

## Legislative Assembly of Alberta

**Title:** Wednesday, May 7, 1997 **8:00 p.m.**  
**Date:** 97/05/07  
**head:** **Committee of Supply**

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the committee to order.  
 The hon. Member for Edmonton-Mill Woods.

DR. MASSEY: Thanks, Mr. Chairman. I'd like to move a change to the membership of the designated supply subcommittees that membership in the designated supply subcommittees be changed as follows: on Family and Social Services replace Ms Olsen with Ms Leibovici.

I think that procedural amendment is ready to be circulated.

THE CHAIRMAN: I wonder if the Chair could direct the pages to just hand out to those who are sitting here, and the rest can pick it up later. Okay. I think enough people have the amendment.

[Motion carried]

**head:** **Main Estimates 1997-98**

THE CHAIRMAN: This evening we have reports from Agriculture, Food and Rural Development first, then Energy, and then finally, Education.

It's the Chair's understanding that we have an agreement of some kind that indicates that the minister has up to 20 minutes to speak. Should he speak for anything less than 15, the first five minutes after the minister speaks can be taken up by the third party, or the opposition party of the New Democrats, and the Official Opposition replies for 20 minutes. If the minister speaks longer than that, then it would be 20, 20, and five, so the maximum time would be 45 minutes or somewhat less. Is that the agreement as we understand it?

The hon. Government House Leader.

MR. HAVELOCK: Yes. If the government does not use its 20 minutes, that time can first be used by the third party, and if there's additional time left, then the opposition can use that. For example, if the minister uses 10 minutes, the third party will receive the next five. That leaves five more for the opposition, so they'd receive a total of 25. The intent is to have a total package of 40 unless both the government and the opposition use their total 20, and then the third party has five.

THE CHAIRMAN: If that's the understanding that everybody has, then we're ready to begin.

### Agriculture, Food and Rural Development

THE CHAIRMAN: The hon. minister.

MR. STELMACH: Well, thank you, Mr. Chairman. Thank you for giving me the first opportunity to cover the 20 minutes. I'll subtract those minutes off the 20 that I spoke a little earlier to the Milk Producers Association.

Mr. Chairman, the questions that were asked the other evening in estimates were quite pointed and did ask for information in all parts of the ministry to cover the ministry from one end to another. We did make a commitment that before we ask for a

vote on the estimates, we will have written responses. As you know, the *Hansard* was fairly thick following the conclusion of agriculture's estimates, but I do have all of the answers to the questions that were raised. We traced through *Hansard*, and I'm quite sure we have all of them, but in case we've missed one or two, I'm quite sure the members can always get in contact with me and get further clarification. Those were the questions asked by Edmonton-Meadowlark, Lethbridge-East, Edmonton-Gold Bar, Spruce Grove-Sturgeon-St. Albert, and Edmonton-Manning. I'd just like to take this opportunity to thank the opposition for the questions they asked. I know that we all cherish agriculture.

There was a comment made with respect to the preservation of soil. I hope that over the next year or two we're going to get the co-operation and work towards saving as much of our soil as possible. We're losing a considerable amount to urban sprawl, and we're going to need the co-operation of this Assembly to ensure that for every inch of black soil used for purposes other than agriculture, we have some very good reason for that.

I also would like to thank the members for supporting the ministry's goals of moving towards the industry managing its own risk. The industry is poised and prepared to take on that responsibility, and again, I wish for the support of this House.

Other than that, Mr. Chairman, thank you very much. I'll await the response from our member opposite.

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

DR. NICOL: Thank you, Mr. Chairman. It gives me great pleasure this evening to stand and kind of summarize the issues that came up in the budget on the Agriculture, Food and Rural Development ministry. The questions we put forward dealt with the specific line items, and the specific issues of policy were, I hope, pretty well answered on the materials that are coming now from the minister.

What I'd like to do this evening is just kind of raise some questions, raise some concerns that are associated with the section on page 99, where they talk about the goals and the significant actions that they plan for the '97-98 year so that we can deal with it from the perspective of, you know, how those actions they're proposing there relate back to both the budget and the goals of the ministry.

If we start with goal 1, some of the actions they talk about are things like increasing the market choices for Alberta farmers. This goes back to some issues that have been discussed at length already in a number of forums by a number of mechanisms. In terms of some of the points he's got under there, where he talks about "encouraging implementation of the federal Grain Marketing Panel recommendations," there were some real questions raised about that marketing panel report, and I'd like to ask the minister if they've done any investigation in terms of whether or not those recommendations really could be implemented as they were put forward.

One of the interesting parts of it was that the panel recommended that we have a division in terms of the barley market: feed on a basic open market, the retention of the malting barley under the Canadian Wheat Board. But they recognized that the definition between feed and malt barley was almost impossible to regulate, so they kind of threw up their hands and said: we'd like to see this happen, but we don't know how it's going to work. Yet under the minister's action plan here he has: trying to get those recommendations implemented. I would just like to have

him provide the farmers of Alberta with an idea of how he could see this definition between an open market for feed barley and an on-board market for malt operating because of this grade differential, especially the issue of cross-border shipment of feed grain, which when it gets to the U.S. becomes gradable as malt barley. Therefore, it becomes a direct substitute for malt barley exported under the Wheat Board. So you've got two products that are different in Canada, but when they get into the international market, they're direct substitutes for each other. So if you have a mechanism to help that, I think this would be really important in contributing to this debate and to clarification of some of those issues. I would really like to see how that would work.

### 8:10

You know, this was one of the major reasons the recommendations of that grain marketing panel were not well received by the community of farmers and why I think the federal minister had some trouble actually implementing that part of it and went back to the other. The plebiscite that he ended up with and the eventual vote resulted in the now defunct Bill that got killed by the election call at the federal level.

The second point that you talk about is "implementing the Alberta Marketing Choice Program." Here you specifically mention that you want to wait until the legality of that is determined by the courts. I guess I would caution the minister in terms of the role that a government should be playing or could play in terms of assisting participants, voters, participants in a sector, in terms of undermining other laws developed by other jurisdictions. I think the appropriate approach here would be to go out and deal with this straight on with the federal government: present the issues and build a case for a dual market system that would be usable and acceptable within the western grain marketing environment, especially the Alberta environment where we have a mandate.

I think one of the things that hasn't occurred in terms of the overall approach for grain marketing is that the dual market scenario has never been adequately defined so that it can be presented as a viable choice for farmers. The Alberta plebiscite, when we had it, basically asked farmers if they wanted more freedom. They overwhelmingly said yes, yet when they came to having to make a choice between a completely free market or a Wheat Board market under the federal plebiscite, they chose a Wheat Board scenario.

What we need to do is provide a good definition for them of what is a viable, working model for the dual market scenario so that the people can have a choice and the ones who want to have that controlled market, the market organized by a Wheat Board scenario, can look at that dual market model and say, "Yes, I can accept that," and still allow the other people to have their free choice. I think I would encourage the minister to take that route rather than a confrontational route where we start cross-border schemes that really border on whether or not they're legal. I really believe that we could have had some different results in both of our plebiscites had we had that dual market model out there so that the farmers could make that judgment. I think we would have had a real acceptance of it by the farmers of Alberta. So we need to make sure that that becomes part of this marketing strategy. Let's start to define what a dual market would look like.

I would like to commend Alberta agriculture for the work they did in that report that was released early this spring, in March I think it was, where they gave the models of how dual markets have worked in other sectors, in other countries of the world, the examples out of the U.S., out of Australia where they've shown

how a dual market can work in a competitive situation. What we need to do now is take those models and build them into the Canadian grain marketing system and allow the people to see that, yes, we can have that dual market work here. So we've got to go one more step from that study that was released this spring.

Another aspect of your significant actions. You were talking about trying to expand the U.S./Canada live beef trade. My understanding is that there was a real program initiated there to try and bring some feeder cattle into Alberta for the feedlots. Eventually we had North Dakota backing out of it, and Idaho backed out of it, and now really it's a Montana/Alberta agreement. How much of the effort is going in there to kind of show the successes that have occurred there, how we've been able to really work two ways on this and try and get North Dakota and some of the other border states involved as well as the idea still of protecting our disease-free status, the international status that Canada has for the quality of our beef in terms of a disease-free status? So we've got to make sure that stays.

Another action in this area that the minister talks about is "improved safety, quality and consumer acceptance of Alberta agriculture and food products." I'd just like to commend the minister. I think Bill 4 was a good step in this area, because it brings in inspection for the mobile abattoir. It provides for on-farm niche market development. That's a good move. That's a really good initiative in that area.

The other one in this area of improved market access. The minister mentions that he's going to challenge "the legality of the Canadian Wheat Board contracting system." I guess in all of the discussions I've had with farmers, the only concern they've had about it is that they're too easy to get out of as opposed to their being too restrictive. So I would ask the minister to explain a little bit what feedback he's been getting that would indicate that farmers find those contracts too restrictive.

In terms of the grain marketing again, there's no action here that I can see where the minister is going to take any initiatives in the area of grain transportation. I was wondering if the minister had any intentions of getting actively involved with the Western Canadian Wheat Growers on their grain transportation summit that they're scheduling. I think the tentative schedule now is for the fall. I would very much like to see Alberta Agriculture play an important role there, because there's a lot of things we can do in terms of grain transportation that would help our farmers make sure that they're getting their products to the relevant point of sale as expeditiously as possible. So that's important that we need to work something out on those areas.

Under the second goal the main idea is to improve "industry service, quality and cost competitiveness." I've got just a couple of comments on this one. You talk about encouraging the research that will improve crop and livestock production. I hope this means that you're still going to work kind of on a cost-shared basis with the industry in allowing some of the commissions that do the checkoff for research and that to, you know, take a colead position in terms of trying to decide and define the agenda that they see as important for the research. So I just want to make sure that kind of co-operative approach that's been going on with the relevant commissions is maintained.

In terms of the third point under there that you're talking about, dealing with encouraging "private industry to increase its delivery of information services," just how far is that going to go? Is it going to be essentially done by contract, be privatized out? If that's the case, what is the role of public information in terms of its contribution to extension and its contribution to information

provision for the farmers of Alberta? Or are we going to be relying on essentially private industry information dissemination at that point? I know there's been, you know, lots of different discussions on it.

Under your third goal, the increased value added, I want to just basically comment on your first point there, the Agriculture Value Added Corporation. I think this is a really good program. The information I've had on it so far and the feedback I've had from the community – they're really excited about it, and they think it's a good initiative. So I just want to encourage the minister and let him know that he won't be getting a lot of criticism from me on the concept.

8:20

The other option might be: is there any way that we could work out sectorwide some kind of a venture capital option for agriculture to bring farmers in to kind of pool their financial resources into a venture capital approach, some kind of an initiative, get it started by government and then let the private sector manage it and run it, you know, based on their contribution of funds to it, say some of the commodity associations put money into it or whether it's farmers directly or even people from outside of agriculture who want to get involved in some exciting opportunities that exist for value-added expansion in agriculture. You know, we could create a venture capital pool for them to draw on and have it managed much like a lot of the venture capital programs that do come about.

On goal 4 there were a couple of questions I just wanted to comment on. You talk about "continue applied research on the potential for grass carp production in the Province." I know this has been going on in southern Alberta in conjunction with the irrigation districts and Lethbridge Community College. I was under the impression now that that had pretty well been contracted to the community college in Lethbridge to have them run it, expand it, provide for propagation of the fish so they can be marketed out. I'd like the minister just to tell me his idea in terms of future research that would be going on there that would be expanded beyond the opportunities that the community college and its associated partners might be doing.

The final point on that goal is dealing with your comments about the Alberta irrigation districts, to develop "a comprehensive set of maintenance guidelines." This is probably going to have to be done through a series of consultations. Is that what you had planned? How broadly were you going to allow those consultations to expand to some of the associated interest groups in the area? Or was it going to be just done within debate or negotiation with the . . . [interjection] Oh, sorry, Mr. Minister. Goal 4, the last point there:

In conjunction with Alberta's Irrigation Districts, develop a comprehensive set of maintenance guidelines to ensure investment in irrigation infrastructure is protected.

As you deal with those maintenance guidelines, some of those infrastructure facilities like the main canals and that, some of them have had some very beneficial community offshoots in terms of wildlife, in terms of wetland. I would hope that those kinds of considerations are looked at as well, because in a lot of southern Alberta they've made a significant contribution to the wildlife of the area. As they put them into underground pipelines or line them with concrete and do all of these other things to make them more efficient in delivering the water, some of these other aspects are lost. We look at some of the game bird hunting and that that goes on in the fall down there. Those canal banks are really a habitat for a lot of those birds that support that industry, the

tourism that comes with the game bird hunting in the fall. So just make sure that some of those groups and associations are included in those discussions so that maybe you can line the canal and improve the efficiency there, but also you've got an offset where you can maintain some habitat by some other mechanism for those wildlife. There's been a very co-operative, kind of symbiotic relationship between the irrigation districts and the wildlife organizations in southern Alberta because of that support they get from that infrastructure. So I just want to make sure that that works.

Goal 5 then. You were talking about the increased responsibility of the industry to manage risk. The first one you talk about is the farm income disaster program. I guess in here you're talking about the increased responsibility of the industry to manage its risk, yet that program has almost no obligation on behalf of the producers, except when they have a shortfall, to apply for it. A number of farm groups have approached me with the idea of: can this be on some kind of a cost-shared basis rather than a total government pay basis? You know, could there be a premium associated with it so it doesn't become such a perceived possible income transfer? So that basically leads there too. You talked about the possibility also of looking at how it could link up with the net income stabilization program. What about tying it with the crop insurance, you know, make them a coprogram? You have to be involved in both before you can get the public dollar coming out of the farm income disaster program.

The last question I would like to raise is in your number 6 on improved resource stewardship. You spoke about the Special Places 2000 program. I was under the impression that that was Alberta environment. What is the relationship, that you're having it as a special part of your goal 6? [interjection] I say that you spoke of it in the context that it's your business plan that's in the book. You have it there as one of your targets. I'd just like clarification on how you see your work with Alberta environment and the special places groups.

Mr. Minister, thank you very much for your support on this review of the budget. We look forward to your responses.

Thank you.

THE CHAIRMAN: We are ready for the vote now. After considering the business plan and proposed estimates for the Department of Agriculture, Food and Rural Development, are you ready for the vote?

|                       |               |
|-----------------------|---------------|
| Agreed to:            |               |
| Operating Expenditure | \$301,359,000 |
| Capital Investment    | \$1,051,000   |

THE CHAIRMAN: Shall the vote be reported?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.  
The hon. Government House Leader.

MR. HAVELOCK: Just some clarification, Mr. Chairman. Am I to actually move that debate on the estimates of that department be adjourned, or are we now okay, and we can just simply move on to the next department?

THE CHAIRMAN: We've made a little bit of change.

MR. HAVELOCK: So it's all okay?

THE CHAIRMAN: It's okay.

MR. HAVELOCK: Thank you.

THE CHAIRMAN: We're now ready for the next department.

### Energy

DR. WEST: Mr. Chairman, we have considered the estimates of Energy in a previous sitting in subcommittee and again I present them here tonight for final perusal, looking at this sector and these estimates as what I would say an awfully good investment by the people of Alberta in an industry that generated last year \$4 billion to the bottom line of this province. That's not to say that there aren't many policies and issues that will be dealt with. As we go forward in the next year, we look to streamlining as many of the regulations and the policies that we can to effect the best return and the best output of this resource in the province of Alberta, specifically oil, gas, and other mineral and coal deposits.

#### 8:30

I think that the main issues that I'll be dealing with – and I'm not going to go into them in detail – are such things as the pipeline issues, the liquids issues as they relates to the petrochemical industry, cost reductions for industry and government, electrical deregulation policies, royalty systems, jurisdictional issues between the federal government and other areas such as the department of agriculture, orphan wells, climate change is a very big one throughout the world, as well as in Canada – it's one that we'll be talking about on an international basis in Japan in December this year – research and technology, again continuing the process of streamlining industry/government processes.

So with that, I'll leave that and ask the Assembly to approve these estimates so that we can get on with the business of being in business in partnership with the private sector so that the revenues will continue to flow to this province and provide the necessary resources for health, education, law and order, and other services.

THE CHAIRMAN: I'd call on the hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. It gives me great pleasure again this evening to rise to speak to the estimates for the Energy department. As the minister flipped through his report there, I thought it would be very nice if he would distribute that little summary of all of his programs that he was flipping through as he went through and reviewed what he was going to be working on so that some of the rest of the members of the Legislature would be able to have an idea of what those issues were. So if it would be possible for the minister to distribute that little paper he was flipping through, that would be just great.

I wanted to raise some other issues. Again, as I mentioned earlier in the agriculture area, we've covered a lot of the line items, and if we could talk a little bit about some of the strategies that are going on in terms of the goals and strategies in the business plan, page 137 to start with. The basic issue there: under 1.1.1, they talk about ensuring that “the fiscal framework remains appropriate.” I guess here the question that would come up is: if they're going to stipulate that they want to make sure there is an appropriate fiscal framework in place, are there some

questions that are being raised about the appropriateness of the current royalty regime? We now have a Bill in front of the Legislature to deal with changes in royalties for the oil sand area, and I was wondering if this inclusion of this under a strategy is an indication that there could be royalty changes forthcoming for the non oil sands oil and gas production and sharing for the province of Alberta.

Under the issue of market access and development, in section (e), it says, “Where economic, encourage increased value-adding/upgrading of Alberta's resources.” I guess what we have to look at here is: does that not really mean looking at how Alberta sits in a competitive advantage situation in producing these resources with the other producing countries of the world? It would be very interesting if the minister could provide us with some information on how he plans to develop those economic measures, economic breakouts that he would be looking at in terms of trying to determine whether or not value added occurs here in Alberta or at some other location after the raw product has been transferred.

You know, we're hearing the debate right now about whether or not our raw natural gas should be transported down to the U.S., where they take out the ethylene for the production of the materials that are necessary for the plastics industries, whether or not we should be keeping those here and using them to produce value added here in Alberta. So I guess that's what I would like to see the minister explain a little bit.

Under section (b) of that market access and development, you want to “continue development of a competitive electric industry.” Does this include any kind of position or evaluation, competitive costing for the wind power program that they're trying to promote out at Pincher Creek? How does that fit into that whole strategy? Will you be looking at that and, I guess, answering some of the questions that they have in terms of the openness and fairness that they feel doesn't exist in the electric energy industry so that they don't have a fair playing field to deal with? I'd just like the minister to explain whether or not, as part of the competitive costing, he would be looking at dealing with the wind power programs in that whole strategy.

The next item I'd like to deal with is under research. You talk about supporting research into technologies. I guess I would ask the minister how this is going to relate to the work that's going on with the Alberta Research Council in energy research. Is that going to be co-ordinated with the minister in his initiatives that are coming out through the Department of Energy? You know, the Alberta Research Council has quite a program going. How does that work in terms of focusing on research and the alternative uses of our natural resources?

The next area where I wanted to raise some questions or have some explanations deals with mineral rights and the mineral access rules. There's been a couple of contacts that I've had – and the minister alluded to it today when we were chatting across the floor – about the definition of what constitutes some minerals. He mentioned the chlorite issue in southern Alberta, whether or not ammonite is really defined as a resource that comes under the jurisdiction of the rules and regulations of the natural resource royalty schemes, whether it's classed as a mineral or not, and how this is going to be clarified. There seems to be some questions about it in terms of some of the operations that are being promoted in southern Alberta, whether or not they're operating with a license or without a license, whether or not there is any provincial jurisdiction associated with how ammonite falls under the control of the ministry in terms of its regulation of mineral resources.

I guess that needs to be clarified so that we can make sure that

those kinds of developments occur. Ammonite is getting to be quite a popular gemstone now, and it's going to be potentially traded in the international markets at quite a value. It's obviously a depletable resource. I guess the question that would come up also is: because its existence is from a historic resource, does it fall under historic resources or does it fall under mineral resources and how do we handle those?

A couple more questions that I'd just like to raise on the Alberta Energy and Utilities Board before concluding. Section 2, adjudication and regulation, talks about the regulatory process. I guess the question that would come up is how far the minister sees industry going in terms of taking over these responsibilities for regulation, for dealing with the transfer of responsibility out to industry, and how far that would actually go in terms of looking at some of the safety issues, some of the resource accountability issues and that. If you could comment on how far that transfer of responsibility might go, that would be appreciated.

The other issue that comes up is in terms of surveillance and enforcement. Goal 2.3 talks about expanding the scope of the orphan well program. I was wondering: as these drilling companies get a licence to go out and drill for oil, is there a possibility that, you know, you could put in a transferable bond so that the cleanup cost is guaranteed by the industry itself as part of their development and exploration incentive? You know, right now we allow them to go out and drill, and if they clean up at the end, it's great. There's no check and balance there.

**8:40**

If we had a bonding program in place for them where – it's almost like an insurance program. They'd put up a premium that could be then transferred. If the well were transferred to the point where the last owner of the well before it was abandoned and left to the public for cleanup – we could then call on that insurance or that bonding agent to come forth with the money. What you'd find, then, is that companies that had a reputation or a lack of credibility and reliability in cleaning up and maintaining their facilities would be paying higher prices for their bonds or for their insurance. So it would give an incentive there for people to comply. I just would like to ask the minister if he would consider that as an option that would take away some of the cost that's associated back to the public, back to the taxpayer. You know, we're talking more and more about industry responsibility, and this might be a good way to add some of that.

The final point that I wanted to raise in connection with these goals and strategies deals with section 2.4, information and knowledge. In item (b) they're talking about the Energy and Utilities Board's role in "collection, handling and dissemination of energy sector data," and there's an implication there that we're talking about trying to determine how much of this is necessary by the industry, what responsibility will be there with the industry to cost share this in terms of getting this information. The implication in some of these points that follow under the strategies is that a lot of the benefit of that information accrues back to the oil industry. Is there any intent there to have some cost recovery from their use of what is publicly generated data?

I guess in reviewing what came out, I would just ask the minister if he still intends to provide us with written answers to the questions that weren't answered in the session. I would appreciate getting those from him at some point in time. If not, I'll just wish the minister luck and good success in his year of effort on behalf of the energy industry, and I look forward to working with him.

So with those few comments I'll conclude and allow anybody

else, if they have anything to – I think we have about 10 minutes or so left. About seven minutes left. Anybody else?

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

MR. MacDONALD: Okay, Mr. Chairman. To the Minister of Energy. You have quite a program. I congratulate you on your management of it. It is historic for you as a minister to manage a department where you are actually increasing staff. I see in your full-time employment . . .

DR. WEST: Wait a year.

MR. MacDONALD: Wait a year? Okay. I will wait eagerly.

I have a few questions this evening for you. One is the coal royalty that's allocated to the province. I see where you had a \$14 million budget, and this year you're up to \$20 million in the coal royalty. Could you explain to us, please: why the increase in this budget? Are we producing more coal, or are we exporting more coal? Where is this money coming from?

Your synthetic oil production costs. I would like to congratulate you on the reduction of this. In 1993 it was \$15.70 a barrel to produce, and you're continually in your forecasts going down to \$13.80 in production costs. If your department and its research budget is even partially responsible for this, I congratulate you.

I have a question on your economic performance, key performance measures. I would like to know, please, why in 1997 you were projecting, I believe, royalties of \$3.287 million and in the year 2000, in three years, we are seeing a drop, a significant drop to \$2.335 million. If you could explain this drop, I would be very grateful.

The gas produced and your sulphur emissions. Is it possible to have more of the sulphur that we're exporting perhaps be used in this province as a raw material in the industrial process? I'm thinking of the steel industry as an example. Perhaps we could have more of the steel industry in Camrose, maybe some pipe for the pipeline industry. If you could think about that, I would also be very grateful.

Now, the Energy and Utilities Board. You say here in your plans, your major strategies:

The EUB will implement the new Oilfield Waste Management Program to ensure that operators handle and dispose of oilfield waste in a manner that protects the environment.

If I could have some details on that, I would appreciate that.

The EUB will advance its new enforcement policy with the development of a suite of escalating enforcement actions that will be consistently applied in non-compliance incidents.

What do you mean by "non-compliance incidents"?

Also, with the regulation of the Pipeline Act, I'm curious. With the deregulation that has gone on in other departments regarding safety inspections – we know that in Manitoba and in Saskatchewan, just the west part of Saskatchewan, there was quite a pipeline explosion there last winter. It lit up a lot of the sky. Maybe you could even see it from Oyen. What plans are in place to protect the public as this pipeline system ages and the market demands that are put on it are increased? What is there to protect the public? As this system ages, it's going to need more maintenance. We're having engineering studies that were not done 30 years ago or whenever these pipelines were designed, and there are materials that are naturally in the soil that are causing corrosion problems. There's hydrogen-induced cracking in the steel. What sort of programs do you have in place, Mr. Minister, to deal with this? I would be curious.

That about takes care of my questions for now, Mr. Chairman. Thank you.

THE CHAIRMAN: The Committee of Supply is reminded that we have under consideration the 1997-98 Estimates for the Department of Energy. After considering the business plan and the proposed estimates for the Department of Energy, are you ready for the vote?

HON. MEMBERS: Agreed.

|                       |              |
|-----------------------|--------------|
| Agreed to:            |              |
| Operating Expenditure | \$71,021,000 |
| Capital Investment    | \$1,315,000  |

THE CHAIRMAN: Shall the vote be reported?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

### Education

THE CHAIRMAN: I'll call on the hon. Minister of Education to begin the evening's deliberations.

**8:50**

MR. MAR: Thank you, Mr. Chairman. It occurred to me that I might wish to rise tonight and answer some of the questions that came up during my first presentation of the 1997-98 estimates for the Department of Education. But in the interest of allowing as many questions as possible to be asked in this area, I will be happy to listen to those questions and, as always, will be happy to review *Hansard* for those questions and prepare written responses to those members asking.

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

DR. MASSEY: Thank you, Mr. Chairman. I'd like to, if I could, go back to the key performance measures that the department has adopted and ask some questions about those measures. If you look at the indicators that have been chosen to be important, I guess my question to the minister is – I may be repeating myself – how much time is spent looking at the underlying assumptions that those key performance indicators seem to support? I look, for instance, at those indicators that would have parents indicate how satisfied they are with their schools. I wonder if they really are indicators where you can expect to see a great deal of difference from buildings.

I say that, I guess, out of my experience with the public school board, where we asked many of the same questions. We went down this road of trying to set some benchmarks and gather from parents how satisfied they were with their youngsters' education. It seemed to me that what we got was stronger support for schools the closer people were to those schools and the action in them. If you asked them if they supported the neighbourhood school, you'd get 90-plus percent saying yes. Is the neighbourhood school doing a good job? Parents who had youngsters in those schools said yes. We used to point, I know initially, with some pride at being able to have that kind of satisfaction. But they're pretty stable over a number of years, and we really wondered what information we were gathering. Now, I guess it allows you to pick up an anomaly. If a school somehow or other doesn't do

its job, you might pick it up, but it seems to be an expensive indicator to continue to gather information on.

On the other hand, we got some of the same results that the department gets in terms of the nonpublic and their satisfaction with the school system, particularly when you get groups of the public who have little or no contact through family or extended-family relationships. The farther away from the system they are, the less supportive they are, the less they value that system. Because that's a growing portion of the population, those people that don't have direct contact with the system, I wondered what kinds of actions the ministry envisioned either themselves or school districts spearheading to involve that portion of the population and to try to keep them involved in the public education system and to remind them or at least to gently prod them into fulfilling their obligations as citizens to make sure that those public schools are supported and they're healthy.

My concern is about the performance measures and asking questions that you can always predict what the answer will be and, on the other hand, the action that grows out of some of those statistics that present some rather formidable problems to school boards and to school districts.

One of the things that I think helped in the past was the community school movement that the department had been so very supportive of and responsible for putting in place. That attempt to make schools the intellectual, the physical, and the activity centre of neighbourhoods and communities I think was extremely successful. It seemed that when funding dropped off, the kinds of support systems those community schools had in place which promoted community education and promoted those schools as learning centres within a community fell away too. If I recall, the funding was minimal that they received, but it seemed to have a great impact and to do great, great good. When we moved to school-based management or site-based management, some of those schools were able to reconfigure their budgets so that they were able to continue serving as community schools, and I think some still do to this day. It's something that's identified in the estimates and in the department's activities that I think is really, really very crucial, and it's basic to the support of public education.

Going back to the key performance indicators for just a minute, I am worried about the models of human behaviour that are sometimes built into them, the assumptions about schools and school personnel and how schools should operate. I guess from my personal experience I think I can best draw an example of what I'm concerned about. I look at university classes, and there are evaluation forms for instructors. For instance, those evaluation forms ask: does the instructor come in the first day of class and hand out the course outline? Does the instructor define what the assignments are going to be? Does the instructor tell the students when the tests are going to be? Do they outline the content? Do they give you a reading list? If the student answers yes to all of those things, then the instructor is graded and comes out on a performance chart as being a good instructor, because he or she has fulfilled those tasks.

Yet it seems to be really in many cases inconsistent with what a college or a university or a school might be all about. That is the sort of novel notion that people might appear at those institutions with some questions of their own, that they might be asked initially about the kinds of things they think they would like to learn about, that the objectives and the assignments and the readings for a course might be developed co-operatively between a teacher or instructor and the students that he or she is working

with. That's quite a dramatically different model from the notion often embedded in these key performance indicators of an outsider being able to determine what is good and then setting that kind of a role for everyone that's involved in the system. It's wrapped up, and I know that if you look at the underlying value in most of these performance indicators, there's a high premium put on efficiency. I wonder if, in some of the cases, those indicators don't sacrifice effectiveness in that pursuit of getting things done and getting them done most efficiently.

The indicator that talks about system governance and administration. Maybe it's only among the school people I've been talking to, but there still seems to be some confusion. Certainly there is confusion among parents about what is actually classified as administration and what role consultants and psychologists and support personnel play in school affairs and about how they're classified. There seems to be at least some misunderstanding that these people are classified in some schools or districts as administrators. I think it's worth some effort to have that clarified so that people know exactly how narrow administration is and should be and that when we're trying to direct funds to the classroom, those classrooms are made more effective. The teachers can be much more effective in classrooms where there is good support in terms of psychological and learning resource help and where there are aides and where there's assistance for youngsters with learning disabilities and behavioural problems.

9:00

The classification. I'm sure it's been agonized over for some time within the department in trying to put together the envelopes as to exactly what constitutes administration. I know there are some trustees and a number of school people who are still unclear about what can be spent on administration.

The indicators, again, that go back to the variety of methods that are used to help students learn – I wonder what some of the assumptions are that the department has built into that and if they really are looking at effectiveness or making some assumptions about effectiveness that might not be warranted. The minister was involved in Calgary recently in an announcement with Telus in terms of technology and the involvement of that company in the upgrading or the furthering of technology in schools, and if you look within the government documents, I believe they have set or are in the process of setting a standard of 1 student to 5 computers in Alberta schools. It's a very ambitious standard, and I would be interested in knowing how they arrived at that particular figure.

I wonder if there has been any long-term planning within the department that has looked down the road 10, 15 years to project where they think they would or should be in terms of technology and our schools. How do they build into any such projections the rapid change that occurs, particularly in computer technology, and the problems of evergreening, keeping that equipment up to date? On the whole business of handling technology, I suspect the \$40 million for 1997-98 is a very, very small part of the money that would actually be required to have the province meet the standard of 1 to 5. So I would be interested in what the department has been doing in terms of making some projections in this area.

Thanks, Mr. Chairman.

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

MR. DICKSON: Thanks, Mr. Chairman. Just a couple of points at this stage on the Education estimates. The first point. I was put in mind of this in listening to the excellent question that was posed by I think the Member for Calgary-Cross this afternoon in

talking about ESL instruction. She identified what seems to me to be one of the big problems with ESL, and that is the ineligibility to access the funding if the child is born in Canada, regardless of the competency in English of the family and the parents.

There's another issue as well with ESL, and that is the fact that the province only pays for three years of ESL funding. The message that's brought home to me from people like Harry Yee of the Bridge Foundation for Youths: only three years. The reality, I'm told, is that when children come to Canada and are in primary school and in elementary school, often they can learn very quickly and three years may be ample. The problem, to the Minister of Justice through the Chair, would be that sometimes you have older children coming, and it's a much tougher proposition for a 15- or 16-year-old child. What the studies have told us, Mr. Chairman, is that we need more flexibility in our ESL supports. What I suggest and urge and what I'm told by the people who know is that we need flexibility, that in appropriate cases ESL instruction should be available for five years or six years if that's what it takes. The reality is that we all have a stake in ensuring that those children develop a level of academic proficiency. That's the best way those children are going to get the kinds of jobs we want them to have to be taxpayers and so on.

The other point. My understanding is that there have been estimates of about 3,000 children in Alberta who require ESL instruction but are ineligible because of the requirement of being born outside of Alberta. I'd be interested in the minister advising if that number is accurate.

Then the other point. I understand the minister often travels around and, to his credit, visits schools. I'm not sure whether he's been to any of the three elementary schools in downtown Calgary: Sacred Heart, St. Monica, or Connaught. Sunalta is a bit of a different situation. But I'm going to encourage the minister to go to one of the schools because – I know this isn't true provincially – the classrooms in those three inner-city schools tend to be very full. They tend to have as many as 35, 36 students in a class. There is a high number of ESL students in each of those schools. If you layer onto that some special-needs students, I think the minister would find it really instructive to spend a couple of hours in one of those schools, and I'd be happy to accompany him. I think it would help to ensure that the minister has a very clear picture of some of the challenges facing educators in those particular schools.

The last thing I'd just say is on the community school concept. The Education critic for the Liberal opposition reminds all of us that the community school concept was one of those things that worked incredibly well, and for the small number of dollars involved, talked about integrating a host of services using the school as a hub in a community. It really worked. I'm wondering whether the minister would consider reintroducing the community school or a modification of that model, because it demonstrated it addressed a need. I know it also worked in some of the smaller centres but certainly in Calgary in those high-needs areas.

When the community school program shut down, Connaught lost the co-ordinator who'd managed to bring in all of these inner-city agencies, including my office, to work together and share information. It was just such an excellent model, Mr. Chairman, that I'd really like to see the return of that. As I mentioned before, this isn't a big expenditure of tax dollars, and it's just an excellent example of leveraging in terms of, really, reinventing the school, making it play a role not unlike it did in the early days of this province, where that was the hub of the community.

Those were the points I wanted to make. Thanks very much, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Edmonton-Glengarry in the minute remaining.

MR. BONNER: Thank you very much, Mr. Chairman. In this minute I'll just focus on the provincial achievement tests. Certainly the province has done a very good job here, and I'd like to congratulate the minister and his department for this.

When we start looking at the provincial diploma exams for grade 12, there are some concerns here. The standard of 85 percent refers, I'm sure, to the 85 percent of students who achieve 50 percent or more. Now, we have been seeing where our students in the grade 9 areas and in high school have done very well when it comes to math and science on national and international exams, but there's an inconsistency here that we do very poorly on our own achievement tests, with only 74 percent of our students achieving 50 percent or more. The problem, of course, is that many of these students enter those exams with a much higher average. So we do have teachers that are doing a fabulous job up until this exam. This is the one area that I would like to see the minister concentrate on.

Thank you very much.

9:10

THE CHAIRMAN: We have, then, this evening under consideration the third department. These are the 1997-98 estimates for the Department of Education. After considering the business plan and proposed estimates for the Department of Education, are you ready for the vote?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

Agreed to:

|                            |                 |
|----------------------------|-----------------|
| Operating Expenditure      | \$1,635,637,000 |
| Capital Investment         | \$1,224,000     |
| Nonbudgetary Disbursements | \$118,000,000   |

THE CHAIRMAN: Shall the vote be reported?

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

Hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Chairman. I move that the committee rise and report progress and request leave to sit again.

[Motion carried]

[Mr. Clegg in the Chair]

MR. TANNAS: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions for the fiscal year ending March 31, 1998, reports the approval of the following estimates, and requests leave to sit again.

Department of Agriculture, Food and Rural Development: \$301,359,000 for operating expenditures, \$1,051,000 for capital investment, for a total of \$302,410,000.

Department of Energy: \$71,021,000 for operating expenditures,

\$1,315,000 for capital investment, for a total of \$72,336,000.

Department of Education: \$1,635,637,000 for operating expenditures, \$1,224,000 for capital investment, \$118,000,000 for nonbudgetary disbursements, for a total of \$1,754,861,000.

A resolution moved by the hon. Member for Edmonton-Mill Woods to change the membership of the designated supply subcommittee on Family and Social Services to replace Ms Olsen with Ms Leibovici was carried. Mr. Speaker, I wish to table copies of this resolution agreed to in the Committee of Supply on this date for the official records of the Assembly.

THE ACTING SPEAKER: All those in favour of that report, please say aye.

HON. MEMBERS: Aye.

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

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

**Bill 8**  
**Historical Resources Amendment Act, 1997**

[Debate adjourned May 5: Mrs. Sloan speaking]

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

DR. MASSEY: Thank you, Mr. Speaker. I would like to make a few comments about the Historical Resources Amendment Act, 1997, Bill 8. As I understand it, the major changes that this Bill will effect are that admission fees for visitors to historical sites will no longer be put into the historical resources fund. A second is a fear that I think has been raised by speakers on this side of the House that the management of historical sites will be farmed out to groups around the province and that the direct management and control of those sites will be lost to the citizens in this province. I would be interested if the minister could either allay those fears or explain what the ministry sees happening as a result of these changes.

[The Deputy Speaker in the Chair]

One of the questions that has arisen is: what was the impetus for this Bill? Has there been some polling of the public? Has there been some input in terms of asking for changes? Has there been some dissatisfaction in the management or the ways in which historical sites have been managed that has prompted the department to take the kind of action it has and introduce Bill 8? Has there been general dissatisfaction from the public that the ministry is responding to in this Bill?

I wonder if the minister can again make it clear whether or not she plans to delegate the responsibilities that she has to various groups across the province. Given what we've all gone through with CKUA, there's real sensitivity to what's happening to entities such as these and a fear of course that we might have a repeat of what's transpired with CKUA.

9:20

The programs funded through the historical resources fund will no longer have to be passed through the Lieutenant Governor in Council, and therefore they won't be announced publicly through



order in council. I think this is a change that's going to make it difficult for the public to be aware of changes and to offer the ministry and the government advice. What is the intent? Why this change? Has there been some problem? What is the benefit of not passing it through the Lieutenant Governor in Council? What percentage of the historical resources fund was made up from contributions from admission fees to historical sites? Did those fees constitute a large or a small part of the fund? Maybe we could have some information on what the minister's plan is now for the historical resources fund.

In section 3(b)(iii) the addition of the word "entity" suggests that the government is going ahead again with a plan to have outside groups run some of Alberta's historical sites. I wonder if the minister would clarify for us the word "entity" and, again, just exactly what we can expect to come out of this?

Section 4 repeals section 10.3, which appears to be a section of this Act that is no longer necessary. There's some question whether in fact this section required the government to provide matching grants of \$1 for every dollar in admission fees to a designated historical site. When did this section come into force, I guess is the question we'd have. Could the minister confirm that if this section is passed, that matching grants to historical sites will be ended? It's a concern certainly to those people interested in historical sites and the operation of them, so I would be interested in having the minister confirm that.

Section 5 repeals the guidelines for how money in the historical resources fund collected through admission fees is spent. Since admission fees are no longer going into the historical resources fund, it is not necessary to legislate how those moneys will be distributed, so this seems to be redundant.

Those are some of my comments on Bill 8, Mr. Speaker. I'd be interested in hearing from the minister.

[Motion carried; Bill 8 read a second time]

**Bill 1**  
**Freedom of Information and**  
**Protection of Privacy Amendment Act, 1997**

[Adjourned debate April 22: Mr. Sapers]

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

DR. MASSEY: Thanks, Mr. Speaker. I'd like to make a few comments on the amendments to the Act. The effect of the amendments is to delay the MASH sector coming under the FOIP Act. The second major impact is to exclude private colleges from the Act itself.

I think if we go back and remind ourselves of what the freedom of information and privacy Act is about, that Act is about open government, and it's about open public institutions. If you go back to the debates on the original Bill, those points were underlined and seemed to be valued by people who were arguing for this Bill, including members on the government side. It's about open access to public records in institutions such as schools and universities and health authorities. It's basic to a free society that we have access to information that the public has paid for and information that governments and those institutions really just hold in trust.

If we remind ourselves of the setting for the Bill and how inconsistent with those hopes the amendments that are being presented are – the history of this kind of legislation is a history

of resistance, resistance sometimes by public service employees who have spent a number of years guarding information and keeping information private, resistance by politicians who have sometimes not been pleased to have projects and budgets and information of their activities made public. So it is a history of resistance, and this amendment seems to be one more step in that kind of resistance to bring the municipal governments, the academic institutions, our schools, and our hospitals under the FOIP umbrella.

It's interesting. I looked at the annual report of the office of the Information and Privacy Commissioner, and one of the things that office was gearing up for was just that: getting ready to have the MASH sector and getting ready to deal with requests that would come for information and the problems that might arise over the protection of privacy of the information that those institutions handle on a daily basis. So one of the questions I would have is: what is the impact on the office of the Information and Privacy Commissioner if this amendment is passed? Certainly they were getting ready to take on the task and were putting in place their systems and mechanisms to make sure that municipalities and academic institutions and schools and hospitals, that the information that they contained was available to the public in a way that was consistent with the original Act. My question is: what does this mean to that office if these amendments go forward?

One of the most perplexing parts of the amendment of course is the exclusion of the private colleges. It's really perplexing, given the recent history of what's transpired in some of those colleges. We've had one college where fraudulent activity of a contractor caused the institution great loss. We had one institute where there was a major loss of income. It seems to me that those institutions would cry for this kind of legislation to be in place, and certainly I think there would be great interest in the public being able to access information about those institutions and the activities. They are publicly supported institutions to the tune of \$8.7 million. It's a huge investment of public funds. They have records on a number of Albertans and the lives of Albertans, and the activities are certainly ones that deserve to be open and accessible to the public. So I had two of those concerns and really puzzled about why the private colleges have been excluded at this time. I think the House would appreciate being informed by the government in terms of their intent if this legislation should be passed. What is their intent in terms of these institutions? Is there a time line that we can look forward to when they won't be covered by the Act?

Thanks very much, Mr. Speaker.

**9:30**

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

MRS. SLOAN: Thank you, Mr. Speaker. I would like to speak to this Bill and express my opposition to the Bill. As someone who has worked for the majority of my career outside of the government sector but someone working in direct relationship with government I find it deplorable on the basis of principle and philosophy that the government would propose a Bill that would further extend the time period under which the MUSH sector – that being schools, universities, and hospitals – will still be excluded from this Act.

Perhaps some might wonder why I would feel strongly about that. I would say that as someone who has advocated for not only people in the system, patients in the systems, but nurses in the

system, and as someone who has tried to get information not only from the government but from people at the regional level, very basic information about infection rates in the hospital, readmission rates, about the salaries of administrators, someone who has asked in a very concrete and direct way, not in a confrontational way, to have that information to use as a basis for decision-making – to find that it is beyond the reach not only of the disciplines within the system but of the taxpayers as well, I think, Mr. Speaker, is deplorable.

It is somewhat ironic – in fact it's laughable – that the government in announcing this Bill on the 15th of April says, the Premier says, that it “demonstrates our continued commitment to extend open, accessible and accountable government to the people of Alberta.” I recognize that calling someone a liar is unparliamentary, so I won't do that. But the Premier is, in essence, on the brink of misleading the public, because by doing what is encompassed in this Bill, by delaying the incorporation of the MUSH sector into the FOIP Act, he is in fact extending and prolonging Albertans' ability to access information, information about what they have paid for.

The Premier also noted in his press release:

When the Freedom of Information and Protection of Privacy Act was . . . introduced three years ago, we made the commitment to extend its scope to include schools, health authorities, post-secondary institutions and municipalities. Bill 1 allows us to proceed with this commitment in a planned and orderly fashion.

Well, Mr. Premier, I guess you forgot to say that you didn't plan to put private colleges in when you made your press announcement. I guess you also forgot to say that schools and health authorities and postsecondary institutions and municipalities perhaps would have to be delayed until maybe sometime when an election is not imminent and we're not planning to have a fall session.

As much as I support the freedom of information, I cannot support a patchwork Bill. We are either for freedom of information or we are not. This is nothing more than an appetizer intended to create the perception that this is an open and accountable government, and it is not. It is not. Because if I as a registered nurse or as someone in the system directly involved in decision-making cannot get the true performance measures, the infection rates, the readmission rates, the administrative salaries, if I cannot get how many administrative salaries have been created in the process of regionalization – we can't get it. You can't get it. Has anyone tried to get it? You say that regionalization of health care and other systems is more effective, but you don't have the guts to put the real figures out in the public realm. [interjections] Well, why don't you do it?

### **Speaker's Ruling Addressing the Chair**

THE DEPUTY SPEAKER: Hon. member, the Chair would remind you as a new member that you are dealing with the Speaker. If you're going to yell, I guess you should yell at the Speaker. We'd advise you not to do that. If you can direct your questions through the Speaker and address your comments to the Speaker, as opposed to some minister, that's helpful in debate, just as it is for other hon. members when replying, to reply through the Chair.

With that admonition in mind, Edmonton-Riverview.

MRS. SLOAN: Thank you. Thank you, Mr. Speaker, for the reminder. I don't think it was the volume of my voice but what I was saying that was agitating the members across the way. I

think it was the truth in my statements that in fact was getting their goat. So I'll certainly respect your provisos.

### **Debate Continued**

MRS. SLOAN: The point I was attempting to make before we had our dialogue was that if this government was truly committed to openness and accountability, they would allow any private citizen, any health care worker, any teacher, anyone to get any information they chose.

DR. TAYLOR: Smile. You look a lot better when you smile.

MRS. SLOAN: I can smile at you, but that doesn't mean I respect you. That doesn't extend to the Speaker.

All right. We have, Mr. Speaker, multimillion dollar budgets.

THE DEPUTY SPEAKER: Order. Hon. members, just because the Oilers have won 4 to 3 is no reason for us to shout. I'd like to be able to hear the comments by the hon. Member for Edmonton-Riverview without all of the catcalls.

Edmonton-Riverview.

MRS. SLOAN: Thank you. We have currently, Mr. Speaker, regional health authorities in this province that are administering and managing multimillion dollar budgets, and in the absence of their being in the Freedom of Information and Protection of Privacy Act, truly the citizens of this province and the stakeholders in those systems have no way of accurately judging their administrative and management accountability. We cannot access either through the RHAs or through the ministry the information that is required to make informed decisions, whether it entails how we vote as citizens or whether it entails decisions about how care is delivered and what complement of staff is hired by the regional health authorities to do that.

I think there have been many instances in the last three to four years where there is no question, had the health sector been covered by the FOIP Act, that citizens in this province would have accessed it. And I will tell you why. I will tell you, because for some citizens in this province their family member's entrance into the health care system prompted them to be subjected to undue waits, increased lengths of stay, increased complications, and in some cases, Mr. Speaker, it also caused their death. Those family members, specifically one family of a two-week-old infant who was admitted to the University hospital emergency, a department I know well, is still waiting for the information and the explanation as to why their child was punted around the city of Edmonton for an entire evening before that child was treated. [interjection]

THE DEPUTY SPEAKER: Hon. minister responsible for science, research, and information technology, when you have your opportunity to speak, we'll ask you to speak. In the meantime, please let us listen to the hon. Member for Edmonton-Riverview.

**9:40**

MRS. SLOAN: I was speaking about an infant death, I believe. Two weeks old and a first child of two parents, who through no fault of the child or the parents suffered appendicitis and was subjected to being punted around the city in an ambulance. Those parents a year after the fact are still waiting for an explanation.

Do you think, if they could, they would use the freedom of information Act to get what information they can't get from the

regional health authority? I think so. But they do not have that ability. Why don't they have that ability? They don't have the ability because this government doesn't have the courage to really stand up to what they say in words and to put those entitlements in the freedom of information Act.

My question is: why wait? Why wait? If you are all that you say you are and you have the strength and the support of the majority of citizens in this province, why wait? [interjections]

I think the comments that are being made by the member across the way project a very, very narrow and shallow view of what the freedom of information is about. In fact, if Albertans knew they could rely on this Act . . . The truth is that most of the human sectors – education, health care, social services to a degree – still cannot be accessed under freedom of information. So my hon. member across the way says: well, who uses it? It's just the Liberals; it's special interest groups. Not so, Mr. Speaker. Not so, and if in fact the true breadth – it's a facade to call it freedom of information when you patchwork it together. I'm sure that there is not much expertise in quilting in this government, so even to say that we're quilting I think is a bit of a stretch. We're putting it together one piece at a time. I am all for freedom of information, but let's have the guts to say that it covers the scope of the province and the scope of the services that this government delivers. This Bill does not. It does not. Without exception, this Bill does not.

So I would conclude by saying that if in fact the hon. members across the way have the collective spirit to propose a Bill to this Assembly that in fact puts forward freedom of information for all sectors at one time with no exclusions, no piecemeal, this side of the House would absolutely, unequivocally support it. That would be the end of it, and I think the citizens of this province would be all the richer for it. But this is not the case, Mr. Speaker. Bill 1 does not do it.

As the health care system and the education system and other systems of government are subjected to rapid changes, we will continue to suffer the human consequences of those changes, and we will still bar the citizens of this province from the right and the ability to access the information, whether it's statistical or fiscal or otherwise, from these government departments. That is a grade, that is a track record that I, Mr. Speaker, would be ashamed to be part of, and I am quite content this evening to voice my opposition on behalf of the constituents of Edmonton-Riverview. I am quite content to voice my opposition on behalf of the stakeholders in the health care system. I am quite prepared and content to voice my opposition to this Bill as someone who believes in the freedom of democracy and that that freedom of democracy extends to being able to access information about how our money is spent and how decisions are made.

Thank you.

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

**DR. NICOL:** Thank you, Mr. Speaker. Just a few brief comments on Bill 1. It appears that what we see here is a government that's going ahead and trying to differentiate between different parts of the service provision function of the government so that we end up with no real mechanism in place to look at the transactions that go on between some of the agencies and the central government in terms of how their decision process is arrived at, how their programs and their communications are carried out.

When I look at the basic function of the Bill – as it's been explained a number of times, it has basically two parts to it. One is to strike out private colleges and separate them and how they're treated within the relationship to government and the relationship to the people of the province from other colleges in the system. I don't see why, if they're using public dollars, they should be treated any differently than a college that operates under a public umbrella as opposed to a private ownership umbrella. It's the idea that they have to be answerable for the expenditure of those public dollars, and that component of their activity should be subject to the same constraint, the same openness, the same availability as an agency that operates totally within the public environment.

I can't in my own mind or on behalf of the constituents of Lethbridge-East justify supporting that part of the Bill that's going to deal with the separation and the differentiation of agencies performing the same function, one treated differently because it's operated privately as opposed to the others that are operated as a public agency. To me that differentiation should not exist. We should not be implementing the first part of the Bill that essentially exempts private colleges.

In fact, Mr. Speaker, I think that what we should be doing is going onto the other part of the Bill where they break out some of these functional categories within the service provision sector and the administrative sector and include some of those private agencies there, like private schools, like private providers of health care in terms of some of the agencies that provide extended care, long-term care for patients under the health services. They should be added to it as well, because they are, in essence, using public dollars, and they should have to face up to and meet the same accountability of the expenditure of those public dollars as an agency operated under a public umbrella.

I guess I would just say that under that first part I see myself debating why we're excluding and creating different categories, different levels within that framework of accountability. My interpretation of it – in the conversations I've had with my constituents, they feel that if there are public dollars involved everybody should be treated the same, and they should all be subject to the same provisions of accountability. Instead of actually taking out private colleges, we should be adding in all these other private institutions that provide competitive services with our public institutions. So I can't agree with the first part of section 2.

In terms of the idea that the Bill goes through and creates an open time frame for different agencies within the provision of service, whether it's hospitals, whether it's schools, whether it's municipal governments – to have these broken out and subject to different time frames and subject to different levels of application, I think, is not in keeping with the idea of equal treatment of institutions and agencies that are using those public dollars.

So when we want to bring each one of them under the umbrella of this freedom of information, we've got to keep that accountability consistent across all of the public agencies and the private agencies that use our public dollars. I would suggest that in essence what we're doing here is taking a step away from the objectives that were put in place with our original freedom of information legislation, which has been enacted and amended by this Legislature. We want to make sure that kind of equal treatment and equal accountability exists across all agencies that are using our public dollars.

So, Mr. Speaker, I think that with those few words and those few general umbrella comments on the principles of this Bill, I

would ask everybody in the Legislature not to vote for it. Thank you.

9:50

THE DEPUTY SPEAKER: Hon. Member for Calgary-Buffalo, my records show that you've already spoken on second reading of this Bill.

MR. DICKSON: I have indeed, Mr. Speaker. I wasn't going to address the merits of the Bill. I was simply going to move that in the event there is a . . .

THE DEPUTY SPEAKER: Hon. member, this is rather irregular I think. Maybe one of your colleagues could move whatever it is that you have in mind.

Hon. Government House Leader.

MR. HAVELOCK: Yes, Mr. Speaker. Thank you. I move that in the event there is a division, the time between the bells be reduced to one minute.

THE DEPUTY SPEAKER: May we have unanimous consent to waive Standing Orders, changing the bells to only one minute if a division occurs?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? Carried.

We have, then, before us for second reading, Bill 1, Freedom of Information and Protection of Privacy Amendment Act, 1997, as moved by the hon. Premier. All those in support of this motion for second reading, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

[Several members rose calling for a division. The division bell was rung at 9:53 p.m.]

[One minute having elapsed, the Assembly divided]

[The Deputy Speaker in the Chair]

For the motion:

|          |           |           |
|----------|-----------|-----------|
| Amery    | Havelock  | McFarland |
| Broda    | Herard    | Renner    |
| Cao      | Hierath   | Severtson |
| Cardinal | Jonson    | Shariff   |
| Clegg    | Klapstein | Stelmach  |
| Coutts   | Laing     | Stevens   |
| Doerksen | Langevin  | Strang    |
| Dunford  | Lund      | Taylor    |
| Evans    | Magnus    | West      |
| Graham   | Mar       | Yankowsky |
| Hancock  | Marz      |           |

Against the motion:

|           |           |       |
|-----------|-----------|-------|
| Bonner    | MacDonald | Nicol |
| Dickson   | Massey    | Sloan |
| Leibovici |           |       |

|         |          |             |
|---------|----------|-------------|
| Totals: | For - 32 | Against - 7 |
|---------|----------|-------------|

[Motion carried; Bill 1 read a second time]

[At 9:58 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]