

Legislative Assembly of Alberta

Title: Monday, February 9, 1998 8:00 p.m.
Date: 98/02/09
 [The Speaker in the chair]

THE SPEAKER: Please be seated.

head: Government Bills and Orders
head: Second Reading

Bill 13 Alberta Personal Property Bill of Rights

[Adjourned debate February 9: Mr. White]

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

MR. WHITE: Thank you, Mr. Speaker. Just in order to complete the debate here. I yielded the floor to a colleague opposite in order to complete his statements; I'd like to complete mine on this bill.

One of the things that strikes me about this bill is that it includes an element of property that we don't usually associate with property in the normal sense, and that's critters and animals and the like. I happened to be listening to a little CBC earlier on, and it came to mind . . .

DR. TAYLOR: Big mistake.

MR. WHITE: An interjection there.

The point was that in law an animal, particularly a dog or a cat or the like, is the property. Now, this piece of legislation says that in effect nothing of real property can be seized until such time as there's a process in place to determine the payment and compensation for same. Well, what happens in the municipal case where an animal is seized? I know that in the city of Edmonton and in the city of Calgary they both have dangerous dog laws. What happens in that case now? This law of course is silent on anything like that and therefore should be explored, at least so they understand when they pass this legislation that something will be said about it.

Probably the final area, that concerns me most, is that this whole act seems to smack of one thing and one thing only, and that's some publicity in order to potentially usurp the effect of a federal law, that of gun control, not that this side of the House believes that law should be in fact enacted. In fact, I think it's ridiculous the lengths they're going to put people through that own guns, particularly antiques and collections. That being said, the fact is it's become a law, and the law of the land is to be respected. Of all people, we in here should understand that. If this act does that and is intended to do that, I would dearly like the other side to say so and to explain that to this side of the House and to the public so as to understand the effect of the law and what is expected to be gained from it.

Mr. Speaker, I want to thank you for the time. That being said, I'll take my place and allow other members of this side their say in the matter as that side doesn't seem to have anything to say about this act at all.

Thank you, sir.

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

MR. MacDONALD: Thank you, Mr. Speaker. It's a pleasure to

rise this evening and speak briefly on Bill 13, the Alberta Personal Property Bill of Rights.

As I was going through this, I believe it is an incomplete piece of legislation. There is talk about reasonable compensation for personal property. I don't understand exactly what is meant by this. Who is going to determine a market value for this personal property? Is it going to be a commission? Is it going to be an ad hoc group, a committee that is set up? We don't know, and I'll be curious in Committee of the Whole to hear from the Member for Cardston-Taber-Warner just what he has in mind for this.

Whenever we talk about the Personal Property Bill of Rights, Mr. Speaker, the idea that our personal health information is not incorporated in this astonishes me. I believe health information is personal property. There is nothing in this slogan bill to deal with this issue. Earlier this afternoon in talking about Bill 6, the Dangerous Goods Transportation and Handling Act, we heard the hon. member from Olds-Didsbury-Three Hills speak about shared federal/provincial responsibilities to create a system to save time and money and ensure public safety. Well, the same thing would apply to this Bill 13 if personal health information were considered. It is personal property.

This bill, Bill 13, as I said, does not address the issue of guaranteeing personal health information. Personal health information is becoming a very valuable commodity in the marketplace; Bill 13 forgets this. This province would be better served by this Assembly if we use this time to develop a health information protection legislative agenda, and this could be incorporated into the hon. Member for Cardston-Taber-Warner's bill. With electronic storage for health data now in frequent use, Mr. Speaker, medical records, which are confidential, should no longer be accessible to total strangers. We should not exclude this type of personal property in this bill.

Thank you.

THE SPEAKER: The hon. Member for Cardston-Taber-Warner to close debate.

MR. HIERATH: Thank you, Mr. Speaker. I have found the debate interesting and look forward to further debate in Committee of the Whole, and I would like to move second reading.

[Motion carried; Bill 13 read a second time]

Bill 14 Alberta Science, Research and Technology Authority Act

DR. TAYLOR: Mr. Speaker, it's my pleasure to introduce Bill 14 for second reading. It's the Alberta Science, Research and Technology Authority Act. I would just take several minutes to make some general comments before my colleagues on both sides of the House would perhaps make some comments.

Essentially what this bill does, Mr. Speaker, is provide an alignment between the Alberta Research Council and the Alberta Science and Research Authority. Currently both of these organizations are governed by two separate statutes. Each has a separate board. For instance, the Science and Research Authority has a board of 25 members, and the Alberta Research Council has a board of 15 members. [interjection] Twenty-five plus 15, the hon. banker behind me was just telling me, equals 40. Yes, I can add that as well. What we intend to do is reduce the total number to a maximum of 25 members.

What this one board does is economize the two boards into one

and certainly provides strategic management in terms of policy and operations and will provide an operational body, the Alberta Research Council, which does a considerable amount of research. I'm sure most of these members are familiar with the Alberta Research Council and the good work it does, as I'm sure members on both sides of the House have toured ARC in the past. I would encourage them, if they haven't, to tour it in the future. In fact, the chairman of ARC, the hon. Member for Red Deer-South, one that's closest to my constituency, will hopefully be giving some comments in a few minutes.

So what we're doing is providing a close connection between the operational arm and the policy arm and making a much more efficient and effective research organization. I'll certainly look forward to comments from both sides of the House and if necessary provide responses to those comments.

I'd like to move second reading, Mr. Speaker.

8:10

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

DR. MASSEY: Thank you, Mr. Speaker. Speaking to Bill 14, the Alberta Science, Research and Technology Authority Act, and looking for the underlying principles that seem to govern our presentation, it raises a number of questions. What we seem to be told is that one agency can better do the job of the two previous agencies, the Alberta Research Council and the Alberta Science and Research Authority. Before we endorse the bill, I think we have a number of questions.

If you go back and look at the mission of the ASRA, it was fairly straightforward. It was created in 1995, so one of the questions we have of course is: why was it created in 1995? The Alberta Research Council was in place at that time. Here we are two years later. Is it being amalgamated with the ARC? But if you look at ASRA's mission, it's to establish strategic research and development priorities for Alberta. So all of Alberta's research is to be prioritized and a strategic research plan put forward. That was to be a major responsibility for ASRA.

They were to encourage the commercialization and application of the results of science and research. I think the Alberta Research Council has done an excellent job of that. As the minister in charge indicated, those of us who've been to the Research Council, who have followed its activities over the years, know just what an excellent job they have done.

Working with the private sector to develop world-class research and development: again, an overarching strategy ASRA was expected to perform. They were working with the private sector to develop world-class research and development infrastructure. So again they were to put in place, it seems here, the pieces across the province that were to carry out the research tasks. Again, this gave them an overarching responsibility that one didn't associate with the Alberta Research Council. Attracting investment, creating jobs, and maximizing economic and social benefits for Alberta through science and research: again, that's part of the mandate. You can see some overlap between ASRA and the Alberta Research Council.

The last one: increasing the effectiveness of government investments in science and research. Again that seems a bit of a different mission than we had from the Alberta Research Council. So as you read ASRA's mandate and its mission statement, it seemed to take responsibility for a more global look at research in the province. Certainly that kind of overview and monitoring and leadership was required, because we have a number of research activities going on, even within the government, that

different arms of government don't talk to each other about.

If you look at the Alberta heritage savings trust fund and some of the research done under funds from the heritage fund and you look at what goes on in departments like agriculture and environment, there were research projects there that other departments weren't aware of. So there's been a need to bring the research together. Even now we understand that there still isn't a good handle on the kind of research that's being done in the province. If you look at the Alberta government's page on the Internet, one of the things they ask people to do if you're involved in research is: please contact us and let us know what you're doing. So there still is a searching in the province to try to get a handle on the kind of research that it's doing and some comprehensive picture of the research activity that's taking place.

Now, if you look at the mission of the ARC – it was listed, at least, in the business plan – it was to stimulate private-sector growth and success through research and development partnerships, helping to bring technology developments into commercial practice. It was widely recognized in biotechnology, information technologies, manufacturing, and natural resources. It had a specialized focus in those sciences and bridging the gap between basic research in those areas and applications. Part of its mandate was to attract out-of-province technology and to act as an early entry partner of Alberta companies in foreign countries through helping them with their financing and development costs and putting them in contact with people that could help out.

The ARC was to work with Alberta universities, postsecondary institutions, to collaborate on the transfer of research results to the commercial sector, again trying to bring into some sort of context the research that was being done in universities quite independently of government and government programs in many cases, and to give it a provincial context.

The ARC was to continue to generate financial returns to Alberta industries and government for reinvestment. So it was in business to make money. So we had these two organizations – one with a seemingly very specific research mandate and carrying out the research, and the other an agency that was seen more as an agency for overseeing, for monitoring research – being brought together. I think the minister's comments said that this was to bring together operation and policy areas under one umbrella. I wonder if that's really going to help matters out.

If you look at the report again on the Internet, one of the activities of the ASRA was to put together a priority task force, and they made a report in 1996 about priority setting. They brought together stakeholders with the notion of setting priorities for research and development in the province. They have made some comments about it. The participants took and separated the research basically into two groups on the basis of the attractiveness and the feasibility of the research being conducted, and they put together two groups of research areas where they had made some judgments. So in their table that appears in the report they have indicated, for instance, high-priority areas, where there should be a very strong focus by the government, that are attractive, and it's feasible for research to be done there, areas like agriculture and agrifood – this is a strong area for the province and for the research community to be doing work in. Biotechnology, where the Alberta Research Council is already deeply involved, is a strong area for research. Education: again, labeled as an area that was very attractive for research activity to be fostered and undertaken. Energy products: again, the Alberta Research Council has been very active and very successful in this area. The environment, forestry, and forest products: again, an

area where the ARC has been successful. Health and medicine: we have a great track record in this area; again, it was labeled as an attractive area. And information and communications: I'm not quite sure what they included there. Those 12 areas were deemed by that priorities group as ones that should warrant the government's attention and certainly research attention.

They also had made a list of areas where attractiveness and feasibility scores were much lower. It started off with arts and culture as not being a very attractive area, not being a feasible area for research. Human and community development: again, an area where the feasibility of doing research was considered to be low. Construction, which is rather unusual; you would wonder why construction would not be an area, given the other list, where research was considered to be important. Manufacturing, mineral production, tourism, and transportation finished off the list of areas where the focus of research, the payoff, was considered to be less attractive. I raise that priority report because what it leaves you asking is: is the new authority going to be any better positioned to take up that challenge in those areas where research isn't seen to be an attractive enterprise for the government to get into?

8:20

You look at the underlying principles of the bill, and one of the principles you would expect to see in the amalgamation of policy and operation would be some support of principles that would see the entire research effort of the province directed over a long period of time, principles that would support a balanced approach to research as an outcome of bringing these agencies together, principles that would maybe have focused on doing some public consultation, on doing some investigation in terms of where the research should be going and what kind of opportunities should be promoted so that we don't have areas as important as arts and culture and human and community development being areas where research is underfunded and not being pursued as vigorously as many of us would like to see it.

So you go back to the bill and ask yourself what the underlying principles are. There seems to be, really, one that sticks out, and that is that it's going to make the administration more convenient. I'm not sure that there is any guarantee in here that the kind of overlaps that are occurring, some of the overlaps between the ARC and the ASRA, are going to be dealt with other than some of the economies, given the size of the board being reduced. Again, it leaves you with the feeling of who's going to be responsible for the overall research policy for the province and whether ARC wasn't better moving towards the things it does best, which are actually to conduct research and link up with commercial industry, rather than trying to water them down by bringing them into an area of planning and policy development that ASRA was originally, in 1995 when it was put together, charged with doing.

If you look at the organization chart put out by the department, they have the department and then they have ASRA and then they have the Alberta Research Council as sort of the two major arms. You put these together, and it sort of raises the question: what does the department do? Is all our activity now vested in these two arms? Just what is the role of the ministry vis-à-vis these organizations?

It's an interesting concept, Mr. Speaker. It's one that I think we'll probably endorse given some more information from the minister, but right now I think we do need more information. It's not entirely clear what's being gained and what kinds of principles are being furthered by putting the two things together.

Thank you.

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

MR. DOERKSEN: Thank you, Mr. Speaker. I appreciate those comments from the Member for Edmonton-Mill Woods. Hopefully some of my comments will help to clarify the situation and not further muddy the waters. I'm sure he'll tell me afterwards if indeed I've been able to do that or not. This may be a historic moment in the Assembly, Mr. Speaker, because my comments are actually going to be probably longer than the hon. member's, the minister for science, research, and information technology. That is a rare occasion in itself, because he has been known to ramble occasionally and take his time.

To the bill. Today we are addressing Bill 14, which is the Alberta Science, Research and Technology Authority Act. Just right off the top, which is kind of interesting: the previous act, the Alberta Science and Research Authority Act, makes no reference to technology. I think the addition of the word "technology" here is a signal that in fact technology is seen as an up-and-coming knowledge industry and something that needs to be recognized in the act and certainly endorsed in the title. So I think we should make note of that.

The main reason, of course, that I'm speaking here is because of my role as chair of the Alberta Research Council, and I can hopefully shed some light there. You will note that under section 2 of the act it does certainly indicate that the Alberta Research Council will continue albeit under a little different governance model, something that was very important to the board, as we talked about this. I want to assure the members of the Assembly that the Alberta Research Council board has been kept fully apprised and involved in the discussion relating to the tabling of this act. We've had a chance to have some input to the minister and have spent considerable time working through this situation. And I must say that the new managing director and CEO of Alberta Research Council has been meeting with the minister on a regular basis, and along with the minister and the chair of the secretariat – is that what you're called? – Bob Fessenden, working together on how this is all going to fit together.

In sections 3 and 4 you'll note that it outlines the powers and the duties of the new Alberta Science, Research and Technology Authority Act. I think it's important to review particularly the duties, because it kind of highlights some of the distinctions there will be, how Alberta Research Council and the activities that happen there are different from the activities that happen under the authority as we know it.

You'll just note here that the authority gives the minister "advice respecting science, engineering and technology that affect resources or industry in Alberta." It's charged with stimulating "research and development and related scientific, engineering and technology activities in Alberta." It's to "develop and recommend science, engineering," and all these other words I've said before, "conduct an annual review" – and the Member for Edmonton-Mill Woods made some comments about this – "and evaluation" of the government's activities in all research, and I think (d) under section 4 covers that pretty well:

conduct an annual review and evaluation of all Government science, engineering, technology and research policies, priorities and programs, evaluate their compatibility with the economic and social policies and priorities of the Government, and recommend to Executive Council the amount of public money that a program should receive.

That is not a function that Alberta Research Council was ever involved in, nor should it have been, because its role was primarily in the commercialization of research in the province of

Alberta and, as the Member for Edmonton-Mill Woods has pointed out, it has done an excellent job over its 75-year history in promoting research and development that have benefited all Albertans and, in fact, are benefiting us today. Our role is to continue that. So it is a very distinct role that Alberta Research Council fulfills.

So going back to, then, the new authority, one of their main objectives, of course, is on the policy side of research and development and conducting an annual review of all government research in all departments to co-ordinate the efforts to make sure we are proceeding on a path that is consistent, that will do the most good in the shortest period of time for the long-term benefit of Albertans.

8:30

There are really two distinct benefits that I see with the bringing together, if I can call it that, of these two groups. The one the minister mentioned of course is the consolidation of the boards, a reduction in board members. That is significant because we do want to reduce duplication and overlap and reduce the number of boards. You'll recall that in this Assembly at our budget deliberations last spring I certainly offered up my role as chair of ARC if the minister were to come forward with a new organization that made more sense in the province of Alberta, that could make sure that science and research could do a better job for us. I think this is obviously partly it, because the ARC Act, when this is proclaimed, will be repealed. So that's one benefit, the consolidation, although I don't think that's the largest benefit.

I think the most important benefit – and the Member for Edmonton-Mill Woods had some questions about this – is the link between government policy and the execution of that policy in the various arms of government or agencies that are engaged in research, science, and technology to make sure that we are moving in that consistent direction. So things that the authority will be involved in would be, as I mentioned before, the review of all the government departments and their research activity. They'll be examining the way the universities do their research and reviewing those programs. I think they will certainly look at the commercialization side of it, which predominantly now sits in the Alberta Research Council getting those partnerships together, but certainly they have a role to provide direction.

Forestry was mentioned. The authority may say that forestry and related products is an area that we should focus more of our time and attention on for research. They can then direct the Alberta Research Council in the preparation of their business plans to make sure that that lines up with the overall direction. Again, that's just to make sure that our policy aims are consistent with what we are actually delivering in the various agencies. That's just an example.

Certainly, the authority is responsible to foster research growth, technology growth in our province and to encourage partnerships with companies or industries, the universities that are involved in research. They may make recommendations to the minister on tax policy. They may suggest that there are certain tax policy initiatives that might be beneficial to research and development or information technology in the province of Alberta, and that's their role. The Alberta Research Council is going to remain over here as an operational body making sure that they're focusing on the policy that is directed to them by the minister with the advice of this authority.

I think, Mr. Speaker, that I've covered off some of the basics as I see them in this bill and some of the principles that are before us today. I would certainly second the motion to move this bill

through second reading, and we can get into further debate at committee.

THE SPEAKER: Hon. members, prior to calling on the hon. Member for Edmonton-Mill Creek, might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

head: **Introduction of Guests**

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly Mr. Merle Schnee. He is a keen observer of the political process in this province, and he has a particular interest in health care and health care related issues. He's in the public gallery. I would ask him to stand and receive the traditional warm welcome of this House.

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

Bill 14
Alberta Science, Research and Technology
Authority Act
(continued)

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to enter debate during this second reading stage of Bill 14, that being the Alberta Science, Research and Technology Authority Act, as brought forward by the hon. minister responsible for science, research and information technology. I've had a chance to look through this bill, and understand that the basic thrust of the bill is the amalgamation of two outstanding bodies that have contributed a great deal to Alberta's well-being, to Alberta's economy, and to the advancement, as it were, of our quality of life.

In looking through the bill, I see too that there are a number of other acts that have to be read in order to understand the full intent of the bill, such as the Government Organization Act and the Interpretation Act and the Financial Administration Act. So we'll be doing that, and also looking at the Regulations Act, as spelled out on page 4, and perhaps coming up with more details during committee stage.

However, in general, I want to say straight away to the hon. minister that I support what I see happening here, particularly because I have great respect for the Alberta Research Council and the work that it has done, the legacy it has left for our province and our future and also for the Alberta Science and Research Authority, which is the other partner to the amalgamation.

As I read through this bill, Mr. Speaker, I believe I understand that some streamlining and some exercise in efficiency is being sought here and that in effect what we're doing is amalgamating, as I understand it, the policy arm of the broader research umbrella in the province, that being ASRA, or the Alberta Science and Research Authority, with, I guess, the functional or implementation arm of the government research umbrella, and that would be the Alberta Research Council. I have no problem with that at all. I've said many times in this House that anything that streamlines government, makes it more efficient, makes it more accessible and understandable to people is going to get my support.

I'm also interested in studying some of the technicalities that are outlined here on page 4 with respect to the operations end of things. I say that because I was involved years ago when the foundations in the cultural area were amalgamated. Some of it was done reasonably smoothly, I suppose, and some of it was not done quite so smoothly, and in the end I think we did certain sectors of Alberta culture a disservice by not allowing them to remain independent. However, I don't believe that is the case with this bill. Nonetheless, we'll be monitoring the implementation of this amalgamation as it goes through the various phases and looking forward to their reports that will be coming forward presumably on an annual basis.

I like the fact that the principle of this bill allows for the continuation of the excellent work that has been done by the bodies I referred to, especially in the areas of resource development and industry development, because those areas have impacted us in ways that aren't always immediately and readily understood today. Some of those impacts we're going to experience in the future.

I alluded to the aspect of job creation as being one of the impacts. I think there have been a significant number of jobs created through a lot of very good projects undertaken here too, and I would hope that with the minister's personal commitment to this area and his knowledge in the area, he would provide adequate funding. I understand he's done that, in fact, through an announcement a month or two back. Perhaps it was even earlier. I think that bodes well for Alberta's future. We can't any longer rely on the nonrenewable resource sector for everything in this province. So the more research we can get done now, hon. minister, I think the better. It paves the way; it lays the foundation for expansion in some of the other exciting areas, which I'll touch upon here shortly.

8:40

Other impacts are going to be felt from some of those accolades and acknowledgements, Mr. Speaker, that we receive from others in the world, not just neighbouring provinces. You may recall having been present, for example, at the Great Canadian awards ceremony a few years back. It was a five-year project of the Canada Day Committee. In one particular year we saluted a Nobel prize winner from Lethbridge or Medicine Hat; I can't recall which. I know the gentleman. We had several meetings leading up to that. It was Dr. Richard Taylor, who's a professor at Stanford University.

I will never forget, after he received the Great Canadian award for that particular year, him saying in his speech in very blunt terms how shortsighted it would be of a government to not put the proper funding into our future through research, the applied sciences, the engineering and technology sector, and those critical areas that create the new opportunities for the next generation, notwithstanding the fact that they tend to save a lot of people in the current generation. At the time he wasn't intending to take a shot at the Tory government that was in power, but I remember him being very emphatic in his comments because Joe Clark was one of our guests. That message did get through, and I'm happy to see that our own local minister is also paying attention on that and acting on it.

The final impact area is a general one that kind of covers everything, and that's with respect to the quality of life that research, technology, and these kinds of advancements have the ability to effect. I think it goes without saying, Mr. Speaker, that we should always strive for this kind of excellence in our approach to enhancing the quality of life for Albertans. When

you reach out and are doing things of the magnitude that these research councils and authorities have done, they attract international recognition, and in turn we attract international scholars, and in turn everybody benefits from it.

I don't have a statistic for you, Mr. Speaker, in this area insofar as the impact of dollars might be to our economy or the specific impact of jobs, but I would venture to say that the ratio of money put into the area of research is returned multifold. I could give it to you in culture, where dollars invested in culture tend to generate anywhere from \$5 to \$6 in return. For every dollar that we invest, we get back \$5 to \$6, and in some years we'll get up to \$16, which is why you've heard me speak rather passionately about the protection of culture in this province in whichever facet of culture you want to dwell. I think I've touched on most of them.

There are many exciting projects that I see possibly coming up through this. I am particularly struck by the area in the bill that talks about grants, Mr. Speaker. Grants are one of those things that when the public hears about them, as referred to on page 5 in the bill, they can sometimes form a wrong impression about grants. We're not talking about giving a grant for some little minuscule project here; we're talking about several millions of dollars that are involved. Those grants of course will be scrutinized by a proper board, and there will be proper follow-up and guidelines adhered to and final reports written and so on and so on. In the end those grants are critical if we want to maintain the brainpower in this province.

We have heard many speeches in this House and outside this House about the so-called brain drain that's occurred particularly in the area of medicine. That's something that I would find to be a tragic conclusion if that were to have continued. I would like to think it's not continuing, that the government is in fact moving to correct some of that exodus if in fact there was one to the degree that we suspect there might have been.

As I look at some of the areas that this bill might affect, I am immediately struck by one of their research application documents that came out in probably 1996, and I was impressed with it, Mr. Speaker. This bill, I think, will help further the cause of research in some of those areas. Everything from agriculture to arts and culture to biotechnology to community services to construction, education, energy, production - we could go on to forestry, health, manufacturing, tourism, transportation - is somehow impacted first and foremost by research. The hon. minister has quite a task ahead, but I suspect he's relishing the opportunity.

We know that when we look at these opportunities, there's a preoccupation right now, if not by the people of Alberta then at least by the government present, about the so-called economic indicators. I would hope that that's not a limiting vision for the government nor for the minister, who's a well-educated gentleman himself, because there are huge potential benefits from this area. As you explore some of the things that were touted in some of your reports, hon. minister, even though you weren't necessarily at the time, I look forward to a regular reporting of some of those results insofar as market sizes go and market growth is concerned, social enhancement, the avoidance of damage, the improvement of safety controls, and so on, particularly in the health area but elsewhere as well, and also the tremendous opportunity for export. It's so critical that we have ongoing efforts in that area.

I was also struck by some of the work that was being done by this authority, and I think the bill before us has the ability to take this a step further as well. I'm referring to the area of animal health care. We have one of the ministers on the front bench who

was a former veterinarian who might wish to speak to this at some point as well. I was particularly impressed when I read during some of my research in the spring of 1997 that the Alberta Research Council has in fact established the first large-scale veterinarian biologicals manufacturing facility in western Canada. I think that's a huge feather for us and one that I look forward to seeing some additional results from, as it were. Everything that we have talked about in this House for the past four or five years has somehow impacted that area of opportunity, Mr. Speaker, and this bill has the greater potential to take it even further, and I hope it will get unanimous support.

I would like to pose a couple of questions to the minister in relation to the principle that underlines the bill, and one of them is with respect to the streamlining I referred to earlier but specifically what that streamlining means to us in terms of cost savings. I think that would be some useful information at some point for the minister to provide to us. I don't think we need a great deal of detail, but I'm always interested in reporting back to my constituents when I critique a bill or they call me about a bill. I like to be able to tell them in concrete terms the best I understand it, why the government is doing it, whether or not I agree with it, and why I agree with it. One of the reasons that I would agree with this is because of the streamlining and what the budget might look for. In fact, I know there's a budget coming up soon, Mr. Speaker, so maybe that'll be one of the areas that we'll pay some particular interest to.

The other question that I would have for the hon. minister at this stage is with respect to the role of industry insofar as this bill is concerned. Will this new authority that's being created, for want of a better term, be arm's length? What I really mean by that is: will it have the full freedom to not be dictated to by industry? I guess that would be sort of the blunt way of putting it, and I don't mean to offend industry by that terminology, but it's what sort of flies to mind. So perhaps the minister will comment on that.

I don't think that as a province, Mr. Speaker, as a country, as a population we can afford to stand still. If you stand still, if you don't probe, if you don't explore, if you don't venture out to try and discover something new, then you stagnate. I think history would tell us that there have been, in fact, cultures and civilizations that have probably caused their own demise for lack of ability to expand their horizons. So I was particularly struck on page 5 to read one of the founding principles with respect to discoveries, inventions, and improvements and the well-roundedness of the intention to have people that are engaged there make public their submissions or their findings so that many others can benefit from it.

8:50

I'll close off just with a few references to one of my very favourite research organizations, and it's the one I referred to earlier. That's the Alberta Heritage Foundation for Medical Research, which is not impacted directly by this bill, I would confess, Mr. Speaker, but it's impacted in a general sense by the research that it will have the ability to share.

I note, for example, in the submission from the Alberta Heritage Foundation for Medical Research that one of their founding principles or visions is almost identical to what I think the government is trying to do here, but this example applies rather entirely to medical research. It's found on page 2 of this excellent report called *Window on Future Health*. It says, "Medical research is the window of hope for better health in the future." I think we could take that statement and apply it to any

sector of the several ones that will be researched more thoroughly and will be advanced and developed more thoroughly and indeed create hope for a better future, because once again, to underscore the point, we can't be forever reliant on the nonrenewable sector for our stability and sustainability into the future. We're good for awhile. We're good for five, 10, maybe 20 – who knows? – maybe 30 years, but we really do have to have a window of hope for the province beyond that date, and that's why this is so critical.

I note that there have been tremendous accolades given to Alberta for discovering a vaccine that would slow the progression of juvenile diabetes, that there has been tremendous research done in the area of ulcer prevention and keeping children safe, as well as genes that may soon predict the course of arthritis and how we can better control it.

I was particularly struck by the aspect of heart disease. More and more research in that area is critically needed. I know we used to have the best researchers available. I don't know if we still do. I hope we do, but as I say, I don't know how many doctors may have gone on to ply their trade elsewhere. But when it came to studying heart attacks and heart surgery, there were a number of possibilities that were opened up for perhaps invention and classification of new drugs as a result of some innovative research that was done right here in this city, Mr. Speaker. I was always struck by that, particularly by a University of Calgary medical scientist, Dr. Henk ter Keurs, who was Canada's first Merck Frosst professor in cardiovascular research and went on to do incredible research, groundbreaking research, regarding heart failure. We can't take this lightly, because we know that thousands of Canadians – and I'm talking 40,000 to 50,000 Canadians – live with precarious failing heart conditions. So I congratulate whoever was minister at that time, and I challenge the current minister to continue on in that fine tradition of seeking out even more.

I would just say that there are some things on the economic side that I neglected to mention that have just flown into my mind with respect to the Alberta Research Council. I'd like to just comment on some comments, I guess, that were made in the Alberta Research Council magazine called *Technology for Business*. As every MLA in this House we're all bombarded with a huge amount of material on a daily basis. In fact, in my office I tend to get about a hundred of these a day, but this one simply says, "Alberta has a strong technology infrastructure thanks to groups like the Alberta Research Council."

With that, I'll take my seat. I hear the bell has gone. Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. I, too, am happy to stand and speak to Bill 14 and add my congratulations to the organization formerly known as the Alberta Research Council. They've done, I believe, remarkable work over the years.

DR. MASSEY: Just because they're in your constituency.

MS CARLSON: Just because they're in my constituency now – that's exactly right – since the boundary changes. They were previously in Edmonton-Mill Woods; now they're in Edmonton-Ellerslie, so I have the opportunity to visit them often. Many of the people who work there live in Mill Woods, if not directly in my constituency then in Mill Woods proper, so when bumping

into them in the community, they're happy to share the good things that have happened at the ARC over the years and keep me informed in terms of where they're going. I have never had a complaint about what happens there. So in that context I'll address this bill and the change that's going forward in terms of making them now the Alberta science, research and technology authority.

I have a few questions that I'm hoping the minister will answer before we close debate at second reading on this, because it will determine to a great extent what my comments are when it gets to committee. From a perspective of clarification I first of all would like to move to section 3, where we talk about some of the powers. Section 3(1)(e) talks about the ability for this authority to now "solicit and receive donations."

I'm wondering if the minister can speak to the intent of this. Is this here just in case money happens to drop in their hands, or is there going to be some sort of an active solicitation of funds? If so, I would like to know the kind of commitment that he's expecting the board to make to this and the employees as it flows through, because I would hate to see that any of the time was taken away from the very needy pursuits of research and development at all levels, that they've been so capable of doing in the past. So if he could just explain that a little bit to me.

[The Deputy Speaker in the chair]

When we get down to section 3(2), it says that the Authority . . . may acquire real property, construct buildings or improvements or hold or dispose of real property in connection with the powers conferred and duties imposed on it under this Act.

It's been my experience, Mr. Speaker, that any time the government or any of its boards get involved with buying or selling real estate, we end up with a couple of boondoggles, or six or seven or eight or nine or 10, ending up costing the taxpayers of this province a lot of dollars. In fact, if memory serves me correctly, there is one of those such boondoggles just south of the ARC, in fact sharing the land base that it's on. That white elephant has been sitting there empty for some time at a significantly overvalued real estate value. So I would be leery of actually seeing that this authority has got those kinds of powers invested in it. I'm wondering once again if the minister could speak to the intent here and how acquisitions of this kind will be scrutinized and what kind of due diligence will be done by the board members to ensure that, in fact, we don't run into any kinds of problems that this government has seen in the past.

Speaking of the board members, we haven't heard so far this evening a clarification of how they're going to consolidate some 40-odd board members down to 25. Who's going to decide who's on the new board, how long they are appointed for, and the kind of mandate that they're going to have there? What's exactly the review process to become a board member? How long of a time period will they serve? Will new members rotate in and out on a basis that won't impact the stability of the board? I just would like a clarification on some of this information.

Also, I'm wondering what board members are prohibited from doing in terms of their association with the ARC's activities. We've seen many, many instances in this government where people leave the employ, soon to become involved in an organization that was not operating at arm's length previously. I'm wondering if there are any kinds of stipulations here.

9:00

When we go down to section 3(3), it talks about the authority owning or partly owning "a subsidiary that has the power to borrow and invest money." Now, what are the limitations placed on board members in terms of holding shares in any of these subsidiaries, not only during the term of their board placement but prior to that happening and after that happens? Is there some sort of statute of limitations on that? I'm sure the minister can address that.

While we're on the topic of partly owning or fully owning subsidiaries, I'm wondering what share of liabilities the authority is taking a look at here. Once again, this has the potential for having a large downside for the authority, therefore for the government, therefore for the people of the province if things don't go well here. If the minister could outline some of the specifics in that regard, I would be very happy to hear them.

Moving on to the duties, which is section 4, I'd like to move down to section 4(d), where we talk about an annual review being done now by this new authority. I was assuming that it was the authority when I read this, but when I heard the Member for Red Deer-South give his comments, it looks to me that it isn't the authority that's doing this. It looks to me like it's the old ARC as a policy body that's doing this. So I'm a little unclear on that; if there could be some specific clarification. The way I heard this member explain it, we have the authority, which I'm thinking of in terms of being the board members, and then the old ARC, who's carrying out the functions. The authority would do policy reviews on all government departments, including what the ARC is doing, and the ARC would carry out the actual functions. That's what I got from what you were saying. If that's wrong, I would like you to clarify that so I do fully understand it, because it isn't that clear for me right now.

In terms of that, we see some added duties here compared to what the ARC used to do very well before. Once you start adding duties, I think there's the potential for them to be spreading themselves so thin that we lose some of their effectiveness, and I'm hoping that isn't going to happen. I'm sure the minister can clarify that for me and tell me how these new functions that are being added to this body will not hurt their ability to do research and development in all kinds of fields.

I was very interested to see that part of what they're going to be doing there is evaluating the compatibility with the social policies of the government. This is very interesting for me, because when we take a look at some of the information that's been provided as part of the information that is accessible here – you talk about the executive summary in this organization – there was a study done I think last summer where the R and D priorities for this organization were established, Mr. Speaker. It looks to me that in principle what they have done is prioritized what areas of R and D they're going to be focusing on, and human and community development, which to me looks like the social policies of this government, rank very, very low. So from that perspective I'm wondering how it is that they're going to be reviewing the social policies and evaluating their compatibility in relation to research and development support that doesn't seem to be there. I'm wondering if the minister could speak to this.

When you see human and community development coming in very low in terms of attractiveness or feasibility for focus of research and development attention – attention in this case to me means dollars and support and potential for recommendations to be putting that kind of support in these areas – I'm wondering how that's going to happen. It doesn't look to me like human and

community development is going to be anywhere in terms of having some sense of priority from this government. What it says in this study is that this was one of the areas where research is fragmented, and one of the challenges for the group in this R and D is to determine how they can pull that fragmentation together in a manner that's going to benefit the province. So clearly I'd like to see that addressed, because I would hate to see that either arts and culture, human and community development, construction, manufacturing, mineral development, tourism, or transportation get written off in terms of R and D in this province for some coming years because it doesn't fit in with the development of this mandate.

To develop this mandate, there was a task force put together, Mr. Speaker, and I'm wondering if the minister can speak to who participated in the task force. Clearly, if the kind of stakeholder input you had didn't have strong representation from those areas, then I would think the output would be skewed regardless of how scientific a process you used to put the task force together. If he could address that, I'd be very happy too.

So that again, as I see it, is somewhat of a new function for this organization, and I'm wondering how they're going to do this. Maybe they have a framework put together and they've gone through a strategy, outlined the goals, all the benchmarking that we're going to see. If that's the case, Mr. Speaker, then hopefully that will be tabled at some point in the House. That would be a big benefit for us.

Speaking of tablings, could we get the members who participated in this task force also tabled? I think that would be valuable information for us to take a look at.

Moving on to duties again, 4(f), they talk about encouraging "the science, engineering, technology and research community and its infrastructure in Alberta." Here, Mr. Speaker, as a point of clarification, are they speaking to soft or hard infrastructure or both?

Moving on to (g), they talk there about expanding the mandate somewhat, carrying out "any other activities related to science, engineering, technology and research that the Minister considers appropriate." I'm wondering if this is just a catchphrase for anything new that may come up, Mr. Speaker, or if there's any specific intent, any specific direction that they're taking a look at this authority pursuing in the near future.

Mr. Speaker, I'm nearly at the end of my remarks. I want to touch on section 11, which talks about assessment and taxation. In this bill they're talking about the authority not being "subject to assessment or taxation for municipal or provincial purposes" if the subsidiary is "wholly owned." What if it's partly owned? What happens then? And what if it has a majority ownership there? What kind of taxation and other kinds of regulations will it be subject to?

So from that perspective, if the minister could address this before closing second reading I would appreciate it, because I need that information to get into the very specifics of the debate once we get into committee.

In general, I say that I would support this bill at this time. It doesn't look to me like there are any serious problems, but certainly there is some clarification that I would like to see. Definitely with regard to how the ARC will now manage its new expanded role in this authority is something of particular interest.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I rise this evening

as I have a few comments on Bill 14. I hope the right-wingers on Team Canada at the Olympics are as successful as the hon. Member for Cypress-Medicine Hat in his introduction of this bill.

Bill 14 will merge, as I understand it, the Alberta Research Council and the Science and Research Authority under one body: the Alberta Science, Research and Technology Authority. This is a good move, Mr. Speaker. I think it will streamline current operations by making a single body responsible for monitoring and co-ordinating government research and technological development. The importance of research in Alberta cannot be overlooked. As we go into the next century, we're going to be looking at a very, very interesting field, and that's the field of composite materials. I hope this bill can look into that and is responsible in some small way for materials that we can develop in this province, particularly in the plastics industry.

9:10

Our society is undergoing many changes. Our province is undergoing many changes as well. We have an increasingly sophisticated economy where there's rapid technological change. There's the fear of globalization in some quarters; other people see it as a challenge, Mr. Speaker. Some people have fear of it. There are increasingly volatile energy markets, and there are new work conditions. The Minister of Labour would be the first gentleman to acknowledge this, that there are new work conditions, and they are placing significant pressure on people and companies. Yesterday's practices are being challenged, and the stakes are high. This bill hopefully will help us do very well economically into the next century.

There are four major focuses of the economy here in Alberta. They are energy of course, tourism, agriculture, and forestry. This streamlining process that the hon. member across the way is introducing to us is a forward step, and it is a pleasure to support him in his initiative. Some of the technologies that we need in industries in Alberta must be developed here. There are hot water extraction processes used for tar sands oil extraction. This technology will strengthen our economy and make us less reliant on conventional sources of crude oil. Most of the technologies that we're using presently, however, were developed elsewhere and adopted and adapted and applied in Alberta, particularly with our extreme winter conditions, for oil and steam generation. Hopefully, our science and research infrastructure will be helped with this bill.

Government investment in research and development has played a key role, Mr. Speaker, in creating the Alberta that we know. I hope that this bill, Bill 14, will help us become a much stronger province economically.

Thank you.

THE DEPUTY SPEAKER: The hon. minister responsible for science, research, and information technology to close debate.

DR. TAYLOR: Yes, thank you, Mr. Speaker. I rise to close debate, and I would say that I appreciate the comments. I have made some notes, but at this juncture we are supposed to be dealing with the principles of the bill. So I have made notes about some of the questions – cost savings, role of industry, and so on – and I will address those questions when we are dealing with the bill in Committee of the Whole. Thank you very much for the suggestions and good comments from both sides of the House.

At the present time I would move second reading and ask for the question.

[Motion carried; Bill 14 read a second time]

Bill 12
Alcohol and Drug Abuse Amendment Act, 1998

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

MRS. BURGNER: Thank you, Mr. Speaker. It's kind of interesting to have a piece of legislation that is only 25 words, and given the fact that I usually use those on a regular basis, this is going to be a very short debate.

Just to speak to the principles of this bill, clearly the confidentiality between a client and the workers at the Alberta Alcohol and Drug Abuse Commission is significant. In fact, we realize that the relationship and the interest in rights of clients are of key importance when considering how we deal with our relationships, so personal information is a very important element.

Mr. Speaker, this bill primarily addresses one fact, and that has to do with the situation that on occasion there are compelling circumstances affecting anyone's health or safety, and therefore the notice of disclosure must be attended to. Primarily this bill brings the legislation of the Alberta Alcohol and Drug Abuse Commission into compliance with the freedom of information and protection of privacy issues that were raised by the Auditor General.

Mr. Speaker, having said that, the issues of confidentiality do remain the most important priority between AADAC and its clients, recognizing that information is shared as addicts are coming into treatment and looking at how to rebuild their lives, and that confidentiality remains very important, notwithstanding that there are compelling circumstances on occasion where society as a whole must also be safeguarded. This bill speaks specifically to those kinds of situations.

Mr. Speaker, without further ado I would like to just listen to the discussion from other colleagues.

THE DEPUTY SPEAKER: Hon. member, you did move it?

MRS. BURGNER: Excuse me. I'm going to move second reading at this time.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. I understand the main objective of this bill is to allow the disclosure of the name of an AADAC client if it is deemed that releasing the name is in anyone's best interest as it relates to their health and safety. Now, I also understand that in January of 1997 the government released a report of the MLA review committee called Towards an Addiction-free Alberta – notwithstanding VLTs, however – a reconsideration of the role and mandate of AADAC. The report had several recommendations. They ranged from the recommendation that “AADAC should be maintained as a province-wide agency providing leadership in treatment and education about addictions” and one recommending that

strong linkages with Regional Health Authorities should be developed, but the mandate and role of AADAC should not be compromised. Therefore, AADAC's role should not be regionalized and integrated with Regional Health Authorities. AADAC's relationship with Regional Health Authorities should include:

- acting as a coordinating agency for meeting specific needs or providing addictions-related services
- acting as a resource to Regional Health Authorities for information and training

- acting in partnership to provide treatment programs
- working with the Regional Health Authorities on awareness, education and prevention programs.

Another recommendation suggests that

AADAC's current five core businesses should be maintained but the following additional businesses should be added to their mandate:

- Central coordinating agency – AADAC should coordinate and evaluate all programs dealing with addictive behaviour where government funds are involved. It should function as a central coordinating agency for access to government-sponsored treatment programs and funding.
- Public awareness and prevention – AADAC should once again take a more prominent and visible role in education and prevention of addictions . . .

including VLTs, I would suspect

. . . especially through campaigns targeted at youth.

[Mr. Zwozdesky in the chair]

AADAC, in another recommendation,

should continue in an arms length relationship with government . . .

That is a long arm, I would suggest.

. . . providing provincial leadership and maintaining strong relationships with a network of community agencies which provide direct delivery of programs and services. The Board should continue to include province-wide representation and should provide overall policy direction for the work of the Commission.

A final recommendation I want to make note of is:

AADAC should step up its efforts to market its programs, particularly the Business and Industry Clinic. To support an expanded role in promotions and higher profile campaigns, AADAC should explore a variety of ways of generating revenue, including marketing their programs and campaign products outside Alberta.

Now, given that we've reviewed some of the recommendations, the report had several recommendations and not one of those recommendations asked for the loosening of disclosure rules as they relate to the clients of AADAC. Nowhere in those recommendations do we see that. I find it very, very interesting that we have, as the hon. Member for Calgary-Currie stated, a 25-word bill that does just that, and nowhere in the government's own report does it suggest that we should do that.

9:20

There may be a situation in which releasing information is necessary. However, who is going to release that information? It can't be left in the hands of the same person charged with protecting and collecting the information. Who's going to do it? A qualified third party?

I have a few questions as we move along. Who's deciding when a person's information will be released? What's the criteria? This bill does not outline any criteria at all about when the information should be released. What qualifications will that deciding person have? Will they be an arm's-length, independent person?

I also want to know the guidelines that will be used in order to determine whose information will be released. Can they be tabled, and will this require a change in regulations? If they require a change in regulations, they should go before the Standing Committee on Law and Regulations. Again, that's a committee that has not met in the last 10 years. We have a chair of that committee on the side opposite from Banff-Cochrane. She

would probably like to get some experience on that committee, and the rest of us who are on the committee would like to review some of these regulations. I have some concern about that.

Given that, I'm very curious as to where this came from and why the government feels so compelled and feels it necessary to release information, especially in light of the fact that it has never been recommended anywhere else in the report. Where did it come from?

AN HON. MEMBER: We're an open government.

MS OLSEN: Yeah, you're an open government all right, but you're selective on how open you want to be.

I'm wondering if this would apply to current clients and past clients, any clients, people who are no longer part of the program and have become alcohol and drug free? Are they willing to have their names publicly disclosed for any reason that you may choose?

Given that, I'll sit down and let my colleagues speak to that.

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

MS CARLSON: Thank you, Mr. Speaker. I must acknowledge that it's nice to see a member from our side in the chair this evening.

I'm happy to rise to speak to Bill 12 this evening. I am wishing that when the member introduced this bill, she had given some kinds of examples, Mr. Speaker, of the exact circumstances in which AADAC would wish to disclose the name of one of its clients. As it stands, I have a lot of problems with this without any kind of specific framework to work within. You talk about being in their best interests as it relates to their health and safety, but I have some concerns about the way this bill is laid out in so few lines as it is, particularly when I think that there was some significant work that could have been done in this regard with regard to AADAC.

Certainly, as my colleague talked about, I think it's very important to mention here that there was a MLA review committee that made some recommendations. I thought they were excellent recommendations for the most part. Some of them were then followed up on by AADAC themselves. Some of them I think need some legislation to put them into place. Yet not a single one of those is brought forward in this bill. What we see now is simply a disclosure requirement for purposes that are somewhat vague and open with regard to what it states in this bill, yet none of them have been previously addressed by anyone. In all the years that I've been in the Legislature I've never seen anyone rise to debate the need for the possibility of clients having their names disclosed in this manner.

Certainly over the years, through the constituency office, I've had many instances where we have dealt with AADAC, and I have to say that they do a top-notch job, just an excellent job over there and probably with not enough resources given the increase in the gambling that we're seeing, particularly with the increase in that crack cocaine of gambling, VLTs. So having said that, they're doing an excellent job. Never once have I ever said, Mr. Speaker, that they need on some occasions to disclose the names of their clients.

Before I could even come close to supporting this, I would need to know some very specific reasons why, and I would like to see that if there are specific cases where this would be necessary to

be done, we'd see some sort of third-party screening that this process would have to go through to ensure not only confidentiality to the greatest extent possible but that there are a number of eyes taking a look at the situation to ensure that at no time in the future would a name ever be disclosed in a manner that would be contradictory to what the original intent is in terms of protecting personal privacy. So from that perspective, Mr. Speaker, I'll conclude my remarks, and hopefully once again before this passes second reading, the mover of the bill will rise and answer some of these questions.

THE ACTING SPEAKER: Thank you, hon. member.

The Member for Edmonton-Calder, please.

MR. WHITE: Thank you kindly, Mr. Speaker. It's a pleasure and honour to speak to any bill when there is an opposition member of this House sitting in the Speaker's chair. I do believe it's the first time in history; is it not the case? [interjections] Let the record show that I'm being roundly chided for not noticing the fact that my colleague has been sitting there before.

Well, moving rapidly on to something that I know is the case, Bill 12, in brief, is very brief, and in fact I have very little to say on the matter except that . . . [some applause] Let the record show that I've been roundly applauded from all sides of the House.

Why would one bring forward a bill such as this without informing the House as to why there's a need for this bill? I mean, I don't understand what's so secretive. The opposition can be quite co-operative at times if the proponent of the bill merely makes the reason for the bill known. Can any of the members opposite or anywhere in the House cite a number of instances where this provision would be required? We wouldn't put names to the cases because that would be violating the act as it stands but just outlining the circumstances by which it could happen.

A number of questions jump to mind. After you have labeled these situations as potential candidates to fall under the bill, then who is the determinate, who is the judge, who applies whatever test you want? Who is that person that says yea or nay to affecting this person's life and perhaps many others around them to the extent that their confidentiality has been breached for whatever reason? The final question is really quite simple: what test constitutes compelling circumstances? Compelling circumstances for whom? Is it for society in general? Is this person a danger to society or is it to the program that the person happens to be in or not in as the case may be?

I'm at a loss as to what the proponent of this bill is aiming at, and it seems to be some kind of deep, dark secret because we certainly haven't heard in answer to any of the questions about the intent of the bill. The specifics are painfully thin; we know that for sure. There have to be some regulations if not certainly some procedures that had to be followed in order to determine this, and that certainly hasn't been laid bare in this bill at all.

I'm at a loss. I'd like to say I could support this, but I can't see any reason why. I have been given absolutely no reasons why I should stand in my place here and vote for something that doesn't seem to have any rhyme or reason to being brought forward.

Mr. Speaker, thank you for the time.

9:30

THE ACTING SPEAKER: Thank you.

The hon. Member for Edmonton-Castle Downs.

MS PAUL: Well, thank you, Mr. Speaker. I'm pleased to hear you know where I'm from.

Yes. I just have a few comments, and they will be brief, being that the bill is so brief, Bill 12, which is the Alcohol and Drug Abuse Amendment Act, 1998. I'm going to echo the same concerns that my colleagues expressed in that when I went through the bill, the first question that I asked was: under what specific reasons would a person's name be released? You have to sort of wonder: is it for the safety of the public? Is it for the safety of the person or the client? That sort of was something that struck me as a need to be addressed.

When you allow the name of a person or a client to be disclosed, whether it be through the AADAC program, through women's shelters, through other resources in the community, for safety reasons or whatever, you have to be very careful when you start disclosing names of people for as light a reason as health. Also, when you have to look at safety issues as well, I have a real problem with releasing anybody's name unless it's of the utmost importance. When you allow the disclosure of the name of an AADAC client, it is deemed that releasing the name is in "anyone's" best interest. Well, "anyone" can be exactly that: anyone. So who do you release this person's name to? Is it an employer? It just conjures up all kinds of questions. There has to be a lot more information given in that aspect.

We need to be told or have explained under what circumstances these names would be given – I think I've alluded to that earlier – and who is deciding when a person's information will be released. It says that it can be in the past, that it can be in the present. So how far back are we going to go? That remains to be answered as well.

The people that are asking for names in this committee – it may not be an AADAC worker, and I agree that it should be somebody else. I would suspect it should be a qualified third person such as a psychologist, an evaluation made at an arm's length rather than an AADAC worker who is in-house working through the process of trying to rehabilitate or do whatever programs are necessary for that client. So a third party psychologist, psychiatrist, whatever, would be the appropriate person.

Mr. Speaker, having made those brief comments on Bill 12, I will take my seat and let my colleagues continue.

THE ACTING SPEAKER: Thank you, hon. member.

The hon. Member for Calgary-Buffalo.

MR. DICKSON: Mr. Speaker, thank you very much. It is most appropriate that we be dealing with Bill 12 on this particular date. This is the date when we have all kinds of experts from all across Canada assembled in Alberta to talk about health information and issues that are important surrounding treatment plans and that sort of thing, a conference sponsored jointly by Health Canada and Alberta Health. At the very same time, this is the day of the initial meeting of the steering committee created by the Minister of Health to look at health information in this province. So it's appropriate we be looking at Bill 12.

What's disturbing, though, is that we've been to this place before. We've come up with a better way of protecting the privacy of Albertans, and for some reason the government has chosen not to follow that path. What I'm referring to, of course, is section 17(2) of the Freedom of Information and Protection of Privacy Act. What that act provides for is simply this. Now, that's a case dealing with when information cannot be disclosed, but the test is similar. In one case we're disclosing personal

health type information; in section 17 it's a question of circumstances where information would be withheld from an individual. But it's exactly the same proposition.

Section 17(1) of the Freedom of Information and Protection of Privacy Act says:

The head of a public body may refuse to disclose to an applicant information, including personal information about the applicant, if the disclosure could reasonably be expected to

- (a) threaten anyone else's safety or mental or physical health, or
- (b) interfere with public safety.

But what this Legislature added when we dealt with that provision in the Freedom of Information and Protection of Privacy Act was an incredibly important proviso.

The head . . . may refuse to disclose to an applicant personal information . . . if, in the opinion of a physician, a chartered psychologist or a psychiatrist or any other appropriate expert depending on the circumstances of the case, the disclosure could reasonably be expected to result in immediate and grave harm to the applicant's health or safety.

The reason for importing that third-party assessment, the reason for importing an objective standard is a very simple proposition: if you simply leave it to somebody working in AADAC or somebody working in a government department, they may well have an interest, agenda, objectives which have absolutely nothing to do with the interests of the individual applicant. So it seems to me that it makes compelling good sense to have an objective arbiter, to have an objective person make that assessment.

If members can tell me what the problem would be with requiring, as we already have in this Assembly when we passed in the spring of 1994 the Freedom of Information and Protection of Privacy Act – what would be the reason why we would have a higher threshold there for violating somebody's privacy than what we now propose to countenance in Bill 12? If there's such a reason, I don't know what it would be, Mr. Speaker.

Surely all members in this Assembly have been elected on some kind of a tacit promise with their electors that we'll try and operate consistently where that's possible, and that means that you take the same approach. The Minister of Labour can confirm what I've just said. That minister, responsible for the Freedom of Information and Protection of Privacy Act, I think will tell us that section 17, that I cited, isn't one of the sections that people are clamouring to remove from our Freedom of Information and Protection of Privacy Act. I don't expect that's going to be one of the items that's going to come up in the three-year review to commence shortly, with people wanting to take it out. Now, given that, why wouldn't we ensure that in Bill 12 we have exactly the same consistent treatment, if we're going to compromise somebody's privacy under the Alcohol and Drug Abuse Act, that we have in the FOIP Act, that I mentioned before?

So consistency, hon. members. It's what Albertans pay us for. It's what they expect from their lawmakers, and absent some compelling, cogent reasons to do otherwise, we ought to follow the practice and precedent. If the Minister of Health knows some reason why we should deviate from that practice, I hope he'll tell us.

I'm hopeful that in the daughter of Bill 30, in the new iteration of the Health Information Protection Act, we're going to find that we've taken and we've followed section 17. It's not in there now. That's no doubt an oversight on the part of Alberta Health, but I know we're going to have a chance to remedy it under our health information legislation, and I just invite members to ensure that we be consistent in the way we deal with AADAC and so on. Otherwise, what we've done is we've accepted a threshold which

says that we're going to let some clerical person, we're going to let some person who's responsible for the file, decide what can be done with that file information without primary consideration of the individual affected, and that would just be absolutely unacceptable.

9:40

If the Member for Calgary-Currie has got a compelling reason why we're going to deviate from the practice we followed in the 1994 bill and affirmed when we went in to amend the freedom of information bill in 1995 and then again in 1997, I hope she'll tell us what the reason is. Otherwise I'm going to be voting against Bill 12, and I'm going to be sharing with my constituents my concern that this Calgary-Currie initiative or this AADAC initiative is diluting privacy protection in this province. Of all times to be doing it, on the eve when this province is showing real leadership in terms of protecting health information, when this province is showing real leadership on a national basis around health protection and respecting the rights of patients, what a shameful coincidence that we would be dealing here with Bill 12, which is such an aberrant circumstance I can only think that the Minister of Health hasn't had a chance, perhaps missed that Conservative caucus meeting or cabinet meeting when Bill 12 was being vetted. He's got a chance now, Mr. Speaker, and all of my colleagues, I know, are going to be watching most carefully to see the Minister of Health remedy this oversight while there's still time to do it. This is the kind of leadership we've always expected and typically received from this minister, and I'm looking forward to seeing it exercised again this evening.

Thank you very much, Mr. Speaker.

THE ACTING SPEAKER: Thank you, hon. member.

Hon. Member for Calgary-Currie, are you rising to close debate then?

MRS. BURGNER: I am rising to close debate, Mr. Speaker. I just have to say at the outset that I didn't think it was possible in the introduction of a 25-word amendment to legislation to deal with an issue that is as important as it is that we would have colleagues cast aspersions on the staff and the reputation of AADAC in such a disquieting way. To hear the use of client confidentiality described as "some clerical person," I take that personally on behalf of the staff of AADAC and the board of commissioners with a great deal of disdain.

I would just like to bring to the attention of the hon. members that there is currently a policy in place at AADAC for the disclosure of client-related information. Perhaps they were not

aware of the fact that there are certain overriding pieces of legislation which are in place in order to allow this to occur. I would just bring that to the hon. members' attention.

They asked for some specific examples, and I will just briefly give a few of these examples in order to set their minds at ease, but obviously during committee we will have a full discussion about this. Generally speaking, where the health and safety of the community are at risk, an example might be a client with AIDS who discloses that they're sharing needles, and that does pose a health and safety issue. Mr. Speaker, we could also have a situation where someone who was suicidal might identify that they are wanting to take their life, and consequently in the treatment of their addiction that information is shared. We could have something as tragic as an airline pilot who was known to be a cocaine user and put the safety of that aircraft at risk. So I would like to just suggest to you that there are compelling reasons.

THE ACTING SPEAKER: The Member for Edmonton-Ellerslie arising on a point of order.

Point of Order

Questioning a Member

MS CARLSON: I do, Mr. Speaker. According to *Beauchesne* 333, I'm wondering if the member would entertain a question.

MRS. BURGNER: Not at this time, Mr. Speaker.

THE ACTING SPEAKER: The Member for Calgary-Currie has indicated that she declines the request.

Please proceed, Calgary-Currie.

MRS. BURGNER: We'll deal with the questions in committee.

Debate Continued

MRS. BURGNER: Mr. Speaker, I would just encourage the hon. members who would like to look at this legislation in depth that there is a very strict policy about confidentiality. This is not something that AADAC is taking with the casualness and the veiled threats of poor planning or whatever the Member for Calgary-Buffalo would like to share with his constituents, which, as he knows, includes me.

With that, Mr. Speaker, I would like to close debate and look forward to discussion in committee.

[Motion carried; Bill 12 read a second time]

[At 9:46 p.m. the Assembly adjourned to Tuesday at 1:30 p.m.]