

## Legislative Assembly of Alberta

**Title:** Thursday, March 21, 1996 1:30 p.m.  
Date: 96/03/21  
[The Speaker in the Chair]

head: **Prayers**

THE SPEAKER: Let us pray.

As Canadians and as Albertans we give thanks for the precious gifts of freedom and peace which we enjoy.

As Members of this Legislative Assembly we rededicate ourselves to the valued traditions of parliamentary democracy as a means of serving our province and our country.

Amen.

Please be seated.

head: **Notices of Motions**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNEN: Thank you, Mr. Speaker. I would like to give oral notice that the following Bills will be introduced on Monday, March 25, 1996: Bill Pr. 1, Alberta Wheat Pool Amendment Act, 1996; Bill Pr. 2, Covenant Bible College Tax Exemption Act; Bill Pr. 3, Evangel Bible College Act; Bill Pr. 4, Bethesda Bible College Act; and Bill Pr. 5, Farmers' Union of Alberta Amendment Act, 1996.

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

MR. ZWOZDESKEY: Thank you, Mr. Speaker. I rise to give oral notice that it is my intention pursuant to Standing Order 40 to present the following motion later in the Assembly:

Be it resolved that the Assembly recognize March 21 as the International Day for the Elimination of Racial Discrimination.  
Thank you.

head: **Introduction of Bills**

THE SPEAKER: The hon. the Provincial Treasurer.

### Bill 25 Alberta Corporate Tax Amendment Act, 1996

MR. DINNING: Thank you, Mr. Speaker. I request leave to introduce a Bill being the Alberta Corporate Tax Amendment Act, 1996, and would move its first reading.

[Leave granted; Bill 25 read a first time]

head: **Tabling Returns and Reports**

MR. DINNING: Mr. Speaker, I am pleased in the interests of continued openness and accountability of this government to respond to Written Question 235, Order for a Return 237, and questions 241 and 242.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. THURBER: Thank you, Mr. Speaker. It's my pleasure today to table with the Assembly responses to questions asked during the Department of Municipal Affairs' appearances before Committee of Supply subcommittee C on February 29 of this year and Committee of Supply of March 12 of 1996.

MRS. McCLELLAN: Mr. Speaker, during question period on March 11, 1996, in response to the hon. Member for Calgary-Buffalo I indicated that I would provide statistics on emergency visits to the Holy Cross hospital, which I have since done. I'd like to file those statistics with the Assembly showing a decrease in visits from 57,775 in 1981-82 to 28,330 in 1993-94, which is the latest year that I have statistics for.

head: **Introduction of Guests**

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

MR. DOERKSEN: Thank you, Mr. Speaker. It's my privilege to introduce to you today and to the members of this Assembly 95 students from Eastview school, which is located in Red Deer. Eastview is one of my favourite schools because all of my children have attended it, although it could use an upgrade. I'd like to introduce teachers Mrs. Charese Jones, Mr. Milton Williams, Mrs. Eleanor Cohen, Mrs. Karen Moon, and parents and helpers Mrs. Deborah Brown, Mrs. Jennifer Hardy, Mr. Ken Pozzolo, Mrs. Carol Cundal, Mrs. Laurie Valin, Mrs. Janet Baker, and Mrs. Shirley Kimmitt. They're seated in both the members' gallery and the public gallery. I would ask them all to rise and receive the warm welcome of this Assembly.

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

MR. EVANS: Thank you very much, Mr. Speaker. I have two introductions to make today. Firstly, seated in the members' gallery is Mr. Volodymyr Holovatenko. He teaches constitutional law at the Taras Shevchenko University in Kiev, Ukraine. He's presently at the University of Alberta, Faculty of Law, as part of the legal training and curriculum development in Ukraine project.

He's one of several law professors from Ukraine who will come to Canadian law schools as part of this project. The object is to train Ukrainian law professors in market-oriented legal principles and to assist them in the development of new curriculums and the adoption of western teaching methods to local needs. Mr. Holovatenko is currently studying constitutional law at the University of Alberta, and he's preparing a curriculum which he can then use upon his return to Ukraine.

As part of his legal experience in Canada he's also spending three days a week with the constitutional law branch of the Department of Justice. This practicum allows him to observe the operation of the Department of Justice as well as to observe the handling of specific constitutional issues. As I mentioned, he is seated in the members' gallery along with Nolan Steed from our constitutional branch in the Department of Justice. I would ask that they both rise and receive the warm welcome of the Assembly.

I'm also pleased today, Mr. Speaker, for actually the second day in a row to be able to introduce constituents of mine from the Banff-Cochrane constituency. Seated, again, in the members' gallery are students Brendan Mahoney and Steven Kaczmer, who are grade 9 students at Cochrane high school. They are accompanied by their teacher Wayne Gearey. The entire 218 students in grade 9 at Cochrane high are out on what amounts to a work experience practicum, going about southern Alberta and some are even moving this far into northern Alberta to take a look at how others work in various professional and other business fields. I'm really pleased to have them here. I'd ask them to rise as well and receive the warm welcome of the Assembly.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased and honoured to introduce to you and through you to all members present two very fine individuals who happen to own a business in the lovely constituency of Edmonton-Avonmore. They are Frank and Kristie Farberman. They are still enjoying that wonderful period that accompanies the honeymoon aspect of one year of marriage. On behalf of the hon. members for Edmonton-Meadowlark and Clover Bar-Fort Saskatchewan and Spruce Grove-Sturgeon-St. Albert, I would ask Frank and Kristie Farberman to rise and receive the proper due of this House. Welcome.

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

MRS. HEWES: Thank you, Mr. Speaker. I'm privileged today to introduce to you and to members of the Assembly four students from the Forest Heights elementary school in Gold Bar. They're here today because they have earned the privilege of visiting this Legislature. They've earned that by interviewing various MLAs as a class project. These students were at the top of their class in that assignment. They are Laura Raboud, Cristina L'Heureux, Tina Wild, and Stephanie Skinner. They're sitting in the public gallery. I'd ask them to rise and receive the traditional welcome of the House.

THE SPEAKER: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to the rest of the Assembly Mr. Greg Fedor, an instructor at the Leduc composite high school. He's in the members' gallery accompanied this afternoon by a group of very enthusiastic students and one parent, Gail Froland. I would ask them to rise and have the Assembly give them a very warm welcome this afternoon.

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

MR. SAPERS: Thank you, Mr. Speaker. It is a privilege to be able to introduce to you and to all members of the Assembly several representatives of the Alberta Registered Dietitians Association. They are here to help focus our attention on Alberta Nutrition Month. This is an opportunity for us all to reflect on the old adage that we are what we eat. Joining us today in the Assembly is Mary Anne Yurkiw, the president of ARDA; Jacque Rusk, who is a dietetic intern; Kelly Tappenden, the chair of Edmonton Nutrition Month; Kathryn Howden, the co-chair of Alberta Nutrition Month; and Corilee Watters, the co-chair of Alberta Nutrition Month. I've had an opportunity to meet with the registered dietitians on several occasions, and I can tell you that we could all take some advice from them. I would ask them to please rise and enjoy the warm welcome of the Assembly.

1:40

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

MS LEIBOVICI: Thank you, Mr. Speaker. It's with great pleasure this afternoon that I introduce to you and through you Clayton Wick. He's a grade 10 student at Jasper Place high school, and he's very interested in the political process. He's been job shadowing me all day today, and he had the privilege of having lunch with you as well, Mr. Speaker. He has most

recently participated in the model parliament as the sergeant-at-arms and as a page. He is involved in a pilot project at JP high school, one of the first that'll be looking at implementing a youth justice committee. He's also very involved in scuba diving, he's on the student council, and he's in Crime Stoppers. If that doesn't fill up his day, he's also a volunteer in the Meadowlark constituency office. It's with great pleasure that I introduce Clayton Wick, who is a very busy and energetic young man. If he'd please rise and receive the warm welcome of the House.

Thank you.

MR. DICKSON: Mr. Speaker, it's my privilege this afternoon to introduce two Alberta women who have a very keen interest in the activity of the Legislature and a particular interest in health care. One is Jacquie Dunnigan from the city of Calgary, and accompanying her is Mrs. Bewley from St. Albert. I'd ask each of those women to stand and receive the usual warm welcome from members of the Assembly.

head: **Ministerial Statements**

THE SPEAKER: The hon. Minister of Community Development.

### **International Day for the Elimination of Racial Discrimination**

MR. MAR: Well, thank you, Mr. Speaker. Today, March 21, is International Day for the Elimination of Racial Discrimination. The United Nations proclaimed this day 30 years ago, in 1966, to commemorate the Sharpeville massacre in South Africa, where peaceful demonstrators against apartheid were gunned down in a horrific display of racial discrimination.

I would like to commend all the communities, schools and postsecondary institutions, cultural and multicultural organizations, churches, and other groups who are organizing events during the week and this month of March aimed at reducing discrimination and honouring this day. I also wish to acknowledge the cities of Edmonton, Calgary, Lethbridge, Red Deer, and Grande Prairie for officially recognizing the International Day for the Elimination of Racial Discrimination through proclamations.

Mr. Speaker, as you recall, we both attended last Thursday's ceremonies that kicked off the activities organized by the Northern Alberta Alliance on Race Relations. It was an honour for all in attendance to meet His Excellency Billy Modise, the high commissioner for the Republic of South Africa, and to listen to his keynote address at those ceremonies. His Excellency spoke very personally and very movingly about the South African struggle to heal the wounds of oppressive racism. He said that one of the most healing things his country has done is to create an environment in which people can talk to each other across colour. I think we were all touched by His Excellency and also the comments made by the hon. member across the way the MLA for Clover Bar-Fort Saskatchewan, who shared her family's encounters with racism.

Mr. Speaker, the Alberta government is committed to eliminating racism in this province in all its forms. We accept that responsibility, but it is also a responsibility that is shared by every person who lives in this province. Every Albertan must look in the mirror and ask, "What difference can I make?" Albertans represent all races and all colours and all cultures, and as long as together we see each other as Albertans, I believe that we can eliminate racism.

I call on members of this Assembly to join me in recognizing the International Day for the Elimination of Racial Discrimination.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to add my comments on behalf of the Liberal caucus regarding this extremely important international event which targets the elimination of racial discrimination. As a society and most certainly as elected officials we must use every opportunity to combat the hatred and oftentimes violence that is perpetuated by discrimination based on such things as race, colour, creed, nationality, or country of origin. Racism is not only like a disease; it is a disease, an extremely powerful and detrimental one capable of destroying an entire civilization if it is not halted and checked at every turn.

We have seen racism in many forms and in many countries, Mr. Speaker, including apartheid in Africa, ethnic cleansing in Bosnia, ghettoization in the U.S.A., and negative stereotyping in our own country, Canada. So it is naive to pretend that racism does not exist, and it is offensive and dangerous to stand idly by and do nothing but let it happen. That is our challenge today and every day. Is it not the largest reason, in fact, why we sit in this Assembly, that being to help make Alberta a better place for everyone? Is it not in our best interest to promote and cultivate an Alberta society and a Canadian society based on dignity, respect, understanding, and acceptance, total acceptance, of each other as fellow human beings? Of course it is. Of course it is, because to do otherwise would be to run the risk of chaos, disharmony, and ultimately dysfunctionality as a society.

Mr. Speaker, I too joined the hon. minister, yourself, and the hon. Member for Clover Bar-Fort Saskatchewan at the opening ceremonies of this particular Day for the Elimination of Racial Discrimination last week. I heard the high commissioner say some of the things that the minister has quoted him as saying, but I also heard him say something very, very powerful and very simple that I would like to share with the House. He said: it is good to be here in Canada, it is good to be the high commissioner for South Africa, and it is good and it feels good to be black. I would say that it feels good to be of any race, and we must perpetuate that kind of thinking.

In conclusion, Mr. Speaker, I want to thank the Northern Alberta Alliance on Race Relations and numerous other individuals and organizations throughout Alberta for their leadership in this fight to eliminate racial discrimination for the benefit and for the future of all of us.

Thank you, Mr. Speaker.

head: **Oral Question Period**  
**Emergency Medical Services**

MR. MITCHELL: Mr. Speaker, Kevin Schmitz took his wife, who was pregnant and bleeding heavily, to the Foothills hospital on the night of February 12 and was told that there was no bed available for her. His wife was forced to go through labour and experienced excessive bleeding with 15 to 20 onlookers in the lobby of the busy emergency ward. Unfortunately she eventually miscarried. How can the Minister of Health stick to her story that the quality of health care has not deteriorated since she and her government gutted the budget of Calgary hospitals?

MRS. McCLELLAN: Mr. Speaker, I find any incident like the one that was just related unacceptable to the health system as it's been related. Whenever an incident does occur – and they do, and they did five years ago and 10 years ago and 15 years ago,

and unfortunately they may five years into the future – we investigate those incidents both through my office and through the regional health authority, one, for the sake of the person who has had the unfortunate experience and, two, to learn and ensure that no one else has to have a negative experience.

Mr. Speaker, I've said before that a time of change is difficult. The change, the restructuring was necessary. I believe we have to work together through this time of change to ensure that we have a better health system, one that is there for our children and our grandchildren into the future. That's what this side of the House is concentrating its efforts on.

MR. MITCHELL: If this is what is happening now with overburdened emergency wards, can the Minister of Health please tell us exactly what she's going to do about emergency service delivery in Calgary when two more hospitals, the Calgary Bow Valley centre and the Holy Cross, will have been closed?

MRS. McCLELLAN: Yes, I can, Mr. Speaker. In fact, the hon. member should know, if he were well informed, that the Holy Cross emergency is closed and has been. If the hon. member cared to get the information – and if he had been at my estimates, I'd have welcomed questions on this issue – he would know that there were expansions made to other emergencies to handle that. The hon. member would also know that none of those changes are made until the facilities are ready to accept those. So there has not been a downsizing. There has been a transfer of resources and of beds, in fact in many cases much more up-to-date, state-of-the-art, first-class equipment in place.

Secondly, Mr. Speaker, emergency services are important. I have had discussions with some of the emergency physicians, and we have talked about how we can work together to improve access to emergencies, even though the record in Calgary and in Edmonton and in many other places in this province supersedes that of anywhere in Canada.

1:50

MR. MITCHELL: Will the Minister of Health commit to a full public consultation in Calgary on emergency hospital care before she shuts down any more Calgary hospitals?

MRS. McCLELLAN: Mr. Speaker, consultation goes on all the time in the health system, and I will continue as minister to have consultations with emergency physicians. I will continue to have conversations and meetings with any of the city administration or council. We have made a commitment to review all of ground ambulance, which is part of the emergency system. The changes in emergency services in that city and in this city have been made with all of the information, the numbers of emergency calls, the types of emergency calls, to ensure that there were adequate emergency services. Going one step further, there will be a review with Public Safety Services, ourselves, and the regional health authorities across this province to ensure that our disaster services are current and updated. They are kept updated all of the time.

Mr. Speaker, we have one of the finest emergency services in North America. I encourage the hon. member to bring forward concrete ideas, not on status quo, not on doing things the old way, not on simply leaving things the way they are, but how do we improve that system within the dollars that we have to spend? Careful allocation of those dollars is important, and I really would sincerely look forward to constructive ideas from across the way.

### Catholic School System

MR. MITCHELL: Mr. Speaker, Catholic education is still under attack. This issue isn't about funding. It's about autonomy, about governance, and it's about democracy. Will the Minister of Education restore the ability of families of interfaith marriages to direct their property tax dollars to the Catholic education system when it's the Catholic education system that educates their children?

MR. JONSON: Mr. Speaker, first of all in terms of the tenor and the initial comment in the hon. leader's question, the only place in this country which is currently being viewed as possibly under attack is in a province ruled by a Liberal government.

That aside, Mr. Speaker, with respect to the overall position of the government – and it has been consistently stated and consistently applied – we are respecting and continuing to respect and will respect in the future all of the constitutional guarantees and requirements upon us as a provincial government with respect to Catholic education in this province. We have done that, we will continue to do that, and that is the position of the government.

MR. MITCHELL: Will the Minister of Education restore the right of non-Catholic families to have their tax dollars follow their children when they attend Catholic schools? [interjection]

MR. JONSON: Well, Mr. Speaker, this is a very contradictory type of second question because it is unconstitutional, as I understand it at least, to direct non-Catholic families' money to a separate school board in this province. Therefore the answer is no, and that is what he asked about.

MR. MITCHELL: You said they are. Your Treasurer just said they were.

Given that parents of alternative and charter school students sign agreements to abide by the philosophy of those schools, will the minister ensure that parents choosing to enroll their children in Catholic schools will make the same commitment?

MR. JONSON: Mr. Speaker, some time ago I indicated to Catholic separate boards in this province that it is a clear understanding that when a student enrolls in a Catholic separate school, they accept the overall direction and atmosphere of that school. That's been stated before. There should be no question or concern about that.

### Health Restructuring

MR. SAPERS: Mr. Speaker, the Premier won't take the time to develop a policy up front so that the taxpayers of this province can understand the true agenda for privatizing the health care system. Now, this government, which has had provincewide consultations on gambling, on gaming, on freedom of information, on how to spend the budget surplus, even on federal matters such as the Young Offenders Act, will still not engage in a public consultation regarding the privatization of health care. Even the public meeting that was held in Forestburg recently regarding the privatization of the Islay and Galahad hospitals was not arranged for by the government. It wasn't even arranged for by the regional health authority. It wasn't arranged for by the local MLAs. It was arranged for by an ad hoc committee of very concerned citizens who could not get co-operation from the government.

MR. DINNING: Is there a question coming?

MR. SAPERS: Wait for it, Treasurer. [interjections]

THE SPEAKER: Order.

Hon. member, your question.

MR. SAPERS: Thank you, Mr. Speaker. Will the Acting Premier please explain how it is decided which issues merit public consultation and which issues are dealt with in secret behind closed government doors?

MR. DINNING: Mr. Speaker, I know my colleague the Minister of Health would want to respond to the preamble in the member's question. The bottom line is what this government stands for: quality health care for Albertans. That is our objective in absolutely everything that we are doing on this side of the House, and clearly the fuzzy member across the way can't quite get that straight.

MRS. McCLELLAN: Mr. Speaker, I do have to respond to this. For the hon. member to suggest in some way that it's inappropriate for concerned citizens in that area to arrange a meeting to discuss a methodology of delivering health care, one, is quite amazing and, two, is quite contradictory to what I've been hearing in the House in the past about who was involved in this meeting. I have met with that group, and I would like the hon. member to table something in this House that states that those people were unable to access services from the Minister of Health, from this government, from their MLAs. That's a very serious statement.

MR. SAPERS: Mr. Speaker, the issue isn't what the citizens had to do; the issue is what the government wouldn't.

Mr. Speaker, maybe the Acting Premier, instead of just standing in the Assembly and calling other people names . . .

THE SPEAKER: Hon. member, the question please.

MR. SAPERS: Will, Mr. Speaker, the Acting Premier, instead of just calling people names, commit that not a single hospital will be privatized, not a single medical procedure delisted prior to a provincewide consultation regarding the government's agenda to create two-tiered health care in Alberta?

MR. DINNING: Mr. Speaker, the hon. member knows that he's speaking nonsense. What this government stands for is quality health care for Albertans, and we will not compromise in any way our efforts to deliver quality health care for Albertans.

MR. SAPERS: Mr. Speaker, will the Acting Premier please tell the Assembly, then, whose job he thinks it is to consult with Albertans regarding the fundamental change in the way health care services are provided? Is it not the role of government to do that consultation?

MR. DINNING: Mr. Speaker, there are 53 members of this Assembly who are consulting with Albertans every single day.

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

**2:00 Nurses' Input into Health Restructuring**

MRS. FORSYTH: Thank you, Mr. Speaker. I attended a meeting earlier this week where presentations were made by the Alberta Association of Registered Nurses, the Staff Nurses Association, and the United Nurses association. I was impressed by the presentations and initiatives the nurses are recommending on health care reform. What disturbed me were the comments made by UNA that nurses are afraid to speak out about their concerns in fear of retaliation and that they are in an environment which has been described as workplace terrorism. My question is to the Minister of Labour. What recourse do these nurses have so that they are not fearful of losing their jobs when they have genuine concerns about what is happening in the workplace?

MR. DAY: Mr. Speaker, unfortunately I'll say that from time to time I hear on this particular topic from some nurses who say that they have good ideas and want to raise them. Sometimes those ideas are related to management efficiencies; sometimes those ideas are related to improvements within their own union structure. They have shared with me concerns. It might be related to management. It might be related to a process negotiated by their own representatives, for instance, the whole process of bumping. I've said to them, you know, you have to take that to either the appropriate management channel or to your appropriate union representative. They've said at times – it doesn't happen a lot but I do hear – that they're intimidated from doing that, sometimes to approach management, sometimes to approach their own union representative. That's unfortunate.

All we can do is to really encourage a message, get that message out there that people who have good ideas in whatever framework they find themselves should be able to bring those ideas forward without fear of any kind of retribution. There are certain remedies that are in place for either an employer or in fact a union representative who would try and take some kind of retributive action against an employee for having a good idea.

THE SPEAKER: Supplemental question.

MRS. FORSYTH: Thank you, Mr. Speaker. To the same minister then: what are the repercussions to the employer for retaliating against an employee?

MR. DAY: Well, I can say very clearly that if an employer were ever to retaliate against an employee simply because they had some good suggestions that they wanted to bring forward, then there are a number of remedies that could be pursued by that particular employee, not the least of which would be to take that as a grievance to their union representative and have that union representative go through the grievance process and have the particular action that had been taken reversed.

THE SPEAKER: Final supplemental.

MRS. FORSYTH: Thank you, Mr. Speaker. How many complaints have been lodged and what has been done about them?

MR. DAY: Complaints that have come to me, Mr. Speaker, have always been at the request that they are confidential, and they have come informally. When they have come to me – you don't hear it a lot, but I know that it's out there – again it's an employee who either is in fear of their employer and the reaction they might get because the employee's trying to bring forward

some suggestions on improvement, or sometimes I hear the employee saying that there's some intimidation from their union representative because they want to bring forward suggestions on the union operation. I would say that it's not every day I do hear them. They're usually informal, and unfortunately confidentiality is usually requested just because of the nature of the fear. In those cases I encourage them to take the necessary steps, to do the responsible thing: bring forward their concern and have it addressed. There are ways in which they would be protected if any intimidating action were to take place.

THE SPEAKER: The hon. Member for Leduc.

**Workers' Compensation Board**

MR. KIRKLAND: Thank you, Mr. Speaker. I wish to table five documents this afternoon. These tablings will clearly show that the WCB contravened its own Act. Quoting from one of those internal WCB documents:

It should be pointed out that while Management considers newspaper carriers to be workers, there is . . . reluctance to assess them because of the newspaper's potential to generate adverse publicity for the Board.

My question is to the Minister of Labour, responsible for the WCB. Does the minister condone the setting of WCB policy based on the board's concern of adverse publicity from the newspapers?

MR. DAY: Well, let's first congratulate the WCB on the remarkable turnaround over the last three years in reduced rates to employers, rebates to employers, increased benefits to employees, and in fact increased and improved service to employees.

The member opposite for Leduc is well known for making irresponsible statements. He's done it again here today.

One of the things that's unique about WCB is that it probably has the potential of receiving more media attention possibly than any other operation in the province, because there was something like 33,000 different injuries and claims last year. So the WCB is very familiar with media attention.

What I think this member should do is go and speak to the board of directors of the WCB. That would be the union representatives, the labour representatives on that board, the business representatives, and the public representatives. He should go outside of this House and say to them face to face that he thinks they are afraid of the media, and that's why there's some concern about coverage of newspaper carriers. I think he should do that.

MR. KIRKLAND: Mr. Speaker, information presented is factual and written.

Mr. Minister, how can injured Alberta workers be confident their due entitlement and protection are being addressed by the WCB when policy is being set based on potential adverse publicity from the newspaper industry?

MR. DAY: I've just addressed that, Mr. Speaker, and I would again encourage this member to take these outrageous allegations that the board of directors – that's the labour unions represented there, large and small business, and the public that are represented around that table – are living in fear of the media, and therefore, they're classifying newspaper carriers in some specific category. I would again say: take that to the board. I know for a fact that the board, the CEO, the chairman of the WCB, has extended

invitations many times to this member to come and sit down and discuss any area of policy at all.

MR. KIRKLAND: I've availed myself of that, Mr. Speaker. Thank you.

Mr. Minister, how many other employers have been able to exclude or sidestep employee coverage due to the potential to generate adverse publicity?

MR. DAY: Well, by continually exposing himself to be a totally irresponsible critic of the WCB, I think we've just been signaled what indeed is behind this type of questioning, which makes it very obvious to the public that this is not a person that should be supported in an elected position. I think he's signaling that he's going to be following the other member. He's giving us a signal that he's finishing up his time in politics.

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

## 2:10 Economic Outlook

MR. MAGNUS: Thank you, Mr. Speaker. Despite the fact that the Liberal opposition have no economic development platform and choose instead to stick to a desperate policy of personally attacking every minister, minister's spouse, minister's associate, or any Albertan that contributes to public life in this province and despite their attempts to disparage every potential outside investor that the government meets with, despite all of that, the Alberta advantage is alive and well. My question to the minister of economic development. The Bank of Montreal predicted yesterday that Alberta's economy will be stronger than any other province's this year. Can the minister tell us why and how they've achieved that reasoning?

MR. SMITH: A biting question, Mr. Speaker, and a good preamble too, sir.

The Bank of Montreal indicated that they forecast growth for Alberta to be at about 2.75 percent. We have predicted it at about 2.5 percent, conservatively speaking of course, while the rest of Canada is at 1.9 percent. The Bank of Montreal attributed this growth to strength in the oil and gas sector, tar sands development strategy, increased consumer spending due to continued low taxes, and again Alberta's continued strong private sector in demonstrating its export proficiency. In fact, it's 30 percent of our GDP. It's so positive because of the Alberta advantage, because of a balanced budget, because Albertans have choices.

For brevity, Mr. Speaker, I just will table Alberta Advantage for the benefit of members opposite and ask that perhaps other wealth-creating ministries in the government might wish to supplement.

MR. PASZKOWSKI: Mr. Speaker, I think it's important that we identify the contribution that agriculture is making to the economy of this province. Last year, for example, 16,400 new agricultural jobs were created, the largest gain among major industries in Alberta. The employment in primary agriculture increased 18.1 percent. Increased 18.1 percent. Alberta's primary agricultural industry continues to maintain the lowest unemployment of any industry: 1.6 percent last year. That's very, very significant to the contribution. Alberta led all provinces in value adding in primary production in 1994, the highest primary producer in agriculture in 1994.

In terms of agricultural products sold, Alberta farm cash receipts . . .

THE SPEAKER: Order please. [interjections] Order. [interjections] Order please. The hon. minister was supplementing, not answering the main question.

Supplemental question.

MR. MAGNUS: Mr. Speaker, proof of the Alberta advantage is given by . . .

THE SPEAKER: Question, hon. member.

MR. MAGNUS: My question to the minister of economic development, Mr. Speaker: can the minister inform the House of the reaction of outside investors to the Alberta advantage . . .

## Speaker's Ruling Seeking Opinions

THE SPEAKER: Order please. This question has not been crafted right from the very beginning. He's asking for comments and opinions and not for government policy or responses.

Hon. member, recraft your question.

## Economic Outlook (continued)

MR. MAGNUS: Thank you, Mr. Speaker. Can the minister of economic development tell the House what other investments have been made in Alberta recently?

MR. SMITH: Well, Mr. Speaker, you know, I can't speak for all the investments made in Alberta, and I know other ministers will again want to stand up and supplement this answer, but I will tell you that with Nova and Union Carbide and those major investments and the investments in agriculture, forestry, and petroleum thankfully the Liberal opposition is bankrupting themselves and not Albertans.

MRS. BLACK: Mr. Speaker, just to supplement, the type of investment that is available for Albertans to visually see is the number of rig activity levels that are occurring from investment. In fact as of last week we had an 88 percent rig level activity within the province of Alberta. We also had on March 6, which was our most recent public offering of oil and natural gas bonuses, a \$37 million land sale that occurred, which provides for confidence for investment and development within the province. In addition to that, the recent CAODC report was that they anticipate drilling approximately 11,000 wells in the province this year. So those are all part of the factors that are leading to the Alberta advantage and are actually coming here because of the Alberta advantage.

THE SPEAKER: Final supplemental, hon. member. [interjections] Final supplemental.

MR. MAGNUS: Thank you, Mr. Speaker. Again . . . [interjections]

THE SPEAKER: Hon. members are wasting the time of the Assembly with this noise. This member is entitled to a final supplemental question.

AN HON. MEMBER: It's okay, Richard. You don't do this enough. You get an extra one.

THE SPEAKER: It is not an extra one.

MR. MAGNUS: Thank you, Mr. Speaker. Can the minister of economic development inform this House of the reaction of outside investors to the Alberta advantage?

THE SPEAKER: No, he cannot.

The hon. Member for Edmonton-Rutherford.

### Video Lottery Program

MR. WICKMAN: Thank you, Mr. Speaker. This government is under increasing fire for exploiting Albertans who can least afford it by preying on people's weaknesses. Now we learn that the government may be misleading Albertans in terms of gambling payouts. To the minister responsible for gambling: will the minister come clean and tell Albertans exactly what the percentage payouts are for the government slot machines?

THE SPEAKER: Order please. Before the hon. minister commences, the Chair would urge the hon. member to clean up his description in his questions and not use terms like that.

DR. WEST: Mr. Speaker, this question has been asked in various forms over and over. In fact, the previous Member for Redwater, that is now in the Senate I understand, asked Question 163 and several questions that relate to it. I have answers, again, I'm going to file that have already been filed to Question 163 on the Order Paper. It said, "What are the detailed procedural steps used to determine the 92 percent payout level of video lottery terminals owned by the government?" I'm amazed at these questions, because they asked them on the Order Paper. They received the answer in due process, and it's on file already. So I would file them once again and ask the hon. member to look at them.

MR. WICKMAN: Mr. Speaker, to the same minister: is the minister prepared to establish an independent body to ensure that all gambling and lottery games in Alberta are fair?

DR. WEST: I'll answer the question in two forms. We have, we'll continue to do so, and the answer is yes, yes, and yes.

MR. WICKMAN: Mr. Speaker, my final question: will the minister do the right thing for Albertans and junk those machines now?

DR. WEST: Mr. Speaker, we have an independent group in New Jersey that does North American standardization of these machines. That's a supplemental to the last answer I gave them. We've been using them and they use them across North America to set the standards on the payouts, the 92 percent payout.

As far as getting rid of the machines, we have, through the Gordon report, ample evidence brought forth by the police, both the RCMP and city police, to say that removing these machines would be the worst thing you could do, that there would be an immediate underground movement of certain games across the province. Provinces that haven't taken a stance as far as legalizing them and then protecting the public against the misuse of them have found the gray machines exploded as B.C. did when they had 10,000 machines before they had to step in.

I don't think the answer is removing them, but I do believe that taking the steps we have – and we'll always as a society have to

revisit this issue. There are certain individuals less fortunate than the rest of us that get addicted to these machines as they get addicted to other things in our society, and we must show compassion and understanding and try to help those individuals. It's not that we're here to promote this initiative of gambling, but you can't stick your head in the sand and deny that it's part of North America's societal policies at the time. People go out of this province to Regina at the present time on tour buses to gamble. They go to the United States and spend about \$2 billion a year from Alberta, so denying that would be ridiculous.

THE SPEAKER: The hon. Member for Pincher Creek-Macleod.

2:20

### Tourism Education Council

MR. COUTTS: Thank you, Mr. Speaker. One of the great successes of the Alberta economy has been the tourism industry, and a great part of that success has been due to the work of the Alberta Tourism Education Council, or ATEC as we in the industry refer to it. It was established in 1988, and its purpose has been to improve education and training for frontline hospitality employees. ATEC has grown to the point where it is self-sustaining and does not need government involvement. My question today is to the Minister of Economic Development and Tourism. Can you inform this House as to the status of the privatization of ATEC?

THE SPEAKER: The hon. Minister of Economic Development and Tourism.

MR. SMITH: Thank you very much, Mr. Speaker. Indeed the Alberta Tourism Education Council has been a great success and primarily due to dedicated staff and the work of a private-sector board, again a number of volunteers who were helping out government. Over 30,000 Albertans in the industry have taken part in the program. It is an Alberta Best program, that has been sold to the city of Edmonton, the Manitoba Tourism Education Council, Northwest Territories council, and the Scotland Tourism Training Board. The program for hospitality employees has been contracted to seven provinces and two territories. Last year in September they were incorporated as a nonprofit society. Yesterday a memorandum of understanding between ATEC and the government was signed, and the new organization had their first board meeting.

THE SPEAKER: Supplemental question.

MR. COUTTS: Thank you, Mr. Speaker. Then what are the responsibilities of the government towards ATEC now that ATEC has been privatized?

THE SPEAKER: The hon. minister.

MR. SMITH: Thank you, Mr. Speaker. In fact the private company will receive the assets of the agency: the balance of the tourism education fund, which is about \$450,000, all receivables that they have generated themselves, office space, telephone services, intellectual property – and I think that intellectual property comes from the fact that the present Minister of Labour was the first chairman of ATEC – and the benefits of the contracts the former agency entered into.

MR. COUTTS: My final supplemental to the minister: what are

the obligations of ATEC under this new agreement?

MR. SMITH: Under the terms of the agreement, Mr. Speaker, ATEC will carry out the mandate of the former agency, and that is to meet present and future education and training needs of Alberta's tourism industry. They'll carry on the business plan, and they will work towards profit and be accountable to the province by providing reports such as audited financial statements and quarterly unaudited statements.

In fact, Mr. Speaker, this is another contribution by the private sector to the private sector that ensures that we will remain tourism friendly in the province of Alberta and that all Albertans and all tourists coming in will continue to receive a high level and a true Alberta welcome.

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

### Group Home Fatality

MS HANSON: Thank you, Mr. Speaker. The personal hell that young John McKinnon went through was tragic, and just like all other child welfare tragedies, it was preventable. This young child was so distraught that he personally called the Minister of Family and Social Services asking for help. Had common sense and compassion prevailed, this young life could have been saved and a family's terrible grief and loss prevented. My questions are to the minister. Why was John placed in the same group home as the young bully who tormented him and beat him up in his home town in Athabasca? It was negligent to place him in the same home.

MR. CARDINAL: Mr. Speaker, of course the fatality inquiry report was just released yesterday on this particular issue, and it's again another very unfortunate issue that we have to deal with. Our department is responsible for such a very sensitive area. We do look after close to 9,000 cases of children's files right now, and we are putting processes in where communities will be involved in designing programs at the community level involving families in order to provide the preventative programs that are required. We will continue doing that.

In this case, Mr. Speaker, because of the Child Welfare Act and the confidentiality clause in that, I cannot release any information in that specific case. I am sure that if I were allowed to do that, the public out there would understand that this department tried everything possible to deal with that specific issue. If the member opposite wants to find out in detail what our department did to assist that family, all she has to do is phone the mother, who has the information, and I hope the mother would provide what our department tried to do to help that family.

THE SPEAKER: Supplemental question.

MS HANSON: Thank you, Mr. Speaker. Mr. Minister, I've had numerous conversations with the mother of that child.

Did the minister seek a professional assessment about placing John in the group home, and on whose advice did the minister rely when he placed this child?

MR. CARDINAL: Mr. Speaker, this member knows well that I cannot specifically release information on individual cases, yet she asks the question.

Now, Mr. Speaker, when you look at the opposition today,

their questions were first on health care, education, social services, as if they really care what happens in Alberta. Just remember that the Leader of the Opposition just recently supported the federal budget that cut hundreds of millions of dollars in social support programs. That is where they stand.

MS HANSON: Mr. Minister, how could a boy who continuously threatened suicide be placed in a home where the department inquiry revealed, the inquiry of the department itself, that the staff had no training in identifying or preventing suicide? This was a 13-year-old boy.

MR. CARDINAL: Mr. Speaker, we have very competent staff out there, and they have the best training in North America to deal with various issues. Again, incidents happen. It is very, very unfortunate.

We look after close to 9,000 children at this time, and we are increasing the budgets. In fact, we just announced recently that as we redesign programs for children's services, not only did we increase the budget for that department, but we also hired frontline workers, an additional 50 frontline workers in fact, to work with issues of this nature. In addition to that, we announced a \$50 million budget . . .

MRS. BLACK: How much?

MR. CARDINAL: . . . a \$50 million budget, Mr. Speaker, in addition to the normal budget to work on preventative programs, because that is the direction this government is going.

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

### Philip Environmental

MR. AMERY: Thank you, Mr. Speaker. My question today is to the hon. Minister of Environmental Protection. Today an Edmonton court imposed a fine of \$100,000 on a company for environmental offences and a jail sentence for one of the company's employees. Can the minister please provide the Assembly with some of the details of this case?

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. Actually this infraction occurred back in November of '93, and at that time the department learned that the company, Philip Environmental services, had delivered some hard hydrocarbons to the Clover Bar landfill in the city of Edmonton. Now, of course the landfill is licensed to handle certain material, but it was determined that these were materials that had been delivered with falsified documents. So the court today fined the company \$100,000 and also issued a jail sentence of three months to the former employee who falsified these documents.

THE SPEAKER: Supplemental question.

MR. AMERY: Thank you, Mr. Speaker. Can the Minister of Environmental Protection tell the Assembly: what is the significance of this case?

MR. LUND: Well, Mr. Speaker, I think this is very significant, because the policy of the government is that we will come down very hard on people that violate the regulations. We intend to



protect the environment. That's why we have such stringent regulations. I think it sends out a clear message that we are very serious about our role of protecting the environment and making sure that companies and individuals in fact do follow the regulations.

2:30

THE SPEAKER: Final supplemental.

MR. AMERY: Thank you, Mr. Speaker. Can the minister inform the residents of Edmonton and Albertans if the environment and human health are at risk due to the activities of this company?

MR. LUND: Mr. Speaker, any time that you're dealing with hydrocarbons of course there is a risk, so we will be monitoring, along with the city of Edmonton, the landfill very closely. If there's any indication of a rise in the hydrocarbons in the tests, then in fact there will be remedial action taken, but currently there is nothing at risk, the environment and/or public health.

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

### Interleukin-2

MR. WHITE: Thank you, Mr. Speaker. I rise today to make a personal appeal to the Minister of Health on behalf of Mr. Richard Potter of Cochrane. Mr. Potter has been diagnosed as having skin cancer. He has been given by his doctor less than one year to live unless he gets the use of a drug called interleukin-2. He is not a rich man, and in fact the \$2,800 per month his treatment costs will make him choose between his life and his life savings. Despite the fact that he has made personal appeals by letter, in writing, to his member and the Minister of Health, Alberta Health has refused to pay for this treatment. Madam Minister, with one word from you Alberta Health will pay for his service and his treatment. Will you say yes today?

MRS. McCLELLAN: Mr. Speaker, the first concern I have is that I to the best of my knowledge do not recall receiving this information from this hon. member. I believe that if a member has a concern from a constituent on a matter as important and grave as this is, it should be brought to the minister's attention at the first opportunity.

Secondly, I have continually fielded questions in this House about the confidentiality of persons' medical information from across the way. Frankly, I am not comfortable discussing in this House persons' confidential medical information. I hold that in the greatest confidence, and I will not discuss that in this House. The hon. member can pick up the phone – it's 427-3665 – or walk over to room 127, Legislature Building, and I will be happy to discuss this with him or the person involved.

MR. WHITE: Arising from the answer, Madam Minister, will you commit today to meeting this man that has in fact delivered to your office by fax and by mail this request? As well, he has asked us, this office, to ask you the question, because he has not received an answer, and he's most in need of an answer.

MRS. McCLELLAN: Mr. Speaker, I will answer a question on this matter only in one way and that is to deal with the use of the drug interleukin-2. Anyone who wants to meet or speak with the minister on a subject such as this does get that opportunity.

Mr. Speaker, interleukin-2 has not been considered by the

expert drug committee, because it has not been submitted by the manufacturer. We have an expert drug committee in this province to ensure that all important new drugs are scrutinized, investigated, and a decision is made as to whether they're added to our program. It is also not covered under the outpatient cancer drugs, because it is not utilized in direct treatment. All members should know that we pay through the Cancer Board for cancer treatment drugs. Albertans do not pay for cancer treatment drugs. However, as this is not a drug that is used in direct treatment, it cannot be included in that program.

There are some steps that must be followed for drugs to be added to our list. For it to be considered under Blue Cross, it has to be considered in this way. For it to be considered by the expert committee, it has to be submitted, Mr. Speaker.

THE SPEAKER: Final supplemental.

MR. WHITE: Thank you, Mr. Speaker. Madam Minister, despite all that you've said about the drug and about the letters, my question is simply this again: will you commit to meet with this man or his representatives before the week is out?

MRS. McCLELLAN: My office will look after the scheduling of my meeting with people. I have said, Mr. Speaker, that I will speak to and meet with any person who has a concern to raise with me.

However, Mr. Speaker, I have laid out in the House today the reasons for interleukin-2 not being utilized in Alberta at this time. We have policies. We hear consistently: where is your policy? Well, there is the policy. A policy is a policy, and when you put an expert committee in place to do a job, you let them do it.

Mr. Speaker, there's a lot of concern about ministerial authority, about the ability for ministers to make decisions on some basis that might not be in policy. We have a policy. There are hundreds and thousands of new drugs that come into play every day, every week, every month in the world. Every one of those drugs has to be assessed on the ability of it to contribute a positive income to the delivery of health services in this province. We have a policy. We're following the policy.

MR. SAPERS: A point of order, Mr. Speaker.

MRS. McCLELLAN: I will endeavour to address this question directly with the person who has submitted it to my office in what is the very proper way.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Pincher Creek-Macleod.

### Hosting of Sports Tournaments

MR. COUTTS: Thank you very much, Mr. Speaker. This last weekend the constituency of Pincher Creek-Macleod hosted two provincial final sporting events, not unlike other communities in the province which we heard about earlier this week in this Assembly.

The progressive community of Pincher Creek hosted the A boys basketball tournament at St. Michael's separate school, where eight teams from across the province participated in St. Michael's proud new gymnasium. The winners for the sportsmanship award were the Erle Rivers Comets from Milk River. The consolation went to the Calgary Heritage Hawks. Third place went to the

Erle Rivers Comets from Milk River, and second place went to the Vegreville St. Mary's Saints. The championship team came from Olds, the Koinonia Royals. The tournament chairman, Barry Leith, and his dedicated group of faithful volunteers ran a very successful event.

Likewise, the historic community of Fort Macleod hosted another eight team provincial atom B hockey tournament at the local rec centre. The champions were from Lac La Biche, called the Lac La Biche Raptors. Second place went to the Three Hills Hawks. The tournament chairman, Dwayne Skog, and the Fort Macleod Minor Hockey Association ran an equally successful event.

Participants and families I witnessed and from all of the accountings I got really enjoyed the competition, the hospitality, the facilities, and our breathtaking part of the province. Some even made side trips to the Oldman River dam and to the Head-Smashed-In interpretative centre.

Besides an appreciation for coaches and family support and experiencing firsthand school spirit, I came away from the weekend very proud to know that small communities can do an excellent job of hosting provincial events. For all participants it becomes an exchange of ideas that friendships are built on. Communities get an opportunity to showcase to the rest of the province their fine facilities, truly a tribute to the elected representatives. Sponsorship support is always evident, and the business section is very proud of that community spirit.

To all the communities in Alberta: thanks for your efforts, your vision, your dedication. You are a part of the Alberta advantage for our young people.

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

2:40

#### Registered Dietitians

MS CARLSON: Thank you, Mr. Speaker. Nutrition and proper eating habits are the expertise of members of the Alberta Registered Dietitians Association. This organization under the Registered Dietitians Act ensures public protection by maintaining high standards of practice and education for all of its members.

These professionals are graduates of a four-year nutrition program at an accredited university. Completion of an undergraduate degree is followed by one or two years of practical experience in the form of an internship or advanced studies at the graduate level.

March is Nutrition Month across Canada, sponsored by the Canadian Dietetic Association.

As we all know, these are busy times we live in. We are running off to meetings, family commitments, and busy work schedules, which certainly take a toll on our eating habits. While consumer interest in nutrition is at an all-time high, a recent poll from the Dietetic Association also points out that lack of time is affecting our food choices.

I'm sure that many of us here today will confess to partaking in drive-through dining when rushed for time rather than having a well-planned meal. This is where the insight and expertise of a registered dietitian can be of great assistance. Dietitians are often asked by individuals, "How can I eat well given my busy lifestyle?" The answer is: "You can't afford not to eat well, especially when your lifestyle is busy."

Fruits are an excellent source of energy and better for you than chips and chocolate bars. Involve the family. Make healthy eating and meal planning a family event. This is both educational for the kids and quality time for family members.

Health care of the future is moving towards a wellness-based model. Registered dietitians are committed to helping Albertans maximize their health not only through disease prevention but also through health promotion.

Nutrition plays a major role in people's well-being throughout all stages of their lives in sickness and in health, and we congratulate the Alberta Registered Dietitians for their role in educating Albertans.

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

#### Terrorism

MS HALEY: Thank you, Mr. Speaker. It is said that there are moments in time when the majority of people can remember exactly where they were when a particular incident occurred. An example might be when President Kennedy was assassinated or when the space shuttle *Challenger* blew up.

A day like that for me was in November of 1985. I was with my sons watching the Grey Cup game on television when a news flash cut in, and there on the screen were two of my very good friends, Harvey and Leah Uffelman of Beiseker. They were obviously distressed and trying very hard to control their emotions. We listeners were told that they were waiting to find out the fate of their daughter, Valinda Leonard, and their 16-month-old grandson, Andrew.

Twenty-four hours earlier it had been reported that Egypt air flight 648, destined from Athens to Cairo, had been hijacked. The plane had been diverted to Malta, where it was sitting on the tarmac of the airport. The reason for the news flash was that Egyptian commandos had stormed the plane, and as they had done so, the terrorists inside had detonated hand grenades inside the plane filled with hostages. It was known at that time that many had died. The news turned out to be tragic. Valinda and Andrew were two of 60 people that died that day in this totally senseless act of violence.

Eleven years have gone by, Mr. Speaker, and finally the terrorist in charge of the Abu Nadel terrorist cell responsible for the hijacking is going to court in the United States. It would appear that the trade-off for the extradition of this man was that he would not face the death penalty. His charge for the murder of 60 people is one count of air piracy, for which the maximum penalty is life in jail.

This justice is neither swift nor is it just, but I suppose at this time in our history as a civilization when the rights of people who perpetrate evil are much more important than the rights of the victims, it may be the most that we can hope for, that he will be found guilty and live a very long time in that little cell.

It is my hope that the pain my friends Harvey and Leah have lived with for the last 11 years will be a little less as this man faces the charges brought against him. But for all of us here in Alberta this is just a little reminder that no matter where terrorism occurs, it diminishes and hurts all of us.

head: **Projected Government Business**

THE SPEAKER: The hon. Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. Under Standing Order 7(5) I'd like to ask the Government House Leader what the plans are for next week.

MR. DAY: Mr. Speaker, for next week, on Monday, March 25,

in the afternoon we'll be in Committee of the Whole looking at Bills 1, 2, 3, 4, and 5 and, depending on progress of those, possible consideration on second reading of Bills 15, 16, and 17. In the evening we'll be in Committee of Supply for the estimates of the lottery fund and then introduction of the Appropriation Act, 1996, which is Bill 22.

On Tuesday in the afternoon under Government Bills and Orders we will be giving consideration and second reading to Bills 18, 20, 21, and 25, and in the evening we will continue second reading considerations, depending on the progress of Tuesday afternoon. I'll do that in consultation with the Opposition House Leader, in terms of which Bills to consider that particular evening.

For Wednesday and Thursday that process would also be the same. We will look at progress, and in discussion with the Opposition House Leader in time for him to inform his caucus, we will look at the order of Bills to be taken.

Also on each of the days Tuesday, Wednesday, and Thursday we would progress as per usual with each reading of Bill 22, the Appropriation Act.

**THE SPEAKER:** Hon. members, before we deal with points of order, we'll deal with the ruling on the matter of the privilege that was raised on Tuesday. But before doing that, the Speaker would like to apologize for losing track of the supplementals earlier this afternoon. There was just too much variety.

#### **Privilege Threatening a Member**

**THE SPEAKER:** On Tuesday, March 19, 1996, the hon. Opposition House Leader raised a question of privilege on behalf of the Leader of the Opposition. The basis for the question of privilege is a letter dated March 16, 1996, from Mr. Robert Burgener, a lawyer in the city of Edmonton, on behalf of his client, a Mr. Robert Talbot, to the Leader of the Opposition.

As a preliminary matter the Chair finds that the matter was raised at the earliest opportunity and that sufficient notice was provided.

The March 16, 1996, letter from Mr. Burgener states in the first sentence that his client has been informed by a local media outlet that Mr. Mitchell intends "to raise issues in the Legislature concerning him personally." The letter then states:

I am instructed to inform you that Mr. Talbot shall pursue his legal remedies in the event that he considers any statements made by yourself or your party to be defamatory.

The second paragraph of the letter states:

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.

It seems that Mr. Burgener is only concerned with comments that may be made in the Assembly.

There may be some ambiguity over what is meant when he says that his client will "pursue his legal remedies," but this is fairly well-known legal language which includes the possibility of initiating a court action.

The basis of the question of privilege brought by the hon. Opposition House Leader, as reported at page 662 of *Hansard*, is that the letter is "a clear threat to the Member for Edmonton-McClung." The Chair notes the references by the Opposition House Leader and the Member for Calgary-Buffalo. The classic statement on contempts is found in *Erskine May*, 21st edition, at

page 115, where it is stated:

Generally speaking, any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt.

Griffith and Ryle in their book *Parliament: Functions, Practice and Procedures* state the following at page 92, after citing the above-noted quotation from *Erskine May*:

Such obstruction or impidence is essentially restricting freedom of speech in the House (for example by intimidation of those who might speak) or freedom of its proceedings.

#### **2:50**

The prohibition against threatening members is clearly a contempt or a breach of privilege in Alberta. Section 10(2)(b) of the Legislative Assembly Act lists as one of the acts that constitutes a contempt or a breach of privilege

(b) obstructing, threatening or attempting to force or intimidate a Member in any matter relating to his office.

The issue becomes, then, whether the letter from Mr. Burgener to the Leader of the Opposition was a threat. In this regard the Chair has some hesitation. The letter from Mr. Burgener could be classified as putting Mr. Mitchell on notice, but of course the question is: on notice for what? Under the protection of freedom of speech, statements made in the House cannot be questioned in any court. Not only has that been part of Parliaments' privileges at least since the English Bill of Rights in 1689, but it is codified in section 13 of the Legislative Assembly Act. To take a proceeding against a member for what is said in the House is a breach of privilege or contempt of the House as demonstrated by section 10(2)(k) of that Act.

The Chair would note that the statement of claim that has been filed in this matter does not directly refer to comments made in the House, nor could it. The Chair tabled a letter from Mr. Burgener in the House yesterday that indicates that it was not his nor his client's intention to stifle free debate in the Legislature. If, however, that was the intention, then the March 16, 1996, letter could have referred to comments that might have been made outside the House. There was no such reference.

The Chair has been concerned for some time that while freedom of speech is perhaps the most cherished of parliamentary privileges, there must be a correlative duty for members to act responsibly in exercising that privilege. As the Opposition House Leader indicated on March 19, 1996, *Erskine May* states at page 126 that "threatening a Member with . . . trial at some future time for a question asked in the House" has been held to be a contempt in the House of Commons in the United Kingdom.

Reference was made to a Speaker's ruling in Saskatchewan on April 26, 1984, where there was held to be a prima facie question of privilege. In that case a lawyer had written a letter to a member and issued a statement of claim which referred explicitly to comments made in the Assembly. In that case the member claimed that the letter and the statement of claim were threatening to the member and served to obstruct him in the carrying out of his duties. It should be added that the Chair has been unable to locate any previous Speaker's ruling in Alberta on this matter.

The Chair finds that there is technically a prima facie question of privilege. The Chair would add that the Assembly may wish to consider the subsequent documentation by Mr. Burgener and that it appears there is no allegation in the statement of claim about remarks in the House. The Chair would also note that the

Saskatchewan matter was essentially cleared up when the lawyer sent a letter which was considered an apology for his offending letter.

The Chair would like to make two other points. This ruling does not affect the action that has been launched against certain members, as it is the Chair's understanding that the action relates to comments made outside the House. Joseph Maingot states in his book *Parliamentary Privilege in Canada* at page 96:

While it is clear that the member is afforded absolute privilege in law for acts done and words said during a parliamentary proceeding, he speaks outside the House at his peril without the protection of parliamentary privilege.

The Chair would refer members to a ruling in the House of Commons on June 10, 1993, where it was said at page 20694 of *Hansard* that

what a member says outside the House about anyone is subject to the laws of the land relating to libel or slander as it would be for any other Canadian – if indeed the comments are actionable.

Finally, the Chair wants to stress to all members that the protections that have been developed over the centuries to ensure freedom of speech in Legislatures are really a gift from the electorate to ensure that members can effectively represent their interests. Members must be aware that the extraordinary privilege that we have in this Assembly carries a duty to act responsibly. Any misuse of the privilege of free speech may cause people to question its necessity, which would be a sad day for all legislators and the people of this province.

The hon. Opposition House Leader.

MR. BRUSEKER: Thank you, Mr. Speaker. *Beauchesne* 118 requires that “a complaint of . . . privilege must conclude with a motion providing the House with an opportunity to take some action.” Would it be appropriate to now make such a motion? I have a motion ready to table.

THE SPEAKER: No. It would be appropriate to give notice of motion.

MR. BRUSEKER: Then, Mr. Speaker, I will give oral notice of motion that such a motion to conclude this matter will be introduced in the Legislature at the appropriate time on Monday next.

THE SPEAKER: Thank you.

Points of order. The hon. Member for Calgary-Fish Creek.

### Point of Order Confidentiality

MRS. FORSYTH: Yes. Thank you, Mr. Speaker. I rise today on a point of order. Section 23(1) states: “introduces any matter in debate which offends the practices and [procedures] of the Assembly.” The hon. Member for Edmonton-Mayfield asked a question pertaining to a specific person. Ministers are not free to publicly discuss a personal matter, and I'll refer you to *Beauchesne* 411(2): “seek information about matters which are in their nature secret, such as decisions or proceedings of Cabinet or advice . . .” I submit that personal medical details in their nature are secret, and if they are, it offends the practice of the Assembly to pry into personal details.

On this particular point that I have called, there are probably 83 members in this Assembly who have all had constituents come to them with some sort of personal matter, whether it is cancer treatment, suicide, drug addiction, or whatever. I have always found that when I have gone directly to the minister involved and

talked to them on a personal note, they have done their best to help this person. I find it offensive. I find it disgusting to come in front of this Legislature and plead for a case when he can go to the minister and ask her, because she's very kind and considerate in doing all of that.

MR. WHITE: Mr. Speaker, I do believe that the minister is kind and considerate, yes, and I do believe that this Assembly is the place to raise issues as they relate to an individual citizen of this province. It is their right. This is the court of last resort. This is the place it has to be raised, sir, and to have the member all indignant and tell this House that it is not the place – I expect that she should probably contact that person we mentioned earlier and tell him that he does not have the right to have it raised here, particularly when he has written and faxed his member. Perhaps his member didn't have time to get to talk to the minister; I'm not sure. I don't chide him for that at all, but the minister has received in her office faxes and letters from this man.

Now, I don't have any difficulty with being chastised. If I had done something wrong, I would freely admit it, but this man has been on radio, on television. He's been interviewed to no avail. This man is dying of this cancer. I'll tell you again. He has the choice between his life and his life savings. He is going to choose to spend his life savings on this, and we're merely asking, if you listened carefully, to say yes. She didn't. She had the other option. The second question in the supplementaries: will you meet with him? Now, is that wrong? If that is wrong in this House, would the member please – please, please – tell me what this member's job is, if it is not to do that.

Thank you, Mr. Speaker.

3:00

THE SPEAKER: The hon. Member for Edmonton-Rutherford wishes to participate, but the Chair feels that it has heard enough to make a ruling, and that is that citation 411(2) does not apply to what happened here this afternoon. The Chair did not hear the hon. Member for Edmonton-Mayfield ask for any information that was secret, and the Chair believes the questions asked were in order and there is no point of order.

The hon. Member for Leduc.

### Point of Order Allegations against Members

MR. KIRKLAND: Thank you, Mr. Speaker. I rose earlier in the Assembly on a point of order. It was 23(h) and (j), and (h) is “makes allegations against another member.” When I advanced a question this afternoon, I took great care to table legal documents associated with that question which substantiated those allegations. Now, the hon. Minister of Labour in his usual self-righteous method accused me of being irresponsible. I would suggest that if in fact he is accusing me of irresponsibility by tabling legal documents, he also suggests that the legal professional that prepared the documents and the court system have to be covered by that irresponsibility charge that he leveled at me. I did not advance any false information regarding the question that I put here in this Assembly this afternoon.

Now, the hon. Minister of Labour will often stand and give you one side of the picture, his usual selective tirade about the Workers' Compensation Board. There are two sides, Mr. Speaker. He speaks to the financial side, and I acknowledge that they've done an admirable job in seeking that bottom line. As you know, there's another side to that story, and it is incumbent on me as an opposition member to advance that particular other side.

Now, in the last 10 days I've received three individuals that have approached his office for assistance to no avail. Clearly the minister knows that in fact the system is not working as it is intended or expected to, and when you look at the financial aspect – and it's a good, sound line – one has to ask: who paid the price? As he knows by the injured workers of Alberta calling his office, it's the injured workers that have paid that price. So his accusation that I'm advancing false information – clearly, he is guilty of that very accusation. Mr. Speaker, he has continued to make that allegation on several occasions in this particular House.

As I indicated, this is a researched question. If he would take the time to read the legal documentation, he would know that in fact the information he is giving to this House is not correct, nor is it accurate. You can continue to bury your head in the sand, Mr. Minister, but there was nothing irresponsible about that question I asked this afternoon. It's been a 10-year problem, it will be resolved very shortly, and it's not with the assistance of the Labour minister. Clearly it isn't. It has to be forced outside the issue. Take the time to read those documents, Mr. Minister. You'll find that in fact what I advanced to this House is very accurate, so I would ask you to retract your comments about my irresponsible behavior.

MR. DAY: Well, Mr. Speaker, you will certainly rule as you see fit. My guess is that you'll probably rule this is not a point of order; it's a point of clarification between members, which actually does not exist in Standing Orders or *Beauchesne*, but members, when they've been stung, especially publicly, do feel a need to try and recoup some of the losses.

I will go on to say, as it is my right to say, that I feel the Member for Leduc is absolutely, completely irresponsible in his actions, and he talked about selective hearing. There is rarely a time when I am discussing WCB and the financial turnaround that I do not also mention, and many times mention first, as I did today – and what was wrong with his ears, I do not know – the turnaround in service capabilities to the injured workers and also the fact that there has been a turnaround in terms of increased benefits to injured workers, shortened time lines by which those workers receive their moneys, considerably shortened time lines, many improvements, including injured workers' surveys that even say – this isn't me saying it – that service has improved. Mr. Speaker, talking about selective hearing, I said that today as I do every day. I do not only talk about the remarkable financial turnaround.

Then the member opposite uses the phrase “legal document.” Does that mean any letter written? What we have here is a memo that is almost 11 years old written by an individual in the WCB to somebody who would be – and I don't say this disrespectfully – at best middle management in assessment management giving an opinion. He tables it and he calls it a legal document. Using a euphemism like that is an attempt to build credibility into what is already a very shaky case.

The member knows, as do a number of members across the way, that the public in general, listening to or watching question period, know there is a long process that's been developed over the years of propaganda. It's called the big lie. The big lie. You can see it in the middle years of this century, and I won't start naming which political party in Europe used it, but it's called the big lie. Members opposite know that if you repeat a lie often enough, some people will start to believe it. They are in a very desperate situation. They are panicked about their state in the polls. They are bolting from the party like flies, and that is why

we get this irresponsible – absolutely irresponsible – behaviour. I challenge the member to take those statements to the board in public.

THE SPEAKER: We've just heard a little continuation of question period with clarifications from both sides. I think we should move on.

The hon. Member for Edmonton-Glenora has a point of order as well.

#### **Point of Order Offending the Practices of the Assembly**

MR. SAPERS: Thank you, Mr. Speaker. I must say it's with a little bit of hesitation that I rise, because I don't want to give the hon. Government House Leader yet another platform for him to espouse his theories of truth.

Nonetheless, under Standing Order 23(l), introducing a matter which offends the practice of the House, I feel compelled to provide some information to the Assembly. I believe that in answer to a question put by my colleague from Edmonton-Mayfield regarding the availability of the drug interleukin-2, the Minister of Health did in fact provide some information which I believe was false. I don't know whether that was deliberate or not, but I would ask the Minister of Health, in a manner to resolve this point of order, to provide some documentation to the Assembly which would indicate that in fact the U.S. pharmaceutical manufacturer of interleukin-2 has not applied to have that drug listed. My information is that as a matter of fact interleukin-2 was applied for listing and that the official response from Alberta Health was not anything to do with the applicability of the drug but was instead a budgetary issue.

So, Mr. Speaker, under 23(l), which states that a member may question a matter which was introduced in debate which offends the practice of the House, I believe that giving an incomplete and what could in fact even be a false answer does offend the practice of this Assembly, and I would ask the Minister of Health to clarify the situation.

THE SPEAKER: Well, the Minister of Health may wish to, but the Chair is not going to order her to or suggest that she should. The Chair does not recall the events that happened in the same manner as the hon. member has and does not really feel that there is a point of order under this heading.

#### **head: Motions under Standing Order 40 International Day for the Elimination of Racial Discrimination**

THE SPEAKER: Now, the next item for decision is whether the hon. Member for Edmonton-Avonmore will receive the unanimous consent required to propose a motion under Standing Order 40 after he has made his argument for leave of the Assembly to do so.

Mr. Zwozdesky:

Be it resolved that the Assembly recognize March 21 as the International Day for the Elimination of Racial Discrimination.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise briefly just to speak to the matter of urgency, as defined in the parliamentary text, with regard to this motion going forward, and I'll just make

a couple of very quick points. Number one, today of course is the official day to mark the attempt to eliminate racial discrimination as we know it. It is also the 30th anniversary of this particular proclamation by the United Nations, which means it is a significant milestone for us. Thirdly, we, the Speaker and the hon. Minister of Community Development and the Clover Bar-Fort Saskatchewan MLA and others, of course joined the high commissioner of Africa in the official announcement last week that this day was forthcoming. We extended the full privileges of the Legislature Grounds for that purpose, and it would be shameful to not allow this to go forward for a few brief comments from myself and a few other colleagues.

**3:10**

Finally, Mr. Speaker, I would just say that we have the entire world represented here through the skating championships and through visitors to the province of Alberta through the magic of television, and this does touch international waters and have implications beyond our own province.

I would ask, therefore, in the spirit of co-operation, which I have extended already to the Government House Leader by promising that we will curtail our speakers to only three on this particular day for this particular issue – I have sent him that note. I hope he will therefore allow it to go through. We only have three speakers; we've all promised to be brief.

The urgency is well outlined through those few comments. So I would ask for unanimous consent. Thank you, Mr. Speaker.

THE SPEAKER: Is there unanimous consent in the Assembly to allow the hon. member to put his motion?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

head: **Orders of the Day**

head: **Committee of Supply**

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the committee to order.

head: **Main Estimates 1996-97**

**Justice**

THE CHAIRMAN: We would now call on the Minister of Justice and Attorney General to make some comments about his department's estimates.

MR. EVANS: Thank you again, Mr. Chairman, and I'm very pleased to be before the committee for the third time with these estimates. The first time was March 5, as I recall, and then last Thursday, March 14, and today, the 21st. There was a great deal of interest in these estimates, and I'm sure that is for good reason.

Resulting from that interest were over 100 questions, by my count, from the March 5 estimate review. What I've done over that period of time, from the 5th, including the 14th and today, is try to get answers for members of the committee as best we can, and I would like to begin by filing six copies of an accumulation of answers that we've been able to come up with up to this point

in time for the Chair. As well, I have specific copies for members who asked questions either on the 5th of March or on the 14th of March, and those could be passed on to them directly. Most of the answers that I'm supplying today, Mr. Chairman, are from March 5. We're still working on some of the additional questions that came up on the 14th, although I must say that there was a bit of a connection with some of the questions that were asked on the 5th.

I know there are some additional questions that hon. members want to ask, so rather than spending what little valuable time we do have this afternoon trying to anticipate some of their questions or giving more specifics on some of the answers that are included in the information I've tabled, I'll take my chair and allow hon. members to ask questions.

Mr. Chairman, whatever questions remain outstanding at the end of today, at the end of this estimate, I'll be more than pleased to provide answers to in writing and will get them to hon. members just as soon as we can.

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

MR. BRACKO: Thank you, Mr. Chairman. I look forward to asking questions. I was unable to come to the last one. There were two meetings at the same time, which made it awkward. So I'm lucky to be able to do it at this time. My first question has to do with the victims' services boards. First I want to thank them: the victims' services boards, the co-ordinators, and the many volunteers across the province. As I've said before and I will say again, volunteers are the heart and soul of our communities.

There are 55 victims' services boards across this province. Each one is staffed by a paid co-ordinator who works from 10 to 35 hours a week. I don't believe there's a full-time co-ordinator in the province. They have from 10 to 40 volunteers per board. They do a very essential service. Very essential. They work with victims of crime. They will meet at any hour of the day or night to be with these victims. Any hour of the day or night – it does not matter to them – they are there, willing to serve their fellow citizens and their communities with from one to several visits, and it may take from one to several hours of working, supporting these victims. It's probably one of the most cost-efficient ways of delivering a service, one paid staff and many volunteers, and the funding comes from Justice.

We realize that crime is down, and that's good. People are choosing to go to prison instead of paying fines, so there are less funds for these programs. My questions. What research has your department done to show that there's less need for these programs? If you are cutting back, why are you cutting back on these programs without doing the necessary research, if it hasn't been done? In other words, why are you downloading the cost to the communities instead of where it should be, with the Department of Justice? The next question is: how much more is it going to cost taxpayers in the long term because of funding cuts to these programs? What does your research show? If the needs of the victims of crime are not met, how much more is it going to cost the province in the long run?

Rural Alberta. The long distances, the small populations: the need is there. Why does this government continue to ignore the needs of rural Alberta by cutting services like this to rural areas? The cities many times may have their own pay for these services, but it's in the country that it's needed.

My next question is a follow-up on the previous concern. Why

are you penalizing the taxpayer when more people can't pay their fines? They're going to jail; this is penalizing the taxpayer. When they may not be a threat to society, why are you not allowing them to do community service instead of going to jail for their fines? Make some requirements to upgrade their educational skills. They should be taking courses to improve themselves. They're not going to improve themselves in jail. This is a good program there, so instead we need to upgrade their skills so they can fit back into society, if that's a need. Why isn't this part allowed? [interjection] The minister of transportation is across to get me annoyed, and I have to be meek and mild when he doesn't get me . . .

Next question. We have thousands of computers in our schools across this province, and postsecondary institutions should be utilized 24 hours a day, not the five and a half or six or eight hours a day but 24 hours a day. Why don't you do something proactive to allow these prisoners who may not need to be in jails, which are very costly, to be forced to upgrade as part of their sentence? What are you doing in this area?

My next question is: of the prisoners in Alberta prisons, what percentage are dangerous to society through violent means, not through nonviolent means? What is the cost per year of providing for a prisoner? Are prisoners given some incentive to upgrade their skills so they can fit into society, so they would benefit, so it's a positive thing instead of a negative? When you work with students, it works. You spend the time. They have the support systems. They can really improve their skills and abilities and become part of the grade and be successful.

3:20

What are the different programs for prisoners and the success rate of these programs? Which ones are working? Which ones are not working? Which ones have you looked at in the past and found they weren't working so you brought in new ones or other programs and discontinued them? What is being done to make prisoners responsible for their actions? How is this being done in the justice system? Has there been a reduction in the number and percentage of aboriginals in jail? I've asked this question in previous estimates. Has their number decreased? Are there more efficient ways of dealing with it? They have a very high rate in comparison to the number of aboriginal people in our province.

[Mr. Clegg in the Chair]

Another concern is that the Justice Department I feel should be working with economic development to eliminate some of the discrimination that is maybe out there. I know native groups, aboriginal groups that have bought a building in the community, but the people in that community blackballed that business. In other words, they're not allowed to informally deal with this community, so the native community has no chance of being successful. Have you looked at this situation where it occurs across the province? If not, why not? This needs to be done, working with the minister of economic development, so it gives them a chance. It's very difficult. You go to some of the reserves and there are no businesses on the reserves. It's difficult for them to set up businesses, and there's high unemployment. So we need to know what's happening, working with economic development to make sure that this happens.

Again I'm asking you to meet with the Minister of Education. The aboriginals have told me that they have sent their students to other schools off the reserve and have not had one, not one, student graduate from that high school. Have you checked with

the minister and found out what the reasons are? There are solutions – and this is for us all – to make sure that this doesn't happen so it won't be so costly to the justice system. What has been done in this case? I mean, it's unbelievable that not one aboriginal person has graduated after many years of being in high schools or junior highs off the reserve.

MR. LUND: That's false. Where are getting that from? There were two in Rocky just last year.

MR. BRACKO: Two? Oh, that's big numbers; isn't it?

This is told to me. I'll give you the information if you want to debate it. Yes. Let the minister get his facts straight. Go out and visit. I'll take you by the hand and lead you down the road and show you where it's happening. [interjections] Yes, I'll take you. I'll take the little boy. He can come. [interjections] No, no. It's facts. You shall know the truth, and the truth shall hurt. You know, it's unbelievable. The truth sets you free also, another way of looking at it. Open your ears. God gave you two eyes, two ears, one mouth. Keep your eyes and ears open, your mouth closed, and learn. I'd appreciate that.

MR. McFARLAND: How old is your truth, Len?

MR. BRACKO: You'll get your chance to speak too. More mouth than brain.

Again, the Minister of Justice working with the minister of aboriginal affairs so the Métis colonies can have bylaws, the same as in any municipality, that they can follow in order that they know what's happening, so there can be proper procedures for the way they conduct their businesses. Is the minister willing to work with the minister of aboriginal affairs to set this up? Even a generic one that they can work with to make things work more smoothly.

The other one. What is your department doing with young offenders? They say it's a joke. In some places it's a competition to see who can get caught and what happens with the sentences. From a provincial perspective, from Alberta. I don't want to hear you blaming Ottawa for this. Maybe it's time we started to make people responsible for their actions. Vandalism cases: they pay for it if they're convicted of doing it or maybe by means of not allowing them to have a licence until they start to pay for it. Work some system out. It's time we all are responsible. Everyone here, whether they're old or young offenders, is responsible for their actions.

Also, the liquor violations have gone up. What action is your department taking to look at what can be done in the community to improve the situation, with community support to allow it to come down? It has gone up in the cities, the towns around the province.

With that, I conclude, Mr. Chairman.

THE DEPUTY CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks, Mr. Chairman. I'd say to the hon. Minister of Justice that this a little bit like walking into a 10 o'clock chambers application in the Court of Queen's Bench and getting a 56-page affidavit from the opposing counsel. The first thing you'd like to do is say to the judge: "I'd like a brief adjournment. We can bring this case back the next day, so we

can go through it and be able to respond to the material in there.”

Now, we don't have that luxury, and I understand that it represents probably a Herculean task by people in the Department of Justice to respond to those requests. I'm mindful of that and I'm appreciative of it, but I have to make the observation of how much more useful it would be if we were able to ensure that once we got a voluminous response such as the 56-page package that has just been submitted now by the Minister of Justice, we then commenced the Committee of Supply a day or two days after. It seems to me that there must be a way of managing this. I guess I continue to be frustrated that we can't seem to find a device to ensure that the responses come in and that it's at least 24 hours before we're then into talking about them. In any event, this is the opportunity that the House schedule seems to afford us, so we'll deal with it on that basis. I just say parenthetically that if I'm asking some questions that have been covered in the last batch of responses, I'd ask the minister to recognize that it's only because I haven't had time to go through and read it in detail.

One of the things I didn't see responded to was this, and it was a question that I thought I'd asked the minister before. In the spring session of 1993 in this Assembly this member, who was not then the minister and was simply a member of the government side, had said – I just paraphrase this, because I don't have the exact quote in front of me – that the matter of legislated access enforcement was such a high priority issue it could not wait. He used words similar to that – Mr. Minister, I hope I'm not being unfair to your comment – when he introduced his CARE Bill, as it's sometimes called, the Children's Access Rights Enforcement Bill.

So here we are. The minister has been the person driving the Department of Justice and controlling the agenda for the Department of Justice for about a year and a half now, I think, and I have to ask the minister: why is it that this issue that was so important and cried out for immediate relief in the spring of 1993 still hasn't made it to this minister's legislative program, hasn't made it to the government's legislative program three years later? I'd invite the minister now to respond and tell me: where's that sense of urgency that he spoke of so passionately three years ago?

I wanted to afford the minister an opportunity to respond to that specific question, Mr. Chairman, before I proceeded.

THE DEPUTY CHAIRMAN: The hon. Minister of Justice.

3:30

MR. EVANS: Thanks, Mr. Chairman. There is no question that when I was sponsoring the Children's Access Rights Enforcement Act, I said that we have to do something to provide a more ready access to noncustodial parents to the courts or, preferably, an alternate method of dealing with issues arising from a court order that had been granted by a court in good faith allowing access to a noncustodial parent.

What I was proposing with the CARE Bill was a system that would have a very quick method of getting into court, not a separate court but a faster method of getting into court, and then looking at other ways of dealing with this issue, such as through mediation. Well, I've found, since I got into the portfolio, that I certainly have to deal in the portfolio with a budget. I have to deal with the fact that we have only so many funds that are available to us for our courtrooms. I have to deal with the fact that as I have talked to both parents who were involved in this and other individuals who are dealing with the issues of custody and access in reference to other jurisdictions, I'm finding that having a court process is really not a very effective way of dealing with

this. Calgary-Buffalo I think is well aware that you can bring people into court and you can have a court say, well, we're going to do this, that, and the other thing to enforce this particular order, but as soon as the parties walk out of court, if they haven't changed their mind-set, they're going to be back into court as long as somebody has the money to bring them back into court.

In talking to both custodial and noncustodial parents, I'm firmly of the view that we have to find a better way. I want to again publicly compliment Justice Trussler for the parenting orientation course that's going on as a pilot program here in Edmonton that tries to give parents, before they start filing these very negative affidavits against each other in a divorce action, a sense of what the long-term implications of these kinds of affidavits and these kinds of applications, that we are trying to address in the CARE Bill, are for the children. They're very negative. Those children can often end up extremely dysfunctional and in terms of mental health will be a burden to themselves and a burden to society. That creates many, many problems that come from that.

So what I'm focusing on now is not just another process of getting people into court and having huge gobs of money being spent on applications to court to enforce orders but rather trying to change the mind-set of the parties to a divorce action when there are children involved so that they do understand what the implications are, not so much to their personal health and well-being but to their children, who should be their paramount concern. That's the reason that the CARE Bill as it was introduced into this House has not been endorsed, because I think in hindsight there was too much focus on just the courtroom procedure.

I hope that answers the hon. member's questions, and I'll take my seat so he can continue.

THE DEPUTY CHAIRMAN: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks, Mr. Chairman. I appreciate the candour of the Minister of Justice, but it seems to me that if we go back to what he said in 1993, he said that it was urgent, a matter of top importance, to deal with access enforcement. He now says that he's not persuaded that more court remedies are the answer. Then, Mr. Minister, why wouldn't you do what we proposed in Bill 219, the Family Law Reform Act? It takes a highly successful model in the province of Manitoba, creates an access enforcement co-ordinator who attempts to do the very thing the minister has just said is important in terms of facilitating a mediated response, and only when that's unsuccessful does that access enforcement co-ordinator have the power to go to court on behalf of the legitimately aggrieved parent, either custodial or noncustodial.

Mr. Chairman, I'd be interested in that specific response from the minister. I accept what he says are his reasons for abandoning the notion of a CARE Bill, but those would all seem to be very powerful reasons why we should look at what was done in Bill 219. So I'd like his specific comment on whether he's prepared to support the concept of an access enforcement co-ordinator, and if not, why not? If he'd indicate those reasons.

Now, moving on, I'm looking at *Hansard*, starting at page 595 on March 14, and responses had been given by the minister then. He indicated his target of 21 percent in terms of reporting being a victim of crime, and I just suggest to him, with respect, that it's unacceptable that this province would only target the national average. In so many respects I hear government ministers talking



about wanting to be the best in the country in other areas, and I don't know why we wouldn't strive to be the best in the country in those areas as well.

There are a number of women in Calgary who have been unable to get satisfaction through the maintenance enforcement program, have been unable to get satisfaction through their MLA, through the Minister of Justice, or through the office of the director of the maintenance enforcement program. I'd like to ask the Minister of Justice: would he be prepared to arrange a tour for a number of these women, who represent a large women's organization of custodial parents in the city of Calgary – when I say large, we're talking about a delegation of perhaps six or seven – to facilitate an opportunity for that group and this member to tour the offices of the director of maintenance enforcement to have a sense of the physical process that's involved in maintenance enforcement? I'd undertaken to those women when I met with them that I'd ask the minister for an answer, and I'm looking for it.

Now, the minister was asked in the past a number of questions about the Cawsey report and the specific recommendation that we should have an aboriginal justice commission. Now, the minister's come back, I think, in his 54-page book of additional responses – sorry; it's a 56-page response. Thanks, Mr. Minister. He's talked about some of the questions asked by Cawsey, but he hasn't responded to the very specific question: why don't we have an aboriginal justice commission?

The steering committee and the aboriginal working group, as I think it's called, are doing excellent work, Mr. Minister. I salute what they're doing, but there's nobody in the driver's seat other than I think an ADM. When I remember reading Cawsey, what the Cawsey commission argued for was a driver, somebody who could mobilize with a degree of credibility, that only comes from someone at least a bit off-distance from the minister and his department, in some cases to frankly challenge the minister to implement not just 50 percent, or approximately half, of the recommendations of the Cawsey report but to implement all of the recommendations of the Cawsey report.

As best I can tell from a quick scan of all of the responses we've received and *Hansard* from March 14, we don't have a specific response as to why no aboriginal justice commission. There was a working document prepared by a consultant I think one or two years after the Cawsey report, and it suggested maybe two different justice commissions. So whether one or two, I want to ask the minister to tell me specifically, in real detail: why don't we have an aboriginal justice commission?

It's not to deprecate or to minimize the good work done by the steering group, but there's nobody in a high-profile way challenging the minister to do something about the fact that in the Peace River provincial jail often we have 70 percent of the offenders being aboriginal. That still continues to be a blight on the human rights record in this province. It's got to be a top priority, and I don't see it happening with these modest little incremental steps being taken, because it's supervised in part by people within the same department. Sometimes it takes a bit of a fire underneath the feet of all of us, Mr. Minister, to get things done that should be done, and I'd like a specific response in terms of why that's not happening.

**3:40**

Now, in terms of the responses given on March 14, you have to salute this minister, who is a standout among his colleagues in terms of response to questions. I can barely think of a question I've ever asked this minister, informally or in correspondence, that he hasn't responded to. It's another question, though,

whether the response I get is the kind of concrete response that I was hoping to get.

In terms of working my way through his questions – this is the booklet of 13 pages of responses dated March 14. He was asked a question by the Member for Fort McMurray, who said: why wouldn't we look at designating some provincial court judges as masters to be able to provide a degree of service to remote parts of Alberta? Now, the response is very much couched on page 1 in terms of what should or shouldn't happen in Fort McMurray and whether it would work there or not. Am I to take it, Mr. Minister, that this is your policy statement with a provincial focus, and you only referred to Fort McMurray because it was that member who asked the question? Because there are lots of other parts of the province, what we'll call remote areas, where I'm told by counsel there are difficulties in terms of accessing Queen's Bench orders, interlocutory or interim orders. It seems to me that the suggestion from my friend from Fort McMurray would be a helpful one. So what I'd like his response to is: is his position the same with every other remote part of this province? That's on page 1.

There were a number of other questions. I'll move into a somewhat different area. Mr. Minister, I'm continuing to get notes from some church groups that are soliciting members of their congregation to provide soap and toiletries and some basic kinds of materials to inmates in provincial jails. I've written the minister about this. I've raised this before. I suggested to him that this is a public responsibility. His response to me was that there's no problem, that people are getting soap and shampoo and the things they require. I wonder if he can shed some light, then, on why is it that there are still groups that are receiving information in terms of inmates indicating they don't have basic toiletries, they don't have access to basic toiletries. I wanted to raise that concern again, and these people who have contacted me, these church groups, I see them as being credible and with a legitimate Christian charitable interest in assisting people in the institutions. I'd ask the minister whether he's in a position to send some kind of a reminder or directive or something to frontline staff in provincial jails to ensure that these basic kinds of needs are being met and that this doesn't have to fall on church groups.

Moving on, there has been a decision by the minister, after receiving a report from a group set up to find cost savings in the Department of Justice, that he would accept some of the recommendations and not others. I had asked for a report on trying to economize on costs in provincial jails, and, Mr. Chairman, what I got back was a report done by the Department of Justice. What I didn't receive was the report done by this ad hoc group of correctional officers and others. The minister has indicated he wouldn't accept all of the recommendations, but I'm wondering why he hasn't made public the full report so that all Albertans would at least be able to see the full extent of the recommendations, because what we're doing now is responding to bits and pieces.

I'm told, for example – and part of the report has come to me in a circuitous fashion. What it talks about is that the TA program, or temporary absence program, as it is today may soon be eliminated as a result of C-41. That would eliminate the need for many beds in community residential centres. So then the recommendation was to eliminate the community residential centres, the CRC contracts. Well, is that a recommendation that's been accepted by the minister? Does he plan on eliminating community residential centre contracts? If he does, what are the specific reasons why he's doing that? Does he accept the

suggestion that because of Bill C-41 at the federal level, the TA program will have no useful purpose? It seems to me like it still would.

Now, there's a recommendation that came from this ad hoc working group trying to shave dollars in the correctional service that found that there were "inconsistent per diem rates between the group homes." The finding was that the group homes didn't utilize full-bed capacity, and what came from that was a recommendation that a number of agencies reduce their capacity and consequently the average revised per diem rate be reduced as well.

So I'm wondering, to the Minister of Justice: has he accepted those recommendations about reduced funding, firstly in terms of reducing the number of beds? Secondly, does he plan on reducing the average per diem rate? If he does, to what amount? And if so, when would that take effect? What's the reason for doing it? Does he accept holus-bolus the reasoning from the ad hoc committee?

The pages I'm looking at are pages 171 to 177, and the report that I was given unfortunately has deleted in it all of the dollar numbers, so I'm having to ask these questions to find out the information. The cost-benefit analysis that was done by the ad hoc working group showed that the contracts, if eliminated, for community residential centre beds would mean a saving of \$144,864. Does the minister accept that potential saving? What costs would result? Would there be any costs thrown away if we were to eliminate those contracts? What would happen if there was an increase in terms of the number of qualifying offenders? Because these things tend to go up and down, and we tend not to have a constant number of offenders requiring placement in community residential centres at any given time. That is dependent on circumstances the Justice department really can't control. The proposal would be that \$55,616 could be saved from the correctional services budget by reducing those annual budgets of the community residential centres. I guess I'd ask: which residential centres is he looking at? What's the breakdown in terms of how those beds would be saved?

**3:50**

Now, I'm interested in, firstly, the Kochee Mena House in Edmonton. There are 10 contracted beds in that facility. Is there a plan to reduce the number of contracted beds in the next fiscal year? At Howard House in Edmonton there's an in-house school program there and 10 contracted beds. Is there a proposal to reduce the number of contracted beds? The Red Deer Youth Residential Centre, run by the John Howard Society, has 10 contracted beds. Is there a plan to reduce that number? At the Sam Laboucan centre, Slave Lake, there are eight contracted beds. Is there a plan to reduce those? The Catholic Social Services Group Home, Edmonton, offers a school/life skills program. Is there a plan to reduce the 12 contracted beds? Enviro has run a wilderness camp outside of Calgary with 12 contracted beds. What change would there be in that service? These are all young offender facilities, Mr. Chairman.

I guess the other question is: what are the other specific recommendations from the efficiency report that are going to be accepted by the Minister of Justice? He has said publicly that he's rejected half of them. By implication that means he's looking at accepting the other half. What are they, and what's the dollar factor for each of those? I'd ask the minister to provide us with that information.

Now, I have some questions that relate to the Motor Vehicle Accident Claims Act. The Canadian Paraplegic Association had

requested the Minister of Justice to consider amending the Motor Vehicle Accident Claims Act, specifically section 20, by raising the benefit level for payment of allowable expenses beyond the current ceiling of \$95,000 to \$200,000. My question would be, Mr. Chairman: what is his position on that? Is he going to accede to the request from the Canadian Paraplegic Association? There had been a proposal to expand and define allowable expenses to better reflect the individual's total rehabilitation needs. Does the minister plan on moving on that recommendation?

There was a request again from the Canadian Paraplegic Association Alberta for the Department of Justice to institute formal written policies to ensure consistent administration of the Act. Does the minister plan on responding to that? Does he plan on responding favourably? Does the minister plan on accepting the recommendation to amend section 21 to expand the training aid to include the injured person and raise the level of financial sponsorship? There's an acknowledgment by the Canadian . . . [Mr. Dickson's speaking time expired] Well, I'll pick it up in a minute, Mr. Chairman.

Thank you.

#### **Chairman's Ruling Decorum**

THE DEPUTY CHAIRMAN: Before I call on the Government House Leader, I've had a few complaints. Certainly we want to be lenient, but the noise level is just too high in some corners. Some corners of the House are too loud, so if you'd just calm it down a little bit. Some members are having difficulty hearing.

#### **Debate Continued**

MR. DAY: I have just a few points briefly to address to the Minister of Justice. When we were having our estimates consideration in subcommittee and as the debates were drawing to a close, I was bringing to the attention of the Minister of Justice concerns related to the judiciary reading into their judgments certain pieces of legislation that they would want to see and trying to use their ability as judges to in fact exact some legislative or policy changes rather than just dealing with the law and the facts and figures before them. There's been a growing tendency over the last 10 or 15 years for some judges to do this.

I had asked the question, and I'm still waiting for the reply in terms of: how do we as elected people legitimately communicate to judges the concerns that we are hearing from our constituents on these types of issues without breaching the sanctity that should be there of protection of judges from political influence? It's a fine line that we need to maintain as legislators, but the message needs to go to the judiciary that it is a very dangerous thing for them to presume to take upon themselves powers of policymakers and legislators in coming up with their decisions. I quoted from Justice McClung in a recent ruling, Justice McClung being an individual who appears to very clearly understand that difference and is warning other judges against that tendency. So I leave that question with the Minister of Justice.

I'd also like to highlight the fact that many Albertans have concerns, a long list of concerns, about the legal system and the justice system. In their minds and, I must admit, in my mind at times it's really hard to tell which areas are areas of federal jurisdiction and which areas are of provincial jurisdiction. In fact, as I talk with constituents, I find that most of their frustrations and concerns with the justice system and the legal system have to do with areas that are actually in federal jurisdiction. I would like to ask the minister if he could institute a series of vigorous discus-

sions with the federal government – and it might have to be on a national scale with other ministers of Justice – in terms of allowing for more flexibility in terms of areas of jurisprudence, federal and provincial. In some provinces the people, the population, the electorate, may not have the same concerns with the federal system as we do in Alberta, and there needs to be, I believe, more flexibility.

We hear concerns under the broad title of rights of the criminal that they are greater than the rights of the victims. We hear concerns about what is perceived to be, at least in the public mind, in some cases hopelessly inappropriate sentencing. We hear concerns that, yes, there should be incarceration especially for violent crime but maybe not, strictly speaking, for nonviolent crime. A lot of these areas are areas, as I've said, of federal jurisdiction, and we need to be able to take up some vigorous discussions with the federal government where they do not seem to want to move federally to change some of the policies which Albertans chafe against quite intensely.

I don't think that different provinces having greater say is going to lead to a mosaic which would cause confusion or the destruction of the legal system. In fact, looking south of the border, which we can from time to time to learn some lessons, not all lessons – I don't want to draw a hundred percent just from everything that's done in the United States – you see, for instance, that with 50 different states, each state even has a decision on whether there should be capital punishment within that particular state. Some people in their states choose not to have capital punishment, and other states do make that choice. It doesn't result in chaos in the system.

I think that's just one other case where Albertans would like to have a say, for instance, on whether there would be times where capital punishment is exercised in certain cases. The vast majority of the population of Alberta would like to see that in some cases. Yet we are frustrated in our attempts to have that kind of control over our own system. So I'd ask the Minister of Justice to pursue that series of discussions which could give more jurisdiction, more autonomy to Alberta in terms of having a say over legal matters which occur within its boundaries.

There are also concerns that we hear broadly related to what the electorate would refer to as technicalities in the law that seem to deny justice being delivered. I would like to ask the Minister of Justice if he would put a group of people together who could, again, aggressively pursue the whole matter of our appeal system, which needs to be in place. Citizens obviously have to have clearly marked-out avenues of appeal, but it is a common sense among most people that the appeal system can be procedurally delayed almost ad infinitum, that court cases can drag on not just for months but in fact for years.

[Mr. Tannas in the Chair]

Now, the Minister of Justice has indicated to me that certain elements of the Law Society and others do look at these concerns. I believe it's got to be something more than a look at. There needs to be a panel of citizens, who are not necessarily lawyers, though there should be some legal representation on the panel, a group of citizens representing a diversity of life in Alberta who could sit down and start asking some tough questions about the procedural abilities that allow any number of appeals to cause a certain case to drag on interminably. We know, Mr. Chairman, that justice delayed is justice denied. I believe that people are becoming frustrated with our legal system. That's a dangerous

state of affairs when the citizenry in general becomes frustrated and then suspicious of the legal system itself. That's a dangerous state for a society to be in, and I believe that trend can be corrected if we would be aggressive in looking at some of these procedural delays that delay cases coming to action.

4:00

There's also the area of a number of technical handcuffs, if I can use that word, that our police officers themselves are sometimes restrained by in the performance of their duties. I want to make something very clear. There should, obviously, be restraint on any policing system in any country and province and certainly ours. There need to be justifiable restraints in place so that a police force can never tread on the hard-fought-for rights of citizens. Having said that, there is, again, a sense in the pit of the collective stomach, if I can use that word, of the citizens of Alberta, the majority, that even our police forces are restrained unnecessarily by a number of technicalities, which I as a layman don't have the expertise to pinpoint at this time, that in fact can result in crimes being committed or dismissed because certain technicalities were overlooked sometimes by the arresting agencies.

Again, I'm making it clear we're not talking about a police state. There has to be restraint of any policing system. The fact of the matter is and the sense is that the pendulum has swung much too far in favour of the criminal. I can use an example. I'll use this example from south of the border, though many similar examples could be found here in Canada. Back in 1978 near Akron, Ohio, a person was pulled over by two police officers. An 18 year old was pulled over. It was late in the night; as a matter of fact, it was early in the morning. The instinctive nature of the police officers was such that they had some cause for suspicion. They pulled this person over. They noticed that in the back seat there were some garbage bags. They then asked the driver of the car what was in those bags. The driver of the car said that he was on the way to the dump and that there was garbage in the bags. Now, both of these police officers are on record as saying that instinctively they were suspicious . . .

MR. DICKSON: A point of order, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Calgary-Buffalo is rising on a point of order.

#### Point of Order Relevance

MR. DICKSON: A question of relevance under Standing Order 23. With all of the latitude we have to deal with the budget for the Department of Justice, what are we doing talking about something that happened in an American jurisdiction and with an American court and prefaced by the member saying that he wants to talk about an American experience? All members know we have two different legal systems. I can imagine that almost anything that could be asked in terms of the Canadian legal system would be relevant, but this just perpetuates the very myth that the Government House Leader a moment ago was saying, that we should be trying to give people more information.

MR. DAY: Well, on the point of order – which was a frightful one – I can say, Mr. Chairman, that *Beauchesne* is very clear that discussions of estimates can be wide ranging. The member himself knows that, because he flies as widely as anybody does on these estimates, when he shows up. He didn't show up for the

estimates of Justice the other night when he should have been here; he's the critic. He complains that he doesn't have the opportunity to speak to these, and he didn't even show up for those estimates. I'm drawing a very clear point. I'm asking the Minister of Justice very clearly to use the dollars available to him to put together a group of people that can address a very serious problem.

This Member for Calgary-Buffalo is frightened by the fact that some people in this province want justice. He is always seen as defending the rights of people who want to hide behind technicalities, because he tries to use them incessantly in this House. Let that be very clearly known and stated. But most Albertans aren't of the bleeding-heart Liberal type that this person is. They want to see justice. I am addressing that very point, and he's cringing because of it.

I would suggest there's no point of order. *Beauchesne* is very clear that debate in estimates is wide ranging, as it always has been.

**THE CHAIRMAN:** Hon. members, the Chair would have a number of comments to make. First and foremost, I don't know that anybody's point on a point of order is made better by making personal reference or in any way casting a doubt or aspersion on the integrity of the other individual.

Secondly, the hon. Government House Leader is quite right when he said that when we get into debates – as a matter of fact, the Chair has been challenged on the matter on several occasions – there is fairly wide-ranging latitude given to probing the estimates and to bringing up issues. It is the one time in a parliamentary system when the hon. members from either side can bring the government to account.

On the matter raised by Calgary-Buffalo as to the relevance of the comments on the part of the Minister of Labour in speaking on the Justice department estimates, the Chair must confess that the Chair wasn't perhaps paying as close attention as possible. But, hon. members, in addition to what we've already mentioned with the latitude, we do have to take into account that we're also considering the three-year budget plan. So there may be some relevance, and to that extent we'll pay greater attention to the words of the hon. Minister of Labour in his comments on the Department of Justice, and may we all, then, find greater relevance in those remarks.

**MR. DAY:** I thank the Chair for a sound and clear and wise ruling there. Clearly, the relevance is there.

#### Debate Continued

**MR. DAY:** Getting back to the topic, which is of very clear importance to the citizens of Alberta, we need to have and need to assign some funds to a group of people who will address the whole area and the question of technicalities being used for breakers of the law and perpetrators of crime to be able to be excused of their crime or in fact escape arrest. That is this very specific example that is being used in this case. Yes, it is a U.S. example.

I also was very clear to state that I do not want the U.S. system, because I knew that the Member for Calgary-Buffalo would completely ignore those remarks, rise up on his shaking hind legs, and try to say that we're somehow trying to embrace the U.S. system. I said very clearly and I'll repeat again that because in the U.S. system there is wide diversity from state to state and there is quite an incredible mosaic of jurisprudence in

the various states, it has not resulted in a system that in fact is in disintegration. They face some of the same problems we do.

So using that example, Mr. Chairman, I will continue with this particular case, where an 18 year old was stopped on an evening in 1978 outside Akron, Ohio. The police officers asked what was in the garbage bags in the back seat. The individual replied that it was garbage, that he was on the way to the dump. Though they instinctively felt there was something up – they thought there were possibly drugs in these bags or that maybe there'd been a break and entry – the officers knew the technicalities by which they were bound. They knew that if they then went and investigated those particular bags, they could and probably would lose in court because they had no more grounds for reasonable suspicion than to say that they had a strong hunch that this person was up to something. So that person was let go. That was in 1978. That person was 18 years old. Over the next 17 years that person would perpetrate 13 more murders. He was finally arrested. His name was Jeffrey Dahmer. There's a case where if the officers had had the freedom to in fact investigate those garbage bags, they would have found the dismembered body parts of a hitchhiker, the first killing of Jeffrey Dahmer at the age of 18.

#### 4:10

That's just one example. Yes, it is a sensational one; there's no question about that. I'm using that to show that there are many similar examples in our own system where technicalities of restraint – and it's perceived that these are unnecessary – are imposed upon our arresting agency.

The Member for Calgary-Buffalo is shaking his head. He is shaking his head in disbelief because he can't believe that citizens would be concerned about this and that the citizens of Alberta, the majority of them, say: the pendulum has swung too far. We need to designate some funds from the Ministry of Justice to investigate these types of concerns and have a body of people put together that could look at the balance in the system. First of all, there's a perception that the system has gone awry, so the perception needs to be corrected. If it's reality that it's gone awry, that needs to be corrected. The Member for Calgary-Buffalo has no problem with criminals running around and not being arrested because of these types of technicalities in place, but many Albertans do. So that is what I would like to have addressed.

I would like to congratulate the Minister of Justice for the work that he and his department are doing. I would also like to congratulate him for the fact that three times he has returned to have his estimates subjected to consideration. I'd also like to thank him because at the request of the Member for Calgary-Buffalo to me yesterday, I asked if the Minister of Justice would reverse his schedule so that the Member for Calgary-Buffalo could in fact be here to have some of his concerns addressed. So I thank the Minister of Justice for doing that.

I would now move that we adjourn debate on the estimates of the Department of Justice.

**THE CHAIRMAN:** The hon. Government House Leader has moved that we adjourn debate on the Department of Justice estimates. All those in support of this, please say aye.

**SOME HON. MEMBERS:** Aye.

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

**SOME HON. MEMBERS:** No.

THE CHAIRMAN: Carried.

MR. DAY: Mr. Chairman, I move that the consideration of the estimates of the Department of Justice be reported when the committee rises and reports.

[Motion carried]

### Labour

THE CHAIRMAN: I'd call on the Minister of Labour to make comments on the estimates of his department.

MR. DAY: Mr. Chairman, first I want to thank the members for the good questions raised so far during estimates. I have responded to each of those questions in writing. I don't believe I've missed any, but that may be possible. So, again I invite members to raise any questions they may have on my responses, either verbal or written, and certainly today to make known to me other concerns that they may have, other areas they want addressed.

I am tabling at this time, Mr. Chairman, six copies of the business plan of occupational health and safety under Alberta Labour. This is the business plan of 1996-97 to '98-99. If I could just comment very quickly, I believe Alberta Labour has actually gone beyond the development of a department business plan. These three-year business plans now exist for a number of program areas also, the program areas being employment standards, safety services, and occupational health and safety. The first plan for occupational health and safety was actually produced and distributed in February '95, and now I table this three-year plan.

I'd like to just take a minute or two and then allow maximum time for members of the opposition. There have been some considerable accomplishments in the very first year of the occupational health and safety plan. Companies that have participated in the various occupational health and safety partnerships programs – I hope the Member for Edmonton-Meadowlark would note – had 41 percent fewer injury claims in '95 than in '94, showing that those plans have a dramatic effect on injuries.

Eighty-five companies were also targeted by the initiative called Worksafe 2000. Those companies had a 40 percent reduction in injury claims in 1995, which is, I believe, remarkably significant. I'm not saying all praise to OH and S here, though certainly there is praise that should be given, but to the companies themselves and the industries that took part in these and saw reductions in injury of such significance.

Also, specialized field programs helped to achieve injury reductions of 32 percent in forestry, 34 percent in foundries, 55 percent in the mining industry, 45 percent in residential construction – which has been an area of considerable focus and angst over the last number of years because of the amount of smaller businesses that work in that area; a 45 percent reduction is hugely significant – and a 28 percent reduction in the seismic industry. Those are all considerable and worthy of being noted.

The three-year plan for occupational health and safety was actually put together after much consultation not just with staff and clients but with stakeholders. That included an occupational health focus to deal with traditional and emerging workplace issues that has produced some very positive reports and insights.

There's been an increase in the number of field programs which are aimed at achieving compliance with health and safety standards and especially with some industries that traditionally have had poor occupational health and safety performance. There's

been a considerable upgrade to the OHS partnerships program. That'll help better define the product. It lays out the standards very clearly and concisely and improves quality assurance.

Mr. Chairman, I'll just remind all members that the goal, again, is to see effective health and safety programs as being a standard feature, being not the exception but the rule. The results, as I've indicated above already, are safer, healthier not just workplaces but in fact communities and families.

With those remarks, I would look forward to input from the members opposite and from my own colleagues.

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

MS LEIBOVICI: Thank you very much, Mr. Chairman. I would like to thank the hon. minister for designating the department, though had he not designated the department last Thursday, we would have done so on Monday, given that the Department of Labour has indeed been shortchanged with regards to the estimates, having had only an hour and a half in the first go-around and I think perhaps half an hour or maybe an hour in the second go-around. So, again, I would like to thank the minister for doing that.

MR. DAY: A point of order.

THE CHAIRMAN: The Minister of Labour is rising on a point of order. Do you have a citation for us?

### Point of Order Clarification

MR. DAY: Yeah. When the member checks those time lines, she will find she has drastically shortchanged and underestimated the amount of time spent on Labour estimates and that this is the third time coming back.

THE CHAIRMAN: I think that's not a point of order but a point of clarification.

Hon. Member for Edmonton-Meadowlark, continue.

MS LEIBOVICI: Yes, Mr. Chairman. I would like to again thank the minister for bringing that up. If the minister were to look at the amount of time that we had last year with regards to Labour, when we could actually recall a department and have a whole evening on a department as well as a whole afternoon on the department, in fact we have lost time when it comes to the Labour estimates.

### Debate Continued

MS LEIBOVICI: Now, if I can continue where I left off. The last time I was up to speak to the Labour estimates, I was starting to talk about an issue with regards to human resource policies and asking that the Minister of Labour perhaps look at the inconsistencies with regards to layoffs that are occurring throughout the public sector and that it is very important that there be some degree of uniformity. Perhaps through the issue management group there could be some kind of advice given to the PAO to indicate that there should be uniformity amongst all departments with regards to layoffs, that perhaps there should be some consideration given to employees who have extremely long service with the province, whether it's 25 or 30 or 35 years, and who are perhaps two to three years away from retirement.

As the minister is very well aware, when an individual is outsourced, or contracted out, or whatever words he wishes to use, to a private contractor, the pension cannot be accessed. Therefore, where usually the last five years or the last three years, depending on the pension plan, are the most important in terms of determining how much you'll get at the end, the ability of the individual to access is severely affected. I think that's something that needs to be considered. The Minister of Labour and the Minister of Health and the minister of the environment and the Minister of Education and the Premier himself talk about how important the public sector is and that they recognize what the sacrifices are that the public sector has made. Yet when it comes to the ultimate sacrifice of layoffs, there is an extreme inconsistency where some people will get a significant amount of severance and others may not. There's no consideration at all with regards to long service and perhaps providing for some kind of bridging so that individuals who only have two years or two and a half years might be able to access their best pension possibility.

4:20

Now, the minister at the start of his comments talked a little bit about occupational health and safety. In my last stab at the budget I had talked a fair amount about employment standards and had some questions with regards to what was happening around the employment standards issues. I have questions as well with regards to occupational health and safety. My concerns in that area are becoming more and more severe, especially when I look at what the budget documents and the supplementary business plans say about occupational health and safety and the direction that the province is taking.

The hands-off policy, or the compliance policy, which it is known as, is I think leading to employers perhaps becoming a little bit lax with regards to their occupational health and safety standards, and it can lead to severe injuries and the loss of lives. In Edmonton alone we've had two injuries that have led to deaths in the last three months. I'm not sure what the figures are with regards to that as an average, but I would think that it's pretty high that in three months we've had two accident-related deaths.

I had another visit – and I brought this to the minister's attention through question period and through numerous letters – from Mr. McGloin. He's the gentleman, if the members remember, who suffered severe burns at Northgate. Subsequent to his accident there have been two more workers who've also had severe injuries, one who has lost four fingers on one of his hands. It's pretty graphic when you think, as it was explained to me by Mr. McGloin, that the other workers in the shop had to go around and try and find these fingers so they could be reattached. The interesting part about that particular accident is that it wasn't reported to occupational health and safety, and I think that's part of the compliance policy. The reason for that nonreporting is because the company has nothing to fear. When we look again at the budget, what we see is that the premise for the budget is the reduction of dollars in a variety of areas and that one way to save costs is to privatize.

Now, I've had a statement made to me by an individual that there are more game wardens in this province than there are occupational health and safety inspectors. Perhaps the minister can advise the members whether or not that's true. I think it would be an interesting figure to know whether in fact there are more game wardens in this province than there are occupational health and safety inspectors.

We heard an example this afternoon where the minister of the environment has taken the bull by the horns, so to speak, and has

actually fined a company. Again, when we look at an example like Northgate, I think it is probably appropriate that there be some consideration given that compliance is not working. On top of that, one of the other concerns that was expressed to me is that Northgate is potentially receiving government contracts. Not only are they not complying with the occupational health and safety laws in this province or they're taking a long time to comply with the occupational health and safety laws in this province, but they are also potentially receiving government contracts. If the minister could look into that, that would be quite appreciated.

Now, the occupational health and safety labs. In the budget documents there was one document that indicated that it was going to be privatized. There was another document that indicated that it had been privatized. I think it has been privatized. The question is: was it tendered, and to whom was it tendered?

Another question. On page 14 of the supplementary document on Labour, it indicates that some of the program audit functions are going to be devolved to the Safety Codes Council. Now my understanding under the DAO and in all the discussions we had around Bill 57 was that the government was going to keep an audit function, that that was not a function that they were going to let go of. Yet here on page 14 of the supplementary information – and I've outlined in advance some of the tragedies that can occur in occupational health and safety when the government doesn't keep a tight hand on the operations – we're seeing that some of the program audit functions are going to the Safety Codes Council. I'd like for the minister to be able to reassure not only the members in this House but all the workers across the province that that is not going to lead to a devolution of safety standards in this province.

Another issue is with regards to some of the issues management that's outlined in the document. Now, again, I realize that because the documents are a year behind, in a sense, it's difficult to affect what has gone on in the past in terms of management of some of the issues. But we are looking at documents for the future as well, and what I would like to have some information about is whether the issues management group is going to be looking at some of the ergonomic factors – again, this is under the umbrella of occupational health and safety – especially with regards to repetitive strain injury.

Now, I know that there was a lot of to-do about the Auditor General and the fact that he had asked for a whole bunch of special furniture so that the auditors would not suffer from any repetitive strain injuries and whatever else they were going to be suffering from. I've yet to see any movement from the government that looks at the support staff who are constantly in front of word processors and computers, whose jobs are to input eight hours a day. I'm wondering if the minister through the issues management group and under the umbrella of occupational health and safety is looking at any of those issues at all. I guess the broader question around all of that is: how does the minister direct any issue like that if occupational health and safety is more or less privatized, if all that is going to be happening is an auditing function? If there is a policy planning function as well, is that something that the minister still sees falling under the umbrella of the minister's department?

The minimum wage was touched on slightly in one of the other budget debates, but I wish to come back to that because of the importance. Again, this would be under the umbrella of some of the issues that issues management would be looking forward to in the budget plan. I don't see it as one of the upcoming issues that are going to be looked at, so that's why I'm bringing it up again.

Now, I brought it up to the minister of social services because I think it's an integral part of ensuring that people do not remain in poverty. If any of the members want to make the calculation: if you're working 40 hours a week, 52 weeks of the year – that's without any vacation at all – and you're earning \$5 an hour, that's a grand total of \$10,400 a year that you will be bringing home. Now, I'd like to know how many of the members in this room would be able to survive on \$10,400 a year and bring up a family on that. I would wager to say that even if you would, as the minister from Ontario wishes everyone to do, eat bologna or whatever it was, that's not sufficient. So I'm requesting once again that the minister have an annual review.

4:30

Now, in one of the letters that the minister had provided to me in December of 1993 when I brought that question up, the minister indicated: the cabinet has committed to a regular annual review of the minimum wage; however, we are flexible as to the form of such reviews. Well, that doesn't leave a lot of comfort with this member, and what I would appreciate is if the minister would perhaps table some of what the documents are that cabinet looks at to determine that \$5 is adequate for a living wage in this province and also if the minister would table the decisions and the reasons for the decisions that were made with regards to that issue.

Now, both the Minister of Labour and the Premier as well as the opposition have recently received a letter from a Mr. Robert Reid on behalf of his son who lives in Calgary, Robert Reid Jr., I would imagine. What happened to this particular individual is that he lost his job on January 19 of '96, and the reason he lost his job was that he was requested by his employer . . .

THE CHAIRMAN: Order. We're having far too much noise. The noise has reached the level that it's drowning out even the speech of the hon. Member for Edmonton-Meadowlark.

Edmonton-Meadowlark, continue.

MS LEIBOVICI: He was requested by his employer to overnight take a salary cut from \$6.50 to \$5.50 an hour. He indicated that this would cause him some degree of difficulty in supporting his wife and child. The next day he reported to work and was told that he was being laid off that day, and could he train the new person, who, I would assume, had agreed to take the job at \$5.50 an hour. He went to Labour Relations – I guess it's probably employment standards – and was told that there was nothing that could be done and that he would be entitled to a week's pay, and eventually he got that. The point that this individual makes is that he would like a reply to the letter as he feels that this kind of attitude does not bode well for the young workers in our country and for the future and must be addressed.

I think what we are seeing is that there's an attitude that's permeated throughout the province by perhaps the government's attitude that workers are dispensable. Workers are anything but dispensable. They're extremely important in oiling the wheels of our economy.

Now, I've asked the minister of social services to lobby the Minister of Labour. You've got an active lobby coming from this side of the House to engage in an annual review of the minimum wage that's open to everyone to see that it's fair and where the reasons for the minimum wage are stated so that everyone is aware of what is occurring.

Employment standards. Though I did talk at length about that issue in the last budget estimates, it is – and I'd like to reiterate

– extremely, extremely important. Again, there was an example this week of an individual who was laid off because she had cancer. The individual, Mr. McGloin from Northgate, has been laid off as well because he happened to sustain a work-related accident that was in fact as much the fault of the employer and more so than of the employee. We've had the incidents of nurses coming to the standing policy committee, and they're indicating that they're feeling abused in the workplace. Though my understanding is that the advisory council on women has just been deleted, the Council on Professions and Occupations still exists, yet their only initiative seems to be to see how we can deskill as many workers as possible in this province. We are losing skilled workers in this province, and we're losing them quickly.

There's a quote in *Health & Healing* from the winter of 1996 about Sister Pat Besko, who had worked for many, many years in the Mundare and Willingdon areas. This is the quote: she

like many health care workers in Alberta has taken a severance package due to the restructuring of health care and plans to move to Ontario.

There are numerous, numerous examples where we have lost qualified individuals. Now, I think that we need to see some initiatives from, again, the issues management group that talk about how to deal with the worker shortage that we're going to be seeing in this province in the very short while.

The social workers – and again this is directed to the professions and occupations group. I also have a concern with regards to the Health Workforce Rebalancing Committee. If I may quote: a particular concern to our profession is the omission of social work from the list of health professions recognized by the Health Workforce Rebalancing Committee. A suggestion in the report: that aspects of psychological counseling be on a list of controlled acts that only regulated health professions would be able to provide. Now, that's an issue that they have. I'm sure other professions have issues as well.

I know there's an outstanding issue with regards to the engineers, an issue that has still not been concluded. Now, my question was last year and it was the year before – the professions and occupations have a chair, and that chair, I would think, has a responsibility to ensure that there are various issues that are resolved. That chair is, I believe, pulling in an extra salary of about \$20,000 a year. Now, if that position is redundant, because there is no resolution coming to some of these issues and there are always subchairs that are being appointed, then perhaps in fact we should look at putting that \$20,000 towards better usage.

If I might shift a little bit in terms of some of the issues. The Alberta Fire Training School. If we look at the supplementary information on page 15, there's an interesting notation: the specific business plan action is to establish a partnership arrangement for the Alberta Fire Training School, and the private sector would be able to participate in this activity. I would imagine that the rationale is that there's decreased funding from the province.

Now, again in December of 1993 the minister indicated that the Alberta Fire Training School is very important.

Its primary focus is as a support to the small volunteer and rural fire departments that cover most of Alberta's geographic area.

For this reason, we do not see it as a possible target for privatization.

[Ms Leibovici's speaking time expired] That's not 20 minutes. Is that 20 minutes?

THE CHAIRMAN: The hon. member's time is up. You may rise again, of course.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you very much, Mr. Chairman. Just a few comments today about the Labour estimates. I'm very concerned about what's happened to the women in this province and how their job opportunities have certainly decreased by government cutbacks. Particularly, I think that if the government really cared about what's happening to women in the workforce, they certainly would have kept the Alberta Advisory Council on Women's Issues up and running till the end of its mandate instead of cutting its throat today, of course after question period so that it couldn't be brought up in the Legislature. Certainly that's a council that has done a lot of work for women and job opportunities for women. Judging by some of their reports – *Desperately Seeking Certainty* is one of the last ones – some of it within that talks to the issue of violence and women in the workplace and the different harassments that they get at their workplace, which are prevalent in a lot of places in Alberta, some closer to home than we realize.

4:40

So just those few comments. It's a pity that when these cuts have inadvertently or, I would say, disproportionately affected women, this government would not listen to the Alberta Advisory Council on Women's Issues and, in fact, would end its mandate before its time. I have to wonder how legal that is. It's certainly not democratic. I mean, you can change a piece of legislation without even coming to the Legislature. So, Mr. Chairman, I would hope that certainly if the Minister of Labour doesn't look into that, which I kind of doubt he will, certainly other people on that side of the House would have to look at the attack on democracy that happened today and how this ties in and affects all women in the workforce and at home and throughout this province. It's a sad, sad day for Alberta that the Advisory Council on Women's Issues was axed nine months before the end of its mandate, at a time in Alberta when it certainly is needed.

Thank you.

THE CHAIRMAN: The hon. Member for Leduc.

MR. KIRKLAND: Thank you, Mr. Chairman. I'll ask for your indulgence and direction here. My questions will be more specifically addressed towards the Workers' Compensation Board. Though, in fact, there's not a direct and clear financial impact on this budget, certainly when we look at the administration aspect of it, there's some tie-in to dollars spent there. So I will take some direction from the Chair on this matter.

THE CHAIRMAN: Sorry, hon. member. You'll have to repeat the question of the Chair.

MR. KIRKLAND: Okay. My question was really that the Workers' Compensation Board, I know, does not have a direct extraction of funds from the Alberta Labour estimates. However, there's a clear, intricate administrative tie there, and I would like to direct some questions to the minister based on that administrative tie.

THE CHAIRMAN: I don't see anything wrong with that.

MR. KIRKLAND: Okay, thanks. Mr. Chairman, I'll try to be brief. I know that it's important. I heard the minister speak earlier today about the Workers' Compensation Board and some of the volunteer incentive programs and the postinquiry loss reduction programs and the partners in injury reduction program.

Those all tie together. I think those are commendable programs. There's no question about it. I think they're reasonable. I think that's the way it should go. But I do believe there are some difficulties over there, and I would ask the minister to answer some of the questions that I would pose.

When I look at the last three years, '92, '93, and '94, there is a clear increase in the number of Claims Services Review Committee appeals that are occurring. In '92 it was 2,400; in '93 it was approximately 3,400; in '94 it was closing in on 3,800. We have to keep in mind, Mr. Chairman, that in fact there was overall from '93 to '94 only a 1.3 percent increase in injury. So there's a disproportionate amount of claims or appeals being filed with the Claims Service Review Committee. That causes me some concern. I would ask if the minister has reviewed that with an eye towards attempting to determine why the number of appeals is increasing.

Another question. When we look at the complete collapse of the vocational rehab department, in essence we've reverted to a work hardening program, a transitional return to work program, and a work conditioning program. These all sound like reasonable programs, but if we evaluate and analyze, there are many injured workers that in fact do not benefit from those programs and have to undertake retraining of some significance to become productive, working individuals. Now, there are no rehab programs associated with it. I would ask the minister whether, in fact, in the long-term cost analysis, he spent some time looking at that particular component and whether we shouldn't embrace that vocational rehabilitation program, which puts people back to meaningful work.

When we look at the pain management program and we examine the information that's coming from those that have participated, there's a very high percentage of those that go through the pain management program that are rated as minimally sedentary or capable of sedentary employment. Now, that is a description that in fact would describe individuals that could work maybe one, two, or three hours per day. I would ask the minister: how many entered the program, and how many actually are described as being able to return to work in a very clear sense of meaningful work and hours of work in the day?

Now, there's another concern that's been brought to my attention on a regular and ongoing basis, Mr. Chairman, and it has an impact in a large way. There is evidence that the consulting medical fraternity, or the doctors, at the WCB have transitioned from being medical advisers to caseworkers to actual adjudicators. I would ask if the minister is aware of that in fact or if he can provide some assurance to the Assembly that it is not occurring.

The other question I would ask of the minister: is he aware of the growing reluctance of the medical fraternity to actually deal with the Workers' Compensation Board. That reluctance is based on the fact that these very knowledgeable professionals are offering their advice in regards to injury and are having caseworkers and some medical consultants overrule their professional judgment. I would ask the minister if he's aware of that and whether in fact it's worth exploring a little closer.

When we look at the medical consulting practitioners that are in contract with the Workers' Compensation Board, there is, Mr. Chairman, a clear understanding and actual practice by caseworkers whereby some doctors come with the reputation of being a doctor that will accept or reject a claim, and depending on whether the caseworker wants it accepted or rejected, it's sent to that specific doctor. Now, I would ask the minister if, in fact, a



study can be conducted to see if doctors have earned that reputation, and if that's the case, I would ask the minister if he does not see merit in a more aggressive rotation of WCB consultants at the facility.

I spoke of this earlier. When we look at the Claims Services Review Committee, Mr. Chairman, there is – and I made the allegation about a year ago in this House. About 80 percent of the appeals going to the Claims Services Review Committee are rejected, and when I state that, I indicate the employee's appeal has been rejected. Now, that 80 percent is close to the mark, and I would suggest that in fact if we have such a large rate of rejection, there is room for improvement there or in fact we're catching a mind-set of the WCB through the Claims Services Review Committee that is not objective. I would ask the minister if in fact he would look at that particular component and try to bring some clarity to the Legislature.

Now, another aspect that's a little puzzling and also a little unsettling. When we look at the new cases that are opened each year and the new cases that are settled, those figures seem to be clear enough, Mr. Chairman, but when we go to the figure of cases reopened, generally speaking, for the last two or three years that has amounted to about 35,000. So there are about 35,000 claims that are in limbo, so to speak. Now, these claims, I would suggest, distort the statistics that you attempted to deal with, and I would wonder if the minister could provide better clarity to resolving caseload and its implication on the appeals and the outcome of them.

One other and final question in this regard, because it does impact tremendously on the actual work. I met with a group of injured workers' advocates last week, some of them being past workers' compensation case managers, and they conveyed to me that, generally speaking, a case manager is expected to carry about 80 cases at any one time. Not to exceed that 80 – and it's not within his control – means that he has to make some firm decisions and try to keep it at that 80. My heart goes out to the caseworkers. I know that they're under a great deal of strain over there. I would compliment them for working under some very onerous conditions. Rumour has it that that 80, if we use that as a benchmark for the number of cases they're to carry, is to be reduced to 60. Now, Mr. Chairman, as you know, that means 20 injured workers somewhere along the line are going to have to be denied benefits so that the caseworkers themselves can live up to the expectation of the institution over there. That being the case, I would ask the minister if in fact he has evaluated that particular component of it to again ensure that we're not losing the objectivity and that the injured workers are receiving their due and fair entitlement.

So with those few questions on the Workers' Compensation Board I will relinquish the floor, Mr. Chairman.

4:50

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

MRS. HEWES: Thanks, Mr. Chairman. I would rise just to reinforce, in the first instance, some of the comments made by my colleague the Member for Spruce Grove-Sturgeon-St. Albert. I was really angry to see the news release today from the Minister of Community Development and responsible for services to women about the end at the end of March of the advisory council on women, whose mandate really is to run until the end of the year. This council has done some excellent work for women in the province and not very long ago did a lengthy report on the disadvantages that the cuts by the government have caused to

women, the kinds of things that have resulted in the loss of jobs and more women being forced into part-time work where there are no benefits. I think the Minister of Labour should certainly be very concerned about the recommendations that were made in that particular report.

To be fair, Mr. Chairman, the news release of today says that there will be a commission set up. Marilyn Fleger, who's been the executive director of the advisory council, will now be part of a study on violence against women, and while it's commendable and I'm pleased to hear that the government is doing something in that regard, it certainly does in no way take the place of the advisory council on women, which has done such extensive and very highly necessary work related to other issues that plague women besides violence.

Further to that, there is absolutely nothing in that news release that says why the council has been discontinued eight months ahead of its date for demise. I think the news release is remiss in not telling us.

Mr. Chairman, just one other point: we are in the midst of the whole issue of child welfare reform. I note in the recent journal of the Alberta Association of Social Workers, *The Advocate*, in the letter from the president he mentions some things that I'd like to hear the Minister of Labour comment on. In his letter the president says:

We feel that our work can sometimes be dangerous and we are best served by an employer who can undertake the level of liability that is involved upon occasion.

I believe this reference has to do with the trend towards community management and privatization of child welfare services and the potential for employers not to understand the capacity for dangerous situations. Further, the president goes on to say:

We are concerned that divestment by the government will result in further de-skilling of staff who deliver programs, and we are already well aware of the difficulty in recruiting qualified staff to rural areas.

This situation plagues not only the Department of Health in making sure that health care professionals are available in rural and isolated areas of the province but also for such areas as child welfare reform and, I think, should be of concern to the Minister of Labour. I would invite his involvement in it.

In addition, Mr. Chairman, we are seeing in all of these areas of human concern a higher level of acuity, and that accompanied by the privatization and deskilling in many of the institutions of the province I think can create a situation that has some risks in it and some potential jeopardy for consumers.

Mr. Chairman, I would hope that the minister would comment on those remarks.

THE CHAIRMAN: The hon. Member for Edmonton-Meadow-lark.

MS LEBOVICI: Thank you, Mr. Chairman. I would like to thank the hon. members for their comments as well.

AN HON. MEMBER: Time's up.

MS LEBOVICI: Not yet; time's not up.

When I ran out of time just a little while ago, I was in the middle of finishing a quote on the Alberta Fire Training School from a December 1993 Alberta Labour document. I'm glad that the minister of transportation realizes the worth of this particular school, because I think there is a fear that the school may well be privatized and may not be as accessible and as efficient as the

hon. Minister of Labour makes it out to be. If I can just finish the quote, it started with:

[The] primary focus [of the Alberta Fire Training School] is as a support to the small volunteer and rural fire departments that cover most of Alberta's geographic area. For this reason, we do not see it as a possible target for privatization – otherwise the majority of the province would lose this support.

Now, if I can just focus the minister's attention back to page 15 of the Alberta Labour business plan where it talks about establishing a partnership arrangement for the Alberta Fire Training School. The history of this government in the last two or three years is that partnership usually equates privatization of some sort or another. I think that the members on both sides of the House, especially the minister of transportation, would be very, very interested to know exactly what that means. Is there a potential for privatization of the Alberta Fire Training School, and what does that mean in terms of support for the rest of the province?

Mediation services. The Member for Lethbridge-West had waxed eloquent on his knowledge of labour relations and indicated that he wasn't quite sure why mediation should be free. You know, I guess I felt that given his knowledge of labour relations, one of the things he should have recognized is that the breakdown of negotiations is extremely expensive and extremely costly to not only the businesses involved, not only to the employees because they're losing out of pocket if they're on strike, but also to the surrounding businesses in the area because people can't afford to buy products. It has a very disruptive economic effect on any locale. So I was a little bit surprised at his comments with regards to mediation services.

Then when I look back at, again, a reply that the minister had given to myself – I believe it was last year – with regards to the Alberta Labour mediation services, the minister indicated that the clients will continue to receive two complimentary days of mediation and that the cost of these two days will be borne by Alberta Labour. Then it goes on to say that this provides some incentive for the parties to settle their differences more quickly and reduce the number of mediation issues. Now, if that has changed, if the minister is now saying that there will be no complimentary mediation services provided, I think that's something that, again, the citizens of this province would like to be informed of.

There was another issue that was brought up. I believe it was by the minister of the environment at the first go-around with the budget estimates, and it had to do with the cost of building permits. [interjection] It was the minister of the environment, yes. That was an issue that I did not get around to asking about, and I'm glad that he did bring that up. One of the things that we're hearing from across the province is the differential costs that are starting to occur with regards to the fees that are being charged by towns, municipalities, et cetera, under this devolution of inspection that is occurring throughout the province. So my question to the minister: if he could provide a breakdown of all the fees by municipality and by township that indicates what the costs are across the province and, along with that, if the minister could perhaps provide an indication as to how much the taxpayer is actually saving by the downsizing that's occurred through the Department of Labour. Now, the costs have been generated across the department in terms of how much does the Department of Labour cost to the average taxpayer. Whether it's \$10 or \$20 or \$100, that's something that I would imagine the minister would be able to provide. Now that we've shifted the costs of the Department of Labour to a much smaller base, it'll be interesting to know if the minister has any figures that indicate how much

extra the downsizing and the privatization that's occurred through the Department of Labour is now costing companies and individuals. I'm sure, again, that the taxpayers would like to be informed of that.

5:00

I had mentioned about the labs, whether or not the occupational health and safety lab had been privatized and whether there was any tendering. It would be interesting to know what other services are being looked at for privatization, for instance employment standards, and what the department's policy is on tendering of various services that are being privatized, whether it's employment standards, whether it's occupational health and safety, whether it's any other service as well.

On page 6, I believe, of the supplementary information document the international qualifications assessment service is outlined. Now, that is a very good service that the government has initiated. I believe we're one of the first, if not the first, provinces to engage in an activity such as this. What I find interesting is that the comments indicate that the IQAS, for short, is currently 35 percent self-funded and the goal is for this institution to be 100 percent self-funded. What I'd like to know is if the minister will provide any consideration at all for individuals who might not be able to afford the cost of a hundred percent. I think the minister is aware that there are many immigrants who are accessing this service who may have jobs that are at the low end of the pay scale, and they may well not be able to afford to go to the IQAS and access those services, especially if the goal is for that service to be a hundred percent self-funded. Are there any contingency plans that the minister has for individuals who say, "I would like to be able to access that service," but are not able to afford that particular service?

We look at regional services that are in the budget documents as well, and there's a forecast that the regional services are going to be reduced by \$2.279 million from the '95-96 forecast: the southern region is reduced by \$786,000, 14 percent; the central region by \$119,000; north central region, \$1.342 million, 20 percent; northwest region, \$32,000, 2 percent. The question is whether the minister can explain how reducing these regional services will help the department obtain its objective of improving public access to services. It seems contradictory. How do you do the one without the other?

Also, can the minister explain why the north central region is being reduced by 20 percent compared to the average of 7.3 percent for the other regions. Is the slack being taken up somewhere else? Is there less demand perhaps in the north central region? There must be some reason for this significant reduction compared to the other areas.

A couple of further questions with regards to regional services. How does the minister expect to improve relations between employers and employees and reduce the number of work site injuries if the frontline services in each of the regions are being cut? Again we look back at the issue: are there more game wardens than occupational health and safety inspectors?

Since the regional services previously being provided by the department have been delegated to private interests, can the minister explain how these separate, because in essence these are separate DAOs, help the department achieve its objective of offering a one-window service that's outlined in objective 10 on page 11 of the 1995-96 business plan? So those are some issues with regards to regional services that I'm sure would be of interest to members across the province.

There's an issue that has been brought to my attention time and

again, and perhaps this is something that if the Labour Relations Board is not willing to look at, perhaps issues management can, and that's with regards to the certification votes. There has been a suggestion made that there would be more availability, perhaps, or more reliability in the vote if the vote were taken immediately after the certification application. So, in other words, rather than waiting for any appeals and all the rest of it before the vote is taken, once the application for certification is provided, the vote is immediately taken, is sealed, and dependent on what the outcome of the appeals are, after that point the vote then be counted. This to me makes eminent sense, because then you don't have any cries of interference from one side or the other side that there has been any ability or attempt to influence workers once the certification application has been put in.

Some final comments that I'd like to make – and I'm quite looking forward to the minister's replies on all the questions by both myself and my colleagues – are with regards to labour market mobility. We know that with NAFTA being implemented and in full effect within the next few days, labour market mobility is going to become more and more of an issue. The question is: what is the government's policy with regards to labour market mobility both within the country as well as intracountry? I know that this is a touchy area and there are some concerns of course with protectionism, but have there been any considerations given to what the requirements are going to be with regards to skilled workers in this province? There are a large number, to my understanding, of unemployed skilled workers who are on lists in hiring halls, and what we're seeing happen is workers from other provinces taking jobs that perhaps those individuals could have been considered for. So, again, I think you have to weigh the issue of open boundaries, which I fully support, but on the other hand there must be some kind of governmental policy with regards to our unemployed skilled workers. I would hope that the minister is working in close conjunction with the minister of advanced education when it comes to looking at the apprenticeship programs.

The final issues are with regards to the overall benchmarks. How are those overall benchmarks in effect determined? We see benchmarks that sound okay, I guess, but if you ask why we've picked those numbers, there's no rationale. I think it would be of immense interest to anyone looking at the budget documents to have an idea as to how these numbers are determined. For instance, if I look at initiatives which improve public access to services as a performance measure on page 268 of the Labour budget, it says, "15 improvements to public access and the removal of 5 impediments." Well, you know, why 15? Why five? Why not 20? Why not three? What's the rationale for that?

#### 5:10

When we look of course at things such as "person days lost as a result of labour disputes and work stoppages," I think zero is a fine benchmark to aim for. Again, when we look at the number of emerging issues identified and addressed, that is not really a benchmark; that's actually past history. I think there has to be some consideration as to what those titles are and what actually is under those titles.

Again, I look at a reduction of the number of repeat offenders under employment standards legislation, 56 percent. Is that good enough? I don't know without knowing the reasons for those particular benchmarks to have been worked on.

I understand that there are a large number of questions that I have put forward this afternoon, as have my colleagues. There

are a large number of issues that are still outstanding, but I think one of the issues that is going to be in the forefront in the next few years is the feeling that employees have that they are disposable assets.

If I just look at some comments, March 19, '96, *Edmonton Journal*: "Employees feel swindled, watching profits rise while layoffs continue." Airing dirty laundry, the 17th of March *Calgary Herald*: hospital workers won't rest until laundry contract ironed out. That's still an issue that's brewing out there. March 17, '96, *Edmonton Journal*: "Solutions to high unemployment must be found."

These are all issues that unfortunately I haven't seen addressed in the Labour budget and I think are going to be issues that are forthcoming. Perhaps the minister could indicate what the rationale is for not listing issues such as that under the issues management or in terms of their goals to look at how to deal with those areas, because I think that that is what's going to be preoccupying a whole lot of energy on behalf of the minister, especially given the comments that are coming out of the health care sector that seem to reflect the indication that workers do not feel valued and that in effect this is something that needs to be considered not only by the minister but by the government as a whole.

If I may just indicate one other issue that had some major labour implications and the Department of Labour was not seen visibly – perhaps the Department of Labour was seen invisibly. Again I did not see that as one of the emerging issues that issues management dealt with, and that had to do with the laboratory restructuring. Approximately 1,500 employees have lost their employment, and in effect there were discrepancies again in terms of the severance packages, and both the Minister of Labour and the Minister of Health seem to be loathe to become involved in those negotiations that were going on with regards to those areas.

The comments that I have made on the budget estimates are an accumulation of comments, of concerns that have been brought to me by citizens throughout the province and that reflect some of the areas of concern that have not been dealt with by this government. Though the Department of Labour is, I believe, trying to do as good a job as they can in some areas, I think that in other areas, perhaps due to this emphasis on downsizing, it is not possible to do what's required.

Thank you.

head:

#### Vote on Main Estimates

THE CHAIRMAN: I hesitate to interrupt the hon. member for Edmonton-Meadowlark, but pursuant to Standing Orders 58(1) and 59(3) I must now put the following question.

After considering the business plans and proposed estimates, those members in favour of each of the resolutions not yet voted upon relating to the government estimates and the estimates of the Legislative Assembly for the fiscal year ending March 31, 1997, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

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

[Motion carried]

[Mr. Clegg in the Chair]

MR. TANNAS: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Each one of the resolutions voted upon today relating to the main estimates of the government and the Legislative Assembly for 1996-97.

Mr. Speaker, I wish to file a list of those resolutions voted upon by the Committee of Supply pursuant to Standing Order 57(9).

Mr. Speaker, I also wish to table copies of a resolution agreed to in Committee of Supply on this date for the official records of the Assembly.

Mr. Speaker, I wish to table copies of documents tabled in Committee of Supply on this date for the official records of the Assembly.

THE ACTING SPEAKER: Thank you, hon. member.

All those in favour of that report?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed, if any?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

[At 5:18 p.m. the Assembly adjourned to Monday at 1:30 p.m.]