictions, the nature of the contribution. I'd like to hear the minister's comments on how they plan on controlling that particular aspect.

The second thing – and there seems to be a difference of opinion – is: what is the exact tax implication of a contribution made? My understanding is that we get away from the 20 percent limitation on contributions made; that's one of the advantages. The suggestion has been made to me that we get a dollar-for-dollar tax credit, and I don't think that's right either. So if the minister in her closing comments would clarify that.

Other than that, most of the other stuff – it's kind of difficult to really tell. My only concern would be: is this going to get carried away? Are some of these organizations in their exuberance to raise money – and the minister and the Treasurer should both be concerned about this – going to play little games or do little manoeuvres that will go outside the boundaries of what the intent was? I'm in support of the intent. I certainly can't think now of all the things that could be done. One of the things that's common in the United States, as I mentioned before, is overinflating the value of the contribution and those sorts of things. Has the minister and her hired help in conjunction possibly with Treasury adequately looked at possible abuses that might occur? I'd look forward to hearing her comments on that.

With that, Mr. Speaker, I would like to conclude my comments.

MRS. McCLELLAN: Mr. Speaker, I would make the comment that a number of the comments that have been made both in the discussion of this Bill yesterday and again today would probably be better addressed through committee, where we have significantly more time to address some of the concerns. There were some different questions. However, I think that if hon. members review *Hansard* and my opening comments on this Bill, they will see that many of the points that they brought forward were responded to then.

What I will endeavour to do between now and committee stage of this Bill is to review those and ensure that all of the questions that were put forward that were not covered in the debate – for example, I did talk briefly about how a gift would be evaluated in my opening comments, but I think the hon. Member for Calgary-West would like some more detail in that area. Certainly I can provide that at committee. There were some questions asked by the Member for Edmonton-Whitemud which I would need to do a bit of research on, the exact amounts.

So, Mr. Speaker, with the House's permission I would move second reading of Bill 14.

[Motion carried; Bill 14 read a second time]

Bill 15 Hospitals Amendment Act, 1996

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

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to bring forward Bill 15, the Hospitals Amendment Act, for second reading. As I explained to my colleagues in the House when I introduced this Bill last week, the Hospitals Amendment Act will streamline the process for recovering the cost of health services based on the principle that negligent third parties should bear the cost of health services required as a result of their actions.

In common with other provinces, Alberta has a program in place now to recover the costs of hospital care provided as a result of the negligence or wrongdoing of a third party. The current program has been in our province for 30 years, recovering about \$11 million annually in recent years.

Under the Hospitals Act, as it currently stands, the Minister of Health has only what is known as subrogated claim, making the province's right of recovery contingent on a settlement with the victim of the negligence or the wrongdoing of a third party, and the cost of insured services is limited to in-patient and out-patient hospital care.

In 1994 Bill 46, the Hospitals Amendment Act, 1994, was passed but has not yet been proclaimed into force. That Bill provided for the expansion of the third party liability program to include all health care costs, and it gave the minister the right to take independent legal action to recover those costs from the victim's insurer.

The Hospitals Amendment Act, 1994, Bill 46, broadened the scope of the definition of health services to include in-patient or out-patient care provided in a hospital or other facility; professional services including physician services, chiropractic services, physical therapist services, podiatrist services, and optometrist services; transportation, including air and ground ambulance; public health services; mental health services; drug costs; future health services; and capital costs. The current Bill amends the Hospitals Act, amends Bill 46, with respect to the method of payment for claims by auto insurers.

Until now recovery of health costs has been undertaken by the minister on a case-by-case basis. The current Bill would replace that practice with a single aggregate payment for each automobile insurer. Under the new system a direct payment would be made to the Provincial Treasurer by each Alberta auto insurer. The amount payable each year would represent the insurer's share of the estimated cost to the Crown for health services arising from auto accidents where a wrongdoer is found responsible for the injuries which require health services.

I must reiterate, Mr. Speaker, that the Bill under discussion, Bill 15, is an amendment to Bill 46. The debate respecting Bill 46 and expanding the right of the minister to increase the amount of services that a wrongdoer is responsible for took place in 1994. This Bill 15 only streamlines the process. It deals exclusively with auto insurance.

The direct payment will not apply to self-insured drivers or to accidents which occur outside the province. Once the direct payment system is in effect, the Crown's right to sue to recover the cost of health services would cease to apply to auto accidents. The direct payment would be adjusted annually to reflect changes to the cost of health care, changes in frequency of auto accident claims, and changes in the number of automobiles insured in the province. The direct payment will also address auto claims known and unknown which may exist at the time of the introduction of this Bill.

Mr. Speaker, the principle of liability for the cost of publicly funded health services arising from negligence or wrongdoing is

well established in Alberta and across Canada. This initiative responds to a clearly identified need for a more streamlined method of administering the program with respect to auto accidents. In 1995 the auto insurance industry approached the government to work out a better method of recovering these dollars. The government has responded with a system that meets the needs of both industry and government. The kind of levy system we are talking about has already been implemented successfully in several other provinces. I believe it was the province of New Brunswick that first replaced the case-by-case recovery with a direct payment system.

5:10

I want to emphasize that we expect the impact on auto insurance to the consumer to be minimal, and that expectation has been confirmed recently by the insurance industry itself. There will be some impact on rates obviously, but in a highly competitive industry it will be up to each insurer to decide whether to pass on any increased costs to the consumers. The bottom line is that the services we are talking about are funded by the taxpayer.

The question is: where does liability for costs arising from a case of negligence properly rest? I don't think we can argue in this House that a wrongdoer should be responsible for his or her own actions and should assume the liability for his or her own actions. If that wrongdoer carries liability insurance, then that liability falls upon the insurance company. This government believes it rests with the party that is the direct cause of the costs and his or her insurer wherever liability can clearly be determined rather than with the taxpayer, and this initiative will enable us to act on that principle in the most efficient way possible.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. I appreciate an opportunity to enter debate on Bill 15 at second reading. We're told by the mover of the Bill that this Bill is basically a benign rearticulation of Bill 46, that this will really just put into place an operational mechanism for collecting or dispersing payments. I don't quite see it that way.

It's true, I think we could all agree, that those who are negligent should be held accountable, and if that negligence includes incurring costs that the taxpayers would otherwise have to pick up, perhaps those costs are best picked up by the wrongdoer. I see this Bill going substantially further than that. This is not just to do with the negligence of third parties and the question about whether or not they should bear the costs of health services incurred as a result of their actions. In fact, this Bill could be seen as a very backhanded, backdoor way of levying yet another kind of health tax in the province of Alberta, a health tax that'll now come in the form of increased automobile insurance premiums.

Mr. Speaker, the government would have us believe that the impact on automobile insurance premiums would be minimal. Now, this is the same government that would have had us believe that the impact of Bill 46 would have been minimal. When I stood in this Chamber in 1994 and debated Bill 46, a vigorous representation was made that Bill 46 would be unmanageable, that Bill 46 would lead to incredible escalation of costs, that the minister would have to pursue some 20,000 separate legal actions, that the administrative burden on government, let alone the insurance industry, would be far more a cost than could ever

possibly be recovered, and that Bill 46 in the form that it was drafted was an impractical response to what was in fact a reasonably defined problem. Given that this government was so wrong about Bill 46, I find it difficult to accept the argument that they are now right about Bill 15.

What assurances does any taxpayer have that as a result of this government's heavy-handed way of dealing with insurance companies premiums will not escalate and that every Albertan will pay not once for health care services through their income taxes, not twice for health care services through their health care tax, that this government masks as a – what do they call it? [interjection] Well, they don't call it a user fee. I believe they call it a premium as though it were a true insurance plan, Mr. Speaker. But now a third way: through automobile insurance premiums.

Now, Bill 46 in 1994 expanded the definition from hospitalization costs to all health services. It gave the minister the right to pursue independent legal actions. Yet, Mr. Speaker, we see in this amending Bill that the Crown now wants to go even further. They want to establish a whole new kind of relationship with insurance companies. They want to go to the insurance industry, negotiate a pool of money that the insurance industry will in turn pay the government of Alberta for health care costs incurred on the part of the clients of the insured, and then pretend that that will have absolutely no bearing at all on accessibility to services, on the ability of people to pursue medical and for that matter legal remedies beyond what's negotiated between the government and the insurance industry, and they pretend that this is not the creeping bureaucratization of the administration of health care through insurance companies.

Mr. Speaker, one of the efficiencies of the Canadian health care system is rooted in its being a single-payer system. It is in fact a publicly administered, publicly insured system, but the government of this province would be leading us down a different path, would be taking our health care system in a different direction, that direction being the increasing involvement of private insurance companies in the administration of health care.

Now, unless the government can demonstrate with absolute clarity and certainty that Bill 15 does not further encroach upon the importance of public administration in health care, then I cannot support Bill 15. That's a shame, Mr. Speaker, because we can circle back to the recognition that those people who are negligent should be accountable for their negligence. But why is it that this government cannot find a way to properly recover costs without casting a net so broad that they create a whole new category of Albertans to be called wrongdoers at the whim of the government? All the rest of us Albertans will have to pick up the tab for that labeling through increased insurance premiums.

I hope that the Minister of Health will respond in a sincere and co-operative way and attempt to save this Bill and will amend this Bill so that we guarantee the sanctity of our publicly administered health care system, so that we can truly guarantee in legislation, perhaps through an amendment which would cap the amount of increase or an amendment that would specify the amount of money from an insurance company that is specifically for health costs so that we can protect Albertans from insurance companies using this as an excuse, real or imagined, to raise premiums, Mr. Speaker, that this will not lead to a further involvement of private, nongovernment insurers being involved in the administration of health care.

So, Mr. Speaker, I would urge the minister or the mover of the Bill or anybody on the government side to respond to those issues. I would hope that the Crown's rate of recovery will not in any way be limited by any amendments to the Hospitals Act, the

Alberta Health Insurance Premiums Act. On the other hand, I would hope that the government would not use this as a means to pass along yet another financial burden to the taxpayers of this province in relation to their ability to receive health care when they need it.

Mr. Speaker, there are some drafting problems I believe as well with the Bill. I believe that the wording of section 81(3) could be a little more clear. I know that we'll get a chance to discuss the particular sections in committee, and I look forward to that, but I anticipate that the government will mount a rather vigorous defence of the Bill as it is drafted. I would hope that they do not just dismiss the concerns being raised not just by the opposition and surprisingly not just from the insurance industry but also those concerns that are being expressed by every Albertan that has a stake in and a commitment to publicly administered and therefore very efficiently administered health care in the province of Alberta.

5:20

MR. DICKSON: Mr. Speaker, just a couple of observations I wanted to make to add to the analysis of my colleague. I would start off by noticing that there's no object clause in Bill 15. One might ask: what are the purposes of the Bill? What's the mischief that the government wishes to remedy? By what criteria can Albertans judge whether this Bill is effective or not and whether the Bill is really needed?

To attempt to respond to that is going to take longer than the time remaining, so I'd move at this time that we adjourn debate on Bill 15, Mr. Speaker.

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

HON. MEMBERS: Aye.

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

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