

## Legislative Assembly of Alberta

**Title:** Tuesday, February 3, 1998 1:30 p.m.

Date: 98/02/03  
[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon. Let us pray.  
Our Father, we thank You for Your abundant blessings to our province and ourselves.  
We ask You to ensure to us Your guidance and the will to follow it.  
Amen.  
Please be seated.

head: **Presenting Petitions**

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

MR. LOUGHEED: Thank you, Mr. Speaker. Today I'm presenting a petition sponsored by People Against Impaired Driving. This petition is signed by more than 5,000 concerned Albertans. They urge this Assembly to consider mandatory licence suspensions for any driver charged with impaired driving or refusing to provide a breath sample or a blood sample.  
Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. This afternoon I beg permission to present two petitions: the first, signed by 354 citizens, asking that the Legislative Assembly "freeze per pupil grants . . . to private schools at \$1,815 per funded student," the second, from 576 citizens, asking that all payments to private schools be ended.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I have two petitions today. The first is signed by 120 people mainly from my riding and parts of Edmonton, and they are urging the government to "freeze per pupil grants of public money to private schools at \$1,815." The second one is signed by 66 people urging the government to reduce the grants of public money to private schools to zero.

head: **Reading and Receiving Petitions**

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Mr. Speaker. I would ask that the petition I presented last week now be read and received.

THE CLERK:  
We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to limit funding to private schools to the current (1996/97) level of \$1,815.00 per student.

head: **Notices of Motions**

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I am giving notice that tomorrow I will move that written

questions and motions for returns stand and retain their places on the Order Paper.

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

MR. SAPERS: Thank you, Mr. Speaker. I would like to give notice of a motion that at the appropriate time I will propose the following:

Be it resolved that this Legislative Assembly recognize the fine work that over 40,000 Albertans will be doing in canvassing the province during the Heart and Stroke Foundation's Heart Month.

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

MR. GIBBONS: Thank you, Mr. Speaker. I'd like to propose at this time a notice of motion.

Be it resolved that . . . this Assembly recognize and congratulate Crime Stoppers for its success in raising over \$120,000 in a telethon this weekend to support the Crime Stoppers program in Edmonton and northern Alberta.

head: **Introduction of Bills**

### Bill 4 Libraries Amendment Act, 1998

MRS. O'NEILL: Mr. Speaker, I request leave to introduce Bill 4, entitled the Libraries Amendment Act, 1998.

The purpose of the bill is to reflect community input for change while building on the existing legislation to provide a better structure for library service delivery in Alberta.

[Leave granted; Bill 4 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I move that Bill 4 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

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

### Bill 6 Dangerous Goods Transportation and Handling Act

MR. MARZ: Thank you, Mr. Speaker. I request leave to introduce Bill 6, being the Dangerous Goods Transportation and Handling Act.

The primary purpose of this bill is to bring the provincial statute in line with the federal statute.

[Leave granted; Bill 6 read a first time]

MR. HAVELOCK: Mr. Speaker, I move that Bill 6 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

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

### Bill 12 Alcohol and Drug Abuse Amendment Act, 1998

MRS. BURGNER: Thank you, Mr. Speaker. I request leave to

introduce a bill being the Alcohol and Drug Abuse Amendment Act, 1998.

This bill provides for the release of confidential information under compelling circumstances in accordance with the recommendations of the Auditor General.

[Leave granted; Bill 12 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I move that Bill 12 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

**Bill 13**  
**Alberta Personal Property Bill of Rights**

MR. HIERATH: Mr. Speaker, I request leave to introduce Bill 13, the Alberta Personal Property Bill of Rights.

The principle of this bill is to ensure that title to tangible personal property in Alberta shall not be taken without reasonable compensation.

[Leave granted; Bill 13 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I move that Bill 13 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

**Bill 14**  
**Alberta Science, Research and Technology**  
**Authority Act**

DR. TAYLOR: Mr. Speaker, I request leave to introduce Bill 14, being the Alberta Science, Research and Technology Authority Act of 1998. This being a money bill, His Honour the Lieutenant Governor recommends the same to the Assembly.

This act combines two acts into one and two boards into one, continuing the government goal of promoting efficiency and reducing duplication.

Thank you.

[Leave granted; Bill 14 read a first time]

**head:**                    **Tabling Returns and Reports**  
**1:40**

MR. JONSON: I am pleased to table with the Assembly four copies of the annual report of the Alberta Dental Association for the fiscal year ended June 30, 1997, and further, Mr. Speaker, I would like to table with the Assembly four copies of the annual report 1996-97 of the Alberta Registered Dietitians Association. Copies of these reports can be obtained from my office.

Thank you, Mr. Speaker.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to make two tablings. The first is a letter sent to the minister of environment from the Canadian Federation of Independent Business

indicating that the privatization of the licensing scheme is going to make it not affordable for vendors and will certainly affect customer service and that they'd like a chance for public input and that it's a bad scheme at the very least. The second letter is from a small store owner in Namao and expresses his concern about what the privatization of this licensing scheme will do and that it will certainly not make any money for the vendors and be an inconvenience to customers.

MRS. McCLELLAN: Today I am pleased to file copies of a letter that I have sent to the executive director of the Heart and Stroke Foundation of Alberta on the occasion of the February heart fund campaign. Fifty-six percent of Albertans volunteer. We are proud to recognize the some 40,000 volunteers that will work on their behalf. Mr. Speaker, volunteer spirit is alive and well in Alberta.

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

MR. BONNER: Thank you, Mr. Speaker. I have two tablings today. The first is For Profit, Two-tier Health Care: Cure or Curse. This is a document prepared and distributed by SALT, the Seniors Action and Liaison Team.

My second tabling is a paper on the population projection of seniors in Alberta, and this was compiled for the Alberta Growth Summit by Alberta Treasury.

Thank you.

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

MR. STELMACH: Thank you, Mr. Speaker. It's my pleasure today to table with the Legislative Assembly the Agriculture Financial Services Corporation annual report 1996-97.

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I'd like to table the requisite number of copies of a letter to Mr. Ian Proctor, president of the Crime Stoppers Edmonton Association where I offer my congratulations for the association's success in raising over \$120,000 in their annual telethon this past weekend.

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

MS CARLSON: Thank you, Mr. Speaker. I'd like to table four copies of a letter from Cliff Wallis of the Alberta Wilderness Association and petitions signed by nearly 1,500 individuals expressing their concern about the current agricultural lease review process and the ongoing sale of public lands.

**head:**                    **Introduction of Guests**

MR. KLEIN: It gives me great pleasure today to introduce a very, very special guest: the United States ambassador to Canada. He's sitting in your gallery, Mr. Speaker. His Excellency Gordon Giffin, the newly appointed U.S. ambassador, has recently arrived to undertake his duties in Ottawa. This isn't his first visit to Canada. He spent 17 years here as a young student in elementary and junior high school and in high school.

I would like to take this opportunity to officially welcome him to Alberta and to wish him a most enjoyable and productive stay in our province. I look forward to his frequent visits to Alberta.

He made the comment – and I'm sure he doesn't mind me repeating it – that the consul general here got the good job and he had to go to Ottawa. His Excellency is indeed accompanied today by Lisa Bobbie Schrieber Hughes, who is the U.S. consul general in Calgary, whom we welcomed to Alberta a short time ago, and Ms Scotty Greenwood. I would invite the hon. members of this Legislature to join me in welcoming all of them to this Assembly. Thank you.

MR. JONSON: Mr. Speaker, it is my pleasure to introduce to you and through you to members of the Assembly Dr. Rowand Nichol, president elect of the Alberta Medical Association. He is seated in the members' gallery, and I would ask Dr. Nichol to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Education.

MR. MAR: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to members of the Assembly approximately 168 people that are scattered throughout both galleries and throughout the afternoon, home schooled students in grades 5 and 6 and also their parents. This government is supportive of parents' choice in how they educate their children, and home education certainly represents one of the many options open to Albertans. I would ask these guests to stand and please receive the warm welcome of this Assembly.

MR. SHARIFF: Mr. Speaker, I'm pleased to introduce to you and through you to the members of this Assembly two family friends, Charlotte and Nathan Riegel. I request that they rise and receive the traditional warm welcome of this Assembly.

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

MR. BONNER: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you today to Members of the Legislative Assembly Phylis Matousek and the other members of her group: Irene Payne, Clare Botsford, and Marguerite Meneely. They are seated in the members' gallery, and with your permission I ask that they stand and receive the warm welcome of the Assembly.

head: **Ministerial Statements**

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

### Year 2000

MR. WOLOSHYN: Thank you, Mr. Speaker. The year 2000 challenge: many people have heard the term, but what does it mean to government, business, and our ordinary Alberta citizens? Briefly stated, the year 2000 challenge is a computer concern caused by the use of two-digit year coding in computer programs and hardware. This has occurred since the early days of the computer in order to save storage space, which at that time was very limited. Therefore, today a computer would recognize the two digits of, say, '98 as 1998. However, when the year changes to 2000, the computer system may very well recognize the year as 1900. This could potentially cause problems in cases where calculations are made or where an operation is time related. As well, there is also a potential for problems in any systems that contain a microchip, such as building temperature gauges and security systems.

The Alberta government has taken proactive measures to correct these problems before the year 2000. The Ministry of Public Works, Supply and Services along with the office of the chief information officer has been working closely with all government ministries since 1996 on the necessary stages toward year 2000 compliance. This includes assessment of the systems and determining which applications are most critical, decisions regarding replacement or repair, and testing to ensure compliance. Each government ministry has individuals dedicated to this challenge, and ministries with extended stakeholders are also reaching out to them regarding this problem, providing advice and information.

Since June of 1997 the ministry of public works has had in operation a year 2000 challenge Internet site to keep the public apprised of steps being taken. However, it's important to stress that this problem affects all types of organizations who use computer systems and microchips. Private-sector companies are also being faced with these challenges. The federal government set up in the fall of 1997 a Task Force on the Year 2000 committee comprised of 14 chief executive officers from various industry sectors. This group of dedicated individuals has prepared a report with recommendations to the Minister of Industry Canada to assist both governments and private-sector companies become more compliant by the year 2000.

Mr. Speaker, the Task Force on the Year 2000 presented its report today at a news conference in Toronto. My ministry will be reviewing their recommendations in greater detail, but I can assure you that the government of Alberta has a well-defined plan to reach our goals. We also encourage the private sector to develop plans immediately if they have not already done so. We all must work together to take us successfully into the next millennium via the computer.

Thank you, Mr. Speaker.

1:50

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. As the newly appointed critic for Public Works I'm happy to respond on behalf of the Alberta Liberal caucus. The year 2000 is rapidly approaching, and the need for computer compliance and computer upgrading is indeed critical if we're going to ensure smooth entry into the next millennium, so in this regard I want to compliment the minister and his government for taking some initiatives and some initial steps in that regard.

In this Legislature during a debate pertaining to the designated Committee of Supply in 1996, we also raised this issue and basically asked the government to move forward with an initiative in this regard. At the same time, we also asked for periodic updates, so we receive that today as a positive step in that respect. We're looking forward to the recommendations of the Task Force on the Year 2000. We recognize the important role that the government of Alberta has in supporting this initiative, which houses itself basically in the business community, but there are major applications at all sectors and within government too.

In that regard, I'd like to ask the government to kindly look into what it is they are specifically doing to assist, for example, the regional health authorities, the school boards, the municipalities, the universities, colleges, and technical institutes. It's important to keep Albertans informed on this progress, and it's equally important to keep all of those constituent communities gearing up for the new millennium. In fact, the Auditor General noted that the province has a responsibility in this respect to ensure compli-

ance in these operations, and that doesn't just mean the provision of money alone.

For example, last month the regional health authorities I believe were given something in the order of \$40 million for computer upgrading and computer compliance, but I wonder if that amount is sufficient and whether or not a specific needs assessment has been done to see if that is going to be enough money. I'd ask the government to take a look at that. I'm not saying it isn't. I'm just saying please check into it and see if that specific example suits the RHAs.

Another critical area to address, Mr. Speaker, is the interdependent work that gets done between the provincial government and the federal government where massive amounts of very critical information are exchanged. Areas like taxation, old age pensions, police services, education, and health care are a few examples where this upgrading is necessary, and I'm wondering how quickly the government of Alberta is proceeding toward that step.

The final point I would make is with respect to the critical area of services provided by utility companies and what the role of this government is with respect to helping out and ensuring an uninterrupted of services that are provided to us regarding the critical areas like natural gas and water flow.

In conclusion, I want to wish the minister and the newly appointed province's chief information officer – is it? – every success with this particular endeavour. It has the full support of this caucus, and I'm sure it'll have the full support of Albertans.

head:

### Oral Question Period

#### Video Lottery Terminals

MR. MITCHELL: Mr. Speaker, the government of Alberta doesn't sell cocaine or heroin to make an extra buck, because that would exploit people's addictions, which is morally wrong. The government of Alberta doesn't run brothels to make an extra buck, because that would exploit many unfortunate young women, which would be morally wrong. But the government of Alberta is happy to provide video slot machine gambling, which exploits people's addictions, which is morally wrong. To the Premier: where is it written that just because you can make money from VLTs, you should?

MR. KLEIN: Mr. Speaker, I don't think it's written anywhere. But I fail to see the point the leader of the Liberal opposition is trying to make. First of all, VLTs are legal. They are legal under lotteries. There is nothing in the Criminal Code that makes VLTs illegal. The federal government made them legal. The federal government determines what is legal and what is not legal under the Criminal Code. To relate VLTs to cocaine and heroin and prostitution is equating something that is legal, i.e. VLTs, to something that is clearly and absolutely illegal under the Criminal Code.

MR. MITCHELL: We're not talking legality, Mr. Speaker; we're talking morality in this case. It's an important distinction.

Mr. Speaker, since it is now very clear that this government doesn't need video slot machine money to keep funding community groups or churches or other charities, why does this government need video slot machines at all? Could he give us some justification? Any justification?

MR. KLEIN: Well, Mr. Speaker, what I will do is ask the hon. Minister of Community Development to supplement relative to

where these dollars go and how they go for the benefit of the community at large and maybe some specific examples.

Mr. Speaker, getting back to, again, the question of morality and legality, I'm wondering if the leader of the Liberal opposition, since he has alluded to the illegality or has equated VLTs to illegal activities – i.e., cocaine and heroin and prostitution – would like to go up to Teddy's, say, on Jasper Avenue, where there are VLTs, and tell those people who are playing: "Get off those machines. You folks, you are doing something that is evil and illegal." I don't think so.

MRS. McCLELLAN: Mr. Speaker, I will keep my comments brief and factual. I would remind the hon. member that the Alberta Foundation for the Arts provides funding for development of young artists. Whether they be visual or performing, artists in this province are supported by this. I would remind him that the Alberta Sport, Recreation, Parks, and Wildlife Foundation develops young athletes – some athletes that are going to the Olympics this week to represent our province probably have had some developmental funding – develops coaches, referees.

Community lottery boards: a new program will put \$50 million of video lottery funding directly into community boards to decide on the priorities in their communities. The community facility enhancement program has assisted communities across this province in capital needs in their communities, in my own area, in the arenas that our young people are in, in our curling rinks, in some cases in golf courses.

The Wild Rose Foundation. Mr. Speaker, we talked today about the Heart and Stroke Foundation and their 40,000 volunteers. The Wild Rose Foundation funds volunteer groups across this province.

MR. MITCHELL: Mr. Speaker, why do the Premier and the Minister of Community Development continue to justify video slot machines on the basis that the money goes into these worthwhile community groups when in fact they have plenty of money from other sources of funds without ever having to use video slot machine money to go into these groups? They keep saying it because it's the only remotely moral justification they have, and as soon as that's gone, they can't justify it. Give us a justification. [some applause]

MR. KLEIN: You finished? [some applause] Thank you. I appreciate the applause. Thank you very much. I appreciate the applause, Mr. Speaker, especially coming from that side.

Again, I'll have the hon. minister supplement relative to the question of addiction and perhaps the chairman of the Alberta Alcohol and Drug Abuse Commission.

2:00

Mr. Speaker, as I explained to the media yesterday, yes, there was a time when the government could fund a number of nonessential but very nice to have programs in this province strictly out of general revenues. I remember the community recreation/cultural grant program many, many years ago. That's when indeed hundreds of millions of dollars were rolling into this province. That's when indeed the heritage fund was being built. That indeed is – and I'm only told this – when the government of the day was being challenged to find ways to spend money and when we were funding huge projects like for instance the Calgary Centre for Performing Arts, many large cultural centres especially as they relate to ethnic organizations, worthwhile facilities even today, some that found themselves in difficulty in terms of

operating costs but nonetheless marvelous facilities. All you have to do is look at the facilities that were built in Lougheed park in northwest Edmonton. They are magnificent facilities, and a lot of these dollars went to support smaller community endeavours.

As the opposition well knows, as we all know as Albertans, we hit the wall. We started to generate deficits to the point where we were generating deficits of \$3.4 billion a year, adding to the accumulated debt. In order to sustain these programs, we had to look for new sources of revenues. Lotteries came into being. Included in the lottery programs, at a later date mind you, were VLTs. It was thought that this would be a good source of revenue to sustain these worthwhile and very, very positive community endeavours, Mr. Speaker.

### **Speaker's Ruling Brevity**

THE SPEAKER: Hon. members, we've now spent well beyond 10 minutes in this first series of questions, and I have before me some 16 members who've indicated that they want to raise a question.

I also draw to the attention of all members that there are motions other than government motions on the Order Paper and that the purpose of question period is to ask brief questions and respond briefly. We'll get to the debate when they come up in ensuing weeks from now in terms of the various motions.

Second Official Opposition main question. The hon. Member for Calgary-Buffalo.

### **Private Health Services**

MR. DICKSON: Thanks very much, Mr. Speaker. Despite all of the evidence that private, for-profit health facilities will hurt, not help Albertans, this government continues its pursuit of U.S.-style health care. The Premier late last week acknowledged that amendments expected to the Hospitals Act will create greater opportunity for more private health care. So my question is to the Premier. Why does this Premier persist in greasing the wheels for more private health care facilities since the only Albertans who stand to benefit are those few who have shareholdings in those corporations?

MR. KLEIN: Mr. Speaker, I'm not greasing the wheels for anything. I really don't know the point of the hon. member's question. Certainly the Minister of Health has come out with a very clear statement relative to legislation that will be introduced to look at the whole question of so-called private hospitals. I can tell you this: if anything happens that violates the fundamental principles of the Canada Health Act, it simply won't happen.

MR. DICKSON: Well, Mr. Speaker, if the hon. Premier is so concerned about following the principles of the Canada Health Act, will he undertake now for the benefit of all Albertans that under his new amendments approval for any private health care facility would have to come from an all-party committee of MLAs, not simply from the minister and a small group of hand picked advisers?

### **Speaker's Ruling Anticipation**

THE SPEAKER: Once again, hon. members, the purpose of question period is to solicit information with respect to government policy. We will have before this Assembly a debate on such bills on the Order Paper. The purpose of question period is not to debate or to initiate an upcoming debate.

### **Private Health Services**

*(continued)*

MR. KLEIN: Well, I can only reiterate what you've said, Mr. Speaker. There will be plenty of time to debate that issue when the legislation comes forward.

MR. DICKSON: Mr. Speaker, my final question to the Premier would be this: since he's given notice he's bringing in such a bill, will he undertake right now that before any such bill is voted on in this Assembly, he'll undertake a series of public consultations so all of his severely normal Albertans can be heard on the question of the expanded role of private health care facilities?

MR. KLEIN: Mr. Speaker, the legislation, as I understand it – and I'm not going to get into it because it will be debated later on in this Legislature – is pretty straightforward. Basically, it speaks to abiding by the fundamental principles of the Canada Health Act, and it speaks to the minister having the authority to make a determination as to whether indeed a specific proposal does or does not violate that act. I will have the hon. minister supplement.

MR. JONSON: Yes, Mr. Speaker, if I might supplement. As the Premier has outlined, I think the purpose of the bill, which members of this House have certainly supported at other points in time, including members across the way, is to make sure in a very clear fashion that anything that might come forward by way of a proposal is considered in light of adhering to the principles of the Canada Health Act and in no way is detrimental to our public health care system. I could go on with some other criteria. It is something that is, I think, very straightforward.

THE SPEAKER: Third Official Opposition main question. The hon. Member for Edmonton-Riverview.

### **Child Welfare**

MRS. SLOAN: Thank you. Fifty-two children have died while under government care since 1994: only six fatality inquiries held, no public inquiries on record. Despite at least 13,000 incidents of abuse per year, using the department's own figures, the ministry continues to hide the percentage of children and only reports those kept free from abuse and neglect. Children's Advocates since 1994 have repeatedly said that the incidence of abuse and neglect and deaths were increasing and were under-reported by government. My questions are for the Minister of Family and Social Services. When will the minister commit to report in a comprehensive and consistent manner the number of children abused, neglected, and who have died under the care of government?

DR. OBERG: Thank you, Mr. Speaker. As you know, yesterday I tabled the children who died in child welfare care from April 1, 1997, to January 15, 1998. Every one of the children that has died in care has been reported to this Legislature since I have been minister.

The hon. member is asking a very important question, especially when it comes to the Fatality Review Board. The Fatality Review Board is an independent board that decides when and if inquiries should take place. I draw your attention to some of the cases that I tabled yesterday. The cause of death of case 8 was a single-vehicle car accident. We have a SIDS death. We have

acute disease due to seizure disorder and cerebral palsy, respiratory failure, spina bifida, cardiac arrest, pneumonia, and pneumonia due to seizure disorder.

Mr. Speaker, the fatality review committee makes the decision as to whether or not there is a fatality inquiry. This department has absolutely nothing to hide. If there is anything at all that we can change to make the lives of children in Alberta better, we will do it.

THE SPEAKER: Government House Leader, do you want to supplement?

MR. HAVELOCK: Mr. Speaker, just to add, I'd like it to be made absolutely clear that in cases where an individual dies while a ward of the government, under the Child Welfare Act the Fatality Review Board must – and I repeat “must” – recommend that a fatality inquiry be held unless the board is satisfied that the death was due entirely to natural causes, that the death was not preventable, and that the public interest would not be served by a fatality inquiry. Therefore, in those instances where the board determined not to hold an inquiry, those conditions were fulfilled.

2:10

MRS. SLOAN: Perhaps the minister could tell us why the medical examiner doesn't provide an annual report any longer.

How can the public trust this government's ability to conduct an investigation and improve department practices when they will not consistently report the incidence of abuse, neglect, and deaths of children in care?

MR. OBERG: Mr. Speaker, as I just finished saying, we do report the number of children who died. We have given the individual case circumstances with regard to abuse and neglect. The hon. member is absolutely right; we do put as a goal in our business plan the number of children that do not have abuse or neglect, but that number is like 87, 90 percent, 95 percent. So let's see: 100 minus 95 equals five. In a perfect department, in a perfect world that number would be zero. This department strives to have that number as zero.

MRS. SLOAN: Perhaps the minister would like to inform the Assembly of case 10 in his report tabled yesterday: death for an undetermined reason, no explanation, no fatality inquiry, no public inquiry. What is the rationale for that?

DR. OBERG: Absolutely, Mr. Speaker. I would love to. Case 10 was a 17-year-old girl who died on January 6, 1998. The cause of death was undetermined, and the initial results indicate possible pneumonia. “Full autopsy reports will be available within three months.” If that autopsy report shows anything suspicious at all, there will be a fatality review committee. As the hon. Justice minister just reported, automatically there is a Fatality Review Board inquiry into this. If they deem that the causes were natural causes and the citizens of Alberta would not be served by an inquiry, they won't hold it, but if there is anything suspicious in that death, there will be a fatality inquiry review.

THE SPEAKER: The leader of the ND opposition.

DR. WEST: To politick at the expense of tragedy: that's a shame.

MS BARRETT: For once I agree with the Energy minister.

### Health Care Premiums

MS BARRETT: Mr. Speaker, I was advised by a Health department official this morning that the department has a system of tracking those in health care arrears. What they do is kick you out of the system. They take away your health care card after one year if there's been no activity on the account. The constituent to whom I referred yesterday in question period was only in arrears by three months. She was unemployed, she's 55 years old, and she had two choices. She could either make her health care premium payment, or she could make the \$60 a month that she needed in medications to control her kidney infection. My first question to the Health minister is this: under those circumstances, what would have been his choice?

### Speaker's Ruling Seeking Opinions

THE SPEAKER: Well, hon. member, the question period, again, is not a situation or an environment where you seek opinions. The purpose of question period is to deal with government policy. So let's have a question. You've already used your first question. Move to your second one.

MS BARRETT: Well, let's see if he wants to answer it.

THE SPEAKER: Hon. member, if you don't want to proceed with your next question, we'll move forward.

MS BARRETT: I will.

### Health Care Premiums (continued)

MS BARRETT: Is it not the case, then, that the department's policy is actually intended to smoke out the poorest people of the province, subject them to collection of their health care premiums by collection agencies which go on to charge 19 percent interest on those accounts? Isn't that the real reason for this policy?

MR. JONSON: First of all, Mr. Speaker, I would like to emphasize that there was no issue in this case, as I understand it, or in any other case as to care being provided. The individual was provided with care.

Now, with respect to the second point that the member is making: no. The purpose we have for tracking and wanting to know that people in fact are in the province – it's there for a very good reason. We have a process in the department whereby we endeavour to verify that a person is a resident in the province so that full benefits and coverage can be provided, or if they are not in the province or if something has happened with respect to a health care card, we can track that down and adjust our regulations and our billing accordingly. In a case such as this – and I want to be very careful not to, in any way, violate the privacy of the individual. All that is necessary in this particular case or any other such case is that it be possible for Alberta Health to contact the individual.

MS BARRETT: Pretty flimsy.

Mr. Speaker, maybe the Family and Social Services minister can help out on this series of questions. Is it his department's policy in denying welfare, SFI, to people who don't have a valid health care card – is this policy in place to make sure that the poorest people pay their health care premiums, to deny them access to SFI, or both?

DR. OBERG: Mr. Speaker, the answer is that every person on SFI receives medical benefits, receives the premiums paid for. Any person who is on AISH, who's on SFI, who is under programs given out by this department has their medical premiums paid for.

THE SPEAKER: The hon. Member for Peace River, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert.

### Parks and Recreation Areas

MR. FRIEDEL: Thank you, Mr. Speaker. I have a question addressed to the Minister of Environmental Protection. Over the past few years the Department of Environmental Protection has moved towards contracting services at provincial parks and campgrounds to private operators. This is a move which I must say I support. There are a number of these facilities, however, for which there are no takers under the bidding process. Most of these are in remote areas where the amount of user revenue will not support the operation, and some of these are at risk of being closed. To the minister: in such cases and especially if there are no other facilities available near a community, would the minister consider special proposals from local municipalities or nonprofit organizations that would allow them to operate such parks?

MR. LUND: Thank you, Mr. Speaker. There are a number of locations – and they're not all just remote – where we do have some problem getting a facility operator or even a contractor. The process that we use: if in fact we cannot get a private-sector operator to operate the facility, then we will approach the municipality to see if they will operate it. If they decide that, no, they don't want to operate it, we then move out to service clubs, the Boy Scouts, the Girl Guides, any community organization that might be willing to operate those particular sites. So the short answer to your question is yes.

MR. FRIEDEL: To the same minister, Mr. Speaker: would he consider proposals that might include the waiving of the provincial surcharge to a municipal or nonprofit organization if this might help to attract such an operator?

MR. LUND: Mr. Speaker, that \$2 surcharge that will be on each camp stall this year was designed to build a fund to help service the infrastructure that's within the campground. Now, if a municipality, for example, or a nonprofit organization were to take over the campground and be totally responsible for it, then, yes, we would waive the \$2.

2:20

MR. FRIEDEL: Once more to the same minister, Mr. Speaker: is there any way of assuring a nonprofit operator that a facility such as we are talking about would not become subject to a municipal tax if operated in a nonprofit way?

MR. LUND: Mr. Speaker, that is a little tougher, because of course the whole issue of assessment lies partially with the local municipality. We certainly would do everything we can to encourage that that facility would not be assessed and therefore would not attract the school levy or the municipal tax.

THE SPEAKER: The hon. Member for Spruce Grove-Sturgeon-St. Albert, followed by the hon. Member for Olds-Didsbury-Three Hills.

### Hunting and Fishing Licences

MRS. SOETAERT: Thank you, Mr. Speaker. In his rush to privatize the sale of hunting and fishing licences, the Minister of Environmental Protection has arrogantly failed to consult with those affected: the hunters, the anglers, the Alberta Conservation Association, and those who sell the licences. Giving ISM corporation the contract to manage computerized licences is great for that business, but vendors won't be able to afford the joint system. My questions are to the Minister of Environmental Protection. Would the minister at least delay this ill-conceived plan and give vendors and those buying licences a chance to give input into this privatization of sales of licences?

MR. LUND: Mr. Speaker, I certainly hope that you will allow me some latitude because her preamble was so full of misinformation that I feel compelled to correct a lot of it. To start with, the whole design to move away from the department handling all of the expenditure and the sales started some 18 months ago. There were a number of groups and organizations involved. There were 30 to 40 companies and individuals that came forward with various proposals. That then was narrowed down to a much smaller number. The company that finally did end up winning the call for proposals, which incidentally was out for the public and the public had an opportunity to bid on, had gone prior to our awarding the contract to in excess of a hundred of the current vendors and asked them about the proposal: what did they think about it, and would it work? In fact, the response that came back from those was that it would.

Now, it is true that some of the small vendors that sold just fishing licences may have difficulty justifying the spending of \$1,500 to handle both the fishing and the hunting licences. But the other thing that is important in this, Mr. Speaker, is to recognize that the department will no longer be selling fishing and hunting licences. Currently only about 10 percent of the fishing licences are sold by the department, but 50 percent of the hunting licences are sold by the department. So, in fact, if you're in a community where the department has been selling, the new vendor will have the ability to pick up those sales.

MRS. SOETAERT: Thank you, Mr. Speaker. A basic concept of business is that vendors have to make a buck. How will the minister ensure that those selling licences can even break even? They can't right now. It costs \$1,500 for the machine, they have to keep a complete phone line for it, and they only make maximum two bucks on every licence sold. They can't make a dollar on this.

MR. LUND: Mr. Speaker, I guess perhaps we should go back a little bit in time and look at what has evolved over time. At one time the department sold all of the fishing and hunting licences. Then a number of people started saying, "Well, how about giving us the opportunity? We don't want any revenue from it, but give us the opportunity to sell so we can get customers into our place to sell them whatever goods might be peripheral to the selling of the fishing or hunting licence." Then gradually of course they wanted to have a fee off the sale of the licence.

Now, it's true that \$2 is the maximum, but if you consider that in fact these machines – yes, they are \$1,500, but simple mathematics: at 10 percent on your return each year of course is only \$150. So if a vendor sells, say, 200 licences, then they are breaking even. Mr. Speaker, the idea about having to have a dedicated line is not true. In fact, they can hook it into the existing phone line.

MRS. SOETAERT: I'm glad he's not the Treasurer.

Mr. Speaker, my final supplementary: does the minister realize that with none of the smaller outlets able to sell these, innocent citizens on their way to the lake are going to realize that they can't buy a licence, and then you're going to end up calling them poachers? That's what's going to happen.

MR. LUND: Mr. Speaker, I have committed that when all of the locations have been identified, we will look at the distribution and make sure that people have access to a machine.

There's another whole side to this as well that I must explain, and it probably talks to the problem that some of the vendors were having. The form that was there before was fairly long, and you had to know what you were doing when you were filling it out. Some vendors were having difficulty because they didn't have a dedicated person on that particular file. So we were having a lot of problems with mistakes on the fishing and hunting licences. We were having difficulty verifying whether in fact the individual qualified to buy a licence, and we were so far behind in getting the information from the vendors that we had difficulty managing the resource. Under the new system with the WIN number, we will know daily how many licences are sold throughout the province and within which area of the province they're sold, so it will be a great asset to our management of the resource.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Glengarry.

#### **Petroleum Tank Management**

MR. MARZ: Thank you, Mr. Speaker. My question today is to the minister of environment as well. Contaminated sites like those caused by leaking fuel storage tanks exist in municipalities throughout Alberta, and they pose major economic and development problems in those communities as well as a major environmental problem. Many of those properties are now owned by people who did not cause the pollution, and they became owners before current environmental regulations came into effect. Is the minister going to develop a program to assist these people in the reclamation costs of these sites so they can be properly and safely developed and put back on the local tax rolls?

MR. LUND: Mr. Speaker, the hon. member has identified a major problem in Alberta that speaks to the contamination of soils caused by petroleum products from leaking underground storage tanks. Back in 1992 there were some changes made to the fire code that dealt with aging underground storage tanks. At the same time, in '92, there was an industry-led group set up called the Petroleum Tank Management Association of Alberta, and they looked at different mechanisms that could assist in a lot of these sites that were orphaned or the owner did not have the wherewithal to pay for the cleanup, and in many cases, of course, they were not the people responsible for the contamination.

Over time we have been working with the Petroleum Tank Management Association of Alberta to come up with some kind of program that would address this problem. Now, we have to recognize that this is not just a little program. The estimated cost of addressing the number of sites in the province is in excess of \$200 million. So the guidelines and how the program would work is a very complicated situation that we're still working on.

MR. MARZ: Could the minister tell Albertans when they can

expect some specific action on this problem and the program will be available to them?

**2:30**

MR. LUND: Mr. Speaker, the Petroleum Tank Management Association came forward with a proposal some five, six months ago. We have asked them to come back with a lot of details. There were a lot of unanswered questions as to how the program would work. It's my understanding that they have contracted a consultant and that they are currently working on answering those questions and designing a program.

MR. MARZ: Could you share any of the details of any of those proposals, and will municipalities be expected to pay or share in any of those costs?

MR. LUND: Well, I'm sure I don't have time to go into the whole program, but basically what is being looked at is a program that would, in fact, pay something for the sites that have been cleaned up between '92 and now or whenever the program is instituted and then a larger percentage paid for the sites that are cleaned up between now and the sunset of the program, which would probably be five years.

THE SPEAKER: The hon. Member for Edmonton-Glengarry, followed by the hon. Member for Wainwright.

#### **Seniors' Programs**

MR. BONNER: Thank you, Mr. Speaker. The Alberta Liberals conducted an Ask Your Question campaign this fall to give voice to Albertans whom this Tory government attempted to silence by canceling the fall session of the Legislature. Mr. Armstrong, a constituent of Edmonton-Whitemud, wrote to us agreeing that seniors must share in reducing the debt but not disproportionately. Mr. Armstrong also noted: if it were not for PC blunders, we would not have a debt. To the minister responsible for seniors. Madam Minister, would you please answer Mr. Armstrong's question: why are seniors substantially contributing to debt reduction? Why the disproportionate burden?

MRS. McCLELLAN: Mr. Speaker, I'd be quite pleased to speak to Mr. Armstrong about this issue anytime. On the subject of seniors' contribution to the elimination of the debt and the deficit in this province, we applaud seniors in this province who have shouldered some of the responsibility. However, I will stand again and say in this Legislature that seniors' programs in this province are unparalleled anywhere in Canada.

In 1996 twelve hundred seniors, net, moved into Alberta. Twelve hundred seniors, net, moved into this province. The next highest net in-migration of seniors into any province was about 350. That was either Ontario or B.C. It escapes me now. So that tells me that seniors' programs and quality of life for seniors in this province is acceptable to seniors. But we're not willing to just stop there. We're continuing to review seniors' programs. We're continuing to look at the effects of an aging population and possibly more in-migration on our province. We will keep doing that in full consultation with seniors in this province, as has been our practice.

MR. BONNER: Secondly, Mr. Speaker, to the same minister. Mr. Armstrong has asked us to ask you: why is so much pressure being put on senior citizens to pay off the debt? What is the hurry?



MRS. McCLELLAN: Mr. Speaker, again, as I understand it, this is exactly the same question as the first one. I will say that we appreciate very much the contribution that seniors have made to this province and to assisting us in paying down the debt and the deficit. I consult with seniors a great number of times throughout the year, and seniors have told me consistently that they want the deficit gone, and it is. They want the debt eliminated, they want sound financial management, and they are prepared to work with us to ensure that we have sound financial management and sound programs for seniors in this province.

MR. BONNER: To the same minister: given that Alberta will have 30,000 new seniors by the turn of the century, why did the Premier's infomercial exclude seniors? Does it mean that this government will be further cutting benefits for Alberta seniors?

MRS. McCLELLAN: Mr. Speaker, I am a bit surprised at the question from the hon. Member for Edmonton-Glengarry. We just had a Speech from the Throne read in this Legislature, and I know the hon. member not only listened to His Honour when he delivered that speech but has looked at it in detail since. In that speech it talks about the contributions of seniors. It talks about a study, a review, of the effects of an aging population on government programs in this province.

What surprises me further, Mr. Speaker, is that I spent personally many moments with this hon. member, returning his telephone call to discuss that program in detail. So the hon. member, I believe, does have some of these answers. Yes, it was identified in the Speech from the Throne. Yes, we are doing an impact on aging population in this province. And in case it was a bad connection, I would be happy to discuss it again. I also agreed to keep the hon. member informed on progress on that study.

THE SPEAKER: The hon. Member for Wainwright, followed by the hon. Member for Edmonton-Mill Woods.

### Social Services Agencies

MR. FISCHER: Thank you, Mr. Speaker. My question is to the Minister of Family and Social Services. Across the province employees of the nonprofit community agencies that provide services to adults with developmental disabilities have made you and other MLAs aware that their pay schedule is approximately 20 percent lower than their unionized counterparts. Their starting rate is around \$6 an hour, and the maximum is \$10.50. The services they provide are vital to the well-being of many of our former patients from the Michener Centre as well as other mentally challenged individuals. I cannot stress enough the importance of these employees for the help and services that they make to these handicapped people. Why is your department not paying this group of employees near or equal to the unionized employees that do similar work?

DR. OBERG: Thank you, Mr. Speaker, and thank you to the hon. member for asking me the question. First of all, I'd like to say from the outset that these agencies are extremely valued by this department and do an extremely good job. Interestingly enough, these same agencies have not had a raise in the amount of money that they have received, not for three years, not for four years, but actually for 12 years. This is something that I have been made aware of, and it's something we will be addressing in the near future.

MR. FISCHER: Mr. Speaker, is it the intent of the minister and his department to wait until these employees either quit their job for a better one or they get discouraged enough to vote to form a union?

DR. OBERG: Thank you, Mr. Speaker, and again a very good question. Obviously, it is every employee's right to vote for a union if they so choose. I can only reiterate: stay tuned. There will be something coming.

MR. FISCHER: That's it. Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Clover Bar-Fort Saskatchewan.

### Private Schools

DR. MASSEY: Thanks very much, Mr. Speaker. The government has announced a \$2.5 million increase in funding for private schools, and this was done before the task force on private schools has made its report and in the face of petitions from thousands of Albertans asking that private school funding be frozen at current levels or eliminated. My question is to the Minister of Education. Was that funding announcement based on recommendations from the task force that have yet to be made public?

2:40

MR. MAR: Mr. Speaker, I'm happy to accept my hebdomadal question today, and it gives me pleasure to be able to answer this question for the hon. member. I think it's a good question. This increase in private school funding was not as a result of recommendations by the task force. As the hon. member knows, the Member for Calgary-Glenmore has been working on this task force. The recommendations have not yet been completed, so our response has not yet been offered to the recommendations that will be coming forward when that report is complete.

Mr. Speaker, we did increase funding for private schools for two reasons. One is because of the increase in the number of students, and we funded them on a per capita basis. Also, when we announced grant rate increases for students that are in the public and Catholic systems, we increased the private funding a corresponding amount to keep it in check.

DR. MASSEY: Thanks, Mr. Speaker. Since private school funding is set by regulation, why was it necessary to guarantee funding to the year 2001?

MR. MAR: Mr. Speaker, our intention is to make decisions about private school funding upon the recommendations of the task force being complete. The hon. Member for Calgary-Glenmore has canvassed the opinions of Albertans throughout the entire province. It has been an issue that has generated a great deal of interest on both sides, both public school supporters and also private school supporters. It's not our intention to lock ourselves into a long-term commitment at a certain level. It is our intention to wait for the recommendations of the task force before we act.

DR. MASSEY: Thank you. Having made this commitment, does the minister seriously believe that private school funding could be frozen or be anything he has already announced?

MR. MAR: Well, Mr. Speaker, again to make it perfectly clear, the whole issue of private school funding arose, as the hon.

member will recall, during the 1997 session. As a consequence of a great deal of support for private schools but also support for public schools, the task force was struck and charged with the responsibility of traveling throughout the province to determine how Albertans felt on this issue. I can say categorically that the hon. Member for Calgary-Glenmore has learned more about small places in the province of Alberta that many people have never heard of, and as a result we all look forward to his report coming forward and recommendations being assessed at that time.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Edmonton-Calder.

### Impaired Driving

MR. LOUGHEED: Thank you, Mr. Speaker. Earlier this afternoon I presented a petition signed by 5,000 Albertans. It was their desire to encourage this government to act aggressively toward impaired drivers, hard-core drinking drivers, so they will be less likely to reoffend. My question to the Minister of Transportation and Utilities: what proportion of impaired drivers are repeat offenders?

MR. PASZKOWSKI: Thank you. Obviously drinking and driving is of major concern to the people of Alberta, and fortunately we have organizations such as MADD and SADD and PAID, who have taken affirmative action as far as education is concerned. Unfortunately last we year had some 8,480 people who were charged with either impaired driving or impaired-related activities. Of those, 1,818, or approximately 20 percent, were repeat offenders.

MR. LOUGHEED: Thank you. My supplemental to the same minister: has there been a precedent for the proposal for an immediate licence suspension for drivers charged with impaired driving or refusing to provide a blood sample or a breath sample?

MR. PASZKOWSKI: This is something that we're reviewing with our traffic safety initiative, and certainly the administrative licence suspension is something that we are considering and something that's being looked at from other jurisdictions that have implemented this type of a program. The Manitoba program has been in place since 1989, and at the present time it seems to be the one above challenge at this time.

MR. LOUGHEED: Thank you. My final supplemental to the same minister: what other measures has your department implemented to reduce that risk of impaired drivers?

MR. PASZKOWSKI: This is something very serious. Though our alcohol-related accidents are 6 percent of the total accidents that we have in Alberta, 23 percent of the fatalities have a direct relationship to alcohol. So this is something that is very critical and very much of a concern.

We've had a program involving suspensions in place, as a matter of fact, since 1988. For the first charge you have a one-year suspension. For the second charge it's a three-year suspension. The third charge is a five-year suspension, and you have to appear before the Driver Control Board to show that you've changed your ways and are no longer a threat on the highways before your licence can be reinstated. That's only one of the items that we have in place.

We have a major five-phase program that's in place. It

involves such things as treatment, a vehicle seizure program, a server intervention program, where indeed the people that serve alcohol to the imbibers are trained to be able to determine the level that a person becomes intoxicated at. We also have the ignition interlock program, that's been very successful. Together with that, we're looking at a fairly extensive program with our safety initiative of items to introduce to really find ways of dealing with those 23 percent of the fatalities that are alcohol related.

This is something that's serious - we're taking it very seriously - and one that we want to work on with the community through an education program. That's front and foremost, but indeed if the education program doesn't work, then we're going to have to develop an enforcement program as well.

THE SPEAKER: The hon. Minister of Family and Social Services wishes to supplement an answer given earlier during Oral Question Period.

### Health Care Premiums

*(continued)*

DR. OBERG: Thank you very much, Mr. Speaker. The hon. leader of the third party had asked me a question on health care premiums, an SFI client. She then sent me over a letter, and I would just like to explain what has happened. The person mentioned in her question came to our department. We then asked her for her health care number. Her health care number was not valid. She brought in a bunch of bills. Alberta Health this morning looked after the bills. She was reinstated with her personal health care number, and her SFI was reinstated today.

THE SPEAKER: Hon. minister, you're supplementing a question raised earlier today?

DR. OBERG: Yes.

THE SPEAKER: Okay.

head:

### Members' Statements

THE SPEAKER: Today we have notice of three members wishing to give statements, and we'll proceed on this basis: first of all, the hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-East.

2:50

### Trans-Canada Snowmobile Trail

MR. DUCHARME: Thank you, Mr. Speaker. On January 3, 1998, 16 snowmobilers left St. Anthony, Newfoundland, as part of the inaugural ride of the Trans-Canada Snowmobile Trail. With representatives from each province these specially selected riders will have covered 11,000 kilometres by the time they have completed the ride. This is the inaugural ride, the Goodyear PowerStreak Rendez-Vous '98, which is a national celebration of organized snowmobilers with the purpose of showcasing Canadian recreational snowmobiling, opening exposure avenues with partners and sponsors, promoting safe and environmentally conscious snowmobiling, demonstrating the unity of snowmobilers in Canada, and as I mentioned, inaugurating the Trans-Canada Snowmobile Trail.

Yesterday the rendezvous arrived in Alberta. In Bonnyville they were welcomed by the Premier on a snow machine, who led

the contingency of snowmobilers to the reception. I want to thank the members of the Bonnyville Snowdusters Snowmobile Club for their initiative in organizing and preparing their portion of the Trans-Canada trail in the constituency of Bonnyville-Cold Lake. By the way, they did a great job of hosting last evening's reception.

I'd also like to take a moment to congratulate Fort McMurray's Mr. Dan Gould for his participation in this event and thank him for being Alberta's representative.

The rendezvous is continuing on to Westlock today and from there will make its way to Whitecourt, Valleyview, Grande Prairie, and on February 14 will arrive in Squamish, British Columbia, completing this national celebration of organized snowmobiling. I'd like at this time to extend to all the snowmobile riders all the best in the completion of their journey.

Thank you.

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

### Public Lands Management

MS CARLSON: Thank you, Mr. Speaker. Albertans are proud of their province and their rich diversity of natural landscapes that we can enjoy, from expanses of prairie grassland through spruce and aspen forests to mountain meadows, yet concerns are increasing that our access to public lands is being restricted. Parks and recreation areas are threatened with closure if no private operators come forward to run them. The special places program that was intended to protect natural landscapes often fails when oil and gas wells and other inappropriate activities are permitted within designated areas. The government has yet to adopt the Alberta forest conservation strategy but has speeded ahead in allocating all our forests for timber harvesting without consideration of other forest values.

In the agricultural area of the province the government continues to sell public lands to municipalities even where they contain environmentally significant areas, such as rare prairie grasslands that merit protection in the special places program. Today in the Legislature I tabled petitions with nearly 1,500 signatures protesting such sales.

The government has set up the Agricultural Lease Review Committee to review government policies on public lands, especially grazing leases. I have received complaints that the committee is biased towards agricultural producers. Indeed the process is driven by Tory MLAs and the department of agriculture even though Alberta Environmental Protection shares responsibility for long-term policy decisions on public lands.

While recognizing that many grazing leaseholders are good managers of the land, we still need a public lands policy that reflects the value of these lands for wildlife protection, conservation, and nonmotorized recreation as well as for grazing. The best way to develop such a policy would be through a multistakeholder advisory committee similar to the one that was conducting the water act review. Such a forum, where all can share their expertise, has the best chance of developing a fair and balanced policy for our public lands and protecting public lands that we can be proud of.

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

### Ramadan

MR. AMERY: Thank you, Mr. Speaker. Last Thursday marked the end of the Islamic holy month of Ramadan. Ramadan is a

special month of the year for over 1 billion Muslims throughout the world. It is a time for inner reflection, devotion to God, and self-control. Muslims think of it as a kind of tune-up for their spiritual lives. There are as many meanings for Ramadan as there are Muslims.

Ramadan is the month of fasting, and fasting has many special benefits. Among these, the most important is that it is a means of learning self-restraint. Ramadan is also a time of intensive worshipping; reading of the Holy Qur'an; giving charity, or Zakat; purifying one's behaviour; and doing good deeds.

Mr. Speaker, as a secondary goal fasting is a way of experiencing hunger and developing sympathy for the less fortunate and learning to be thankful and appreciative of the bounties we have. Fasting is also beneficial to the health and provides a break in the cycle of rigid habits or overindulgence.

The daily period of fasting starts at dawn and ends at sunset. During the daylight Muslims totally abstain from food, drink, sex, and smoking. At the end of Ramadan comes the most important of the Muslim holidays, Id ul Fitr, the festival of fast-breaking.

Mr. Speaker, on behalf of my colleague the hon. Member for Calgary-McCall and all Members of the Legislative Assembly I wish to congratulate the nearly 65,000 members of the Muslim community of Alberta: Eid Mubarak and Assalam Aleikum, or peace be with you.

Thank you, Mr. Speaker.

### head: Motions under Standing Order 40

THE SPEAKER: We had notice earlier today of two Standing Order 40 motions. The hon. Member for Edmonton-Glenora.

### Heart Month

Mr. Sapers:

Be it resolved that this Legislative Assembly recognize the fine work that over 40,000 Albertans will be doing in canvassing the province during the Heart and Stroke Foundation's Heart Month.

MR. SAPERS: Thank you, Mr. Speaker. As with all matters of the heart this is truly an urgent matter. I will add at this point that this motion has the unanimous support of every member of the Liberal caucus.

In our discussion regarding the urgency of this motion, it was noted that we feel that this is the only opportunity we will have pursuant to our Standing Orders, because there is no other provision in our Standing Orders to bring these kinds of recognitions to the floor of the Assembly. For that reason and the fact that the 40,000 volunteers who are campaigning during Heart Month will start their campaigns this very week, we believe it would be a wonderful boost and a very important message and something that people can take with them as they are asking their neighbours to assist if they knew that they had the support of every man and woman in this Chamber. So I would ask that all members of the Assembly take this opportunity today at this point to recognize the generous and civic-minded Albertans who will be asking their neighbours to support their efforts during Heart Month in Alberta.

THE SPEAKER: Might we have unanimous consent to proceed with the motion as proposed by hon. Member for Edmonton-Glenora?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: It's defeated.

### Crime Stoppers Telethon

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

Mr. Gibbons:

Be it resolved that under Standing Order 40 this Assembly recognize and congratulate Crime Stoppers for its success in raising over \$120,000 in a telethon this weekend to support the Crime Stoppers program in Edmonton and northern Alberta.

MR. GIBBONS: Thank you, Mr. Speaker. I'd like to stand on this motion under Standing Order 40. It's urgent because the opportunity happened last weekend. From the beginning of this program it was very important that we bring this forward. Fund-raising to have available the money necessary to pay the tipsters has been a major activity of the board. The source of the fund, none from the government, has been varied and imaginable. The chairman of the resource development committee – the principal fund-raising activity for the program is now an annual telethon. This past weekend on TV it was brought forward, and they raised \$120,000 on this program.

Thank you, Mr. Speaker.

THE SPEAKER: Might we have unanimous consent to proceed with the motion as proposed by the hon. Member for Edmonton-Manning?

SOME HON. MEMBERS: Agreed.

THE SPEAKER: Opposed?

SOME HON. MEMBERS: No.

THE SPEAKER: It's defeated.

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

### Bill 201 Alberta Patients' Bill of Rights

[Debate adjourned January 28]

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

MR. DICKSON: Thank you very much, Mr. Speaker. I'm delighted to be able to participate in the debate on Bill 201. What I want to do is spend a few moments attempting to respond to some of the questions and concerns that had been heard from a number of members when the bill was first debated at second reading, at the commencement of this stage of debate.

The Member for Redwater seems to be labouring under something of a misconception with respect to Bill 201 and specifically section 4. The Member for Redwater expressed a concern that he thought we needed a whole lot more Crown lawyers to defend the Minister of Health from frivolous damage

claims and punitive damage claims. It was interesting reading his concern that this looked like something John Grisham would have, if not written, at least lobbied for, and since I had something to do with drafting Bill 201, I'm happy to disabuse that member that there was any authorship by John Grisham. In fact I think he's – and I say this with respect – misreading section 4.

What section 4 does do is I think something reasonably innovative, and it's not because I want to pick on my friend the Minister of Health, but we're talking of course only about his very critically important office. What we wanted to do in this bill was find a practical, impactful way of bringing home the responsibility that the minister has to make sure that all of these health care rights in section 3 are accommodated and facilitated and supported.

3:00

I suppose one option would be to put in a bunch of penalties for health care professionals to ensure that they respect these rights. As in fact it was pointed out by the Member for Olds-Didsbury-Three Hills in debate on this bill, the physicians and registered nurses and different health care professionals already have statutory obligations and already have an enforcement mechanism in their professional legislation that allows people who feel they've not been properly treated by a physician or a nurse to be able to raise a concern and have that investigated. The Minister of Health, though, when you think about it, is in the ultimate responsibility. This is truly the place where the buck has to stop.

You know, Harry Truman would have been the first person to acknowledge, I think, that if we say that the Minister of Health is the top official in this province to ensure that Albertans enjoy each of those rights set out in section 3 – “the right to receive appropriate health services,” “the right to be treated by . . . professionals in a courteous and respectful manner,” “the right to . . . timely access to appropriate health services” – how do we find a way to ensure that the minister is genuinely accountable? If in fact we were a Legislative Assembly like most other provinces where we sat on a more regular basis and the minister was more accountable in a formal way more frequently, somebody might be able to persuade me that we could do without section 4, but in a jurisdiction like Alberta, where a meeting of the Legislature is now becoming a one- or two-month window out of the year, a very brief opportunity, how can we hold the Minister of Health responsible? How can we hold him accountable?

What's provided for in section 4, members, is not some kind of a damage action. This doesn't allow anybody to sue the Minister of Health. We'd have a proceeding that's against a Crown act, and it's exceedingly difficult to sue a Crown minister, in any event. What it allows someone to do is to go to court to get an order in the nature of mandamus. Mandamus is a form of order where if you have a public official with a statutory duty and the public official neglects or fails to meet that duty, somebody can go to court and seek a court order requiring the public official basically to do what his mandate and what his statutory obligation is. So the only sort of cost element to this, the only cost element, Mr. Speaker, is the provision that costs can be assessed by the court.

The Member for Redwater was worried about huge awards of punitive damages. That wouldn't be accommodated or permitted under Bill 201. At most what would happen would be the embarrassment of the provincial Minister of Health being ordered by the Court of Queen's Bench to do something to respect one of these rights set out in section 3 of the bill. I think that's pretty

powerful, and I'm not sure who could possibly have an objection to that.

We know the Minister of Health is exceedingly competent. We know he's hardworking. We know he's responsive. So why would we worry that there would be a long lineup at the Law Courts Building in Edmonton of people who want to get a court order requiring the minister to do something differently? But in those cases when we might have a Minister of Health who's not as responsive and accountable and hardworking as this minister, why wouldn't we want to give Albertans that kind of access? Why wouldn't we want to give it to Albertans? So we have to look beyond the current office holder, and we have to look to the institution of the office of the Minister of Health.

In any event, I think – he said not very objectively – there's some merit to this notion of providing Albertans with this kind of remedy. The costs would be at the discretion of the court, and it's not likely that there are going to be huge costs awarded against the provincial government, but it would be an additional measure, that the court would be able to make some assessment of the extent to which the minister may have fallen short in discharging one of his statutory duties.

There had been some other interesting suggestions. I note that one member had suggested – and I think this may have been the Member for Olds-Didsbury-Three Hills – why was it limited to Alberta residents? There was suggestion that the definition of “patient” was excessively narrow. The definition of patient means “a person receiving health services in Alberta.” Frankly, I would have thought it irresponsible to go broader than that. I thought this was a reasonable kind of definition and it caught within its ambit the people who would have reason to want to assert one of these rights in section 3.

One of the other criticisms that we heard the other day, on January 28, was indeed from the Member for Olds-Didsbury-Three Hills. He said – and I'll just quote from page 33:

This government is accountable and open, but perhaps a better way for the opposition to ensure that patients are truly receiving the health services they require is to travel the province, meet with medical professions from all fields, and talk with patients.

Well, I want to assure the Member for Olds-Didsbury-Three Hills that in fact when we drafted Bill 201, that was shortly after I'd finished over the course of two months consultation in Grande Prairie, in Fort McMurray, in Beaverlodge, in Red Deer, in Lethbridge and Medicine Hat and Didsbury and Calgary and Edmonton. In each of those centres we had a chance to talk to nurses and we had a chance to talk to physicians and regional health authority members and regional health authority staff and we had a chance to talk to patient advocates. It's exactly that sort of information that led my caucus to conclude that we need Bill 201. This is remedial, this is responsive, and this is doing exactly what the Member for Olds-Didsbury-Three Hills wanted to see. So I wanted to give him that measure of comfort.

There was some suggestion in terms of health information that that's already covered off, but for those members who raised that concern, I'd refer them to the Member for Calgary-Glenmore, who I think will tell them that we're some considerable distance from having a statute in this province that protects patient information. Certainly the government is working on it, but Bill 30, if it hasn't been aborted, at least is in for some substantial surgery and alteration. I'm being a little presumptuous when I say that, but I'll signal some of my concerns. In the meantime I think it's appropriate to specifically talk about the right people should have to protection of their personal information. It's not inappropriate and it's not redundant and it's not duplicitous,

because we don't have any adequate legislation to deal with those things now.

I understand that members of the government caucus had some concern when the Minister of Family and Social Services was charged with some responsibility to come up with a patient bill of rights. I know there was a lot of discomfort and a lot of unease in members of the government caucus and members of the Conservative Party around the issue, but members have had the opportunity in terms of going through the last election on March 11. They know that access to health care services continues to be a major concern.

When there was a poll done by the city of Calgary last spring to find out how Calgarians felt about the job their city government was doing, the Calgary city council expected they were going to get advice on garbage pickup and police and transportation issues. But when Calgarians were asked unsolicited, unprompted, “What's your number one issue?” the number one issue identified overwhelmingly by Calgarians last spring was access to health care. Access to health care, hospital closures, and health care generally: that was the number one unprompted concern.

### 3:10

I think every member in this Assembly recognizes that. Whether they are prepared to acknowledge it formally in debate on Bill 201, I think everybody understands how important health care is and access to health care. I think Bill 201 goes some distance, partly symbolically and partly in a functional way, to reinforce that kind of accountability. As I say, it would be the first time I can think of, at least in this jurisdiction, that we give Albertans a kind of remedy against the Minister of Health that isn't dependent on an MLA raising something in this Chamber. It says: “We understand the Minister of Health has a responsibility that continues whether the Legislature is in session or not. We know that it's hard to hold that important officer responsible in any meaningful, formal way when the House doesn't sit.” We know the House doesn't sit very much in Alberta, so I think that this is the opportunity, and I encourage members to take advantage of it.

The only other comment I'd make is that the Member for Redwater had said that he thought a patient's bill of rights is a little premature. My respectful submission to that would be that I think this is long overdue, and I think certain members of my caucus would hopefully share that assessment. We've all been inundated for simply too long with calls and concerns and complaints: faxes, E-mails, attendances at constituency offices and caucus offices with people indicating situations where they weren't able to get information, weren't able to get records, weren't able to receive health services in a nondiscriminatory fashion, weren't able to get timely, reasonable access to appropriate health services.

I would think that government members would be interested in at least supporting the bill at second reading, in principle. I'm confident that my colleague the Leader of the Official Opposition would be happy to work with any thoughtful, substantive proposals for amendment to Bill 201. But who could possibly vote against a bill that simply says that Albertans ought to be able to expect a certain standard of treatment when they seek a health service in this province? And if they don't get it through some omission, oversight, neglect on the part of the Minister of Health, they have a remedy. For the first time they would have a remedy through the Court of Queen's Bench of Alberta, and best of all it doesn't cost the taxpayers.

We have over a hundred lawyers on the civil side of the

Department of Justice. On the civil side of the Department of Justice we have arguably one of the largest law firms in western Canada working for the Minister of Justice. I think we could find a single lawyer to go over on a chambers day and try and present the Minister of Health's case forcefully and fairly. So I don't think members need worry about the cost, and we know that because the Minister of Health does such an excellent job, it's a very low risk that the Minister of Health is going to have to go to court and defend what he's failed to do.

For all of those reasons, Mr. Speaker, I want to encourage members to support Bill 201, and I just offer my very genuine interest in working with any member that would like to see amendment to this bill when we deal with the next stage. I think we can make this a bill that all Albertans would be proud to see their Legislature adopt.

Thanks very much, Mr. Speaker.

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

MRS. SOETAERT: Well, thank you, Mr. Speaker. I appreciate the opportunity to stand and support this bill, Bill 201. You know, it's typical in here that we hear comments from the other side. They say, "Well, it's too soon for this" or "We just aren't ready for it." They admire the person for bringing it forward, but then they vote against it. Then, remarkably, a session or two later we find our legislation back on the floor under government bills and motions. Although it's a backwards method, we're getting quite used to it, and we heard another one tabled the other day. That happened, so I'm not without hope for this piece of legislation. I mean, it probably won't happen today or this session, but we'll see it probably next session, if we ever sit again after this one. [interjections] That was a little sarcastic, and I'm glad they caught that.

MR. SAPERS: Let's have it now.

MRS. SOETAERT: Let's do it now. That'd be good. If we could do it now, it would even be better.

I just want to speak about a few things that I can't see anybody speaking against. It's "to ensure that patients are aware of their right to receive appropriate and timely care." Do you know that people go to the hospital now, regretfully, knowing that they may sit there for 11 hours on a gurney in the hallway despite the fact that they may be an elderly patient? That's wrong. Especially our seniors, I would think, deserve the comfort of knowing they will be taken care of. I know many seniors in my riding live in fear of having to leave their homes because they will need care. When we talk about the patients' bill of rights, that they should be able to access care and not have long waiting lists or wait for months to see a specialist or for cardiac surgery or to be able to access a long-term care bed, wouldn't we expect that that's something we would all support in this Legislature, that people should have that right when they live in Alberta?

Certainly I know that many groups in my constituency, groups that are nonpartisan, nonprofit, are starting to lobby the government, send in resolutions that say: people should be able to access long-term care beds in any health authority regardless of where they live. I think, Mr. Speaker, you know well of what I speak as many of the people who live in my neck of the woods end up in long-term care beds in facilities in your neck of the woods. They're wonderful facilities and they get good care, but they are

about two hours away from their family as compared to being in, for example, St. Albert, where they're five minutes away from their family. I think everyone here would agree that that's not quality care and it's sad that in the last stages of your life you can't be near family. I think that's a sad statement on health care in this province. If this bill does anything to bring awareness to that issue, to hopefully educate people that they do have the right to access care, that they can get into a facility in a jurisdiction that is not within their boundaries, then why aren't they? So I would expect that people would support that.

Another right was to receive appropriate health care. I think one of the biggest concerns that I've had in my constituency office but that seems to be a quiet . . . [interjection] No, my constituency is not quiet. Maybe it's our fault; we haven't brought the issue to the Legislature yet. But maybe it's their fault because we haven't sat. It is the lack of mental health programs and facilities around this province. I think it's truly sad that I get calls that say: Colleen, there's absolutely nothing that I can find for my son or my daughter or my Mom; there's nothing for them. That's unacceptable, and if this bill does anything to help bring that profile up, to help make us aware of that lack of programs and facilities in different parts of this province, then I encourage people to support this bill.

3:20

The other right that I want to talk about is "the right to be treated . . . in a courteous and respectful manner." Now, we would think that would all happen, but what's sad is that so many people in the health care profession actually say to people before they go into the hospital: "Have you got somebody to go with you? Have you got an advocate who can stay with you? Have you got somebody to make sure that you're cared for?" It is not because the people aren't giving good care; it's because they just can't get to everybody in a timely fashion, that they are overworked. So I think it's quite a sad statement that health care providers will say: "Have you got an advocate? Have you got somebody who'll be there after surgery? Have you got somebody who will make sure that you're taken care of?" That's not a reflection on the health care providers but on the lack of numbers of health care providers, that they are overworked.

Another issue that often comes to my office is physiotherapy. When government-sponsored programs run out, they've now got to pay out of pocket for physiotherapy, and it's funny how people only realize that when it hits them. I got a letter the other day: did you realize this has changed, Colleen? Well, yes, a while ago. Often they have to pay out of pocket to get physiotherapy if the budget has run out. I know the Minister of Health will take the opportunity to respond.

Section 4 states that the Minister of Health must ensure that the health care system is running properly. That shouldn't be anything that the Minister of Health is afraid of. That's his responsibility, and I know he takes it very seriously. So I'm surprised that there have been people mentioning a concern that there will be lawsuits. I was anxiously waiting for Calgary-Glenmore to speak, as his background is in law, and I knew he was going to argue the point that Redwater had made that, no, this wouldn't be a free-for-all for lawyers. Regretfully, I haven't had the opportunity to hear that response yet, and I know he was waiting to do that. Maybe we'll have time still.

I know there are other people who want to speak to this, but I want to say that I do hope that members won't just read the rhetoric they're given to read but will honestly look at this piece of legislation and support it because it does protect patients. It's

a good piece of legislation and one that you shouldn't be afraid of. However, I also know that if it is voted down, it's usually brought back as a government bill, maybe in the fall if we sit again – well, one can hope – or next year.

So with those brief comments, Mr. Speaker, I will let someone else take the floor. Thank you.

THE SPEAKER: Hon. Minister of Health, you caught my eye a minute ago. Do you still want to get up?

Then the next one that caught my eye was the hon. Member for Calgary-Glenmore.

MR. STEVENS: Thank you, Mr. Speaker. At the outset I would like to say this. I am very glad to be in the House today supporting my colleague the hon. Member for Redwater in opposing Bill 201, and I think I can safely say that I ascribe to virtually all but not all of the comments that he did make.

Mr. Speaker, I am not at all surprised but certainly disappointed with the opposition's banter about what a tragic state the Alberta health care system is in. This certainly is not true. In fact, 86 percent of the respondents to the 1997 Alberta Health survey who received health services last year will attest that the quality of care they received was excellent or good. There are many wonderful things that this government, the regional health authorities, and community groups have done to make health care in Alberta one of the most successful and all-encompassing health care systems in Canada.

To start today's debate on Bill 201, I suggest that even the title, the Alberta Patients' Bill of Rights, is dubious and misleading. Such a title is meant to give the impression, a false impression, that this government and the federal government have not guaranteed health care for Canadians. Mr. Speaker, for the benefit of all and particularly, I suspect, those in the opposition, I will review a few sections of both the federal and provincial legislation which show that health care is in fact guaranteed in this province.

The federal legislation, by which this government abides, is the Canada Health Act. This legislation carries a great deal of power, Mr. Speaker, for in essence it controls most of this government's dollars either directly or indirectly. Based on the Canada Health Act and our reciprocal provincial health acts, this government will spend upwards of \$3.9 billion in 1997-98 on health care. That is over one-quarter of this government's total annual expenditure, but as this debate continues, it must be remembered that health care will not get better just by adding more dollars. We need to be site specific for new or redirected funds.

There are two sections in the Canada Health Act I would like to draw to the attention of all. These are sections 3 and 7. In effect they accomplish almost exactly what is outlined in the preamble to Bill 201. Section 3 sets out the objective of the Canada Health Act. It states:

It is hereby declared that the primary objective of Canadian health care policy is to protect, promote and restore the physical and mental well-being of residents of Canada and to facilitate reasonable access to health [care] services without financial or other barriers.

Now, Mr. Speaker, this is good news for Canadians, but their right to access the health care system does not end with section 3.

Section 7 of that same act details the criteria a province must fulfill to receive federal health cash contributions. To access federal health dollar contributions, this province, as with all others, must ensure their respective health care insurance plans meet the following criteria. Section 7 states that the health care

insurance plan of the province must satisfy the following matters:

- (a) public administration;
- (b) comprehensiveness;
- (c) universality;
- (d) portability; and
- (e) accessibility.

Mr. Speaker, this province did receive their federal contribution last year, and this means we are meeting the requirements set out by the federal government. It is important to understand that this level of accountability and programming set out by the federal government was not sufficient for this government. We wanted to ensure that Albertans continue to have an excellent health care system, one of the best in Canada, and we have done just that. This government with the assistance of health care professionals, Albertans, and vested parties has accomplished a great deal over the past four years. There have been many changes and alterations to the health system, and as a result it is a better health care system for all Albertans.

Mr. Speaker, health restructuring has not been completed, nor will it ever be. This government will never say that the status quo is the best we can do, that the health care system we have now is working just fine. Advancement in our health care system must always be sought out and take place. This government has enacted various legislation that carefully monitors, advances, and protects the health care system in Alberta. Specifically, I am talking about the Regional Health Authorities Act. This act sets out the duties and responsibilities of each regional health authority. It's important to note that this act ensures, similar to the Canada Health Act, that Albertans have access to a comprehensive health system when needed.

THE SPEAKER: I hesitate to interrupt the hon. Member for Calgary-Glenmore, but the time limit for consideration of this item has concluded.

#### **head: Motions Other than Government Motions**

##### **3:30 Children's Advocate Office**

501. Moved by Mr. Mitchell:

Be it resolved that the Legislative Assembly urge the government to make the office of the Children's Advocate an office of the Legislative Assembly completely independent from the government.

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

MR. MITCHELL: Thank you, Mr. Speaker. I rise to address my Motion 501, concerning the Children's Advocate. The intention of this motion would be to establish the office of the Children's Advocate in such a way that that person and that office would have a degree of independence from government per se and instead would report directly to the Legislative Assembly, as is the case now with several other legislative offices.

[The Deputy Speaker in the chair]

Mr. Speaker, the importance of the role of the Children's Advocate is, I think, indisputable. In fact, the office has been established in recognition of the sensitivity of this area, of the sensitivity and the vulnerability of children in this province and due to the risk in any institutional process that would be structured to support, enhance, and protect children, due to the risk that

institutional structures sometimes can lose their focus and fall away from the kind of personal commitment that would be of course intrinsic to the effective support and the effective defence, if you will, of vulnerable children.

The Children's Advocate at the present time is directly responsible to the Minister of Family and Social Services. The Children's Advocate has the mandate to "represent the rights, interests and viewpoints of children who receive services" under the Child Welfare Act and of course who by virtue of their age, their immaturity may not be and often are not in a position to fully express their concerns, their viewpoints, and to advocate for their own interests. The advocate also identifies issues that impact the effectiveness of services provided through the child welfare system, and the Children's Advocate offers information and advice on possible actions that may remedy issues identified.

As part of the role of the Children's Advocate, as at least a gesture in making that person's work public, the Children's Advocate must submit an annual report to the minister, who in turn must table the report in the Assembly. While that is an interesting step, it is certainly not a sufficient step to ensure the independence, to ensure the kind of public debate, the kind of public disclosure that is required of the Children's Advocate to be effective in this very, very important issue area.

We have and I think many Albertans have some concerns about the way in which the government is going with the Children's Advocate. There is an outright fear, Mr. Speaker, that with the regionalization of children's services the advocate will be phased out. We are hearing a great deal of discussion about that. The regionalization structure could certainly be used by this government, given its track record, as a mechanism for justifying the phasing out of the Children's Advocate. There is a great deal of evidence that the government has little patience with a children's advocate who would in any way, shape, or form deign to actually criticize the government's actions or propose and recommend alternative solutions that might imply some kind of criticism about what the government is doing with respect to children under its care.

For years, Mr. Speaker, the Children's Advocate's annual report has identified deficiencies and flaws with the child welfare system. The government has effectively ignored the recommendations made in these reports and has failed to renew the contract of at least one Children's Advocate who was particularly outspoken about how improvements could be brought to the child welfare system. I should point out that the successor to that particular advocate also left, which suggests that this is perhaps not a coincidence but that there's a trend and that in fact this government, as we've seen in the VLT case, doesn't like to have anybody disagree with them in public or elsewhere. They can't seem to take that criticism, and they deal with it in a way that demonstrates a raw and arrogant exercise, an inappropriate exercise, of its powers.

There is an arrogance seeping into this government, Mr. Speaker. It's not seeping; it's flooding into this government. It's beginning to approach the arrogance that we saw in this government in 1986, '87, '88. They have really begun to forget why it is they are here and what it is they are to do. They're not here to please themselves; they're here to make sure that they fulfill responsibilities like the protection and support of children in distress. If there is one single thing that government should be responsible for doing, surely it is to protect children.

The most basic element of that would be to have a Children's Advocate who has the authority and the independence and is given

the respect by government to fulfill that obligation on the government's behalf. We don't see that. In fact, what we see is that anybody who disagrees is fired - sorry; their contract isn't renewed - that there is undue pressure on these Children's Advocates, I would argue, and a diminishing of their position and the intensity and the commitment with which they make the recommendations that they make.

Mr. Speaker, over the years Children's Advocates have made many, many recommendations, in fact identified problems and made recommendations. The annual reports from '91 through '97 have been analyzed, and we have determined that there were 20 major problems identified by the Children's Advocates in these various reports. They are like this: underfunding of child welfare and other social programs. What was the response of the government to that? They cut funding.

Denial of services to children and families based on lack of resources. Mr. Speaker, what was the response to that? Fewer school lunch programs; less kindergarten; very, very little, if any, commitment to counseling for people who abuse their children; returning a child to a home, to a stepfather who had been convicted of abusing that child, and two years later that child is killed by that particular person.

Third, off-loading of responsibility for care to individuals, families, and communities without provision of required resources. In fact, Mr. Speaker, there's ample evidence of that: downloading; closing institutional space so that group homes are opened up without any regulation, without any proper supervision across this province; the child prostitution act, which will require and allow for 72-hour holding but no money for the spaces in which these children could be held.

A fourth problem: disproportionate representation of child poverty, single-parent families, and aboriginal children. So what's the response of the government to that? Well, child poverty has increased. I think three years ago there were 124,000 children in this province living in poverty. Today there are upwards of 140,000. Edmonton has been established in a recent Statistics Canada report as being the poverty capital of the country, and that isn't based on some inflated, quote, unquote, to use a Conservative view, version of what would define poverty. In fact that's based upon 50 percent of what Stats Canada's normal poverty line is; 8.1 percent of Edmonton families of four live below \$15,000 a year, Mr. Speaker.

A lack of preventive services. Well, the response of the government to that was to reduce preventive services. Once again, early childhood programs have been all but obliterated. Counseling, the institutions for children to be dealt with, psychological assistance: all of these things, Mr. Speaker, have been reduced. There is a lack of support services such as shelter, counseling, medical, dental, and optical care; services related to fetal alcohol syndrome; a shortage of appropriate placements, especially for foster homes; a lack of sensitivity to cultural, social, or religious needs of minority groups. All of these are well-thought-out observations about inadequacies in the way in which government has pursued its responsibility to children in this province. All of them. What's happened? The Children's Advocate having had the audacity, to use a Conservative view I'm sure, to actually print these things in a public way didn't get the contract renewed.

3:40

Mr. Speaker, to further erode the effectiveness of and to raise questions about whether they even want a Children's Advocate, the government has released no substantial information on how



services to children will be monitored and evaluated after the child and family services authorities become responsible for delivering children's services. In fact, what's required hasn't been delivered. What we require is the redesign of children's services to include a comprehensive monitoring and evaluation framework. It is imperative that monitoring and evaluation be independent, unbiased, and objective. The government must answer to the people of Alberta about the care being provided to our children.

We saw the need for monitoring today in the way that the minister of social services responded to – I won't use the word "answered" – the Member for Edmonton-Riverview's inquiry about fatality inquiries. We want public inquiries when children die. The minister said: well, not all children die from a reason that would be suspect. Then he quoted the case of a 17-year-old young woman who died of pneumonia. Mr. Speaker, children who are in proper care and properly cared for don't normally die of pneumonia at the age of 17. This is exactly why we need an independent Children's Advocate, so that person can raise questions about that very kind of cavalier attitude on the part of a minister of social services and give Albertans some sense of confidence that these issues are being dealt with properly.

To deal with them properly, we have to have a proper system of monitoring. This government won't release reports, not using names, on how it is that the 40 children who died since 1994 in the care of government in this province died. In fact, they're no longer in the annual report of the Chief Medical Examiner. It is amazing and in fact frightening how this government deals with criticism. They don't respond to it by taking the good and arguing, justifying why they wouldn't do those things they disagree with; they simply stifle it. They begin to create myths – I want to use the word "lies," Mr. Speaker, but I won't – about reality.

What we have to know for sure, what is absolutely certain is that unless government or individuals or people in our society deal with what is real, if they attack a problem by dismissing the reality of that problem, then they will never, ever solve it, and in fact they can create worse than what was originally the case. Well, maybe when you're building roads, that's okay. When you're worried about liquor control boards, maybe that's okay. But when it comes to children, reality is fundamentally important to positive, proper policy, and governments that run from that are governments that hurt children.

Mr. Speaker, it's interesting to note that our solution would be for the Children's Advocate simply to report to the Legislative Offices Committee, the standing committee of the Legislature, joining the Chief Electoral Officer, the Auditor General, the Ombudsman, the FOIP commissioner in reporting to the Standing Committee on Legislative Offices. Now, the Standing Committee on Legislative Offices has been very, very effective. It has been one of the most effective all-party committees I've ever worked on over my period of time in the Legislative Assembly, and it does provide within the parliamentary context a strong and substantive element of independence.

Mr. Speaker, it seems so easy to do that. Consider what's at stake: the young boy who was allegedly murdered in Red Deer just recently, within the last week to 10 days; a child of 17 who dies of pneumonia, which is at least worthy of questioning when somebody is 17; the series of reports that we did receive from the last chief medical officer's report which indicated that far too many of these children had apparently committed suicide, but no inquiry was done to see whether in fact there may have been other things going on.

This government has a responsibility to children in its care. It is one of the most fundamental responsibilities that any government has, and it is not too much to ask that a Children's Advocate should be able to exercise the Children's Advocate's responsibility within that context and under that responsibility. It is not too much to ask. It's a very small thing to ask. In fact, one of the ways to ensure that is to have this advocate report to the Legislative Assembly. Mr. Speaker, we are happy to have that happen. We are happy to work on that. We are happy to supervise, to manage, to advise, to listen to the Children's Advocate through the Legislative Offices Committee, the standing committee of this Legislative Assembly. I would simply ask that the Conservative members of this Assembly – perhaps it'll take a leap of faith – undertake such a leap of faith to do what is right in this very, very important and significant case.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. I'm grateful for the opportunity to speak to Motion 501, which urges the government to make the office of Children's Advocate independent and separate from the government. It is the mandate of the Children's Advocate to "represent the rights, interests and viewpoints of children who receive [protective] services" under the Child Welfare Act. Since its establishment in 1989 the Children's Advocate's office has been able to provide children and youth who may not have a natural advocate to speak on their behalf with the services to ensure their rights, interests, and viewpoints are considered when decisions concerning them are being made. My colleagues and I will not be supporting this motion simply because we do not feel that this is a necessary change, nor is it the time to be considering a change such as this. I will explain this further in a moment.

Before I do that, Mr. Speaker, I would argue that our current Children's Advocate is already independent and has the freedom to report to the government on the services being provided by child welfare. I would add that in these reports to the government both the positive and negative aspects of the services are received. The advocate was not established as a position to tell this government of only the positive things about the child welfare system. The advocate has been appointed not to monitor child welfare services but to use its experiences with children and youth to advocate for systematic changes deemed necessary.

Careful consideration and analysis are applied to each matter brought forward by the advocate, because we are all looking out for the same interest: the children of this province, our special and precious resource. It is the interests of children and youth receiving services under the Child Welfare Act that need to be served, must be served. For that reason the advocate and the minister work to achieve the best possible solution, whether it be individual, class, or systematic advocacy.

Mr. Speaker, I want to make it very clear that we are talking about children here, and this government is not about to dismiss any concerns brought forward regarding the needs of some of the most needy children of this province. If that means working with the advocate in adjusting existing programs or services that appear to be not working at their full potential or perhaps working to create services determined necessary, then that is exactly what will be done.

Mr. Speaker, I appreciate the intent of this motion as I realize

that both sides of this House have children and youth as the motivating force behind the debate, and we are only looking out for their well-being. It is my opinion, however, that this motion is not necessarily the way to go about making sure that the Children's Advocate is able to meet the needs of children and youth. What we need to focus on are the resources and services that are currently being provided to those who seek the assistance of the advocate.

### 3:50

To make the office of the Children's Advocate an independent body from the government and one that reports to the Legislative Assembly would remove a most intricate and essential relationship between the minister and the Children's Advocate, which leads me to my earlier comment about this not being the appropriate time to consider such a motion. With the children's and family services authorities soon being set up to start operating in the communities, we're looking at the role of the Children's Advocate on a larger and perhaps different scale. As we enter into this new stage of an integrated, more effective, and community-based system of support for children and their families, we're looking at how the office will work within this changing system.

We know that it is the communities that best understand the problems and issues experienced by the children of families in these areas and are looking to them for assistance to determine the best ways to respond to the problems and issues in the various regions. At this point the children's services authorities are an evolving process, as is the role of the advocate. Focus must be directed to where the advocate will fit into this evolution in order to continue to improve on this positive move toward providing the best services to children and youth in both protecting and helping them.

Having said that, Mr. Speaker, I feel strongly that it is critical that the advocate have direct access to the minister in order to deal with situations as they arise, the opportunity to communicate on a regular basis to monitor the services as they are being provided, and certainly to discuss the changes taking place. To remove this office from its current position within the government structure would create unnecessary delays in seeking answers, direction, or advice on various issues that demand attention. With a Children's Advocate that reports to the Legislative Assembly, the immediacy of a response from the government as a direct channel will have been removed and the process complicated by addressing issues through the Legislature.

The Children's Advocate has established itself as a credible position, one that is able to report to the minister on an annual basis, followed by the tabling of the full report by the minister to the entire Assembly within 15 sitting days of receipt. In addition, the Children's Advocate reports to the department's executive committee on a quarterly basis, at which time corrections or adjustments in policy can be dealt with in a more timely fashion. The issues brought forth by the advocate for discussion are ones that arise from the experiences of young people shared with or observed by the Children's Advocate. The issues of concern or systematic issues are tracked by the advocate until it is determined that the necessary or desired outcome has been achieved. Very often these issues require immediate attention.

Mr. Speaker, there are examples where the Children's Advocate has come to the department and expressed areas of concern, and they have been dealt with in an efficient and expedient manner. One such example was when it was reported that personal information was becoming public in open court, which can ultimately harm a young person. It was requested by the advocate

that child welfare workers be reminded of their authority to request that a court hearing be closed. Child welfare consequently provided this reminder to all staff. I realize this is only a small example of how the relationship works. Nonetheless, it does work, and that is the point. Our current system is working, and there is no need to adjust the system to have the Children's Advocate be an office independent from the government.

Of course, there are more complex situations that may and do arise, and they are ones that may not be able to be resolved as quickly as the example I have just given. These are the issues that require the relationship between the minister and the advocate to be a strong, co-operative one in order to allow the situation to be addressed to reach the best possible solution for the children and youth involved as soon as possible. Sometimes this resolution may result in contacting particular stakeholders and even going through a consultation process with the public and other interested parties. Again, Mr. Speaker, I reiterate that this working relationship between the minister and the advocate is one of utmost importance. It is one that is interactive and safeguards that an immediate reaction will be received in response to the present issue.

In reporting to the minister, the advocate is provided with the appropriate vehicle to address the needs of the children. Perhaps we should redirect our attention from the suggestion in the motion before us and look at ensuring that the role of the Children's Advocate is evolving with time and adapting to meet the needs of those that it serves. That should be the issue here, Mr. Speaker. Whether the advocate reports to the minister or to the Legislative Assembly is not the issue. We can see the relationship working. We can see that Alberta's Children's Advocate is working with government to improve our services and meet the needs of our children.

For instance, the Children's Advocate has been very active in undertaking a number of program developments. These have included such things as the undertaking of the regional steering committees to involve youth on their various committees and use their feedback to learn about how well the advocate is working to meet their needs, if it is meeting their needs, and if not, what changes can be made. There has also been a reference guide prepared on how to become a more effective advocate, a training manual developed for national distribution, which will assist youth in supporting their peers who are in receipt of child protection services. Advocacy workshops have been held to provide guidelines for individuals who desire to advocate on behalf of individual children known to them.

The Children's Advocate's office has also undertaken a partnership with the Lesser Slave Lake Indian Regional Council in efforts to build a stronger bridge between the Children's Advocate and the First Nations reserves in the southern Alberta region.

So you can see, Mr. Speaker, that the wheels are in motion. Efforts are being made to adapt and adjust to an ever changing environment, and every attempt is being put forth to maintain the focal point as that of meeting the needs of the children and youth under child welfare services.

Thank you.

MR. DICKSON: Mr. Speaker, I'm pleased to speak in support of the motion. It seems to me that if all members agree, as the Member for Bonnyville-Cold Lake had suggested, that children are a special, precious resource, there are at least two things we have to do differently in this province. Actually many things we

have to do differently, but two things suggest themselves relative to this motion.

The first one is to make the Children's Advocate independent of the minister, and I'll come back and offer some reasons why I think that's essential. The other thing that we ought to do and that's a very logical companion is to allow our Children's Advocate to do what the Saskatchewan Children's Advocate can do, which is not to be limited to offering comment on provincial government programs but to be an advocate and a monitor of children and children's programs, public and/or private. If in fact children are a special, precious resource, surely that doesn't only mean children in care of the provincial government. Surely that doesn't only mean somebody who is a ward of the province. It must mean every child in this province. Why would we have different standards in terms of the importance and the kind of care and attention we would want to pay to that. I'd suggest there's no good reason why we would make that kind of division. It's wholly arbitrary.

I wish every member in this Assembly had the opportunity that I had in late November, I think it was, when the Dignity Foundation put on a conference in the city of Calgary. I know that two of my colleagues had the opportunity to come to Calgary and participate in that session as well. We had what must have been almost 200 people involved in child-focused agencies, primarily in Calgary, but there were people from Edmonton and other communities as well. We had the benefit of hearing the comment, the perspective, the experience of all of these people who work with children in crisis. I think not a soul at that conference would have come out and shared the view we just heard from the Member for Bonnyville-Cold Lake, who said that the system is working. I have to say, with all due respect to the Member for Bonnyville-Cold Lake, that if I have to weigh his comment that the system is working and contrast that with the considered, experienced judgment of some 200 professionals, I think I'm going to have to accord additional weight in terms of those professionals.

One of the things that was particularly useful was the benefit of hearing Saskatchewan's Children's Advocate, who talked about how powerful it was that in her job she can make comment on issues involving children, whether they're in the care of the provincial government or not. I think those of us that listened to her relate her experiences, the kinds of impact she's been able to have in the province of Saskatchewan, the kind of benefit that would accrue to children in the province of Saskatchewan – I know I wasn't alone in saying: why couldn't we do this in this province? Why would Alberta children not also benefit from this kind of an expanded jurisdiction for our Children's Advocate?

**4:00**

The conference dealt at length with issues relative to children and their health, children in terms of education, children in low-income households and how they're properly supported, whether it's nutritionally or emotionally or educationally, in all of those different ways. There was discussion about things that could be done differently. People kept coming back to the same thing: not only have we not done very well in Alberta with respect to providing for children, but we don't seem to have the mechanisms, we don't seem to have the offices to be able to do that job properly.

The Member for Bonnyville-Cold Lake talked about the current Children's Advocate having ready access to the minister. Surely he can't be talking about the Bernd Walter experience, where those of us in the House who were watching that experience I

think felt a kind of embarrassment that the Children's Advocate couldn't get time with the Minister of Family and Social Services. I know I wasn't alone in that experience. What kind of a crazy province have we got when the man responsible for providing and advocating on behalf of children in care can't get the time of day from the minister responsible for children's services? That's exactly what happened, Mr. Speaker. That's what happened in this province.

You talk about a satisfactory working relationship. If ever you wanted a classic case of a chill being created by a government employee being given a very clear message that government didn't want to hear what he had to report, one need look no further than Bernd Walter's report, the way the government ignored it and simply refused to address the many substantive and serious issues and recommendations that came forward. His successor seemed to have done no better in getting the ear of the Minister of Family and Social Services. I can't think of another jurisdiction in Canada where there's a more compelling need to make the kind of change that's contemplated by the motion that's in front of us now.

People have asked: why is it important that this individual be independent? Some people have said that he's independent now, and I think that's just demonstrably false. I suppose the other argument is that there's little value in having an independent officer to do it.

But I go back and I refer members to 1966, it would be, when Alberta got its first Ombudsman, George McClellan, who used to be an inspector with the Royal Canadian Mounted Police. It was close to 1966; I stand corrected on the specific date. Mr. McClellan used a wonderful phrase in terms of describing his job. What he said was: my job as Ombudsman is bringing some illumination to the dark corners of the operation of government. That's a rough paraphrase. It seems to me that exactly the same sort of need exists when it comes to children's services in Alberta in 1997: somebody to illuminate the dark corners of children's services, whether they're public or private. This motion would enable us to do that. This motion would equip that commissioner in a way that doesn't exist now.

We like to pride ourselves in this province on doing things our own way and being progressive and having a better everything than every other province in Canada. We have a chance to take the independent nature of the job in B.C. We have the chance to marry that with the expanded jurisdiction of the Children's Advocate from Saskatchewan and come up with an incredibly powerful office to do the kind of advocacy that Alberta children deserve because they are indeed a special, precious resource.

I think there's much that can be said in terms of what's going wrong with children's services in Alberta, but I know that there are many other people that want to participate in this debate, so I simply urge all members to consider whether Alberta children wouldn't be advantaged by supporting this motion and urge the government to follow up.

Thanks very much, Mr. Speaker.

**THE DEPUTY SPEAKER:** The hon. Member for Edmonton-Strathcona, followed by Calgary-Glenmore.

**DR. PANNU:** Thank you, Mr. Speaker. I rise to speak to the motion, which urges the government to make the office of the Children's Advocate directly responsible to the Legislative Assembly of this province. I've heard two sets of arguments. The hon. Leader of the Opposition, the mover of the motion,

drew attention to the difficult relationships, a history of difficult relationships between the government of this province and a number of Children's Advocates appointed over the last several years. Those difficulties are public knowledge. They did receive a fair bit of attention in the media over the last several years, so that's one reason that that relationship has been difficult. The advocate's voice has not been really free, and when that advocate tried to make that voice strong . . . [interjection]

THE DEPUTY SPEAKER: Edmonton-Strathcona has the floor, hon. leader.

DR. PANNU: Thank you, Mr. Speaker. The contract was not renewed; an attempt was made to silence the advocate. That's a contradiction in terms: to have an advocate and then expect the advocate not to voice publicly and strongly and freely the concerns that his mandate or her mandate duly expects of that person.

I also heard the hon. Member for Calgary-Buffalo's remarks carefully. He has drawn attention to the fact that not only is there a need to make this office independent of the minister, to not only bring the office directly under the authority of this House but also to expand the mandate of the Children's Advocate. The motion doesn't directly speak to that, although the hon. Member for Edmonton-McClung did in his speech allude to the need to expand the scope of the mandate that the Children's Advocate in this province needs to have.

I think this second set of concerns is an important set of concerns. We do need in this province – we stand on the eve of the 21st century. We find that the educational system in this province, the health care system in this province, and now the child services in this province are being radically reorganized. We know that the regionalization of children's services in this province is going to create new challenges, challenges in terms of somehow making sure that across the regions certain standards of quality of care are met.

There is a question, of course, of whether or not we should simply be concerned about the interests of those children who happen to be directly or indirectly the wards of the state. What about the other children? I happened to attend last week a very large meeting of concerned citizens of the city. The majority of them were parents. There were dozens of people there who were also child care workers or day care workers. There were also present at that meeting on the panel members of the group that is now engaged in the restructuring process and the responsibility for developing the business plan for region 10 for the provision of health services under the regionalized plan. Professor Doris Badir, my former colleague from the University of Alberta, who has been volunteering her time generously to this challenge of free organization, was present on the panel at this meeting.

This meeting was attended by over 500 people, 500 citizens of this city. They were expressing very, very deep concerns about the fact that there isn't a voice in this province at the moment that will advocate the interests of children other than those who are directly the wards of the state. There is a clear sense in the panelists' comments and also a clear sense in what was said by ordinary citizens who stood up to ask questions and make comments following the presentation by panelists that there is a need to expand the mandate of this office.

#### 4:10

There was a concern about the fact that this province was one of the few provinces in this country that hasn't really adopted the

United Nations declaration on the rights of children. I think it's important that we all, regardless of partisan loyalties – and I appeal here particularly to the members on the government side – consider what our children will be beneficiaries of. They will greatly benefit from this House unanimously moving to adopt the declaration of the United Nations on the rights of children.

Let us take this step now. Today's children are tomorrow's adults. Today's children are tomorrow's leaders, and we must look after their interests, all of us in this House. So let's move forward. On the eve of the dawning of the new century and the new millennium, let's put partisan interests aside and all stand for protecting and advancing and enhancing the interests of children.

I think this motion is a small step in that direction. I would therefore support this motion, limited as it is, but also ask that we as a House move forward to put ourselves on record in support of the rights of children as advocated by the United Nations.

THE DEPUTY SPEAKER: Calgary-Glenmore, followed by Edmonton-Riverview.

MR. STEVENS: Thank you, Mr. Speaker. I rise today to speak on Motion 501 dealing with the office of the Children's Advocate. Children are this province's most precious resource. We heard last week in the Speech from the Throne that this government's greatest obligation is to our children. It is our responsibility to ensure that we provide them with the best possible province to live in.

I do not support this motion, Mr. Speaker. It is a narrow one. I have listened carefully to the addresses this afternoon by the hon. Member for Calgary-Buffalo and the hon. Member for Edmonton-Strathcona regarding expansion of this type of idea so that the scope of the office would be greater. From my perspective, that has merit for further consideration.

However, the point today, Mr. Speaker, is that I do not see the value of this motion as it is structured in protecting our children. Suggesting that we remove the Children's Advocate from within the government structure – in other words, from reporting to the Minister of Family and Social Services – is a measure of little value. It is the responsibility of each Member of the Legislative Assembly to represent the views of the people who have elected them. Furthermore, any position that reports to the minister of a department serves as a link to all of the members of this House and thus to the constituents. In essence, the Children's Advocate does in fact report to the Legislature as a whole, irrespective of the fact that the report comes through the minister.

When I think about the situations that force children and youth to seek the help of the advocate, I find it difficult to believe that it matters to them or to their families who it is that their help is reporting to. In fact, I'm fairly certain that what matters most is that the assistance is provided to them and actions are taken to improve a program that may not be working or to change a service that may not be completely adequate.

As was discussed in the '96-97 annual report by the Children's Advocate, we share a collective responsibility for our children and a collective guilt when we fail to protect them. This government accepts that responsibility and has approached the communities to help develop a system of services that is designed to fit the region in which the services are being provided. It's my belief that we should concern ourselves with ensuring that those children who require the assistance of the advocate in place of a natural advocate are being served to the best of the ability by the advocacy office.

Clearly, the Children's Advocate is an essential service to the children and families it serves. Over the past year the advocate has assisted over 1,800 young people. Divided into the northern and southern regional offices with a central headquarters, the Children's Advocate is responsible for ensuring that children and youth receiving child welfare services remain the centre of attention and that they are, whenever possible, active participants in determining their own destiny. The caseload activity for '96-97 included the opening of 714 cases, 710 cases being closed, 524 miscellaneous cases being dealt with. Miscellaneous cases are those which refer to situations where, upon gathering information, the Children's Advocate determined that services were not required. The average monthly caseload for the past year was 347 cases. This is an increase of 46 cases from '95-96. Mr. Speaker, I have mentioned these facts because I wanted to demonstrate that the advocate is working to meet the needs of some of the most needy children of this province.

I would also like to express to this House that the advocate's responsibility is to the children and youth it serves. Its responsibility is not to the parents, the child welfare workers, service providers, administrators, caregivers, communities, and not to this government. The advocate is a voice for and, in some cases, of the children. The advocate's only obligation to this government is to ensure that it adequately reports to the government on the success of programs and services and to provide advice and/or direction to address services within child welfare that are not meeting the demands of the people which they are meant to assist.

With that in mind, there should be no question as to the credibility of the office or the accountability to the people it serves. Having the Children's Advocate report to the Minister of Family and Social Services allows for a relationship to build between the advocate and the department. It allows for an expedient response to those matters that can be resolved quickly and careful analysis and consideration given to those matters that are more complex.

Mr. Speaker, the opposition has brought this issue before the House on numerous occasions. I fail to understand why it appears to be so difficult to see that the office of the Children's Advocate is independent of the delivery of the system inasmuch as it reports to the minister. By this I mean that the reporting lines of the Children's Advocate are not within the department but directly to the minister. These lines allow the advocate not to monitor child welfare service delivery but rather to advocate for systemic changes where the Children's Advocate has witnessed, through its involvement with young people, areas in which deficiencies in programs and services exist.

Mr. Speaker, I would like to encourage the opposition to consider the more important question, the well-being of children. It seems to me that what this motion before us does is focus on the issue of form over substance. I cannot stress enough how important it is for us to look at the substance of the Children's Advocate, to look at its ability to meet the needs of those requesting its service, and to carefully consider the best possible role for the advocate in the changes taking place in the delivery of services to children.

The direct feedback provided to the minister can only benefit the children. It is stated in the Child Welfare Act that the annual report of the Children's Advocate must be tabled in the Legislature, and we know that the Children's Advocate meets with the executive committee of Family and Social Services on a quarterly basis. Our system is designed to be both accountable and credible.

4:20

I've just mentioned this new system for delivering services to children, as has my colleague for Bonnyville-Cold Lake. He discussed the fact that the future role of the Children's Advocate is currently being assessed and will be monitored throughout any changes as the delivery of services becomes more community based. That in itself shows that this government is not opposed to evaluating and making necessary changes to the office. Certainly at a time when we are looking at so many changes, it's important that a strong relationship exist between the advocate and the minister and, through the minister, the Department of Family and Social Services.

Now, I know there are six provinces in Canada that have adopted some form of Children's Advocate. The departments, or ministries, differ as much as the types of cases and systems used to deliver services do within each province. Yes, a number of these provinces do have advocates that report to their respective Legislative Assemblies, but realistically these are relatively new Children's Advocate's offices, and it seems premature to suggest at this time that the system they have adopted works better for the children. The point I wish to make is that each of these provinces has examined the services required in their province and has thus adopted a system that may well meet the needs of their children.

Mr. Speaker, what works for one province is not guaranteed to work for another. Right now having the Children's Advocate report to the Minister of Family and Social Services works for Alberta's children, and for that reason it works for Alberta. I would rather see an advocacy office that evolves incrementally, taking the time to observe and put careful consideration into any potential changes, with the Children's Advocate advising the minister on matters relating to the welfare and interests of children who receive services under the Child Welfare Act. With the provision of those services the necessary balance is met.

Thank you very much.

THE DEPUTY SPEAKER: In the moment or two left, the hon. Member for Edmonton-Riverview.

MRS. SLOAN: Thank you, Mr. Speaker. I believe that the hon. members on the government side have misunderstood the purpose of this motion. The purpose of the motion is to make the government accountable, alive and responsive to the Children's Advocate's reports. The reality we have been faced with, going back as far as 1993-94, is that we have had extensive Children's Advocate's reports. They have brought forward many recommendations about how to improve the system, and we have had a government that has completely ignored the reports and embarked on their own plan of restructuring, a point that I will come back to in a moment.

I need to respond to a couple of the previous member's comments, the first suggesting that annual reports by the Children's Advocate must be tabled in the Legislature. That is true. However, we have had an instance just this last year where it took the Minister of Family and Social Services two full years to table the '95-96 and '96-97 reports of the Children's Advocate. Two years. In that same period of time there were at least 20 children who died while in government care. Is that accountability? I say no.

The second comments that were made by a government member related to the Children's Advocate practically being independent now. I would challenge that statement on the same basis as my earlier comments. We've had consistent and comprehensive

reports. Many recommendations contained in those reports have never been responded to by government. I cite specifically the Systemic Advocacy activities of the Children's Advocate's quarterly report, 1997. The Children's Advocate raised issues in relation to the monitoring of deaths of children in care. The issue as it was stated was that child welfare was not thoroughly tracking the deaths of children in care. They outlined it to the ministry. The response from the ministry in January of '97 was that child welfare is not going to actively review policies but will wait and see what other provinces implement before proceeding further.

Thank you.

THE DEPUTY SPEAKER: I was about to interrupt the hon. Member for Edmonton-Riverview, because under Standing Order 8(4) I must put all questions to conclude debate on the motion under consideration. All those in favour of Motion 501 as proposed by the hon. Member for Edmonton-McClung, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: The motion is defeated.

[Several members rose calling for a division. The division bell was rung at 4:26 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Blakeman	Massey	Sapers
Bonner	Mitchell	Sloan
Carlson	Olsen	Soetaert
Dickson	Pannu	Zwozdesky
Gibbons	Paul	

Against the motion:

Amery	Gordon	McClellan
Black	Haley	McFarland
Boutilier	Havelock	O'Neill
Broda	Hierath	Paszkowski
Burgener	Hlady	Pham
Cao	Jacques	Renner
Cardinal	Johnson	Severtson
Coutts	Jonson	Stelmach
Day	Laing	Stevens
Doerksen	Langevin	Strang
Ducharme	Lougheed	Tarchuk
Fischer	Lund	West
Forsyth	Magnus	Woloshyn
Friedel	Marz	Yankowsky
Fritz		

Totals: For - 14 Against - 43

[Motion lost]

head:

## Government Motions

### Committee Membership Change

8. Mr. Havelock moved:

Be it resolved that the following change in membership be made to the Standing Committee on Public Accounts: Mr. Klapstein to replace Mr. Friedel.

[Motion carried]

### Easter Recess

6. Mr. Havelock moved:

Be it resolved that when the Assembly adjourns on Thursday, April 9, 1998, at the regular hour of 5:30 p.m., it shall stand adjourned for three sitting days, until Monday, April 20, 1998, at 1:30 p.m.

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

MRS. SOETAERT: Thank you, Mr. Speaker. I'd like to speak to this motion just for a brief minute to suggest something for maybe the next session with regard to spring break to maybe make that spring break more family friendly, because many of us are away from our families for a great deal of time during session, especially those who live away from Edmonton and aren't able to get home every night. I'm very fortunate to be able to do that and to have breakfast with my family early in the morning, but many people aren't.

4:40

So my humble suggestion to the Government House Leader is to maybe do a survey of those people who have children in school, on both sides of the House, and then find out when the common spring break is and possibly take spring break with the majority of people who have spring break at that time. I know spring break is different across the province, but if we looked at those with children in school and they were the only ones who got considered in this - that's maybe bias on my part - and just weed out which week would suit the most people with children in school. That's a humble suggestion. Of course, I'll agree to this motion since it's already up there and we do need a break at Easter. Just a suggestion that might be family friendly, especially for those who live far away. Just a humble suggestion.

Thanks.

THE DEPUTY SPEAKER: The hon. Government House Leader to close debate.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Actually, I'll take that into consideration. In fact, with the concurrence of the House, perhaps next year I'd be more than happy to appoint the member a committee of one to undertake that task. Unfortunately, I think what she'll find is that the breaks are very difficult to co-ordinate. Nevertheless, it's certainly worth while.

Thank you.

[Motion carried]

### Adjournment of Session

7. Mr. Havelock moved:

Be it resolved that when the Assembly adjourns to recess the

current sitting of the Second Session of the 24th Legislature, it shall stand adjourned until a time and date as determined by the Speaker after consultation with the Lieutenant Governor in Council.

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

MRS. SOETAERT: Thank you, Mr. Speaker. Now, this motion deserves a little bit of debate, I would say. I mean, we've barely been in here five days and we have a motion to adjourn? Well, hello. We just got back here, and we didn't sit last fall except for three days in December, which was totally tied to unity. [interjection] I realize the Government House Leader says he's tired. May I suggest some good vitamins?

MR. SAPERS: How about retired?

MRS. SOETAERT: Or retired, yes.

The reality is that we got elected to represent our constituency. The reality of that is that we should sit in the Legislature for a good portion of the year. So a humble suggestion that has come from this side of the House many times – actually, it's a very humble suggestion to a very arrogant crew over there – is that we actually have fixed sittings of the Legislature. You know, go figure. It's not a new idea in Canada, but it certainly would be a new one in Alberta. If you had fixed sittings, well, then you could actually gear it to the rest of your constituency life. Maybe you guys know when you're going to sit, and you just keep it a secret. [interjection] That would be kind of an arrogant move. Or maybe you just lurch from motion to motion and from week to week: "Should we sit? Should we put this legislation through? Is it important that we sit this fall, or should we just backlog the spring with legislation?" [interjections] So I would venture to say . . .

THE DEPUTY SPEAKER: Hon. member, we have several people who sit on front benches opposite one another who want to enter the debate. I'll be happy to take the name of the minister and the House leader and add them to the list, but right now it's Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Well, thank you, Mr. Speaker. I will continue then. My comments on this motion are, once again, that I'm trying to point out that fixed sittings would be a very responsible move on the part of the government. You'd know when legislation could get through. You wouldn't be backlogged in the spring, with each minister jockeying for position to see whose legislation can go through first and if we'll have time for it. I think it also in reality is a chance for you to be accountable, something a good government wouldn't be afraid of, yet this one seems to cower at the fact that we might hold them accountable during sessions of the Legislature. So truly it is time for fixed sittings.

This motion is definitely a joke. Nonetheless it's here, so I welcome the opportunity to speak to it and say: five days into a session when we haven't been here for eight months, and we have a motion to adjourn? Well, you know, I would have liked to have let business run smoothly today, but I just couldn't. So here I am speaking, saying, well, you know, our legislation is important. It's important that we sit for a good long time since we never know if we'll be back in the fall.

I know that many of those members over there caught a lot of heat last fall for not having a fall session. In fact, I was at a function where one of the Conservative MLAs and I were sharing a table with some people at, I believe, a trustee breakfast. I won't even pick on that person; that's how kind I'm being today. They'd say, "Well, people don't want us just making legislation for legislation's sake." Well, you know what? How about some good legislation then? How about planning a little bit? How about coming in the fall and finishing up some of the unfinished business of the spring that just died on the Order Paper? How about bringing in legislation about domestic violence and the protection of that? That seems to be – oh, oh – shuffled because that might be a hot one they don't want to deal with.

So, Mr. Speaker . . . [interjections] Oh, they say it's coming. We'll be glad to see that. I hope that it gets completed this session and, if it doesn't, that we have a fall session to finish it, because I'd like to support some strong legislation on domestic violence.

So I would suggest that we have fixed sittings of the Legislature. I think it would also be nice for those of us who put in long hours to know when we're going to be in session and out.

MR. HAVELOCK: They are fixed.

MRS. SOETAERT: Pardon me.

THE DEPUTY SPEAKER: Order.

MRS. SOETAERT: Thank you, Mr. Speaker. Once again the House leader over there isn't making sense, but that's okay. We'll send him some vitamin pills and a few other things.

Mr. Speaker, it is an arrogant move for the Government House Leader five days into the session to make a motion to adjourn. Nonetheless, it's kind of a joke on his part. It doesn't speak well of his humour, but that's the way it is. May I suggest that we need a long session this time, certainly to keep this government accountable, to get some legislation through and . . . [interjections] You'd be happy to stay here?

AN HON. MEMBER: You can have an Easter break.

MRS. SOETAERT: That's good. We'll have a little Easter break; that's good. But I would like to suggest that we have fixed sittings of the Legislature. I haven't got a clue why the Government House Leader has put this motion forward now, but it certainly makes the debate a little lively on a Tuesday afternoon, though it's an arrogant move.

I will of course vote against this motion and hope that other members will join me in that.

Thank you, Mr. Speaker.

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

4:50

MR. DICKSON: Thanks, Mr. Speaker. In response to my colleague from Spruce Grove-Sturgeon-St. Albert I can offer at least a couple of possible reasons why the Government House Leader brings forward this motion. It is interesting to speculate in terms of what would motivate the government to do it. I think this may be a classic bit of mischief on the part of our friend the Government House Leader, knowing full well and being able to predict what kind of a reaction he would elicit by putting this on

the Order Paper five days into the spring session. [interjection] Absolutely it's for fun, and contrary to the suggestion, I have to respectfully disagree with my colleague who said that it was a lack of humour. I'd suggest this is nothing but humorous.

My comment would be this. As reluctant as I am to walk into the trap that's been set for us by the Government House Leader, it is an opportunity to make two observations. The first one is that unlike some of my colleagues in the city of Calgary, I did get calls from Calgarians who were concerned with the fact that we didn't have a fall session.

AN HON. MEMBER: We sent them all to you, Gary.

MR. DICKSON: Well, that may well be. It may be that there weren't more calls in some of the other Calgary constituencies because they thought they might not have got a warm reception, so they sent them to Calgary-Buffalo instead.

I think it is important. I think this kind of a motion on the fifth day of the spring session is indicative of a couple of things. Firstly, I think what it suggests is that this government's preoccupation is with staying out from under the dome. I mean, everybody thought it was cute when the Premier initially talked about dome disease and the importance of getting out and talking to Albertans. Maybe that was really refreshing after the Getty years, but I don't think anybody ever contemplated, when the Premier went on talking about dome disease, that we were going to compress the time that the Legislature of Alberta sat into a couple of months out of 12.

You know, we heard the Member for Calgary-Montrose going on the other day, talking about the Legislature being effectively a waste of time. He doesn't appreciate any value in the time we spend in this Chamber, in this building, in this city.

MR. HAVELOCK: I love it here.

MR. DICKSON: The Government House Leader continues to stretch our credulity, Mr. Speaker.

I want to make the observation that I think that that Member for Calgary-Montrose perhaps spoke for the majority of members in the government caucus. There may be no greater appreciation among any of his colleagues for the important role that this Chamber and the time we spend here play. I don't like being away from my family and from my constituents and from my home city any more than any other non-Edmonton MLA in the Chamber does. But I have to tell you that when I took the job, I sort of assumed that I'd be spending at least a good chunk of every year in Edmonton in the Legislature because this is the only place I get to ask questions of the Minister of Health in a formal context or the Minister of Transportation or the Minister of Environmental Protection.

It's not just for my own amusement, Mr. Speaker. There are some Albertans who expect people like us to be asking questions. It just seems to me that this government is absolutely fixated on minimizing the time that they're formally accountable, and introducing this kind of a motion at such an early stage certainly highlights it.

The other issue, of course, is the fact that it looks like we've now been reduced to a single sitting, a single session, each year and that we've gone away from the point of having a spring session and a fall session. I just have to express a bit of lament that we've lost all the momentum I thought we'd achieved in that groundbreaking agreement between the two House leaders immediately after the June 15, 1993, election, the notion of having fixed sessions. We knew when the session would start in

the spring. We knew when the session would start in the fall. The government still had absolute control over how long the session would be, but it allowed people to plan around that. I think Albertans, even those Albertans in Edson and Jasper, would have a measure of comfort in knowing that their ministers were having to respond to questions and be accountable as well as debating new legislation.

So I say to the Government House Leader that I think we know what he's doing, I think we know why he's doing it, but I think it's also instructive, and one can take some other messages from this motion being on the Order Paper today for debate. I can only hope that more Albertans who don't have the benefit of coming and sitting in the gallery and watching these fascinating proceedings on a day-to-day basis understand really what's at risk with this motion. It's seemingly innocuous, but to those of us that have had the privilege of being in the House for a couple of years and have seen the constant campaign on the part of government to minimize and reduce the time that they're accountable in the Assembly, I think it's very disturbing.

The Government House Leader may have got the reaction he was predicting and counting on, but I think the more important reactions ought to be the ones of Albertans who wonder how billions of their dollars are being spent, how their resources are being managed or mismanaged, and how the issues that are important to them are being addressed or ignored. This is the only place that happens, and maybe we should focus on a longer session, on double sessions every year instead of how quickly we can turn the lights off in this place and run back to hide in our constituencies, where we don't have to answer those kinds of tough questions.

I guess my final comment is that for anybody who hadn't been in the Legislature for the first four or five days and wanted an assessment of how effective the opposition had been, we've just got that indication. We've already got the assessment from the Government House Leader on just how effective the opposition has been. The fact that the member is already looking to cut and run suggests that maybe some positive things have been done in terms of constructive opposition.

Thanks, Mr. Speaker.

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

MS CARLSON: Thank you, Mr. Speaker. The level of arrogance required by this government to bring in an adjournment motion after five short days in this spring session is surprising even for them. I have to say that I would be in deep trouble in my constituency if I supported this motion. They believe that we are here to do a job, and they believe that part of doing that job means sitting in this Legislature for sufficient time in order to fully explore all of the problems and potential of the bills and motions that are brought forward here and to fully take part in the question period that we have every day, not the answer period but the question period. They think that's an important function that we perform in this Legislature.

It's surprising that the government doesn't share that sentiment, particularly after the Premier this afternoon in question period, in response to a question from my colleague from Calgary-Buffalo, stated that there will be plenty of time to debate that in the Legislature. I am hoping what he meant by that is that this time in this Legislature we are not going to see any closure motions being brought in, that we are going to see full debate on all of the bills and private members' bills and motions that are brought into this House and that we don't see any sort of shortened debate, and



that we see full participation from this side of the House for a change.

I'd like to see that. Lots of them are very experienced now, and they should be able to participate in that regard, Mr. Speaker.

MR. SAPERS: I want to hear from the new ones.

MS CARLSON: Yes, all the new ones too. Certainly they should have something to say.

And that we have adequate time for feedback from the people in this province, because they are the people who ultimately are affected by what is decided in here. If you just ram these bills through and then leave the Legislature, a lot of times there's an impact on people that you haven't really had a chance to fully explore and find out about.

The Member for Calgary-Currie is worried that we spend \$15,000 a day every time that we are in this Legislature. Well, Mr. Speaker, I would say that that is money that is well spent when we can prevent costs incurring down the road that have even a higher cost to them from a human factor. I would use kindergarten as the crucial example in that case.

We now have grade 3 students in this province who can't read. In fact, they're saying that 80 percent of those kids are illiterate. Well, those were the kids who didn't get any kindergarten or who got partial kindergarten in this province because this government rammed through a bill, rammed through a policy that they didn't have the full implications of.

5:00

MR. SAPERS: They don't care about kids.

MS CARLSON: They don't care about kids; that's true. They care about cost cutting. They care about getting out of here. They do not care about public debate, they do not care about the implications of their policies, and they do not care about having full participation from the people in this province to fully undertake what it is that they're trying to implement. The children of this province are paying a price, Mr. Speaker, and I think that is wrong.

So, Mr. Speaker, with those few words I would expect these government members to reconsider this motion and to bring it forward at a more appropriate time, which clearly is not five days after this session starts.

MR. HAVELOCK: Well, Mr. Speaker, what can I say? I stand before you an arrogant and whipped and beaten man. I'm certainly persuaded by the words from across the way. Nevertheless, all I can tell you honestly is that the caucus made me do this. I would urge all members to vote for this motion.

Thank you.

[Motion carried]

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

**Bill 2**  
**Conflicts of Interest Amendment Act, 1998**

[Adjourned debate February 2: Mr. Havelock]

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

MS OLSEN: Thank you, Mr. Speaker. We'll move on here. I'm

very pleased to speak to Bill 2, the Conflicts of Interest Amendment Act, 1998. I find it rather interesting that this bill is in the number two spot this session. After all, that is a huge promotion from being Bill 20 last session, and it died on the Order Paper.

However, in January 1996 a report commissioned by the government known as Integrity in Government in Alberta: Towards the Twenty First Century, also known as the Tupper report, was completed and forwarded to the Ethics Commissioner, Mr. Bob Clark. The report outlined a need for legislative change in the existing conflicts of interest legislation. In fact, 27 recommendations were made, and only seven, or 26 percent, of those recommendations were accepted by this government.

I'd just like to address some of those recommendations. Recommendation 1 recommends that good conflicts of interest legislation would begin "with a clear statement of purpose that indicates . . . the ethical obligations of public office holders." This government has opted to include this statement in the preamble thereby reducing the strength of the obligations. A purpose clause has a lot more strength in law and could be interpreted by the Ethics Commissioner. Interestingly enough, the freedom of information and privacy act has a purpose clause.

Another recommendation that was not accepted was recommendation 2, which suggests that MLAs and appointed officials "avoid both real and 'apparent' conflicts of interest." This is a contentious issue and not included in the amendment act. An example of an apparent conflict recently is the previous minister of science, research, and technology, the hon. Dianne Mirosh. She received an appointment to the Cancer Board. What happened was very legal under the act but gave the perception of being a political appointment, and for all intents and purposes it was. However, "apparent conflicts," if that was in the legislation, would have prevented this appointment from being made.

Another recommendation that was not accepted is the recommendation that

the Integrity in Government and Politics Act should establish an obligation on Members of the Legislative Assembly and appointed officials to act impartially on behalf of all Albertans. The present Act does not have such an obligation.

This is in the preamble, but it should be a section on its own.

Another recommendation was that

the obligations now imposed on Members of Executive Council and restrictions now imposed on 'former Minister' should be extended.

That didn't happen. That raises a question. Government always states that they have significant influence. If backbenchers are appointed to standing policy committees and they chair or supervise, they in fact have a great deal of impact on government policy decisions. They're always telling people to go to these committees, and the public is supposed to go there and express their concerns or bring forward their issues. Well, these members, these chairs are not covered under the conflicts of interest legislation, and they have indeed significant influence on policy decisions by virtue of even what they say.

It's also interesting to note that a government recommendation to put the Leader of the Official Opposition under the Conflicts of Interest Act is accepted, and we agree with that. We on this side of the House have absolutely no problem. But you would think that committee chairs would also be covered. If you think that the Leader of the Official Opposition has any influence on government policy, then we're really going down the wrong road here. The people who have the influence are the chairs of the policy committees. So for those different levels - I don't know - something's askew here. I believe that the standing policy

committee chairs should indeed be covered under that.

There is a recommendation about cooling-off periods. You know, cooling-off periods are kind of an interesting thing for ministers, because they're only six months right now. Well, we've had instances since I've been elected of that cooling-off period having been waived. Ministers don't even respect the existing legislation.

MR. SAPERS: It's shameful.

MS OLSEN: It's very shameful. We have an instance of two previous cabinet ministers, Mr. Dinning and Mrs. Mirosh – they didn't have enough respect for that legislation to wait the six months. They had to seek an exemption. Well, quite frankly, that's not good enough. That doesn't tell Albertans that they take this act seriously.

Another recommendation is that the act itself should be reviewed by a special committee. I'm not quite sure what "special" is. I'm not sure if that means all-party. Other legislation, such as freedom of information, requires an all-party review. So let's take this act as seriously and have an all-party committee instead of just a special committee, because we're not quite sure what "special" really means. [interjection] Well, all-party would indeed be the right thing to do. There's no question about that.

We see another recommendation that the educational activities of the Ethics Commissioner should be enhanced. The Commissioner should meet with each caucus at least twice annually. Candidates for elected office should be informed of their ethical obligations when they are nominated or even earlier if possible. Well, there's no suggestion that this is being done. This should be a statutory duty. The Ethics Commissioner should indeed be meeting and informing all three caucuses what's going on and certainly enlighten us as to where things are at with the Ethics Commissioner. The education process is absolutely important.

I also see that the act does identify the need for people who are Members of the Legislative Assembly who are deficient in paying their taxes – that that information is made public. Quite frankly I think that's the way to go. However, what about nonpayment of income tax, federal income tax, business taxes, all those kinds of things? That would also create greater accountability.

### 5:10

I'm also looking at another recommendation. This is something that actually is very important.

The Code of Conduct and Ethics for the Public Service must continue to be systematically reviewed and modernized in light of changing circumstances. Provincial public employees must know their obligations under the Code. Training and development activities in this area should be reviewed continuously to determine their effectiveness. They promise to introduce amendments to the code of conduct, but that's nonlegislative. The Ethics Commissioner can't do a thing about any violation or breach of the code of conduct. I'd rather see that the Ethics Commissioner be the watchdog, not the government.

Interestingly enough, there's a recommendation:

A new group of officials is proposed as the basis for a revised policy for appointed officials. The group will be called "policy officials". In addition to the obligations imposed by the Code of Ethics and Conduct for the Public Service, "policy officials" will be subject to obligations and restrictions outlined in [the act]. "Policy officials" means all present "senior officials", all assistant deputy ministers, executive assistants, senior staff in the Office of the Leader of the Opposition and a further

group who, in the view of their Minister and the Premier, wield enough policy or administrative influence to be included.

I say to that: we really have had some incidents recently where senior bureaucrats were involved in some activity that, although not illegal, certainly gave the perception that the activity was wrong. Just to highlight that was certainly the incident at the St. Albert constituency association where the constituency president and the treasurer were each involved in a different way in some activity out there. We don't know what happened to the senior bureaucrat. We don't know if she got a promotion for what she did. We don't know if she got a demotion for what she did. There should be some recourse in law, and that would be under this act. Certainly a member of the Public Affairs Bureau: in my view that particular area should be well covered. Those have turned out to be more political appointments than they have appointments to put out the government's message. So there are no assurances that the issues will be dealt with.

I guess I find this kind of interesting: policy officials should also have a cooling-off period – a one-year cooling-off period. Just recently the most powerful man in government, the man who ran the Premier, Rod Love, left. Should Mr. Love be now able to go and contract with the government on different services? Absolutely not. Don't forget, he was the man behind the Premier, the most powerful man here, even before the Premier.

It's those kinds of inferences and the perceptions, and there is absolutely no way that people at that level in this government should be able to just go out now and get a contract with the government.

The other issue is that disclosure statements through the Ethics Commissioner surrounding policy officials should be considered. You know, if you're at that level, we should know absolutely what's going on. If you're at the senior policy level, you've got a responsibility to be open and accountable as well.

My final comment on some of their recommendations is that we certainly support lobbyist registration. That recommendation was made very clear in the report. We should indeed

require the registration of lobbyists and set standards for their conduct. Such legislation will make governments more transparent and . . . accountable.

Well, what are we waiting for? The federal government – those Liberals, those good Liberals in Ottawa, our cousins – has implemented lobbyist registration. It's a tremendous idea, and I think that sometimes we have to look elsewhere for a little leadership. They certainly have taken it on that.

So given those comments, Mr. Speaker, I absolutely believe that I support the notion of enhancing the Conflicts of Interest Act and amendments, but I think there's an absolute better way to do this, and that is to address all of those recommendations set out in the Tupper report, the very group that was put together, commissioned by this government, by the Premier, to address these issues. I think that it's kind of a slap in the face to those who worked on this report to only be able to acknowledge that 26 percent of their recommendations, which amounts to seven of them, were actually even considered.

The fact that there's a huge gap in what senior policy officials should or shouldn't be doing is another question of openness and accountability. What is this government afraid of? Put everything on the table. It's the public out there that we're working hard for. I would suggest that on this particular act, although I can support it in principle, I have some concerns. But I'll leave the debate to determine whether or not I fully support it.

[The Assembly adjourned at 5:18 p.m.]