

## Legislative Assembly of Alberta

Title: **Wednesday, March 25, 1998** 1:30 p.m.  
Date: 98/03/25  
[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon. The prayer today is taken from the Legislature of the Northwest Territories.

Let us pray.

Our Father, may Your spirit and guidance be in us as we work for the benefit of all of our people, for peace and justice in our land, and for constant recognition of the dignity and aspirations of those whom we serve.

Amen.

Please be seated.

head: **Introduction of Visitors**

THE SPEAKER: The hon. Deputy Speaker.

MR. TANNAS: Thank you, Mr. Speaker. I wish to introduce to you and through you to members of the Assembly five special visitors who are seated in your gallery. These distinguished visitors are all involved in the Legislature of the Northwest Territories. The first one is Hon. Sam Gargan of Fort Providence who's the Speaker of the Northwest Territories Legislature. He was first elected in '83 and was re-elected in '87, '91, and '95. He was Deputy Speaker from '87 to '91 and was chosen Speaker in 1995. Mr. John Ningark of Pelly Bay is the Deputy Speaker. He was first elected in '89, re-elected in '95 and in '91, and in 1995 he was appointed Deputy Speaker. Ms Jane Groenewegen of Hay River is the Deputy Chair of Committees. She was first elected in 1995 and was appointed Deputy Chair of Committees in 1995. Also visiting today are table officers Mr. David Hamilton, who's the Clerk of the Northwest Territories Legislative Assembly, and Mr. John Quirke, who's Clerk Designate of the Nunavut Legislative Assembly to come. I'd ask them to stand and receive the warm welcome of the Assembly.

head: **Presenting Petitions**

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

DR. PANNU: Thank you, Mr. Speaker. I'd like to present a petition signed by 389 Albertans from all over the province who objected to Bill 29, the Medical Profession Amendment Act, 1997, and further object to the present Bill 24, Medical Profession Amendment Act, 1998, which is before the House currently.

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

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

MS GRAHAM: Thank you, Mr. Speaker. The Standing Committee on Private Bills has had certain bills under consideration and wishes to report as follows. The committee recommends that the following private bills proceed: firstly, Bill Pr. 1, Tanya Marie Bryant Adoption Termination Act, and, secondly, Bill Pr. 4, Millennium Insurance Corporation Act.

The committee also recommends that Bill Pr. 2, Innovative Insurance Corporation Amendment Act, 1998, proceed with some

amendments. As part of this report I will be tabling copies of the proposed amendments to this bill.

Mr. Speaker, I request the concurrence of the Assembly in my report.

THE SPEAKER: Having heard the request for concurrence in the report from the Standing Committee on Private Bills, those members in favour of this request, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried.

head: **Notices of Motions**

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

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I'm giving oral notice today of the intention to move the following motion after Royal Assent tomorrow afternoon.

Be it resolved that the temporary amendments to Standing Orders of the Legislative Assembly agreed to by the Assembly on March 2, 1998, be amended as follows: Standing Order 7 is amended in suborder (1) by striking out "Recognitions (Monday and Wednesday)" after "Ministerial Statements" and adding "Recognitions (Monday and Wednesday)" after "Oral Question Period, not exceeding 50 minutes."

head: **Introduction of Bills**

THE SPEAKER: The hon. Member for Little Bow.

### Bill 28 Drainage Districts Act

MR. McFARLAND: Thank you, Mr. Speaker. I request leave to introduce Bill 28, amendments to the Drainage Districts Act.

The proposed changes to the act, Mr. Speaker, would lessen the involvement of the government in the routine activities of the districts, streamline the act, and provide more efficient and effective administration of the districts.

[Leave granted; Bill 28 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HAVELOCK: Thank you, Mr. Speaker. I move that Bill 28 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Minister of Environmental Protection.

### Bill 33 Environmental Protection and Enhancement Amendment Act, 1998

MR. LUND: Thank you, Mr. Speaker. I request leave to introduce a bill being the Environmental Protection and Enhancement Amendment Act, 1998.

[Leave granted; Bill 33 read a first time]

head: **Tabling Returns and Reports**

MR. JONSON: Mr. Speaker, I have two tablings this afternoon. First of all I wish to table five copies of a letter from the president of the College of Physicians and Surgeons to all physicians in the province regarding the physician achievement review program.

Further, Mr. Speaker, I'm pleased to table with the Assembly copies of the Alberta Ministry of Health, Alberta health care insurance plan statistical supplement, 1996-97. This report is released on an annual basis, and copies can be obtained through my office.

THE SPEAKER: The hon. Minister of Energy.

DR. WEST: Yes, Mr. Speaker. On March 4 a question was brought forward in the House regarding the procedures and safety record of sour gas wells in the province. I stated at that time that I would bring forth a report on Alberta's sour gas wells, and today I would like to table copies of this report from the EUB.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like this afternoon to table four copies of a letter that I had written on February 5 to the minister of agriculture encouraging him to find an alternative operator for the Maple Leaf Foods site in the north end of Edmonton.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I have two tablings this afternoon. The first is a letter from a constituent, Suzanne Shaw, who has had to go to Calgary to get a timely operation after her surgery was postponed in Edmonton.

The second is four copies of the resolutions on financing of female entrepreneurship passed at the recent National Forum on Women Entrepreneurs.

Thank you.

head: **Introduction of Guests**

THE SPEAKER: The hon. Member for West Yellowhead.

MR. STRANG: Thank you, Mr. Speaker. It gives me great pleasure today to introduce 60 children from Vanier community Catholic school from the metropolis of Edson. The teachers are Mr. Patrick Fogarty and Mrs. Monica Sorenson. They've got lots of helpers with them today: Mr. Way, Mrs. Potts, Mrs. Roberto, Mrs. Dixon, Mrs. Palmer, Mrs. Kippin, Mrs. Whillans, Mrs. Fischer, Mrs. DeVuyst, Mrs. Becker, Mrs. Finner, and Mr. Findlay. I'd like them to rise now and receive the warm welcome of this House.

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

MS OLSEN: Thank you, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly seven employees of the Fort Saskatchewan institution: Don Westman, Teresa Tettamente, Patricia Holland, Walter Stefiuk, Marshall Yaseyko, Garry Vallette, and Christen Vermette. If they could all rise and receive the warm welcome of this Assembly.

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

MR. DICKSON: Thank you, Mr. Speaker. I have two introductions. The first one is Jeanette and Harry Morstead from the constituency of Calgary-Elbow. They're both with the Citizens for Choice in Health Care. They're here anxious to watch developments on Bill 24. I'd ask Mr. and Mrs. Morstead in the public gallery to stand and receive the customary welcome of the Assembly.

**1.40**

The second introduction, Mr. Speaker, would be on behalf of my colleague from Edmonton-Rutherford. I'd like to introduce 26 visitors from the Louis St. Laurent school. The group leaders are Madame Gibeau, Sandy Wiberg, and Steve Kabachia. I'd ask those guests to stand in whichever gallery they're currently sitting and receive the customary welcome of the Assembly.

THE SPEAKER: The hon. Member for Airdrie-Rocky View.

MS HALEY: Thank you very much, Mr. Speaker. I would like to just acknowledge the fact that we have a very large group of students coming in from the Olds-Didsbury-Three Hills constituency. I want to acknowledge them on behalf of my colleague from Olds-Didsbury-Three Hills. There will be 141 visitors coming into the gallery at about 2 o'clock, and unfortunately they will be leaving before question period is likely over. There are 126 students from the Olds junior senior high school and 15 adults will be accompanying them.

Thank you.

**Recognitions**

THE SPEAKER: Hon. members, seven members have indicated their intent today to provide a recognition statement. We'll proceed in this following order: first of all the hon. Member for Calgary-Cross, followed by the hon. Member for Edmonton-Manning, then the hon. Member for Calgary-McCall, then Edmonton-Ellerslie, then Wetaskiwin-Camrose, then Edmonton-Strathcona, and then St. Albert.

**Thomas Graw**

MRS. FRITZ: Thank you, Mr. Speaker. Today I'm honoured to have the opportunity to recognize a dedicated and committed volunteer in northeast Calgary. On March 1 Mr. Thomas Graw was the well-deserved recipient of the Heartbeat of the Community award. This award was given at the Community Pride event in northeast Calgary.

Tom Graw currently serves as president of the Temple Community Association and has coached his daughter's community basketball team. Even though both of these commitments are time-consuming, you also see Tom and his family at every Temple community function and at most of the public meetings in northeast Calgary wherever quality of life is an issue. For over 16 years Tom has been on the board of directors of either the Pineridge or Temple community associations, serving on many different committees including civic relations, development, sports, and social. He also runs his own business as a carpenter and home renovation specialist.

I would like to ask the Members of the Legislative Assembly to join me in recognizing Thomas Graw, a very devoted community volunteer and recipient of the Heartbeat of the Community award.

Thank you.

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

#### **St. Dominic Savio Catholic Church**

MR. GIBBONS: Thank you, Mr. Speaker. Today I rise to inform this Assembly about a \$1.3 million addition and renovation recently completed at St. Dominic Savio Catholic church in the constituency of Edmonton-Manning. The original 300-seat church was built in 1974, and they had no basement or any space for social gatherings. With renovations they now have an extra 10,000 square feet on the main floor and a completed basement. The church now seats 430 comfortably, and the basement is a very welcome addition.

The parish began raising the money in 1992, raising half of their \$1.3 million budget themselves. Father Bernie Gillice, an excellent pastor, has wonderful plans for parish and community gatherings including many worthwhile youth group programs.

Officiating at the opening ceremonies was His Grace, the Archbishop of Edmonton, the Most Reverend Joseph MacNeil, who also gave the original blessing 24 years ago.

The newly renovated church is the pride of this parish, and the dedication and commitment of so many volunteers to make this a reality is truly extraordinary.

Thank you.

#### **Judge Ann Wilson**

MR. SHARIFF: Mr. Speaker, I wish to recognize an individual who has made a significant contribution to the people of Alberta and Calgary in particular. The hon. Judge Ann Wilson has served as a citizenship court judge for the past five years. In her capacity as citizenship judge she has raised awareness of Canadian citizenship values by holding her court in various communities throughout Calgary. She has traveled throughout western Canada holding citizenship courts in various centres. Last week she held a citizenship court at Bishop McNally high school in my riding. Her inspirational words always make you sit back and think of what it means to be a Canadian. She is indeed a role model of Canadian citizenship.

Judge Ann Wilson is a recipient of the commemorative medal for the 125th anniversary of the Confederation of Canada as well as the Minister of Advanced Education and Career Development's Haider Dhanani exceptional services award.

Her Honour Judge Ann Wilson's term comes to an end on March 31, 1998, and on behalf of my constituents and the numerous friends she has made over the years, I wish her the very best and Godspeed.

Thank you.

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

#### **Edmonton Area Basketball Tournament**

MS CARLSON: Thank you, Mr. Speaker. I would like to congratulate two Sherwood Park community league basketball teams for winning the city championships this past week. The Sherwood Park Rockers are the Edmonton mini-girls A division champions. They are Gina Bischoff, Kayla Frost, Laura Handley, Brogan Leslie, Sarah MacAlpine, Lauren Mador, Marilee Matheson, Stephanie Noga, Shavaun Reaney, Jenna Scott, Jackie Smith, and Jennifer Weibel. They are coached by Diane MacAlpine, who is assisted by Gord MacAlpine and Jim Lazaruk.

The Sherwood Park Thunder are the Edmonton midget A boys division champions. They are Michael Zacour, Tony Rowe,

Andrew Scott, Kevin MacAlpine, Devin Stacey, Keith Miller, Craig MacAlpine, Richard Vandergriend, Josh Valladares, Glen Handley, Tyler Hatch, Matt Mang, and Jordan Mador. They are coached by Gord MacAlpine, who is assisted by Mitch Oviatt.

These teams have had an outstanding year, Mr. Speaker, and we wish them the best of luck this weekend at provincials.

#### **Camrose Composite High School Band**

MR. JOHNSON: Mr. Speaker, last week Sherwood Park was the site of a week-long stage and concert band festival organized by the Alberta Stage and Concert Band Festival Association. In this its 27th year the festival attracted 85 stage and concert bands from north and central Alberta.

It was my pleasure to be present at the final concert on Friday, when Mr. Tom Spilla, director of music at Camrose composite high school, received the Tommy Banks award from the Alberta Foundation for the Arts. Tommy Banks was present to make the presentation. Since 1986 this award has been presented annually in recognition of the achievements of music directors and students who participate in junior and senior high school band programs in Alberta.

In the 20 years that he has been music director at the Camrose composite high school, Mr. Spilla has developed a school music program to include seven performing ensembles, which regularly compete in local and provincial music festivals. Under his guidance countless students have been motivated to recognize their musical talents and to develop an appreciation for music that will be life long.

Congratulations, Mr. Tom Spilla.

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

#### **McCauley LETSystem**

DR. PANNU: Thank you, Mr. Speaker. Today I would like to recognize members of the McCauley LETsystem for receiving the Ethel Marliss scholarship award from Grant MacEwan Community College. I might mention that the late Ethel Marliss was a well-known Albertan and a highly respected broadcaster.

This neighbourhood organization is a bartering association which exists within some of the lowest income communities in the city and includes people from all income and education levels. The McCauley LETsystem upholds values important to all of us: local control over decision-making, sharing of information and resources, and co-operation to meet our basic needs. I hope the system serves as a model for other Alberta communities.

Thank you.

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

#### **Intercollegiate Tennis Championship**

MRS. O'NEILL: Thank you, Mr. Speaker. Last Saturday, March 21, the 1998 intercollegiate tennis championship was held at the University of Alberta tennis centre. I'm pleased to report that the University of Alberta team won the Canada Cup by defeating the Queen's University team. Although this is not a CIAU sponsored sport, I would like to recognize our national tennis championship team from the University of Alberta. The team members are Chris Chiu, Sam Cooper, Michelle Garcia, Tristan Gilbertson, Allan Goh, Ben Horcica, Jeremiah Hu, Thomas Hwang, Trevor James, Rob Leek, Adam Merrick, Jonathan O'Con nor, David

Spady, Patrick Toner, Martin Weber, and Chris Yau. Their head coach is Russ Sluchinski.

I'd like to congratulate them all.

Thank you.

head:

**Oral Question Period  
Electric Utilities Deregulation**

MR. MITCHELL: Mr. Speaker, the government has been clear in its statement that the benefits of electric deregulation will go to the residential customer. However, one of the Department of Energy's own technical papers states:

The move to a market environment results in price being set in the market place which may be higher or lower than rates set through regulation.

The Premier seems to have changed his mind in light of this revelation when he said yesterday: nothing is guaranteed; it's a bit of a crap shoot right now. To the Premier: will the Premier tell residential electricity users what will happen to their power rates after 2006, when it is the government's policy to discontinue the stable rates provision for electricity?

**1:50**

MR. KLEIN: Mr. Speaker, that was in response to a question relative to the possibility of brownouts. It had nothing to do with rates whatsoever. [interjection] If the hon. member wishes to ask the reporter who asked the question, he's sitting up there in the gallery.

MR. SAPERS: Does he speak for government policy now?

MR. KLEIN: Mr. Speaker, all I'm saying is that he is alluding to the right answer to the wrong question.

DR. WEST: Mr. Speaker, in supplementation to this answer, the question would leave it on the floor of the Assembly and to the people of Alberta that under our regulated system prices never went up. It would also leave an assumption that regardless of what happens, we're going to guarantee the marketplace of the future as it relates to costings in the production of power. The example that I used the other day: we're going to say that going out forever, high interest rates will never come back, like 22 percent? We're also, by the insinuation of the leader of the official operation . . . [interjections]. A bad operation. We're going to insinuate that wage negotiations don't go up more than inflation and that inflation would stay at 1.4 percent like it is today and not 12 percent like it was in 1978? So this hon. member is suggesting to this government and to the people of Alberta that somewhere somebody could predict those things in absolute fashion. I think that's absolutely wrong of him to do that.

MR. MITCHELL: In his competence does the Premier, or the Minister of Energy perhaps, have any indication that residential rates won't go up in order to subsidize much lower commercial rates because big operations may have the leverage that residential users don't have?

DR. WEST: Mr. Speaker, today we do not cross-subsidize residential rates or any other rates, as they do in California with industrial rates or commercial rates. In the future it will be an open, competitive access, and there will be a market surveillance individual in there with the power council that will ensure that the

marketplace doesn't cross-subsidize in the future. So whatever indication the member is trying to leave on the floor, that is not true.

One thing that is true today, which he should know, is that we have an industrial power generation policy which allows operations like Dow Chemical or, in the future, Union Carbide or Nova to cogenerate power right on site, which gives them the opportunity to use their steam or byproducts from their productions to produce a cheaper form of electricity for them. But then any excess power they produce must be put into the power pool which then becomes available to all of us on a competitive basis, which should, given all market conditions, put downward pressure on electrical prices.

MR. MITCHELL: To the Premier: could the Premier, given that his own Department of Energy's study is ambivalent about which way rates will go, give us some study, a single study that bears out the contention that in fact residential rates may well drop? He's stating that very clearly. His Minister of Energy is stating it very clearly. Will they show us a study that gives us some indication that they will in fact drop?

MR. KLEIN: Mr. Speaker, history does indeed show that when there is competition, usually that competition exists for the benefit of the consumer, whether that person is buying from a retail store or is buying from an electric power company. Competition equals lower prices.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Spruce Grove-Sturgeon-St. Albert.

**Government Vehicles**

MRS. SOETAERT: Thank you, Mr. Speaker. The Premier always says that he wants to find better and more effective ways of doing things, but nothing could be farther from reality. Regular Albertans have been asked to carry the load of the Conservative debt, while ministers, standing policy chairs, and the favoured few of this government get to ride around in the lap of luxury. The latest report from the minister of transportation proves that it is more effective and cheaper to the taxpayers, whom we work for, if we paid mileage instead of buying luxury cars. My questions are to the hon. Premier. Is it government policy to allow the Treasurer to bump up the limit of the purchase of luxury vehicles when they find that, for example, a Silverado, a Toyota 4-Runner, a Chevy Tahoe, a Grand Jeep Cherokee goes over the limit? Is that the policy?

MR. KLEIN: Mr. Speaker, it was a very detailed question, and to provide a detailed answer, I'll call on the hon. minister of transportation.

MR. PASZKOWSKI: Thank you, Mr. Speaker. All of that information was tabled last week. This was a study that was done by a management consulting firm that clearly indicated that the cost of a vehicle works out to \$70 per month. The indication also was that the average cost of the supposed luxury cars that we're driving is just over \$29,000. Last time I looked, there are other vehicles that indeed are just coming onstream. I think the Volkswagen bug is a prime example that's coming onstream that is just slightly below that in value. I'm not sure that's really what we want our Premier to be riding in.

In that report, Mr. Speaker, it was clearly pointed out that the

cost of a vehicle is \$8,500. With driving mileage it's \$6,700. However, it also indicates that those same people that are using government cars on average pay in excess of \$3,000 taxes back to the government. Of that, over \$1,000 comes back to the provincial government. So in essence the numbers suddenly reverse, and suddenly it is more expensive. That was done by an independent management firm, not by our department.

### Speaker's Ruling Decorum

THE SPEAKER: My, oh, my. There seems to be a synergy between the hon. Member for Spruce Grove-Sturgeon-St. Albert and the hon. Minister of Transportation and Utilities. With the two of them, when one asks a question and the other one responds to it, it just seems to create such an interest from all members of the Assembly that literally dozens of conversations seem to develop from that. Why don't we just go with the time-honoured tradition of having one hon. member raise a question to one hon. minister, one hon. minister respond to one hon. member, and all of us try and listen.

Would the hon. Member for Spruce Grove-Sturgeon-St. Albert proceed.

MRS. SOETAERT: Thank you, Mr. Speaker. I think there's some sensitivity over there, and I appreciate that.

### Government Vehicles (continued)

MRS. SOETAERT: Given that the yearly amount that we could be saving would pay for a year of hot lunches for 150 inner-city children . . . [interjections] I know that doesn't seem important to some, but it is to me. Could the Premier please explain why being a leaner and more effective government never applies to the government's front bench?

MR. KLEIN: Mr. Speaker, I would remind the hon. member that the fleet has been reduced dramatically from 132 cars to something like – what? – 74 cars, and as the hon. minister pointed out, this is a \$70 dollar a month issue. A \$70 a month issue in a \$14 billion enterprise. One really has to question where this hon. member's priorities lie.

MR. SAPERS: I wouldn't tie my hitch to that.

MRS. SOETAERT: Tie your hitch to that.

Thank you, Mr. Speaker. Given that the minister has already reviewed this issue and you have the evidence that it is cheaper to pay mileage rather than have a luxury car, why won't you scrap the luxury car idea and just do mileage?

2:00

MR. KLEIN: Mr. Speaker, first of all, what is a luxury car? A luxury car, in my mind, is a Cadillac or a Lincoln town car or a Park Avenue. I don't know anyone – well, maybe some MLAs might have a Jaguar, a Mercedes-Benz. Those are luxury cars. I don't know of anyone who has access to a government car that falls into that category. Luxury cars are defined as those kinds of cars: Cadillacs and Lincolns and BMWs and Mercedes-Benz and Bentleys. We don't have these kinds of cars.

Again, I remind the hon. member that we are talking about a \$70 item in the context of a \$14 billion operation.

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

MS LEIBOVICI: Thank you, Mr. Speaker. Obviously normal doesn't live here anymore in Alberta.

### Notwithstanding Clause

MS LEIBOVICI: The late Supreme Court Justice John Sopinka said: only the law allows the weak to win against the strong. Albertans want to know whether the Alberta Human Rights Commission had any role to play in the government's decision to invoke the notwithstanding clause in Bill 26. My first question is to the Minister of Justice. Did the minister ask for advice from the Alberta Human Rights Commission before he decided to suspend the rights of 703 vulnerable Albertans?

MR. HAVELOCK: No, Mr. Speaker. We also didn't ask the Fatality Review Board for advice. We didn't ask a number of other bodies for advice.

MS LEIBOVICI: Well, obviously this minister has no respect for the Alberta Human Rights Commission.

To the Minister of Community Development: why have Albertans heard nothing from our Alberta Human Rights Commission on the most direct attack we have ever witnessed against Albertans' rights? To the Minister of Community Development.

MR. HAVELOCK: Yeah, that's fine. Mr. Speaker, just to supplement briefly, I said nothing about whether or not I had any measure of respect for the Human Rights Commission. I do respect the Human Rights Commission. However, I do not go to the Human Rights Commission for legal advice with respect to government matters.

MRS. McCLELLAN: Mr. Speaker, I think there is no question that the Alberta Human Rights Commission commands the respect of Albertans and has done a very good job for this province. The Human Rights Commission very clearly understands its role and its mandate in this province, and that is to respond to requests for intervention or investigation of human rights questions. If the Human Rights Commission, which is an independent body that reports through my ministry, were questioned in this area, they would likely respond.

MS LEIBOVICI: Can the Minister of Community Development explain the silence of the Alberta Human Rights Commission with regards to this issue? Is it really just a toothless tiger that we have in this province?

MRS. McCLELLAN: Mr. Speaker, it is very obvious that the opposition has three prepared questions and cannot listen to the answer to the question that I just responded to and has to read the third one. I just explained that very clearly. The Human Rights Commission understands very clearly their role and their mandate in this province. If a request for advice or investigation on a human rights issue is brought to the commission, they respond appropriately, and they will continue to do so independent of this ministry, which they report through.

THE SPEAKER: The hon. ND opposition question, the hon. Member for Edmonton-Strathcona.

### Electric Utilities Deregulation

(continued)

DR. PANNU: Mr. Speaker, yesterday Albertans found out who really has the clout in this government. The Minister of Energy and his supporters in cabinet prevailed, and the Premier lost the internal power struggle over electricity deregulation. My question is for the hon. Premier. Given the Premier's graceful admission just a few weeks ago that his political antenna failed him with respect to Bill 26, why doesn't the Premier use some caution this time, find some courage, do the right thing, and stand up to the ideologues in cabinet by delaying the electric deregulation until there has been broad public consultation with all Albertans?

MR. KLEIN: Mr. Speaker, again, I remind the hon. member that indeed there was intensive, significant public consultation on this particular issue. It was a public consultation that stretched over a period of four years. I wish I had the letter. Perhaps the hon. Minister of Energy has it. It's a letter that I would like to table.

Mr. Speaker, there seems to be amongst the industry widespread concurrence that this indeed should happen, even from the corporations who will be most affected by deregulation and competition. Certainly consumer groups have indicated that they want this. The power consumers association of Alberta has indicated that they want this.

This letter, Mr. Speaker, which I'd like to table, is from TransAlta. I'm just going to read the last paragraph. It says:

Alberta must continue to provide a climate that encourages investment in new power generation. Before long, demand for power in our growing economy will outstrip supply. By proceeding with Bill 27, the government signals a continued commitment to the economic growth of the province.

It's signed by Stephen G. Snyder, the president and chief executive officer of TransAlta Utilities. Mr. Speaker, TransAlta supplies about 60 percent of the power in this province. This is an indication of the kind of support there is for Bill 27.

DR. PANNU: Thank you, Mr. Speaker. The Premier seems to be in a listening mode, so my supplementary is to the Premier. Why is the Premier listening to his party's right wing while refusing to listen to the mayor and the city council of his hometown of Calgary, which yesterday passed a motion asking for a delay to further electricity deregulation until such time as city council has had an opportunity to consult with Calgarians?

MR. KLEIN: Mr. Speaker, this bill is working its way through the Legislature. I understand from the hon. Minister of Energy – and perhaps he would like to go into it more, but there will be time for debate on this bill – that he has had discussions with officials in the city of Calgary and in the city of Edmonton. I understand that there may be some amendments coming forward that hopefully will accommodate the concerns of the municipalities. I would suggest that if the hon. member has some concerns with those amendments, he should debate and express those concerns at the appropriate time.

DR. PANNU: Thank you, Mr. Speaker. My second supplementary is to the hon. Premier as well. Why won't the Premier change his mind on complete electrical deregulation when he must by now have had an opportunity to review the ESBI study, which I tabled yesterday, which documents what a house of horrors partial deregulation has been?

MR. KLEIN: Mr. Speaker, why would I change my mind? It was a government position that we proceed with this bill. The

legislation was introduced, as I pointed out previously, after four years of public consultation. There is widespread support generally for deregulation to create more power and more competition. So, no, I'm not going to change my mind on this bill at all.

Relative to the essence of the legislation and why it is necessary, I'll have the hon. minister supplement.

DR. WEST: Mr. Speaker, I find it amazing that the hon. member asking the questions took comments made by ESBI, which was at the time, in February, bidding on the position of transmission administrator in the province of Alberta and which has since won that position – it will be taking in June of this year the awesome challenge of operating the grid in the province of Alberta. ESBI, in that report that he tabled in the Assembly, was pointing out why we need deregulation. It did point out that none of the challenges that it had in its report were insurmountable, but without Bill 27 proceeding, the challenges could not be met.

So I think it's misrepresenting the report by ESBI to say that these are the things that are going to happen if you deregulate the electrical industry. In fact, that's why we're deregulating. ESBI pointed out how the system today, if unchanged, will create the problems that it pointed out. So I find it an amazing travesty of misrepresentation to take a document out of context and present it in this Assembly.

THE SPEAKER: The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-Norwood.

2:10

### Cheviot Mine

MR. STRANG: Thank you, Mr. Speaker. My question today for the Premier is about an announcement last week by several environmental groups that UNESCO has questioned the approval of the Cheviot mine project by the governments of Canada and Alberta. In a letter dated December 18, 1997, the director of the UNESCO World Heritage Centre requested that Canada's permanent ambassador to UNESCO arrange for the government of Canada to consult with the government of Alberta to reconsider the decision on the Cheviot mine. My question to the Premier is: have we not already reviewed social, economic, and environmental impacts of the Cheviot mine project in an open and comprehensive public process?

MR. SAPERS: Well read.

MR. KLEIN: Yes, it was well read, and it's a legitimate question, a question that is of a great concern to this hon. member's constituency, Mr. Speaker.

Yes, there was a joint review panel established in 1996, one of the very first involving the federal government and the provincial government under the authorities of the Alberta Energy and Utilities Board and the Canadian Environmental Assessment Act, to consider the application by Cardinal River Coals Ltd. and TransAlta Utilities Corporation for the Cheviot mine hearings. Those hearings were very extensive, Mr. Speaker, and indeed examined all the social, economic, and environmental impacts of this particular project. At the end of the day both the province of Alberta through the AEUB and the federal government through EARP, or the environmental assessment review process, agreed that the project should go ahead. The environmental worthiness was proven.

MR. STRANG: Thank you, Mr. Speaker. My first supplement-

tary is also to the Premier. We've heard a lot about alternate economic strategies, relocation of workers to other mine sites or industries, and all sorts of predictions about international marketing of coal. What are the benefits of this Cheviot mine project to Alberta?

MR. KLEIN: First of all, Alberta has something to be proud of with respect to mining. Some of the best engineering, some of the best mining expertise with respect to the extraction of coal exists right here in the province of Alberta. But it's more than that, Mr. Speaker. There is a need for this coal. This project will in fact create literally hundreds of jobs. It has proven itself to be environmentally sound. The project is a clean project, and the number of jobs and spin-off jobs are well documented in the report of the joint review panel.

MR. STRANG: Thank you, Mr. Speaker. My final supplementary question is for the Minister of Environmental Protection. Specifically how will the minister take into consideration the environmental effects of this project that the joint review committee acknowledged in their report?

MR. LUND: Well, Mr. Speaker, we've done a lot to protect the environment both before now and into the future relative to this particular project. I won't go into all of them because they're so extensive, but I want to mention the fact that prior to the hearing even, we set up the Cardinal Divide natural area. That sets aside some area for protection. Currently we are in the process of setting up a wildland area that will in fact buffer between the proposed coal mining site and the national park. So that will be there. As a matter of fact, the area comes a good deal around the mine.

We're also following through with the recommendations under the joint panel that the Premier referred to. One of things that they asked us to do is to implement the Coal Branch access management plan, so we are doing that. We are going to set up some forest land use zones, in which of course off-highway vehicles and those sorts of things would be regulated with designated trails.

Mr. Speaker, currently we're setting up a joint panel committee with federal government representation on it to look at the carnivore situation and to look at the water resources licence that we have to issue before the project can go ahead. So that will have that kind of input.

There are a couple of issues relative to the accumulative effect on things like grizzly bears. We're dealing with the grizzly bear compensation that was recommended in the hearing, and really what that does is talk to the fact that there may be a disruption in the population and that we have to set aside areas. We're also looking at the harlequin duck. It's a very rare specie, and it turns out that this is about the area where in fact they nest. There are about 20 pair of those, if I remember right.

Well, Mr. Speaker, we are doing a number of other things too, but I'll save that for another day.

#### **Fort Saskatchewan Correctional Centre**

MS OLSEN: Mr. Speaker, six employees of the Fort Saskatchewan correctional facility were fired on Monday. Teresa Tettamente is a constituent of mine. She is a single mother of four. She was one of those fired, and her children rely on her income. But Teresa and the five other employees were fired for the sole reason that they are entitled to benefits. My questions are

to the Minister of Justice. Can the minister explain why the department decided to fire Teresa, who received a very positive performance appraisal in July and a letter of appreciation in December encouraging her to keep up the good work?

MR. HAVELOCK: Well, Mr. Speaker, I'd like to correct a misstatement of fact at the beginning. They were not terminated for the sole reason that they were entitled to benefits. In fact, what happened is that the union originally complained to the department about the use of wage staff. This individual was a wage staff member. We had about 75. Due to the union's insistence, corrections was forced to recruit to full-time vacant correctional officer positions with permanent employees. The union-forced action meant that we no longer had work for 23 long-term wage staff.

The staff were told in advance the result of the union's position. A local 3 representative was in the meeting. What we did was that we held a limited competition for the 50 positions that were available. That competition was restricted to the department, and it was not open to the general public. The individuals were hired on the basis of merit. There was no seniority involved, and it was a competitive process.

I regret, Mr. Speaker, having had to take that action. However, again, the union requested that we fill the 50 vacant full-time positions. Up until then we were utilizing about 75 wage staff to take care of our correctional needs. Quite frankly, we operated within the terms of our budget, and unfortunately we had to send out the termination notices.

MS OLSEN: Thank you, Mr. Speaker. Given that Teresa was indeed an employee who was full-time, why does the Minister of Justice believe in a policy of firing competent, experienced employees because they are entitled to benefits when it's cheaper to hire less experienced wage staff employees who are not entitled to benefits?

MR. HAVELOCK: You know, Mr. Speaker, I recognize that she was full-time; she was full-time wage staff. The decision had nothing to do with who was or was not entitled to benefits. The difficulty arose when the union came forward and said: fill these 50 vacant full-time positions; would you quit using wage staff. Now, if there's anything in that answer which the hon. member doesn't understand, if she'd like to put it down in writing for me, I would be happy to give her a written response. However, Mr. Speaker, I can't go into a lot of detail, because we are discussing confidential personnel matters and it's inappropriate to be raising them in the House.

MS OLSEN: Thank you, Mr. Speaker. My final question is to the Premier. Given that Ms Tettamente has an excellent performance record and she lost her job, can you explain to her why your Justice minister, who has an abysmal performance record, still has his job?

MR. KLEIN: Well, Mr. Speaker, I remind the hon. member that more people voted for the hon. Minister of Justice than any other candidate from any party in the last election.

Mr. Speaker, the hon. Minister of Justice was hired by the people. Now, if the people want to fire him, that's up to the people. That's what elections are all about. But I don't think they're about to.

## 2:20 Shooting Deaths on Tsuu T'ina Reserve

MRS. TARCHUK: Mr. Speaker, as we all know, last weekend a tragedy occurred when a mother and her son were killed on the Tsuu T'ina reserve. This event has received not only local but provincial, national, and some international attention. Many are shocked. A community is in mourning. My question is to the Minister of Justice. Will you please provide the Assembly an update on the situation?

MR. HAVELOCK: Well, Mr. Speaker, what happened indeed is a tragedy. A mother and her son are now dead, and a community is left in mourning. The RCMP are now conducting a criminal examination. In addition, the medical examiner's office launched an investigation immediately into the course of events and has recommended to the Fatality Review Board that an inquiry be held. As I said yesterday, Mr. Speaker, the process is for the criminal investigation to be completed prior to any fatality inquiry being held.

MRS. TARCHUK: My first supplemental question is also to the Minister of Justice. Considering that the community where this happened is on federal reserve land, could you clarify for us what authority you have in this matter?

MR. HAVELOCK: Mr. Speaker, the authority of Alberta's Justice minister extends to criminal matters throughout the province. Section 36 of the Fatality Inquiries Act allows for the Attorney General, on the recommendation of the Fatality Review Board or otherwise, to "order that a judge conduct a public inquiry into a death or 2 or more deaths that arose out of the same or similar circumstances." In this case, Mr. Speaker, I was just advised prior to coming into the House that the Fatality Review Board has recommended a fatality inquiry.

Coincidentally, this morning I was meeting with department officials, and we were reviewing this matter. We determined at that time that we should go forward with an inquiry as opposed to waiting for the process to take place. Mr. Speaker, before the House I am quite prepared to commit that we will be ordering an inquiry. However, it is vital that the criminal investigation be concluded before that inquiry is held. If any charges stem from the investigation, then they, too, must be dealt with before the inquiry will take place.

MRS. TARCHUK: My final supplemental, Mr. Speaker, is again to the Minister of Justice. When you say that you commit to an inquiry, can you give us a few more details on what this inquiry entails?

MR. HAVELOCK: As I've indicated, Mr. Speaker, it's important that we let the process go forward and the criminal matter be addressed. As the matter is being investigated by the police presently, we have to exercise restraint from making a lot of comments about this situation.

Having said that and as I indicated in my previous answer, there will be an inquiry, and in my view as this sad event occurred on federal lands and involved our federal police, it should involve the federal government. Consequently, I will be formally inviting the federal government and First Nations representatives to participate in the fatality inquiry. It will be held before a provincial court judge at a later date, and I will consult with the Chief Judge of Alberta regarding the judge who will be appointed to hear that. Further details will be announced soon. However, I can also

indicate that our department has had some discussions with the federal Solicitor General, and he has requested that I give him a shout later on this afternoon, which I intend to do, and discuss this matter further.

I believe, Mr. Speaker, that it's incumbent upon all of us to do what we can not only as a government but as police officers and as community members to ensure that events such as this do not reoccur.

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

## Home Care

MR. BONNER: Thank you, Mr. Speaker. About 40 seniors in Redwater and Gibbons have been told that they will be losing the nurse who visits their seniors' lodges and enables them to stay in their own homes. My first question is to the minister responsible for seniors. Has the minister told the Health minister that seniors stay healthier and indeed that it is cheaper for the health system if home care is provided in their own homes?

MRS. McCLELLAN: Mr. Speaker, I've had numerous conversations with the Minister of Health regarding benefits for seniors that apply through the health system, and I can assure the hon. member that the Minister of Health, the Minister of Community Development, and the Minister of Municipal Affairs work together on a consistent basis around the issues of seniors' lodging, home care, long-term care.

I am very concerned that this situation has arisen. I'm very concerned for those seniors. We've had a lot of discussions around that area. I regret to say that this is not unique to that particular area, and the Minister of Health has put in place a review to look at the long-term care needs of seniors. It's chaired by the hon. Member for Redwater. I think the Minister of Health might want to add to my comments to inform the hon. member what that review can reveal in areas such as this.

MR. BONNER: To the Minister of Health: what has the minister done to ensure that these seniors do not lose their nurse and are able to remain in their homes?

MR. JONSON: Well, Mr. Speaker, with respect to the situation, which I believe involves the Lakeland health authority, the member for that area has been in contact with the regional health authority. We have been monitoring the situation. I'm not clear, quite frankly, and I do not have the information at this point in time as to the basis for the health authority wanting to make this transfer. I think they are adequately funded. Certainly they, I think, have the capacity to provide for the home care, and we need to give them time to provide us with an answer in terms of what seems to be a policy issue or some local issue. I realize it is a basis for concern, but in terms of our directions in this area, we are emphasizing home care. We are doing a review of the trends and directions that need to be taken by government in the whole field of home care.

Why has this particular move been made at this time? I do not know the specific answer.

MR. BONNER: Mr. Speaker, given that these are handpicked appointees of the government and that this government holds the purse strings, will the minister now instruct Lakeland officials to keep the home care nurse for Gibbons and Redwater seniors?



MR. JONSON: Mr. Speaker, I think that our regional health authorities are due the courtesy of getting their side of the story and their reasons for any particular move and having an opportunity to consider or reconsider the decision they've made. That's the basis on which I'll operate.

THE SPEAKER: The hon. Member for Dunvegan, followed by the hon. Member for Edmonton-Glenora.

### **Spirit River Health Care Facilities**

MR. CLEGG: Well, thank you, Mr. Speaker. My question today is to the Minister of Public Works, Supply and Services. In 1986, when I was first elected, the town of Spirit River was promised a long-term care facility. Some residents in that area tell me – and I can't confirm it – that they were promised this facility in 1974. Again they were promised in 1997. Can the Minister of Public Works, Supply and Services guarantee me that Spirit River and area will get their much-needed long-term care facility?

MR. WOLOSZYN: Thank you, Mr. Speaker. Due to the fact that the tender was so much above the project budget and the pre-tender estimates, we have decided that we would not be awarding the tender for that project at this time.

MR. CLEGG: Well, Mr. Speaker, I didn't like that answer. By accepting that answer, I would almost say that they're not going to get their facility. Have you another plan in place that they will get that facility?

MR. WOLOSZYN: Mr. Speaker, the needs that have been identified in the Spirit River community are real. Along with not accepting the tender for the whole project, we have approved an amount of \$850,000 to proceed with the needed roof repairs and landscape work to rectify the flooding, and we're also looking at the extended care.

MR. CLEGG: That's a better answer, Mr. Speaker.

AN HON. MEMBER: Ask him to resign.

MR. CLEGG: My members around me said to ask the minister to resign, but I'm not going to do that.

Certainly the community health services in that town are also in very bad need of some new facilities because they've been operating in a very small area. Are there any plans to make some improvements to their facilities?

**2:30**

MR. WOLOSZYN: Mr. Speaker, the member is correct. I had occasion to visit their facilities, and in our view they are inadequate. However, we do have an excellent facility across from the hospital, the courthouse, and we'll be looking at renovating that to meet the needs of the community health services. Hopefully, with the co-operation of the Mistahia health region, all their needs for this project will be met, albeit in a different avenue than what was originally presented.

### **Grant MacEwan Community College**

MR. SAPERS: Mr. Speaker, between 1993 and 1997 Grant MacEwan Community College in Edmonton lost nearly \$2.7 million worth of funding. At the same time enrollment grew from just over 5,200 students to well over 6,400 students. Without the

money to support this growth, the college is now facing a shortfall of in excess of \$1 million, and students and faculty are concerned that the burden of this deficit will once again be placed upon their shoulders. To the minister of advanced education: what assurances will the minister provide that this funding shortfall will not result in a single layoff of more staff and a decrease in the quality of education that goes along with fewer people trying to do more work?

MR. DUNFORD: Thank you, Mr. Speaker. There's no question of the ability of the postsecondary institutions to increase productivity. As the hon. member has correctly pointed out, while they took the 21 percent cuts at the institutional level, they also were actually able to increase enrollments. So Grant MacEwan College, which is the subject of the question today, is in a similar situation to many of the other facilities that we have in our postsecondary institutions. The taxpayers of this province, in helping us with a three-year business plan, have set out the amount of dollars that we have available for these institutions. We will shortly be bringing forward legislation to indicate what we expect from students as far as their contribution. The difference between that is going to have to be made up by a rationalization of programming, if that's the case, or increased private-sector support for that institution.

MR. SAPERS: Mr. Speaker, I don't think I like that answer very much.

Given that the president of the college has warned that our current financial picture is not adequate and the head of the faculty association has said, and I quote, we're killing our people, will the minister agree to an emergency meeting with the college's board of governors this week so that the pending crisis can be averted? They can't wait for your promise of tuition caps.

MR. DUNFORD: Well, Mr. Speaker, I do appreciate the hon. member trying to put himself into a position of being spokesperson for the board of governors of Grant MacEwan, but this minister has been very responsive to requests for meetings. As we stand here today, such a request for a meeting has not been offered. Should the president of Grant MacEwan or more importantly should the chair of the board of governors request a meeting, we'll of course see what we can do in terms of our schedule. I think one of the most defining moments for the postsecondary education system in this province has been how since 1993 the ministry of advanced education has consistently responded and responded quickly to requests and needs for meetings. Should a request come, I'll be glad to meet when we can.

MR. SAPERS: Thanks, Mr. Speaker. Just thought it was a chance to initiate it.

Maybe the minister of advanced education or perhaps the Minister of Energy – could one of you at least just write a memo to the Provincial Treasurer simply asking him to increase the per student grant awarded to the college? I understand that's the way things are now done in this government.

MR. DUNFORD: The system that we have brought into government since 1993 that utilizes the standing policy committees as we carry forward business plans is a type of process that I am very much in favour of. I think it is an initiative that other jurisdictions ought to be looking at. I realize it's a first in Canada. Like

many things that we do in Alberta, we tend to lead the nation. So we have a system. For the hon. member's edification on this, the caucus that I represent has been the ones that have ratified my business plan. I think it is an appropriate process, and it's one which I support.

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

### Charter Schools

MRS. BURGNER: Thank you, Mr. Speaker. I support charter schools, and I continue to be frustrated by the lack of co-operation in implementing charters into our publicly funded school system. I have a concern that was raised last week with the Science Alberta Foundation having been granted a charter to operate in the Calgary school system, and then the public school board withdrew the offer of space that had been under discussion in the implementation of their charter and specifically identified that they would not offer lease space arrangements to any charter that was outside their board but in fact rested with the Minister of Education. My question to the minister is: if students are residents of a board, even though the charter was granted by the minister, does the board have the responsibility to facilitate physical accommodation of an approved charter?

MR. MAR: Mr. Speaker, the answer is no. Charter schools are the choice of parents. If parents choose to send their child to a school that is not operated by the resident school board, that board is not responsible to accommodate a charter school or provide an education program for that child as long as they're enrolled outside of the jurisdiction. In the case of charter schools that are not established by a school board, the physical accommodation of the school is the responsibility of the charter school board.

MRS. BURGNER: I don't like that answer either, Mr. Speaker. Given the Calgary board of education decision not to lease space to the science foundation charter, what action is the minister considering? It impacts on their ability to implement their plan.

MR. MAR: Well, Mr. Speaker, I'm concerned about this very same issue that is being raised by the hon. Member for Calgary-Currie. It's my understanding at this time that the Calgary board of education is currently conducting a review of its facilities. I support this initiative because I believe that it may lead to the more effective and more efficient use of space in existing schools, but it is my hope that this review will be conducted in a timely manner in such a way that an agreement might be reached between the Calgary board of education and the science foundation charter that would allow them to operate in the school year beginning September 1998.

MRS. BURGNER: My final supplemental to the same minister: given that it is his responsibility to evaluate charter schools, will the role of the local school board in assisting in the implementation of charters, whether or not they are vested with that board or with the minister – these are resident students. Will that co-operation be considered in the review undertaken by the minister?

MR. MAR: Mr. Speaker, the charter school concept was introduced to allow for the innovation of the delivery of education to students. That is the primary criterion in the evaluation of a charter school. It was hoped that charter schools would provide

a hothouse for innovative ideas for public schools to use, and I think that the support that it receives from a school board should be considered in the evaluation of a charter school.

head: **Orders of the Day**

head: **Written Questions**

MRS. BLACK: Mr. Speaker, I move that written questions appearing on today's Order Paper stand and retain their places with the exception of written questions 41, 42, 45, 46, 47, 48, 49, 50, 51, and 54.

[Motion carried]

### 2:40 Parks and Recreation Areas

Q41. Ms Carlson moved that the following question be accepted: How much did the Department of Environmental Protection spend in the fiscal year 1992-93 on, respectively, the management and operation of provincial parks, provincial recreation areas, and Kananaskis Country, how many staff were employed, how many of these were park rangers, and what are the comparable figures for the calendar year 1997?

MR. LUND: Mr. Speaker, we once again find it necessary to amend this motion in order to provide the information that I think the hon. member is looking for and to make the answer more meaningful. We need to cross out words like "staff," "park ranger," and "employed." As well, we need to look at the years that are asked for. It should be provided for fiscal year 1996-97 or 1997-98 rather than the calendar year of 1997.

So we need to strike out "respectively," and then we need to strike out, "staff were employed" and substitute "permanent positions and full-time equivalents were included in this budget," strike out "park rangers" and substitute "permanent park ranger positions," and strike out "calendar year 1997" and substitute "fiscal year 1996-97."

The question that we would accept will read:

How much did the Department of Environmental Protection spend in fiscal year 1992-93 on the management and operation of provincial parks, provincial recreation areas, and Kananaskis Country, how many permanent positions and full-time equivalents were included in this budget, how many of these were permanent park ranger positions, and what are the comparable figures for fiscal year 1996-97?

MS CARLSON: Mr. Speaker, we're very happy to accept these amendments. They strengthen the question.

[Motion as amended carried]

### Land and Forest Service

Q42. Mr. White moved that the following question be accepted: During the calendar years 1992 and 1997 how many full-time equivalent staff were employed in the entire land and forest service and specifically in the forest management division and in forestry regional offices, what was the total area of allocated Crown land held under forest management agreements and other forms of tenure on which forest management operations had to be supervised, and how many full-time equivalent staff were involved in monitoring in the field?

MR. LUND: Mr. Speaker, once again we find it necessary to amend in order to make it meaningful and to, I think, get at what the hon. member wants. The reason we have to do this is because regional staff are located in regional offices as well as district offices. We would amend it by inserting "and district" after "forestry regional."

The motion as amended that we would accept will read:

During the calendar years 1992 and 1997 how many full-time equivalent staff were employed in the entire land and forest service and specifically in the forest management division and in forestry regional and district offices, what was the total area of allocated Crown land held under forest management agreements and other forms of tenure on which forest management operations had to be supervised, and how many full-time equivalent staff were involved in monitoring in the field?

THE SPEAKER: On the amendment.

MR. WHITE: This amendment is acceptable and was spoken of between the department and myself.

[Motion on amendment carried]

THE SPEAKER: The hon. Member for Edmonton-Calder to close debate.

MR. WHITE: Yes, Mr. Speaker, just to close debate. This particular written question is at the behest of a number of people who live in the various forest areas. They're concerned about the lack of staff in the department and the downsizing. This gives them a number that they can apply to their area and determine whether in fact forest management, in their view, has gotten better or worse in the way of review. This gives them a gauge to it, so I thank the department for the answer.

Thank you, sir.

[Motion as amended carried]

#### **NFI Finance Inc.**

Q45. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$10.188 million in performing loans and \$1.344 million in nonperforming loans by individual company holding cellular system licences in the United States under NFI Finance Inc. as of December 31, 1996, as contained in the 1996-97 public accounts, volume 3, note 5, page 226?

MRS. BLACK: Mr. Speaker, on behalf of the Provincial Treasurer I'm afraid I'm going to have to reject Written Question 45 for the following reasons. First of all, according to *Beauchesne* 446(2)(e), it does not allow for the disclosure of information if disclosure could result in financial gain or loss to any person or group.

Also, under the FOIP Act section 15 provides for mandatory exemption from the disclosure of "commercial, financial, [or business] information of a third party" unless the third party consents to the disclosure. NFI would need to obtain the consent of third parties involved with the loans prior to disclosing the information. The individual companies concerned would have an expectation that their dealings with NFI are subject to commercial confidentiality. Therefore, we must reject the written question.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close the debate.

MR. ZWOZDESKY: Yes. Thank you, Mr. Speaker. I'm disappointed to hear that this particular written question is being rejected, because of course it does deal with the accountability, openness, transparency issue, which I have spoken about at length in this House and which I think the Provincial Treasurer himself has also alluded to.

Now, having said that, I can respect the comments made by the hon. minister respecting confidentiality and third-party consent being requested and required with respect to disclosures. When we're dealing with significant amounts of money, such as the \$645 million loss as a result of the disposition of the NovAtel business back in May of 1992, I don't think it reflects on the current government that's sitting here. In fact, it's information that I still get asked about a lot. I still do, yes. I was hoping that the government would have been more forthcoming in accommodating that request.

It speaks to the entire list of loans and guarantees, which I appreciate we're moving out of and away from and haven't been in the business of being in business, as it's reported. So I thought this would have been a fairly straightforward note. I would just ask that the hon. minister convey to the Provincial Treasurer that disappointment and see if it's possible in fact for the Treasurer to approach answering this through some other mechanism than maybe through the formal machinations of the proceedings of this House. It's a substantial loss, and I still think that taxpayers are unsatisfied as to how it occurred and so on. So if we could ask the hon. member to please just put that forward, I will be happy with that.

Finally, maybe as part of that request, Mr. Speaker, they could also put forward the formal request for the third-party concurrence that's required.

Thank you.

[Motion lost]

#### **NFI Finance Inc.**

Q46. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$3.879 million provision for loss on notes by individual company holding cellular system licences in the United States under NFI Finance Inc. as of December 31, 1996, as contained in the 1996-97 public accounts, volume 3, note 5, page 226?

MRS. BLACK: Mr. Speaker, again I regret to say that we will have to reject this question for similar reasons as I stated from *Beauchesne* and section 15 of the freedom of information act. Again, third-party consent would have to have been obtained in order for this information to be disclosed. Quite frankly, a release of the information could expose NFI to criticism by its customers and possible legal action if anyone actually suffered a loss through the disclosure of this information.

So we must reject Written Question 46.

2:50

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

MR. DICKSON: Thank you, Mr. Speaker. I listened to the

explanation offered by the minister in terms of why the requested information isn't forthcoming. I'd just say that if one looks carefully at section 15 of the Freedom of Information and Protection of Privacy Act, it may be a mandatory exception, but there are a number of tests which have to be met before section 15 applies. Implicit in what the minister said is that the third party's consent was never solicited. That's what I took from the minister. [interjection] Well, that was implicit in what she said.

If, in fact, she didn't solicit the consent of the third party, then one has to ask – the structure of section 15 is that the public body gets a request, and the public body then has a responsibility to check with the third party. In many cases what we find is that when you actually consult with the third party, they say: we have no problem with this information being available. It's already available through either documentation and securities reporting or through other kinds of obligations they may have under the companies legislation.

So I think it is not good enough for the minister to simply cite section 15. I think there's more information we require. She cites *Beauchesne*, but the reality is that if *Beauchesne* were taken literally to the extension suggested by the Minister of Economic Development, you would never be able to access a kind of third-party information.

When all is said and done, recognize that what we're dealing with is a taxpayer interest. That's apparent. I think it's appropriate that the information be provided. The information that exists in the public accounts is inadequate. I think that section 15, in the absence of some communication with the third party, isn't any adequate explanation to refuse disclosure.

Thank you.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close the debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again I express some disappointment with regard to the rejection of this particular written question, which simply seeks additional information that, in my view, taxpayers have a right to receive.

I appreciate, again, the comments made by the hon. Minister of Economic Development respecting the legal aspect that has to be overcome when we're dealing with third parties and, of course, the potential for confidentiality rules to be breached and so on. However, we're dealing with about \$3.879 million Canadian as a provision for loss on the \$11.5 million in loans provided to U.S. cellular companies, which represents about a 33.6 percent provision for loss. I think a 33 percent provision for loss in any statement is quite significant and quite substantial and does require some form of explanation. It suggests that the remaining loan portfolio is at very high risk, which is what prompted the written question being posed.

I think taxpayers do have an inherent right to receive that information about these companies. They don't know who they are even; we don't know who they are. I would say that since Alberta taxpayers are backstopping these particular guarantees, these particular provisions that are being taken, they should be entitled to that information.

I would again ask the hon. minister if she would please just revisit this issue with the Provincial Treasurer and try and persuade him to undertake the requests necessary, to undertake the steps necessary and see if that information can in fact be procured and released to us at some point in the very, very near future.

Thank you, Mr. Speaker.

[Motion lost]

### Corporate Income Tax

Q47. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$1.407 billion in corporate income taxes collected by the government during the fiscal year 1996-97 by asset size of taxable corporations as contained in the 1996-97 public accounts, volume 2, schedule 1, page 12?

MRS. BLACK: Mr. Speaker, on behalf of the Provincial Treasurer I'm pleased to accept the motion for Written Question 47.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Thank you, hon. minister. We are looking very specifically for a distribution here, to be clear, of the Alberta tax payable portion by the asset size of the corporation. I would just advance the following breakdowns for further consideration in response to the acceptance just offered. We're looking for breakdowns for companies that are under the \$500,000 volume mark, those that exist between the \$500,000 and \$5 million mark, those that exist between the \$5 million and the \$25 million mark, and then a final fourth category of those companies that are in the \$25 million plus club. I know that Alberta Treasury produces a description of these, and I'm grateful that they've undertaken to provide them in turn to all members of this House.

So we thank the minister and the Provincial Treasurer for accepting that written question.

THE SPEAKER: Hon. member, what you're voting on is Written Question 47 as per the Order Paper, not as per just what was recently stated, if there's any difference.

MR. ZWOZDESKY: Yeah. I was just elaborating a bit there.

[Motion carried]

### Accounts and Accrued Interest Receivable

Q48. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$1.707 billion classified as accounts and accrued interest receivable by individual entity as contained in the 1996-97 public accounts, volume 1, page 26?

MRS. BLACK: Mr. Speaker, once again on behalf of the Provincial Treasurer, I am able to accept Written Question 48.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again, thank you, hon. minister, and thank you to the Treasurer for in fact exercising his OATH, which is openness, accountability, transparency, and honesty, which we've spoken about here.

Basically, just to be clear here, we're really looking for some additional explanation on the basic accounts receivable of the government. This \$1.7 billion in accounts and accrued interest receivable is indeed a significant amount of the over \$19 billion in assets held by the province as at March 31, 1997. So we're grateful for any additional clarifications, and I think taxpayers in

turn will be as well. I know that individuals are very concerned about how Alberta Treasury is doing and how good a job it's doing in managing these assets. This will provide some proof positive, if that's in fact what the Provincial Treasurer is able to offer.

These loan arrangements that we're talking about really refer to those where there is interest accruing, and I'll look forward to that information forthcoming and once again thank the government for accepting that written question.

[Motion carried]

### 3:00 **Doubtful Accounts**

Q49. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$203 million allowance for doubtful accounts by individual entity under accounts and accrued interest receivable as contained in the 1996-97 public accounts, volume 2, schedule 5, page 15?

MRS. BLACK: Mr. Speaker, again on behalf of the Provincial Treasurer, I'm pleased to accept Written Question 49.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again I want to thank the appropriate individuals for having responded positively and for having accepted this particular request for a breakdown.

I just wanted to add a couple of brief comments by way of what we're looking for here, and that is to discover how much of the \$203 million allowance pertains to the departmental and to the revolving funds under such departments as but not limited to Education, Economic Development and Tourism, Community Development, Environmental Protection, Transportation, and so on, as well as how much of it pertains to government of Canada revenues receivable to the Alberta Petroleum Marketing Commission, the Alberta Government Telephones Commission, the Alberta heritage savings trust fund, and any accrued interest receivable that might reflect therein as well as whatever pertains to the Alberta Social Housing Corporation.

Mr. Speaker, the general revenue fund does not include Crown corporations, as we know, or provincial agencies or commercial enterprises. So the allowance for doubtful loans and advances does have an impact on the calculation of the \$21.3 billion net debt of the general revenue fund with those exceptions as of March 31, 1997. So I believe taxpayers will be well apprised of further insights into how the \$203 million allowance applies. I'm grateful for the positive acceptance of this written question as well.

Thank you.

[Motion carried]

### **Alberta Opportunity Company Loans**

Q50. Mr. Zwozdesky moved on behalf of Ms Paul that the following question be accepted:

What is the breakdown of the \$9.63 million in impaired loans by individual entity held by the Alberta Opportunity Company as of March 31, 1997, as contained in the 1996-97 public accounts, volume 3, note 4, page 87?

MRS. BLACK: Mr. Speaker, I'm unable to accept the question as written and therefore have proposed an amendment to Written Question 50, which I believe the hon. Member for Edmonton-Castle Downs is in favour of.

The amendment would be: by striking out "What is the breakdown of" and substituting "How many accounts make up" and, secondly, by striking out "by individual entity" and substituting "and what was the maximum amount of any impaired loans."

So the question as amended, Mr. Speaker, would read:

How many accounts make up the \$9.63 million in impaired loans, and what was the maximum amount of any impaired loan held by the Alberta Opportunity Company as of March 31, 1997, as contained in the 1996-97 public accounts, volume 3, note 4, page 87?

[Motion as amended carried]

### **Alberta Opportunity Company Loans**

Q51. Mr. Zwozdesky moved on behalf of Ms Paul that the following question be accepted:

What is the breakdown of the \$3.916 million specific allowance for loss on loans receivable by individual entity held by the Alberta Opportunity Company as of March 31, 1997, as contained in the 1996-97 public accounts, volume 3, note 4, page 87?

MRS. BLACK: Again, Mr. Speaker, the question that was written I would have to reject. However, I will put forward an amendment to Question 51 that again would strike out "What is the breakdown of" and substitute "How many accounts make up" and strike out "by individual entity" and substitute "and what was the maximum amount of any specific allowance for loss on loans." Therefore the question as amended would be:

How many accounts make up the \$3.916 million specific allowance for loss on loans receivable, and what was the maximum amount of any specific allowance for loss on loans held by the Alberta Opportunity Company as of March 31, 1997, as contained in the 1996-97 public accounts, volume 3, note 4, page 87?

Again, I believe the Member for Edmonton-Castle Downs is in favour of these amendments.

[Motion on amendment carried]

THE SPEAKER: The hon. Member for Edmonton-Mill Creek to close the debate.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I believe that does conclude the debate, and we can proceed with the question, if you wish.

[Motion as amended carried]

### **Water Level Monitoring**

Q54. Mr. Zwozdesky moved on behalf of Ms Carlson that the following question be accepted:

How many water level monitoring stations were in operation on rivers in Alberta between January 1, 1992, and December 31, 1992, and between January 1, 1997, and December 31, 1997, at how many sites was measuring automatic, at how many sites were measurements made manually in each year, and at the manual sites how many staff and how many volunteers were engaged in monitoring operations and with what frequency?

MR. LUND: Mr. Speaker, I'm pleased to report that there were 452 water level monitoring stations operated on rivers in Alberta between January 1, '92, and December 31, '92; 392 were operating between January 1, '97, and December 31, '97. These were automatic recordings. There were no volunteers used, and within Alberta Environmental Protection 23 persons were employed in 1992 in the surface water monitoring section. In 1997, 29 were employed, but the workload was different then, in 1997. Approximately 15 percent of the staff time was used for river monitoring.

So we're accepting that question.

THE SPEAKER: To close debate.

MR. ZWOZDESKY: Yes. Thank you, hon. minister. We'll look forward to receiving those responses in greater detail.

MR. LUND: Than I gave you?

MR. ZWOZDESKY: Yeah.

[Motion carried]

head: **Motions for Returns**

**3:10**

MRS. BLACK: Mr. Speaker, I move that motions for returns appearing on today's Order Paper stand and retain their places with the exception of motions for returns 43, 44, 52, 53, 55, and 56.

[Motion carried]

#### **Forest Management Science Council**

M43. Mr. White moved that an order of the Assembly do issue for a return showing a copy of the minutes of all meetings of the Alberta Forest Management Science Council held from May 13, 1996, to the present.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. Once again we find it necessary to amend. In fact, the Alberta Forest Management Science Council does not keep detailed minutes, so we will be amending by striking out "minutes" and substituting "meeting summaries and council reports." So the motion that we would accept reads:

That an order of the Assembly do issue for a return showing a copy of the meeting summaries and council reports of all the meetings of the Alberta Forest Management Science Council held from May 13, 1996, to the present.

THE SPEAKER: On the amendment, the hon. Member for Edmonton-Calder.

MR. WHITE: Yes. Mr. Speaker, I will be forced to accept the amendment as presented. Unfortunately, it's not likely to include all the information that we'd like to have. If that's all they keep, one wonders, then, what the effect of the meetings is, but we'll have to accept this if they don't keep minutes.

Thank you, sir.

[Motion as amended carried]

#### **Forest Protection Advisory Committee**

M44. Mr. White moved that an order of the Assembly do issue for a return showing a copy of the minutes of each meeting of the Forest Protection Advisory Committee held in the calendar years 1996 and 1997.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. Once again I find it necessary to amend.

Believe me, if the hon. member continues in this confrontational way when we are trying to help them, by making sarcastic comments after we have amended something so that we can provide him some information, I'm simply going to start rejecting these, because they're written so poorly. Like the last one: we simply don't have minutes. We offered to provide them with information. He gets up, stands, and makes a bunch of comments that are negative. So in the future if this continues, I'm simply going to reject those. Let that be fair warning.

We need, once again, to amend this one, because they in fact did not have any meetings in 1996. So we will be striking out "calendar years 1996 and 1997" and substituting "1997 calendar year." The motion that we will accept should read:

That an order of the Assembly do issue for a return showing a copy of the minutes of each meeting of the Forest Protection Advisory Committee held in the 1997 calendar year.

THE SPEAKER: On the amendment, hon. member.

MR. WHITE: Yes, Mr. Speaker. We'll accept the amendment as presented.

It seems that the minister is most touchy on this subject of asking that information be sent. The minister seems to believe that the information that he has is his own personal information and that therefore he can hold it back, not from this member but from the public. This member happens to be a private member that is asking the government of the day a question.

MR. LUND: You're not writing the right questions.

MR. WHITE: That's not the kind of response that would be elicited from a man of your stature, sir. I mean, this is information that should be open to the public. It's pretty sad.

[Motion as amended carried]

#### **Speeches by Deputy Ministers of Health**

M52. Mr. Dickson moved that an order of the Assembly do issue for a return showing final drafts or copies of transcripts of speeches for each of the deputy ministers in the Department of Health for the period of February 1, 1995, until January 31, 1998.

MRS. BLACK: Mr. Speaker, on behalf of the Minister of Health I'm pleased to accept Motion for a Return 52.

[Motion carried]

#### **Help Eliminate Landfill Pollution Program**

M53. Mr. Zwozdesky moved on behalf of Ms Carlson that an order of the Assembly do issue for a return showing a copy

of the plan for risk management at each of the 12 priority orphan sites identified under the help eliminate landfill pollution program as referred to on page 9 of the 1996-97 annual report of the Ministry of Environmental Protection.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. This one is written so that we can provide the information as requested, so we will accept it.

MR. ZWOZDESKY: Thank you, hon. minister. We look forward to that response.

[Motion carried]

**Video Lottery Terminals**

M55. Mr. Gibbons moved that an order of the Assembly do issue for a return showing copies of all invoices issued to the government or its agents for the purchase of any and all video lottery terminals, VLTs, since January 1, 1992.

MRS. BLACK: Mr. Speaker, I'm pleased to accept Motion for a Return 55.

[Motion carried]

**Edmonton General Hospital**

M56. Mr. Zwozdesky moved on behalf of Mr. Sapers that an order of the Assembly do issue for a return showing copies of all lease agreements from January 1, 1989, until the present between the Caritas Health Group and Alberta Public Works, Supply and Services regarding the Edmonton General hospital.

MRS. BLACK: Mr. Speaker, on behalf of the Minister of Public Works, Supply and Services, I'm pleased to accept Motion for a Return 56.

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

MR. ZWOZDESKY: Thank you very much, and thank you, hon. minister, for having accepted that motion. We'll look forward to the response.

[Motion carried]

THE SPEAKER: Hon. members, I'm going to make an editorial comment. Today you went through 16 questions in about 35 to 40 minutes. That's highly productive, and I think that's a credit to all members of this House.

head: **Public Bills and Orders Other than  
Government Bills and Orders**  
head: **Third Reading**  
**Bill 206**  
**Human Tissue Donation Procedures  
Statutes Amendment Act, 1998**

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

MRS. FORSYTH: Thanks, Mr. Speaker. Bill 206, the Human

Tissue Donation Procedures Statutes Amendment Act, has seen some good, strong debate. I've read and I've reread *Hansard* and read and reread the correspondence from various regional health authorities and vested parties, and I believe the current concerns which have been raised have been addressed. There have been a number of articles written about this bill, and I would like to make a few points regarding the articles.

[Mrs. Gordon in the chair]

Firstly, as we all know, the Calgary regional health authority has some concerns about Bill 206. This is an important issue, Madam Speaker, but the issues they raise are easily refuted. There has been communication with groups from across Alberta. If there is one main criticism of the bill, I will apologize for not getting to everyone, but to say that I did not consult during the drafting of this bill is not true.

Secondly, the policies and procedures which will be created will be created through consultation. These consultations will ensure that there is a co-ordination in the donation process.

A third point I would like to make is in regards to the term "potential donor." Madam Speaker, I will say it again. A patient is always, always treated towards recovery.

Dr. Bill Anderson, president of the Alberta Medical Association, has said to me that he is comfortable with the bill and is fully supportive of its direction. He has told me that he is looking forward to the consultation, because organ retrieval is a major concern.

Madam Speaker, with the support of the AMA this bill is further justified in passing today. However, I have heard it quipped that with the passing of the amendments, there is nothing remaining in this bill, that the amendments have taken the substance out of the bill. This could not be further from the truth. The words may have changed, but the bill will still accomplish what it has set out to do. The amendments argument is workable within the system.

This bill is there to better the lives of a few Albertans who are continually reminded about the fact that without an organ donation, their lives are threatened. That, Madam Speaker, is a tragic reality. Many of the people who are currently on the waiting list may never get off the list. They may spend their last days waiting: waiting for a better life, waiting for a chance to go to school, a chance to get married, a chance to have children, and a chance to see these children grow up.

Madam Speaker, the controversy around Bill 206 has at times frustrated me and at times has angered me, but I'm healthy, I'm not on dialysis or waiting for a heart or a lung donation, so I can only imagine what someone on a transplant list feels.

Bill 206 will address a provincial void. There is no province-wide organ and transplant protocol, something that is needed, so I will ask the support of all members in the Assembly in passing Bill 206 today.

3:20

The hon. Member for Edmonton-Glenora said that the devil is in the details. Well, Madam Speaker, the details are coming, and they will come through the consultation which will happen after this bill passes third reading. I have been asked in and outside of the Legislature if there will be consultation after the bill passes and before proclamation. The answer is simply yes. I would like to say that the consultation will be a continuation of those I undertook to develop the bill. I have been in continued contact with numerous groups during the entire time this bill was

researched, so the consultation which shall occur after Bill 206 passes is in fact not new. It is just expanded and will include physicians. These dialogues will hear from all sides of the organ donation story including, hopefully, those people on transplant lists.

When drafting this bill, I personally met and talked with members of the liver and kidney foundations, HOPE, individuals, doctors who spoke to me confidentially, and I thank them so much for their support. So, Madam Speaker, I want to make it absolutely clear that this bill was done with the support and guidance of those organizations directly involved in organ donation. If the one criticism with this bill is not consulting with everyone, I again apologize.

Madam Speaker, Bill 206 is a good bill. It has honourable intentions, and it is sound legislation. This bill in no way crosses any line between government legislation and private members' legislation, as an hon. member stated. Bill 206 is there for the people of Alberta whose lives hang in the balance and for the people who may eventually need the services of the human organ procurement and exchange program, the Kidney Foundation, the Liver Foundation, and the Eye Bank.

These people's lives depend upon the actions of medical staff, and Bill 206 will facilitate the creation of the protocol for medical staff to follow when a potential donor has been identified. This bill does not outline what a medical staff person should do in regards to medical practice or treatment methods. Not once, Madam Speaker, have I said that this bill will allow the minister the ability to tell medical staff how to perform their tasks as health providers. That is not the case. Doing so would be contradictory to the intention and scope of this bill. What we have said – and I will say it again – is that there needs to be training for staff involved in the process of organ donation. We're not talking about training for the treatment of a patient but how the staff must react once a patient has been identified as a potential donor. Again, for clarification, once a person has been identified as a potential donor, it does not mean that consent has been given. Consent, again, is a separate step, an important and separate step.

Bill 206 will do a great deal in furthering the goals of increasing organ donations and implementing procedures in the donation process. Madam Speaker, I will again ask members to support Bill 206. I ask them to support the right of every single person on the waiting lists and every person who may need to be put on the list to have access to every potential donor. I support that every family of a potential organ donor should have the right to make a choice about organ donation. I ask that every member here take the issue of organ donation to their family and friends. This would go a long way towards an educational process, with a goal of increasing donation awareness. Education is something that is difficult to legislate, but educating the public should be a direction we look at and look at seriously. As I have said before, you cannot donate if you are not given the option.

I would like to read to the Assembly two letters I've received since Bill 206 was put forward. I've received many, many letters. The first letter is from an organ recipient, and the second one is from a family who has consented to donating their loved one's. The letter starts off about the support.

I would like to take a few moments to explain why I am so adamant about organ donation. Approximately twelve years ago I was diagnosed with a kidney disease. In March, 1996, I went into kidney failure which necessitated dialysis. On June 13, 1997, I was the recipient of a cadaver kidney. The transplant was successful and everything has gone extremely well since the surgery. I was very determined to continue to work during

dialysis and with the excellent medical care I received, I was able to successfully continue to work. However, I have no doubt that the longer I remained on dialysis, the higher the probability was that I would eventually be unable to remain employed. Three months following the transplant I was able to resume my work.

Not only have I benefited by being able to regain my health and resume employment, but my family have regained a healthy husband and father. I cannot say how important it is to my family to be able to look forward to having their husband and father to be an integral part of their lives. No words would be sufficient to adequately describe the impact on them.

He goes on again about the concerns and the opposition raised on the bill. I'll be tabling all of these letters.

When I was on the stretcher waiting to enter the operating room for the kidney transplant, there was an older gentleman on another stretcher waiting for a heart transplant. I can assure you he and his family are extremely grateful that a cadaver heart was available for no other options were available for him. Only cadaver transplants can provide realistic options for many Albertans.

He goes on about thanking me, and I'll be tabling that.

The second letter I'd like to read into the record and will be tabling is from a mother, and it's a reflection on the decision to donate Taiya's organs.

Taiya, 11 years, healthy, beautiful, September 6, 1994, had an accident while riding her horse. The horse bolted for no apparent reason, ran to the highway and slipped on the pavement. She sustained a head injury, even though she was wearing a helmet. On the way to the hospital I prayed. I called family also and asked them to pray. My sister was with me, and we talked about the fact that this could be very serious, and I spoke with my sister about what I could pray for. I decided to pray for courage to accept whatever happened. As is stated in the Lord's prayer, God's will would be done.

When we met her at the hospital she'd been airlifted to and in the hours that followed, it looked like Taiya would live, with what looked like minimal brain damage. However, it soon became apparent that that would not be the case.

Fortunately God did not let me down. When all brain activity had stopped, I was able to accept the fact that Taiya's earthly life was over.

We were approached by a social worker who told us we'd be asked to consider organ donation. At that moment, through the depth of my sadness and my heartache, I thank God that I was able to think about other people's pain as well as my own. I did not want other families to experience what we were going through.

That day in the hospital, only one of my other 4 children was there. The others were at school thinking their sister would probably recover. For each one I had special concerns about how their sister's death would affect their lives.

Then I thought about all the children worrying about their sisters and brothers whose death could be imminent. My heart was filled with compassion for them, and I knew that we had the ability to end the pain and fear some of them were experiencing.

Without discussion Taiya's dad and I were able to agree to the request. After saying our goodbyes to Taiya, we went home and that night as the family gathered around and we shared our grief, the only shred of happiness we could feel was from the knowledge that three people were going to be called to life that night. They were going to receive the miraculous call they'd been waiting for. For them we felt joy! We prayed for each other and for the families whose lives would be touched by our precious Taiya's life.

In reflecting upon the whole experience, one overwhelming feeling comes to mind; that is, thankfulness. I'm thankful that my daughter was flown to a hospital where I knew she was



receiving the best care possible, and then when there was no hope for her life to continue, that she was in a hospital where organ donation is requested and that the team caring for Taiya had the courage to ask. One thing I am sure of is that I would not have thought about organ donation [unless I was asked]. The grief experienced in losing a child is all-consuming.

I am thankful that God was able to work through us, allowing us to demonstrate love for our neighbours in such an awesome way. Awesome in that the decision to donate Taiya's organs and possibly save lives is one that just seemed too big to comprehend before, out of the realm of human decision-making power, but with our faith in God guiding us, I believe we did the right thing.

I am thankful that in the midst of the pain our family has experienced over the last 3 years there is also much joy we have been a part of. The reminders through cards and letters from the organ recipients have brought love and joy to family and friends alike as we've shared them.

I am comforted by the belief that my daughter's spirit is soaring in eternity. As my 7-year-old son said: Taiya is happy in heaven riding her horse, and she doesn't even have to wear a helmet. I am also comforted by the knowledge that 3 children aged 1 and 1/2, 7, and 17 received Taiya's organs and are doing fine today and that 2 other people received the gift of sight.

What a wonderful memorial to my daughter.

What a wonderful example of the connectedness of the human family.

What a wonderful way to experience the deep love and compassion we are all capable of.

Thank you.

Madam Speaker, these are just some of the many, many, many letters I've received.

In closing, Madam Speaker, thanks to all those who have called, have written letters of support. Thanks again to the Kidney Foundation, the Liver Foundation, HOPE, Mr. Dale Spackman, and my researcher Jamie Davis.

In closing, I would ask people: do not take those organs to heaven. Heaven knows, we need them down here.

3:30

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

DR. MASSEY: Thank you, Madam Speaker. I just wanted to make a few comments about Bill 206 at this stage of its development. I spoke at an earlier stage strongly in favour of the bill, and I'm delighted that the member has seen fit to bring Bill 206 before the Assembly. As I think I indicated then, it can only do good for those people who badly need the tissue donations that would be made possible under this kind of legislation. So I'm delighted I spoke in favour of the bill then, and I'm delighted to support it and will continue to support it as it makes its way through the House.

We've heard from the Capital regional health authority and how strongly they favour this bill. The region has played a strong role in organ transplant and has nothing but strong support for this kind of legislation. They've done a lot of work in the past, and the passage of this bill can only add to the fine work they have done.

But one of the things that did give me pause to think was the reaction of one of the largest health authorities in the province, the negative reaction to the bill. I guess I wasn't as surprised about their negative reaction as I was surprised at the reaction of the member to their negative comments about the bill. The

member has pointed out, as it seems to me, how very sensitive this issue is. It's a matter of public education, and it's an issue that many people find very hard to deal with. So I think we couple that with some institutional concerns that seem to have surfaced among the health authorities in the province.

I guess I was disappointed that there wasn't more of an attempt to embrace the critics of the bill, to welcome their criticisms, to try to win them over, and to make them strong supporters of this very important piece of legislation. I say that reluctantly, but if we're going to make progress on bills and issues like this, even though we may feel strongly irritated or have other feelings, I don't think we can afford to leave anyone behind. If it means biting our tongue, accepting criticism, and trying to see the problem from the perspective of another individual or another institution or another group of institutions, I think that in the best interests of the bill and in the best interests of the people this bill is going to serve, it's incumbent upon us to do that. I raise the issue reluctantly, but the bill is too good for it to be marred by that kind of criticism and fighting or disputes among proponents or detractors of the bill.

So I support the bill, and I congratulate the member for bringing it forward and wish her every success in making sure that the bill, what's on paper, becomes a reality in the province.

Thank you, Madam Speaker.

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

MS KRYCZKA: Thank you, Madam Speaker. I've heard many times why Bill 206 is so important and, you know, that it will save more people's lives. It's certainly going to make it all easier for any of us who wish to donate organs in the future to go through that process. I see it certainly as a building block bill and maybe not the ultimate answer, but I think it satisfies a real need.

Why I wanted to speak today is more on a personal level. I think that probably the most meaningful life experiences we have are the ones that we experience personally. Usually these are the ones that cause us to move forward.

I just wanted to talk a bit to the people in the House here today about a lifelong friend of mine. This lifelong friend - I mean it: a long time. We grew up and went to school in the Norwood area here in Edmonton. [interjection] Yes, we did. We went to Spruce Avenue junior high together, had a lot of experiences, and Victoria composite senior high. I remember a bunch of us piling into a car pool on the way to university and trying to study in the library like people did in those old days. But, you know, a number of years have gone by down the road. I would say this particular person has really been a valuable citizen to society. In his work he's very highly regarded, has been very committed, and has certainly given a lot to many Albertans.

But last fall his kidneys shut down, something I think he probably least expected, as did anyone else. As a result, he's gone to dialysis three times a week. He tells me he's slowly improving. To him improvement is that dialysis each time now takes three and a half hours instead of four and a half hours. He speaks of how his only chance at a life of sorts in the future - he certainly doesn't go to work - is a kidney transplant, and he's not even on a list yet. I guess personally I think - and he does too - that he has many years of service yet to give to Albertans.

Like I say, this bill has a lot more meaning for me when I can relate personally to someone that is in this situation. I doubt whether it would be me that would give him a kidney, but I think the next issue, though, in this bill - and it's been mentioned by

the hon. member. I think a really tough personal issue here for all of us is to actually make the decision to commit to give consent; I think that's the wording you used. To me it means to look at the reality that one day we won't be here. So we should really consider this seriously and be prepared to actually step forward and make this kind of decision.

I guess my final comment would just be that, yes, an organ donation would save taxpayers a lot of money; there's no question about that. But I think we should think more in terms of how we would give some very worthy person or persons an opportunity for quality of life.

Thank you.

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

MR. DICKSON: Thank you very much, Madam Speaker. When I initially spoke to this bill at second reading, I indicated then how important I thought it was that we have a provincewide strategy and a provincewide program to deal with organ donations. I think from my discussions – and one of the things I'll thank the Member for Calgary-Fish Creek for is that she's created a forum, if you will, and a context for what I think has been a fairly lively discussion, much of it outside of this particular Chamber, about organ donations and the issues relative to it, what's holding it up, and what's necessary to ensure that we do a better job.

The issue I think is for all of us, and as close as I've listened, I've heard nobody indicate resistance to the proposition. What we want to do in Alberta is close the gap between the number of organ transplants that are possible and the number of organ donations that actually occur. So I think there's broad consensus around that.

I have appreciated a number of things in the course of the debate on the bill. I've appreciated the minister's response in terms of bringing in a set of amendments which address certainly in part some of the concerns that have been raised with respect to the bill itself, Bill 206. I've appreciated the valuable input that I and I know members of my caucus have received from the Kidney Foundation, the Liver Foundation, and a number of other private individuals. We've heard from a lot of families and individuals, like the Member for Calgary-West, who have had personal experiences to share in terms of the importance of organ donation. It certainly brings home how serious an issue this is and just how important it is. We've also had the benefit of speaking with the Capital health authority as recently as last evening. The Capital health authority, I think we all appreciate, does the largest volume of organ transplants in the province. In fact, the Capital region indicated their support for the bill.

3:40

I think, Madam Speaker, when we deal with Bill 206, though, there are some threads that have come through the debate that I just want to identify now and pick up. There's been reference made to the federal/provincial/territorial report. One of the key elements I took from that report was the need for "consistent support for the use of consensus building approaches." I think my colleague from Edmonton-Mill Woods spoke to that a moment ago. When we're trying to build the broadest possible consensus, we can ill afford to antagonize, to divide, to butt heads, if you will, when really what we're trying to do is the broadest possible kind of consensus-building around this issue.

In the letter the Capital health authority sent the Member for

Calgary-Fish Creek dated March 17, I note in the penultimate paragraph on page 2 the comment that "it will also be important to ensure that the physicians providing primary care are included in the organ donation process."

That of course brings us, then, to the concerns expressed by Dr. John Jarrell, the chief medical officer for the Calgary regional health authority. Just so it's part of the record, I'd summarize what I understand to be his concerns. I've identified really four concerns raised. The first one: a lack of communication or consultation with any official or practitioner that we identified in Calgary before March 1998 and second reading of the bill. Now, I take the comments of the Member for Calgary-Fish Creek that in fact she did consult widely, but it's also apparent that there are other people in the city of Calgary and the Calgary health region who felt they had not been involved in the deliberative process. So one of the things that we're going to have to do, assuming this bill gets support and moves on to Royal Assent, is ensure that all physician organizations at all health regions have a higher level of comfort with what we're about and an opportunity to give the kind of feedback that I think is important.

The second objection that had been raised by Dr. Jarrell on behalf of the Calgary regional health authority was the, quote, unheralded and unprecedented responsibilities, close quote, that the Minister of Health would have under such a bill. Now, I might say parenthetically that it seems to me there's a role for provincial co-ordination, so I might part company, at least in part, with Dr. Jarrell's criticism. Because if there's going to be provincial co-ordination, where would that possibly come from if not the province and Alberta Health?

The third observation or concern expressed by the Calgary regional health authority was: having the minister set guidelines for assessing potential donors is quite troublesome for many physicians. We've heard from the Minister of Family and Social Services, a physician himself, and we've heard from the Capital region that they do not see this as being a problem, but it's certainly one of the things raised by the Calgary region.

The fourth one was the concern about a co-ordinated approach to care. Well, that concern is an important one. Really what this bill may take us towards is a higher degree of co-ordination with respect to care. Then I'd just identify Dr. Jarrell's observation that – and I quote – the power of the bill and the lack of consultation from intensivists, nephrologists, ethicists and others are serious issues.

I think, Madam Speaker, that if we go back to what was said about building consensus in the federal/provincial/territorial report, if we take the recommendation from the Capital health authority about the importance of involving primary care physicians, it's clear that that's going to have to be the follow-up to this bill. As the opposition Health critic, I've been informed to a very large extent by the debate around the bill. I'm going to be anxious to assist the Minister of Health in ensuring that that broader consultation continues to happen, that there's the kind of requisite sensitivity in terms of taking subsequent steps.

Madam Speaker, what we're going to need is formalized donation protocol, a designated team within each of the hospitals in this province with primary responsibility for carrying out the donation protocol in a sensitive manner, and a system for ongoing monitoring to ensure that protocol is being followed. What I'm told by the Partnership for Organ Donation, which is a U.S. organization that has done a lot of pioneering work, is that the key is flexibility, different hospitals taking flexible approaches. My

advice or encouragement to the Minister of Health is going to be: in implementing this bill, ensure that there's that kind of flexibility. Yes, provincewide co-ordination, but not a one-size-fits-all kind of model that's going to be rigidly applied in every hospital in the province. We need that kind of flexibility, and I'm hopeful that will be one of the results from this.

It's apparent there's a big need for an education program, and I hope that that's going to be one of the things that comes from this. I think staff education has clearly been identified in this debate as something we can and have to do more of.

So I think those are important issues, and I think, as my colleague from Edmonton-Mill Woods said, it's important in terms of building consensus that the Minister of Health make a particular effort, make a very specific effort to ensure that larger kind of involvement of stakeholders. I mean this as no criticism of my colleague from Calgary-Fish Creek, because this is, after all, a private member's bill, and you do not have the resources of 631 people in Alberta Health doing the bill and doing the consultation for you. But we have that opportunity now, so I hope we take advantage of it.

Those are the observations I wanted to make. As a result of a more informed discussion about organ donations and the sharing of experiences and perspective, I think we will be able to significantly increase the number of donations in the province.

Those are my comments. Thanks very much, Madam Speaker.

THE ACTING SPEAKER: The hon. Minister of Family and Social Services.

DR. OBERG: Thank you very much, Madam Speaker. I just want to make a couple of very brief comments. One of the comments is in regards to the previous hon. member. I talked to Dr. Jarrell at about 20 after 1 today, and he explained some of the issues. He said, quite frankly, that the biggest single issue is that there has not been any consultation with the intensivist physicians with regards to this bill. If this consultation is to take place after this bill has been passed, he said there are no problems with it. I understand the hon. Member for Calgary-Fish Creek has agreed to that in saying that there will be consultations before it is proclaimed, and Dr. Jarrell is completely, 100 percent comfortable with this.

I think this is the kind of bill that we have to move forward in a co-operative approach, and it's not one that the hon. member would want to alienate anyone on. So I have her assurances that that's what will occur, and I have the assurances from Dr. Jarrell that he is quite happy with that.

Thanks.

THE ACTING SPEAKER: The hon. Member for Calgary-Fish Creek to close debate.

MRS. FORSYTH: Thank you, Madam Speaker. I will reiterate the fact that I have been asked in and outside of this Legislature if there will be consultation after this bill passes and before proclamation, and the answer is yes. I have again mentioned in my speaking notes that we will be doing our utmost to consult with all of those involved in the process, including the physicians that the previous member just talked about.

This is an important day in Alberta. This is the first bill in Canada that falls in line with the federal/provincial task force.

I move third reading of Bill 206.

[Motion carried; Bill 206 read a third time]

head: **Public Bills and Orders Other than  
Government Bills and Orders**

head: **Second Reading**

3:50

**Bill 210  
Protection of Personal Information  
in the Private Sector Act**

[Debate adjourned March 24: Mr. Amery speaking]

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

MR. MacDONALD: Thank you, Madam Speaker. It's always a pleasure to rise and speak to legislation that's crafted and researched by the hon. Member for Calgary-*Buffalo*. This Bill 210 is no different than any of his other past efforts. It is sound legislation, it is well thought out, and it is needed in this province.

Madam Speaker, we cannot wait for another level of government to make a law that we need now. I heard earlier this afternoon during question period the hon. members across the way talking about how this government stands up and speaks out for Albertans and how they will do the right thing for Albertans. Well, if they want to do the right thing for Albertans, they must support this legislation. This legislation is very necessary because we are now living in a world where information goes everywhere.

For Alberta to become the most connected province in the country by the turn of the century, all of us, Madam Speaker – consumers, businesses, and government – need to feel confident about how our personal information is gathered, stored, and used. The challenge of the electronic age is that with each transaction we leave a data trail that can be compiled to provide a detailed record of our personal history and preferences. The digitalization of health, education, employment, and consumer records makes it possible to combine information and create an individual profile with data that most of us consider to be extremely personal. This information may be sent across provincial and national borders, where it can be sold, reused, or integrated with other databases without our knowledge or consent.

As consumers and citizens we need to know that when we shop or plan a vacation on the Internet, bank from home, look for work, correspond with friends and family, make purchases without cash by using debit cards, find medical information, or engage in other forms of electronic transactions, Madam Speaker, we must have some control over our information, and we must be assured that there is a basic level of protection. The hon. Member for Calgary-*Buffalo* is providing us with this protection in Bill 210. This Bill 210 is committed to setting clear and predictable rules governing the protection of personal information.

Now, we can't just throw our hands in the air and say that we'll leave this up to another level of government. Quebec, from what I understand, has led the way in the provinces of this country by passing legislation similar to what the hon. member is proposing. Banks, phone companies, and other businesses might face fines for misrepresenting their customers' personal information under a proposed privacy law for the electronic age. This is a discussion paper that's been provided by the federal government. This new federal discussion paper outlines penalties, including financial punishments and mandatory compensation of consumers, that could be levied against companies which break the planned law. This paper, as it was prepared by industry and justice departments, sets out a rough framework for sweeping privacy legislation being developed by the government for the private sector.

Now, we don't have to wait for this. We can be leaders. We don't have to wait for the federal government. As I hear from members across the way every now and then, more than now, anything that goes wrong they'll want to blame on my federal cousins, as they affectionately call them. But we don't have to wait. We can pass this bill, and we can be ahead of my federal cousins.

The discussion paper, Madam Speaker, clearly indicates that the privacy law slated to be in place by the year 2000 will enable consumers to lodge formal grievances against firms and possibly be awarded damages. The paper warns that the promise of computerized banking, shopping, and other financial transactions will fizzle unless people feel confident about how their personal information is gathered, stored, and used. With each transaction, as I said before, a person leaves this digital data trail. We have to protect consumers. We have to protect the citizens from the unscrupulous use of this data, and this bill sets that out.

The issue of personal information means "personal information as defined in the Freedom of Information and Protection of Privacy Act." The bill sets out provisions to control the use of personal information held by large private-sector organizations while limiting the ways in which personal information can be used or disclosed by the private body. This bill guarantees individuals the right to access most records containing personal information concerning themselves and the right to request corrections to be made to those records. Most importantly, Madam Speaker, the bill grants individuals the right to have complaints adjudicated by an independent board or panel, Alberta's Information and Privacy Commissioner, who can issue legally binding orders.

In part 2 the bill also includes specific limitations on the use of video surveillance and sets out procedures for its legal use. I want to return, Madam Speaker, to the use of video surveillance later in my remarks.

This bill is limited to large private-sector organizations, including banks, Treasury Branches, trust companies, insurance companies, credit unions, and loan corporations. Except for these specifically enumerated entities, businesses and associations with fewer than 100 employees are not included. The scope of the bill is limited in recognition of the fact that smaller bodies, such as small businesses, community associations, and athletic organizations, do not routinely handle sensitive personal information and should therefore not be unduly encumbered by the provisions of this act. Large corporations, specifically insurance companies and financial institutions, do have extensive collections of personal information.

Just imagine, Madam Speaker, if someone you never met has detailed health information about you or one of your immediate family members. They know everything about you, about medical information, and by reading a scientific report, they have the power to influence your future, whether it be through employment, whether it be through perhaps some genetic trait that one or more family members may inherit. This is information that I do not think any hon. member in this House would feel should be public knowledge.

We all know the medical community is making great progress at finding cures and treatments for inherited diseases, and they're doing this through gene manipulation. More people are being tested to take advantage of these innovations. With this testing now becoming routine and popular, Bill 210 becomes very necessary. This testing is creating people whose innermost secrets are not secret anymore. Citizens at risk of developing hereditary diseases live in fear that this information could be abused, costing

them their employment, jeopardizing insurance claims, even, in the worst case, turning these citizens into social outcasts.

4:00

Now, if we were to take a little trip to our local supermarket and we were to go in and go to the drugstore – many of the large supermarkets now have a drugstore incorporated right into the store. If we were to fill a couple of prescriptions for family members, that's in that data base. We go; we fill our shopping cart; we go through aisle after aisle. Regardless of where the product is shelved, whether it's at eye level or foot level, we purchase products, put them in our cart, and we take them to the checkout. This is powerful consumer information that we're providing to the store. Who's to say, after we leave the store, what happens to this information?

Now, in the data bank there are details about the state of our health because of what we purchased at the drug counter. There are details as to our consumer habits. For instance, if I were an insurance company and I had this information and I saw that an individual bought a lot of, for instance, red meat, in some sectors of the medical community there is evidence that a large consumption of red meat may lead to heart disease. Now, this is your business. This is the business of the individual, but if this information were to fall into hands other than the store for their own marketing drives, what is to become of it? This is a question that Bill 210 will help provide answers for.

Now, we all talk about the guidelines on the protection of privacy. We all talk about increases in global efficiencies and that we've got to perform in the global market. But one of the groups who is behind the MAI also has some views and very strong views on the guidelines on the protection of privacy and transport or flow of personal data. The development of automatic data processing, which enables vast quantities of data to be transmitted within seconds across national frontiers and indeed across continents, Madam Speaker, has made it necessary to consider privacy protection in relation to personal data. Privacy protection laws have been introduced or will be introduced shortly in approximately one-half of the OECD member countries. They're introducing this to prevent what are considered to be violations of fundamental human rights, such as the unlawful storage of personal data, the storage of inaccurate personal data, or the abuse or unauthorized disclosure of such data.

Now, if it's good enough for them, it should be good enough for us, because we compete. We trade with these people on a daily basis. We all know how international borders have become very symbolic in the last 20 years with the globalization of the workplace. This is something that we have to consider. If we want to remain in tune with the rest of the world, we have to start considering the private information of the citizens of this province. The guidelines that are outlined by this group are this: a data controller means a party who, according to the domestic law, is competent to decide about the contents and use of personal data regardless of whether or not such data are collected, stored, processed by that party or by an agent on its behalf. Personal data means any information relating to an identified or identifiable individual. Transborder flow of personal data means movements of personal data across national boundaries. Other jurisdictions are not only considering this; they're doing something about it. I think that we should act quickly in this province, or we're apt to be left behind.

Now, Madam Speaker, the banking industry uses a lot of our information all the time. There are transactions daily. I think it's very important for the hon. members in this House to know what

the definition of personal information by the Canadian Bankers Association is. I'm quoting directly from one of their booklets, under personal information.

Information about an individual customer of the bank. Includes but is not limited to the individual's name, address, age, gender, identification numbers, income, employment, assets, liabilities, source of funds, payment records, personal references and health records. May also identify whether or not credit was extended and to whom the bank disclosed the information.

That is quite a detailed amount of personal information.

Further on in this document the bank goes on as to how they're going to safeguard this personal information. I think it's very important that the hon. members of this House recognize that the banks do their best. But we all know of the story of the individual in Calgary whose personal information in the data bank somehow got free. This individual was quite concerned about this.

Banks will protect personal information with safeguards appropriate to the sensitivity of the information . . .

Each bank will safeguard personal information from loss or theft and from unauthorized access, disclosure, duplication, use or modification.

Each bank's safeguards will vary depending on the sensitivity, amount, distribution, format, and storage of the personal information. Each bank will give the highest level of protection to the most sensitive personal information.

Each bank will safeguard personal information through security measures. For example:

- physical security, such as secure locks on filing cabinets and restricted access to offices
- organizational security, such as controlled entry in data centres and limited access to relevant information . . .

Each bank will inform employees regularly about the bank's policies and procedures for protecting customers' personal information and will emphasize the importance of complying with them. As a condition of employment, employees will be required to conform to a bank's policies.

A bank may disclose personal information to third parties for printing cheques, data processing services, collection, or for other goods and services. The bank will require these third parties to safeguard all personal information in a way that is consistent with the bank's measures, or as regulated by law.

A bank may disclose personal information to businesses such as credit bureaus, credit insurers and lenders with the customer's consent.

That customer is also a consumer, Madam Speaker.

The bank will use procedures or contracts to protect the privacy of that personal information. The banks rely on the added protection of credit reporting legislation to ensure that credit bureaus protect personal information.

Well, the Canadian Bankers Association has the right idea, but this bill, Bill 210, will help them out even further.

We were talking about Canada a little earlier, Madam Speaker, and I think it's important that we look at how the Canadian Charter of Rights and Freedoms is involved in protection of privacy. The Canadian Charter of Rights and Freedoms does not include an explicit right to privacy, although the courts have in some judgments acknowledged a reasonable expectation of privacy protection. The first source for this expectation is section 7 of the Charter, which establishes that

everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Thank you, Madam Speaker.

4:10

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

MR. AMERY: Thank you, Madam Speaker. It's a pleasure to resume debate on Bill 210. As I was saying yesterday, it is very evident that there are a number of questions to be considered before entering into a field such as this. Simply put, implementation of video surveillance requires further study. It would be irresponsible for this government to just stick a section of legislation in a bill and worry about the details later. There must be a discussion about issues such as whether or not it should be required that signs be posted advising the use of video surveillance unless a reason exists that would prevent addressing the specific problem if it was known that video use was occurring.

Madam Speaker, there's also concern in having the Information and Privacy Commissioner as a controller of such activities. I'm not convinced that this would be the best approach. Is there evidence that this type of video surveillance is effective? Have other means of monitoring employees been examined or considered before deciding upon video surveillance?

I would like to mention, Madam Speaker, that a number of countries have already addressed this issue. New Zealand has had extensive discussions about the use of video surveillance in relation to its Privacy Act. There is currently no law in New Zealand which specifically addresses the issue of video surveillance in the workplace. However, the principle of trust inherent in employment relationships and human rights and privacy principles necessitates limits on the use of video surveillance, particularly covert surveillance. Their Privacy Commissioner has said that video surveillance can be used in defined circumstances without breaching privacy principles.

In the United States, Madam Speaker, places such as New York and Colorado have done extensive studies on surveillance in the workplace. Without getting into the details, I am simply trying to make the point that there is a sufficient amount of information and experience throughout the world in relation to this topic, information that's available for us to examine and use in determining what would work best for our country. I would suggest that it would be in our best interest to consult with these countries and to further investigate our options as well as their ramifications.

Madam Speaker, that is precisely what this whole issue comes down to: a matter of approach. Before we enforce a piece of legislation, we must take a look at the far-reaching effects. We must approach this matter carefully and give it the consideration that Albertans and ultimately Canadians deserve. Oftentimes we tend to look at a situation or a particular issue and consider only the direct implications. In a sense we focus only on what would happen within the borders of our own province. That's easy to do. I would argue that we cannot always limit our sights to that which we can see. Bill 210 may very well be a good thing for Albertans as the matter of protecting personal information is dealt with within the province. But what about across the rest of the country and throughout the world? We have to accept that technology has taken our information system to new heights.

Madam Speaker, this bill has missed a very crucial element in the protection of personal information in the private sector, and that is the limitation of its scope. What about the personal information, yours and mine, that is used when we are on a trip outside of this province? What happens to our personal information that is taken by a company within Alberta but with branches in other provinces? How can we appropriately deal with the buying and selling of mailing lists? These questions make a strong case as to why it is essential that we continue to work as a province with the other provinces and with the federal government to achieve a solution for the protection of personal informa-

tion gathered by the private sector at a national level with national standards.

Madam Speaker, my colleagues and I recognize there is considerable information collected by private-sector institutions that should be protected. Technological advancements now permit us to do things such as ordering merchandise and doing our banking over the Internet and even using debit cards in place of cash. All of these transactions create records, allowing our personal information to be extremely vulnerable to violation.

We have to remember, Madam Speaker, that developing legislation to protect information in the private sector is one of a number of initiatives that the federal government is undertaking as part of its commitment to making Canada a world leader in the use of electronic commerce by the year 2000. At this point the challenge is to strike a balance between the needs of business for access to the information necessary for functioning in a knowledge-based economy and the rights of individuals to privacy and security of personal information.

Madam Speaker, the federal discussion paper makes some very strong points about ensuring that technological innovations do not become intrusions on these economic needs and fundamental rights. They also point out that the ideal opportunity is before us. We are in the process of developing legislation that has given us the chance to define and design the kind of system that we want to establish for safeguarding personal information in the private sector.

Of primary concern, Madam Speaker, is that this legislation be developed before we move beyond this ideal opportunity, and there are measures being taken to address the protection of personal information in the private sector on a national scale. It would seem to me that implementation of legislation specific to Alberta would be ineffective and not serve the best interest of all Albertans. Therefore, Madam Speaker, I will not support this bill.

Thank you.

THE ACTING SPEAKER: The Hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you, Madam Speaker. I rise to speak to this legislation and am very pleased to do so. As always, the hon. Member for Calgary-Buffalo does indeed put forward some very tremendous ideas and certainly very viable approaches. I think this is one piece of legislation that should receive the support of all members in this House.

I would like to address the issue of voluntary standards on this bill. Some industries currently maintain voluntary codes designed to protect personal privacy. Members of the Canadian Direct Marketing Association are one, for example. They're expected to adhere to a code of ethics. The Canadian Standards Association has developed a code as well. There's a number of other organizations as well as the development of the ISO standards currently being considered.

When I think about voluntary standards, I think they're fine in a lot of instances, but as we move through time here with the whole issue of computers and private information, we don't really know how much information is collected. I can tell you that as a police officer we collected a tremendous amount of data on everybody. Whenever you're stopped for just a traffic ticket, that information is all collected. It goes somewhere. So it's kind of interesting to me why one would not want to protect the information that's collected from a private organization, a large commer-

cial organization, if you will. I think about the times – if you've ever subscribed to a magazine, you subscribe to the magazine, and in the mail what you end up getting quite often is what we consider junk mail. Well, information is being bought and sold. You don't know how large the private entity is in relation to that magazine you may have indeed purchased a subscription to. So all of the corporate entities that fall under the umbrella of that company then have access to that information.

4:20

I can also remember a constituent coming into my office with a computer loaded with government data. The hard drive was bought at one of the auctions for \$5 or \$10. That particular constituent was quite upset over the fact that the information on the system was not deleted, and it was indeed health information. We took care of the problem, but it highlighted just a huge concern for me.

The Information and Privacy Commissioner has stated himself that he's skeptical that a voluntary privacy code for private-sector industries will be effective and has suggested that consumers will likely demand privacy protection laws for the private sector. I think that that is a wise statement. I believe that we're moving along far more quickly with technology than we ever, ever anticipated. I think that given the information highway, the information that's on there, there's got to be some form of protection.

Every time you use your credit card – and I find this very interesting. It doesn't matter which bank your credit card is from. Every time you phone up and you make a reservation in a hotel or you make a reservation for a vehicle or whatever it is that you give out that number for, you indeed are opening up a door for criminal activity, because that information is not always protected by the person who is receiving it on the other end. So what happens if the information isn't protected? There's no liability assessed to the car rental agency or to the hotel. Indeed often what can happen if your number is used is that a criminal investigation will occur and there will be nobody on the other end to be charged.

We've had instances where credit card numbers were written on the wall in a jail, and the inmates were calling L.L. Bean, I think it was, in the States and ordering up gifts at Christmastime on this credit card. It wasn't till the person received their bill after Christmas and had this horrendous amount of charges on there that they were able to track it back to the inmates at an institution. Things like that happen so easily that we forget and we become very complacent about that information.

I want to highlight another incident as well, and my hon. colleague from Edmonton-Centre has often mentioned this in terms of domestic violence and the safety of women. I want to highlight a case. I remember a private investigator who was hired by an ex-husband to track down his ex-wife. He was able to get information and able to track information using technology, using different sources. He then gave that information to his client. That particular fellow tracked down his wife, went to the address, and when she walked out of the apartment building in the morning, he shot and killed her.

I highlight that because for me the whole issue of privacy and information really requires some thought. This type of legislation would do that. This type of legislation is complementary to what exists with the freedom of information and privacy commission that we have and that whole act. It would marry very nicely by putting some limits onto large, private corporations.

You know, the bill takes its definition of personal privacy from

the freedom of information and privacy act. The definition is broad, and it includes everything from an individual's home and business address to information about a person's educational, financial, and employment history. If you think about all of that information, that is a tremendous amount of information.

We've had actually other instances – I could go on and on about ways that people collect and get information that puts all of us in jeopardy. I can talk about the easy access to all of our bank cards and to all of our credit cards. There's a huge growth industry with some of the Asian criminals right now, and that industry is between Hong Kong and other countries. They have young kids who are stealing our cards, not necessarily our cards but our card numbers. They're able to make what looks like a particular credit card, and they sell those credit cards to new immigrants coming into the community. That in itself has created a huge, huge, huge problem in terms of white-collar crime and the whole issue of being able to look at white-collar crime or organized crime. I mean, we had those discussions in here about how much money is available to combat that particular issue, that it's not made available, that it takes a long time to resolve these issues. So consider the types of information that affect an individual.

I remember I worked for Nova Corporation back in 1989, and during the time I was employed there, I had the opportunity to investigate an internal problem, again resulting from information being collected by a financial institution. The financial institution was indeed not responsible for the information that goes out and that is taken, so it just makes things far more difficult to pursue if you look at the whole aspect of criminal investigation and white-collar crime and the access to personal information. I think this legislation is just another step.

I also want to address the whole issue of video surveillance, and it's addressed here in this bill very nicely. It sets out conditions that must be met in order to grant a permit for video surveillance, and I think that's a very wise thing to do. You know, some of the conditions are that "there is a specific problem which the surveillance cameras are intended to address," that "there is a . . . need to collect the information," that there is no "less intrusive way to collect the information," that "the employer does not intend to continue using the surveillance cameras" for the problem after it has been resolved, and that the video tapes will be erased or destroyed after seven days unless they are needed for one of the specifically stated purposes. Of course, that could include a police investigation or an employee disciplinary proceeding. So I think those are some important issues as well.

In relation to supporting this bill, I know that in the past when similar legislation has come forward, many members have felt this was an antibusiness bill, and that indeed is so far from the intent of this bill and so far from the truth. I don't think this would have a large impact at all in the marketplace. I'm not convinced, coming from the background that I do, that everything is always done to protect somebody's privacy. I think we have to be far more vigilant in that respect.

**4:30**

I would just like to highlight a couple of reasons why I think you should support the bill, and that is that the amount of personal information collected and stored by private bodies has been growing. Personal data is collected in electronic form more often than not. Have a look at the back of your cards, all of those bank cards, at everything that's stored in there. You can store so much information, and I know that not very many people in here know what is stored on that mag stripe on the back of their card or how much information about you is stored on the back of your

Legislature security card. A tremendous amount of information can be put on those little tracks. It is being collected electronically and in some cases without the consumers even being aware that it is being collected. So give that some thought.

Also new technologies, including data matching and routine profiling, make it possible to use databases to produce snapshots of individual consumers. As these profiles become more detailed, the threat increases that commercial entities interested in targeting the marketing of their products will seek to purchase this information. I think if that isn't already happening, I'd be surprised. I think we can see some of that occurring. Look at what comes in your mailbox or the surveys that you're answering on the phone and the kind of target you are.

With that, Madam Speaker, I will sit down and allow my colleague to speak on the issue.

**THE ACTING SPEAKER:** The hon. Member for Redwater.

**MR. BRODA:** Thank you, Madam Speaker. As I have listened to the debate on the protection of personal information in the private sector, it has become very clear to me that both sides of this Assembly have the same underlying interest; that is, to protect the use of the information that we as individuals give out and how it is used once the data profile has been created. However, that is where our similarities end and the differences in views begin.

I do not see this bill as one that would implement legislation that could be used to the furthest reaching capacity. I also have a question about how some of the decisions have been made as to who it is that would have to comply with the standards set by this bill. Madam Speaker, we do currently have several privacy codes that exist in the private sector. For instance, there is the Canadian Bankers Association's Privacy Model Code, which provides guidelines aimed at protecting the privacy of personal information contained in bank files. As well, the Canadian Life and Health Insurance Association has developed privacy guidelines for the life insurance industry. These guidelines are applicable across the country.

Madam Speaker, I have concerns that this bill does not provide the opportunity for privacy provisions to be addressed on a per industry basis. After all, how much sense does it make to leave out a key factor in the equation? Would it not make sense to say that it is the industry itself that would be able to provide important advice on what would best meet the needs of the company and its clients? At the very least it is essential that consultation with the various industries be undertaken and that implications of such a piece of legislation be assessed.

Madam Speaker, there is no question that the protection of privacy is paramount and that this government is committed to working with the other provinces and the federal government to ascertain what would be most effective for the entire private sector. We saw this commitment with the implementation of the Freedom of Information and Protection of Privacy Act, implemented in 1995. The FOIP Act sets out guidelines for the collection and use of personal information on an individual. There are three key principles in the act that deal directly with the protection of privacy. They are the regulation of the manner in which the public body collects, uses, and discloses personal information in its custody, allowing individuals the right to access information about themselves, and allowing individuals to correct personal information held by the public body.

Requirements have been put in place to protect personal privacy. They include the fact that personal information cannot

be collected unless it is expressly authorized by an act or regulation, relates to a law enforcement matter, or is needed to operate a program of a public body. Another requirement is that individuals must be told the purpose of the collection of information and the legal authority under which it is collected. Information must be used only for the purpose for which it was collected. There is also a requirement that personal information, except in rare cases, must be collected from the individual that it is about.

Other requirements of the FOIP Act state that public bodies have a positive duty to ensure the secure retention of personal information in their custody and that public bodies must ensure that information is accurate and complete. Any individual has the right to correction of a personal record that they believe contains an error. Even if a public body disagrees that information is in error, they must add a notation to the information indicating that a correction was requested. Bill 210 includes these requirements and applies them to the private sector. I commend the sponsor of the bill for this.

I want to make it very clear that I most certainly recognize the principle behind this bill and agree with the intention of the Member for Calgary-Buffalo. Madam Speaker, unfortunately the timing of this bill is too late. We are already looking into the matter of protecting personal information in the private sector. We have heard other members in this House talk about the federal/provincial discussions taking place. Surely the sponsor, Calgary-Buffalo, will concede that perhaps Bill 210 is untimely in light of these negotiations.

Madam Speaker, my colleagues and I are very much aware of the concern with this matter. A number of the members were part of a committee that held public meetings and accepted written submissions about freedom of information and protection of privacy in 1993. It was from those submissions and hearings as well as input from the committee members that the legislation was drafted. Of course, we also know that Bill 18, the Freedom of Information and Protection of Privacy Act, 1994, received full debate in this Chamber, with all members having the opportunity to participate in that debate.

There have also been numerous bills introduced and debated in this Chamber that have dealt with the very issue before us in the form of Bill 210. There have been a few alterations, but the premise has remained. There were many issues discussed when Bill 210's counterpart, Bill 204, was debated in this Assembly. While I was not yet a member of this Assembly, I have become familiar with the FOIP Act and various discussions surrounding protection of privacy, and I think we have made progress with the issue.

When we consider the federal initiatives to involve the provinces in establishing a national standard for the protection of personal information, it becomes very difficult to defend the timing or contents of Bill 210. I know I am echoing some of the statements made by the members who have spoken before me, but I do think that this legislation is untimely and lacking in many ways. Madam Speaker, while I do believe that legislation is necessary to address the collection, use, and disclosure of personal information in the private sector, I do not think that Bill 210 is the answer for this protection.

[The Speaker in the chair]

I believe that the commitment made by the federal government to have dealt with this issue by the year 2000 in the form of legislation drafted from the views of the public and other provin-

cial governments and stakeholders is a better way to go; that is, as opposed to the passing of Bill 210. Mr. Speaker, I encourage the co-operation of this Assembly in the consultations with provincial counterparts and the federal government as the end result will be to the benefit of all of us in this country.

Thank you, Mr. Speaker.

4:40

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

MR. BONNER: Thank you very much, Mr. Speaker. It's an honour this afternoon to rise and speak to Bill 210, Protection of Personal Information in the Private Sector Act. I'd like to commend the Member for Calgary-Buffalo for the tremendous amount of work he did in preparing this bill and also for the vision he had when he did go forth with his venture. I'd also like to say that it is timely, that we don't want to be scrambling as we have been with our computers and the rapid coming of the year 2000.

Therefore, when he started off his statements by saying that we are on the leading edge of a new frontier, a new frontier which will limit the ways in which personal information can be used or disclosed by a private body, I certainly do have to agree with him. I also liked how he paralleled where we are today and where we were back in the 1870s when the homestead act was introduced. I'm sure there are a number of members in here who can trace their ancestry in this particular province back to their families moving to Alberta because of the homestead act. I for one know that my mother-in-law with her parents and my great-grandparents came here in 1902 and settled in the region around Viking because of the homestead act. They were visionaries. They were courageous people. They were certainly not frightened of a challenge.

When we start looking at the private information that can be accumulated on individuals today, we certainly have to take all of this into account, and particularly we have had just so many great examples over the last few decades to look at. I think of one, Wernher Von Braun, a German who came to the United States in the early 1950s. He looked up at the moon and said: before the end of the next decade we are going to be on the moon. Now, he didn't realize at that time that there would have to be over 1 million new inventions in order for that to take place, but he did do it.

I think of the early astronauts that were orbiting the globe. Somebody asked one of them if in fact this worried him, and he said of course not. He said: "When my ancestors came to this country from across the ocean, it would take three months to get a letter to them and another three months for the reply to come back. Now people can talk instantly from Earth to the satellites, so this should not be something to be feared. If need be, they can have us down in hours." So definitely we are living in a time of change.

Again, when we look at change and how information is collected, we all have our credit cards, which originally could hold somewhere in the neighbourhood of 30,000 bits of information. Today, with the use of electron microscopes, we can put entire libraries that contain 300,000 books, all that information, on the head of a pin and leave room for the angels to dance. So we can be visionary here. We can see the need for this, and we cannot afford to drag our feet.

Another bit of information as well that I think is totally important here, Mr. Speaker, when we are talking about the urgency and the need for this particular bill, is when we look at



what is happening in Tokyo, which has so many of our electronic inventions today. Any new piece of electronic equipment which goes on the shelf in Tokyo today has a maximum shelf life of 90 days. So I don't think that we can delay.

I'd also like to draw our attention to a writer, a visionary, a man by the name of Aldous Huxley, who wrote *Brave New World* in the Dirty Thirties. He set the story thousands of years in the future, when he thought science would make possible his vision of a world where disease and afflictions of old age no longer exist, where all babies are test tube conceived and duplicates are socially conditioned to fill roles in a genetic caste system. We look at what's happened here. It has taken less than three generations for Huxley's vision to reach the realm of possibility. Today babies are routinely conceived in test tubes. Science is making headway in eradicating disease and banishing the common afflictions of old age. We constantly see the life expectancy of people continuing to increase as we do make these advancements. So, Mr. Speaker, when we look at Bill 210, Protection of Personal Information in the Private Sector Act, there is a definite need.

I also liked how it was sectioned off into three particular parts. The first is the right of the individual to access most records containing personal information about himself. The second part of this bill will limit the use of video surveillance of people, and it will also set out procedures for that video surveillance. Of course, the third part I think is one of those very important safeguards that are required, and it does allow every individual the opportunity, if they do have a complaint, to have their complaint adjudicated by an independent arbitrator. This is particularly important.

Again, when we do look at personal information, we do have to have safeguards. We've all heard how under Freedom of Information and Protection of Privacy people have requested their records from the Workers' Compensation Board and have gotten the records of maybe 10 or 20 other people and an incredible amount of personal information. I know that the Workers' Compensation Board has done a great amount of work, particularly since they've gone to an electronic information gathering system, to cut off the access to other people's information when they are sending out information to particular people who request their records.

Not too many years ago we had computers that were used in the health care system being put back on the market. Unfortunately, many of the health records of individuals did not get erased. So, again, we do have safeguards that have been put in to certainly assist in the protection of these.

I think it is time that we give the types of tools to Alberta businesses that they require in order to carry on business. One of the things I do like about this bill is that it does give initiative and it does give leadership to a number of Alberta companies, to many of these Alberta companies that are going to be involved. The type of companies that we're particularly looking at are banks, Treasury Branches, trust and insurance companies, credit unions, and loan corporations. Of course, these are larger institutions that are doing business presently in the province that employ more than 100 employees, and they want all sorts of information.

As we move into a global economy, we see not only provincial boundaries which have dissolved, but we also see how our boundaries have dissolved in North America just through free trade agreements between Canada, the United States, and Mexico. We are debating bills here in the House now on MAIs, and these multilateral agreements on investment certainly will again open

those borders even wider if we do agree to them. So it is timely that we do speak. This bill does address many of the international standards that are already in place. I did have an article here on my desk that outlined where the federal government is as far as getting their pieces of information ready. Again, when they are moving in this direction, it only seems logical for us to totally speak on behalf of Albertans, that we do get our house in order, that we do pass this bill and get these things on the move, because it is an excellent bill.

4:50

MR. MacDONALD: The WCB.

MR. BONNER: Yes. I'm coming to this right away, to speak on the WCB.

Now, in Canada, Mr. Speaker, when we start talking about voluntary standards, we do have the CSA, the Canadian Standards Association, which puts its stamp on many, many different products. Canadians have gained confidence in this process. In fact, in teaching a unit in grade 8 science on consumer product testing, this is one of the things that we are teaching students to look for, because it is a stamp of approval. We have with Bill 210 our opportunity to put our stamp on the protection of personal information in the private sector. I would urge all members to seriously look at this bill, to be a visionary, to have the courage that the pioneer spirit required many of our forefathers to have when they came to this province, and to certainly see that the many, many benefits of this particular bill far outweigh the negatives. Yes, we know that as we go, it's going to have to be fine-tuned, but all of these provisions are there.

Another situation that this bill does address, of course, is Alberta's information and privacy. We do have a commissioner who does take care of this right now. This would certainly add a huge responsibility to his department, and there is no doubt that in terms of cost as well as administration it would increase the demands and the scope of that department. But, again, we will make significant gains in this particular branch.

When we look at the tremendous amount of information that can be accumulated on people, we definitely do need some controls. The public has a major concern about the sharing of health information. I don't know how many members saw the movie *Philadelphia*, where a young lawyer had contracted AIDS and it had a tremendous impact on his life when that information was released. We definitely do have to have these controls so that this information is not given out to parties who have no right to it. Again, so much of this has been addressed in the bill and probably will have to be worked on as we go through with this. Before my time runs out, Mr. Speaker . . .

THE SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Glengarry, but under Standing Order 8(5)(a) I would invite the hon. Member for Calgary-Buffalo to close debate on Bill 210.

MR. DICKSON: Thanks, Mr. Speaker, and thanks to all members who participated in the debate on Bill 210. As I listened to the members, particularly Wetaskiwin-Camrose and Calgary-East and Redwater, the basic argument that each of them put forward in somewhat different fashion was the fact that there's going to be federal legislation, that there's a federal initiative under way, so the timing is bad. There were other comments raised, but that seemed to be the principal theme.

I guess my comment would be that it was in 1970 when a select

special committee of MLAs in this province, headed by I think Mr. Simpson, looked at the business of data protection, of privacy protection, and this was long before fax machines and E-mail and modems. That committee had the foresight to talk about the need for privacy protection. In the meantime, the need I think has increased a hundredfold.

I have to say to members who have concerns about this: why the timidity? We recognize that if you wait for the federal government and some federal/provincial negotiation, you know what happens? Our voice shrinks. The best way to have a huge impact on what that national system would look like is to offer a model, to be leaders, to come forward and put forward a set of principles. What we're debating at this time is indeed a set of principles, Mr. Speaker.

I refer people specifically to section 2. There are opportunities at committee stage to talk about different means to achieve the purposes, but really what I'm encouraging people to do is to support the four principles set out in section 2: the fact that we should give people a measure of control over personal information about them, that individuals should be given a right of access, that they should be able to have a right to request corrections, and that there's a right to an independent review. That's really what we should be voting on this afternoon, and if you think those things are important in the FOIP Act – and members supported that almost to a man and a woman back in 1994 – why would the same protection not apply when we deal with information in the private sector?

So let's be animated by the same kind of foresight and the same kind of intelligent thought as the Social Credit government and members in 1970 in the dying days of the Social Credit administration. If they thought there was a compelling need for some legislated safeguards, surely we can show at least the same degree of courage and the same degree of foresight.

I started off by saying that I wouldn't represent this to be the ideal model and that this isn't the perfect model, but if we don't pass the bill, this continues to just be an item for vague discussion. If the bill were to pass at second reading, we start sending a signal to people to take this issue seriously, a powerful signal to insurance companies, to banks, to large employers, most importantly a singularly important message to Albertans, a message that this Legislature, this forum listens to those concerns. Privacy continues to be a major concern for Albertans and for Canadians. We have the opportunity with this particular bill to address that.

So to anyone who suggests this is, in the words of Redwater, "untimely," I suggest this is absolutely the ideal time to move this bill at second reading, to send that kind of a signal, and to ensure that there's a whole lot more discussion. We have the opportunity to influence that federal/provincial/territorial consultation to an extent, and rarely is such an opportunity afforded. I hope we won't fail to take advantage of it.

We often hear much talk that governments have to legislate and have to show initiative, and that's a perspective we often hear in the realm of government bills. Why should it be any different when we deal with a private member's bill? I remind members that the freedom of information bill was brought into this Assembly in I think five successive years by the Liberal opposition until the government finally moved to pass it. I'm prepared to keep

bringing the bill back but hopefully not for five years, Mr. Speaker.

Thanks very much.

THE SPEAKER: All those in favour of second reading of Bill 210, Protection of Personal Information in the Private Sector Act, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 5 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Blakeman	MacDonald	Olsen
Bonner	Massey	Sapers
Dickson		

Against the motion:

Amery	Hlady	Oberg
Broda	Jacques	O'Neill
Burgener	Jonson	Paszowski
Cao	Klapstein	Renner
Clegg	Kryczka	Severtson
Day	Laing	Strang
Ducharme	Langevin	Tannas
Fischer	Lund	Tarchuk
Fritz	Magnus	Thurber
Graham	McClellan	Trynchy
Haley	McFarland	West
Hancock	Melchin	Yankowsky
Herard		

Totals:	For – 7	Against – 37
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[Motion lost]

MR. HANCOCK: Mr. Speaker, I move that we stand adjourned until 8 p.m. this evening, at which time we'll reconvene in Committee of the Whole.

THE SPEAKER: Oh, please. Does the Assembly agree with the motion put forward by the Deputy Government House Leader?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

[The Assembly adjourned at 5:13 p.m.]