

Legislative Assembly of Alberta

Title: Wednesday, April 8, 1998 1:30 p.m.

Date: 98/04/08
[The Speaker in the chair]

head: **Prayers**

THE SPEAKER: Good afternoon. This prayer is an excerpt from one that is said in the British Columbia Legislature.

Let us pray.

As we commence proceedings today in this Assembly, we ask for divine guidance so that our words and deeds may bring to all people of this great province hope, prosperity, and a vision for the future.

Amen.

Please be seated.

head: **Reading and Receiving Petitions**

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

MS BLAKEMAN: Thank you, Mr. Speaker. I would ask that the petition I presented on Monday, April 6, be now read and received.

Thank you.

THE CLERK:

We the undersigned petition the Legislative Assembly of Alberta to urge the government to prohibit discrimination on the basis of sexual orientation and commit never to use the Notwithstanding Clause, or any other means, to override the fundamental human rights of Albertans.

MS CARLSON: Mr. Speaker, I would ask that the petition I presented yesterday now be read and received.

THE CLERK:

Your petitioners pray that your Honourable assembly may be pleased to review Section 33, clause (9) of the Environmental Protection and Enhancement Act which prevents disclosure to the public information which relates to Environmental Protection Orders and amend this section of the said Act to allow full disclosures prior to a Public Hearing.

head: **Tabling Returns and Reports**

MRS. McCLELLAN: Mr. Speaker, it's my privilege to file with the Assembly today copies of a letter I sent congratulating the Edmonton Ringette Club, who is hosting the National Ringette Championships this week. I had the honour of representing the government at the opening ceremonies Monday evening.

I'm also filing copies of the 1997 final report on the Leaders of Tomorrow awards program from a region in northwestern Alberta that includes the communities of Peace River, Manning, Fairview, Grimshaw, and Fort Vermilion. Mr. Speaker, this program recognizes youth who have made outstanding contributions to their communities through volunteer work.

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

MS CARLSON: Thank you, Mr. Speaker. I'm tabling five copies of a report entitled Has Seismic Activity Contaminated Alberta's Water Supply.

MR. MITCHELL: I would like to table five copies of a letter to the Premier from the president of the Alberta Teachers' Association in which she agrees with the Premier's statements yesterday by saying:

I encourage you to maintain the stand that discrimination is abhorrent and to oppose the use of the notwithstanding provision of the constitution.

MS BARRETT: Mr. Speaker, I'm filing five copies of a letter written to the Premier today by the president of the Alberta Teachers' Association in which a number of the resolutions passed by the ATA upholding the concepts of fundamental human rights are enumerated.

MR. JONSON: Mr. Speaker, today I'm pleased to table with the Assembly the annual report of the Mental Health Patient Advocate for the year ended December 31, 1997. Copies have been distributed to all members.

Thank you, Mr. Speaker.

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

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased to table this afternoon copies of a letter from the Seniors Community Health Council, headquartered in Sherwood Park, Alberta, outlining concerns with respect to Bill 37, the Health Statutes Amendment Act, 1998.

Thank you.

MR. MITCHELL: Mr. Speaker, speaking of religious groups and their positions on the notwithstanding clause, I rise to table a release by the Catholic archbishop of Edmonton in which he states that the church opposes the implementation of the notwithstanding clause and supports the Supreme Court decision as it supports equality and freedoms for all Albertans.

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

MR. SAPERS: Thank you, Mr. Speaker. Today for the Assembly, with your permission, I would like to table five copies of the physician's oath, commonly referred to as the Hippocratic oath, which all physicians in Alberta abide by for the benefit of their patients.

head: **Introduction of Guests**

MRS. O'NEILL: Mr. Speaker, it gives me pleasure to introduce to you and through you to members of the Assembly two individuals who are in your gallery. The first is a resident of Mayerthorpe and the wife of the Member for Whitecourt-Ste. Anne, Lorraine Trynchy, and their grandson Christopher Langevin from Sylvan Lake. I would ask them both to stand and receive the warm welcome of the Assembly.

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

MR. WOLOSHYN: Thank you, Mr. Speaker. I would like to introduce 52 visitors from Muir Lake school. They had their pictures taken earlier, and I look forward to delivering them to the school and having a visit with them at that time. They're accompanied by their teachers, Mrs. Mitchell and Mr. Roth, as

well as parent helpers Cathy Fournier, Mrs. Cecile Gartner, Mrs. Brenda Panasiuk, and Mrs. Susan Zsoldos. I would ask them all to rise and receive the warm welcome. Their bus driver can also rise.

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

MS BLAKEMAN: Thank you, Mr. Speaker. This is a gold star day for me. I have three different groups to introduce. The first group is six students from the Alberta Vocational College accompanied by their teacher, Charlene Hay. With your permission I would ask them to please rise and accept the warm and traditional welcome of the Chamber.

The second group I would like to introduce to you and through you to members of the Chamber is 20 students in the Edmonton public continuing education program, and they are accompanied today by their instructor, Mrs. Karen Markel. Could I ask that group to please rise and accept the welcome.

Finally, I feel very privileged to have been asked to introduce a visiting school group from the province of Saskatchewan. This school is the Pelican Narrows school. They are accompanied by their instructor, Ms Cheryl Morin, and a parent chaperon, Mrs. Verna Linklater. There are 11 of them visiting us today, and they're in the public gallery. If I could ask that they please rise and receive the welcome of the Chamber.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's a great deal of pleasure today to introduce to you and to members of the Assembly for the sixth consecutive year the Hazel Cameron elementary school. They're accompanied today by their teacher, Mrs. Sharon Cockwill, who has been here and grew up in your riding, Mr. Speaker, and parent helpers MaryLou Fischl, Bev Knutson-Shaw, Dianne Daw, Nancy Ross, Dean Andrews - I think Dean is the driver today - and Carolyn Lopez as well as Dr. Shawn Webster. Would they please rise and receive the warm welcome of the Assembly.

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

1:40

MRS. SLOAN: Thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you today 21 students from Edmonton-Riverview constituency. They are students from McKernan school. Accompanying them are their teacher, Mrs. Yvette Genoud, parents Mrs. Marney Dickey and Ms Carmel Walsh, and also their bus driver, Mr. Don Collier. I would ask the Assembly, with your permission, to provide them with a warm welcome.

head: **Oral Question Period**
Private Health Services

MR. MITCHELL: Mr. Speaker, Hotel de Health, HRG, and now Bill 37. The government has been boasting that its Bill 37 will shut the door to private health care in this province. The reality is that Bill 37 throws the door wide open and puts down a welcome mat. To the Premier: given that the College of Physicians and Surgeons has asserted that any move towards private health care should be preceded by public consultation, why was there no public consultation before the introduction of Bill 37, and why does the Premier persist in pushing this bill through before he allows there to be proper, open, public consultation?

MR. KLEIN: Well, Mr. Speaker, I don't know how many pieces of legislation we have introduced in this Legislature this session. [interjection] Forty-plus pieces of legislation. Some of those legislative bills have had the benefit of public discussion, i.e., Bill 27. I think there was some public discussion on that, about four years worth. Some have simply been introduced, and they have been passed, and they have been voted upon by Members of this Legislative Assembly. This is a fairly innocuous bill that simply ensures that the Minister of Health has adequate control over health practices that might or might not violate the Canada Health Act.

I will have the hon. minister supplement, if he so wishes.

MR. JONSON: Members of the Assembly and you, yourself, Mr. Speaker, probably remember the concern that there was during a previous session of the Legislature over the lack of precise controls and provisions in legislation in order to control private health care facilities. This particular piece of legislation, which will I'm sure be before the Assembly again for extensive debate, deals with control over and authorization of private clinics such as HRG, assuring that in addition to the approvals of the College of Physicians and Surgeons the provisions of the operation of that clinic are fully within the profile of the Canada Health Act, that they do not in any way violate the overall public interest and the interests of the public health care system in this province. In addition to that, we have a section of the bill which also deals with the ability to deal with any type of private facility proposing to offer inpatient services outside of the public health care system. This is a great strengthening and a bill which provides the vehicle to control private facilities in the interests of a good public system in this province.

MR. MITCHELL: Mr. Speaker, could the Premier please tell us what set of criteria he and his minister have determined for deciding what private hospital or what private health care facility will be authorized and registered by this government and which kinds of private health care facilities won't be? Is there some kind of criteria or set of determinants for how you would make this decision, or is it just going to be ad hoc and made up as you go along?

MR. KLEIN: Mr. Speaker, there is a set of criteria, and it's very precise in its wording and is very specific in its guidance to Legislatures throughout this country. It's called the Canada Health Act. If anything violates that act, then it simply will not happen.

MR. JONSON: If I could just supplement, Mr. Speaker. First of all, I would respectfully suggest to the opposition leader that he read the bill, because the bill does contain the criteria with respect to any approval that might be contemplated. In fact, there's another provision in the bill which allows for turning down a proposal on a broad basis even if they aren't covered in all the criteria. But it's a rather detailed bill.

The other thing, Mr. Speaker, is that we do have, particularly in the form of certain eye clinics in the province, clinics which are essentially operating on a private basis with government funding when they're operating within the insured program, and it also makes things much clearer as to how those clinics can be monitored and controlled.

MR. MITCHELL: The Minister of McHealth.

Mr. Speaker, this Premier cost Albertans 3 and half million dollars in fines for contravening the Canada Health Act. Why would any Albertan trust that they will implement and adhere to the principles of the Canada Health Act properly when this Premier and his government are making critical decisions behind closed doors without public scrutiny about what will happen to the public versus the private features of this health care system?

MR. KLEIN: Well, Mr. Speaker, the hon. leader of the Mc-ee, as in Mouse, makes some false assumptions, I think. I'll have the hon. minister supplement.

MR. JONSON: Mr. Speaker, the hon. leader may have well gone on, to be fair, to point out that those penalties that were being experienced by Alberta with respect to the private eye clinics are no longer being experienced. Precise and decisive action was taken to deal with that particular matter. We are agreeing with, going along with the provisions of the Canada Health Act. We're committed to that particular direction, and action was taken with respect to that difficulty over fines or deductions in transfer payments by the federal government.

Mr. Speaker, throughout our development of the legislation that we have now put before the Assembly, we have also been in contact with the federal authorities with respect to the direction we are taking.

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

Sexual Orientation

MR. DICKSON: Thank you, Mr. Speaker. There is a very legitimate debate in our province, a debate about the role of the courts and the Legislature. However, there are also lies, lies, and more lies exaggerating the effect of the Vriend decision. These lies are hateful, they are hurtful, and most significantly they're downright dangerous. My question this afternoon is to the individual who's had many months to prepare for last Thursday's judgment, the top law enforcement official in the province of Alberta, the Minister of Justice. My question is this: what specific steps will the Minister of Justice take to inform Albertans that the Vriend decision has absolutely no effect on anyone's freedom to practise their own religion?

MR. HAVELOCK: Well, Mr. Speaker, I'll certainly endorse the remark just made by the hon. Member for Calgary-Buffalo. He is right in that interpretation. However, what we'll be doing at caucus tomorrow is discussing the decision at some length. I'm part of a task force which will be presenting some information to caucus, and I believe we'll be making some issues with respect to the Vriend decision and how to communicate the impact of that decision to Albertans subsequent to tomorrow's meeting.

1:50

MR. DICKSON: My questions are to the Minister of Justice not as a member of that task force.

What specific steps will this minister take to inform Albertans that they can hire, fire, promote whomever they want, as long as they do so on a reasonable, job-related basis?

MR. HAVELOCK: Well, again, Mr. Speaker, I don't wish to pre-empt the discussion that will take place in caucus tomorrow. However, arguments will be made in that regard. I will be

making a position quite clear tomorrow, as will our government, as will our caucus, with respect to the steps that will be taken in that regard.

MR. DICKSON: Mr. Speaker, my final question to the Minister of Justice would be this: what concrete steps will the minister take to inform Albertans that the Vriend decision does not promote homosexuality, that it simply ensures equal treatment for all citizens since each one of us has a sexual orientation, whether gay or straight?

MR. HAVELOCK: Well, Mr. Speaker, I'm not disagreeing with the member. He simply wants me to enunciate today what specific steps will be taken. What I'm asking him and the opposition members to do is wait until our caucus discusses this issue tomorrow, and I'll be quite prepared at that time to respond to those questions.

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

Private Health Services

(continued)

MRS. SLOAN: Thank you, Mr. Speaker. This government's commitment to facilitate the corporatization of health care has always existed, veiled until now by the Minister of Health's continual articulation of his commitment to the Canada Health Act. Recent policy changes effectively remove the veil and, coupled with this government's chronic underfunding of health care, create a fertile bed for the untethered growth of private health care. To the Minister of Health: why do you insist on chronically underfunding public health care if not, Mr. Minister, to facilitate an increased demand for private health care in Alberta?

MR. JONSON: Well, Mr. Speaker, the government of course – and I think wisely so in terms of being able to sustain all of our government services, of which I would say health is the most important or equally important with education – needs to plan its budget to keep it balanced, to manage responsibly in terms of the finances of this province. But within that context we have in very, very substantial terms reinvested money in health this year. The recent announcement, for instance, with respect to the regional health authorities brings overall operational funding for regional health authorities up to 6.2 percent. We have had to address a very important issue, albeit unique and one-time, in putting some \$130 million plus \$40 million for \$170 million into equipment upgrades relative to the Y2K issue. We have made recent announcements in the amount of several millions of dollars for additional equipment to health authorities. So we are certainly funding the health care system. We are giving it a priority as our ability to reinvest improves.

MRS. SLOAN: Mr. Minister, all the articulations aside, how does giving regional health authorities \$72 million less than they asked for translate into a commitment to sustain public health care?

MR. JONSON: Well, Mr. Speaker, we had, I think, very thorough discussions, both as a government caucus with our respective regional health authorities and I as minister with the chief executive officers and the chairs of the regional health authorities. In the presentation that they made to me in terms of

the additional increase in funding that they recommended, they presented to me a proposal which would have added 6.3 percent in operational funding. We provided 6.2.

Now, I think what the hon. member is referring to is that in an addendum, a subsequent adjustment to their paper, they did calculate in money that they would have liked to have seen built into the system back when we of necessity were reducing expenditures to bring our financial house in order, Mr. Speaker, and to restructure the system. If you go back all the way, you could of course come up with a great deal more money that could be built into the base of the system, but in terms of their costing for this current year, I think we're dead on.

MRS. SLOAN: How do you propose, Mr. Minister, as a minister of the Crown and the protector of public health care, that in the face of regional health authorities being reduced to begging and pleading for money, you introduce policies in this session that do nothing but promote private health care in this province?

MR. JONSON: Mr. Speaker, first of all, as I've indicated, within the context of government and its ability to reinvest, the health system is being reinvested in to a very, very substantial extent.

As far as the reference to private health care facilities, I reject that particular contention on which the question is based, Mr. Speaker. We are making every effort to improve and to strengthen our public health care system.

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

Tolerance and Understanding

DR. PANNU: Thank you, Mr. Speaker. Over the past week I watched with growing alarm as the narrow-minded bigots spewed their venom and hatred in public against gays and lesbians, the latest in the series being a full-page advertisement that appears in this morning's *Edmonton Sun*. The Canada Family Action Coalition, CFAC for short, which placed this ad says that their goal is to train and mobilize citizens in defending and promoting Judeo-Christian principles. The CFAC envisions a nation built on their narrow-minded interpretation of these principles. This vision clearly excludes those like myself and many others in our society. My question is to the hon. Premier. In conducting the education campaign the Premier talked about yesterday, will he commit to reaffirming his government's commitment to a diverse, pluralistic society in which the basic equality rights of all Albertans regardless of race, religion, sexual orientation, or any other personal characteristic are respected and recognized in law?

MR. KLEIN: Mr. Speaker, indeed in law as it exists today the human rights legislation clearly states, as it was read in by the Supreme Court of Canada, that any person who is discriminated against on the basis of sexual orientation has the right to appeal.

It's sad – it really is sad – to see the Christian community, the religious community so split on this issue. You know, I read from the Catholic church's position – and I specifically wanted to get the position of the Catholic church. It represents a very, very large segment of the population within this caucus and within the Liberal caucus and the ND caucus and their supporters. It says that “the Church opposes discrimination on the basis of sexual orientation” but

it also insists the teaching and hiring practices of religious institutions and organizations, of all denominations, must be protected where those practices are founded on religious beliefs.

That's something for the Human Rights Commission to decide. That's what the Vriend case was really all about. That was all about his denial – his denial – of his right to an appeal.

So I agree, and I think it's terrible that any religious group, whether that group is a Muslim group or a Jewish group or a Christian group, would fundamentally discriminate against any person for any reason.

DR. PANNU: Mr. Speaker, in light of the torrent of abuse that has been heaped upon the justices of the Supreme Court in the past week, will the Premier commit that part of the education campaign will be to remind Albertans that the courts have a positive duty to protect minority rights irrespective of popular opinion?

2:00

MR. KLEIN: The court, Mr. Speaker, has every right to interpret the Charter of Rights and Freedoms as it sees fit, and they did it in this particular case. We are very concerned as a caucus that the Supreme Court would not only rule on our human rights legislation but read it in – read it in – to our legislation. I think there has to be an examination, a much broader examination, not as it relates specifically to this case, but as it relates to what might happen in the future relative to any constitutional issue.

MR. SAPERS: That's fear mongering.

MR. KLEIN: No, I'm not fear mongering, Mr. Speaker. I think that this is a very important issue, and I think it should be the number one issue on the agenda of the justice ministers, and I think it should be on the agenda of the first ministers.

DR. PANNU: Mr. Speaker . . . [interjections]

THE SPEAKER: The hon. Member for Edmonton-Strathcona has the floor. [interjections] Okay. Hon. Member for Edmonton-Strathcona, would you continue, please.

DR. PANNU: Mr. Speaker, in the promised education campaign, will the hon. Premier agree to expose the real agenda of groups like the Canada Family Action Coalition that would exclude many of us, including myself?

MR. KLEIN: Mr. Speaker, this matter will be coming to our caucus tomorrow. Certainly I've appreciated the input of the Liberal opposition relative to this matter. The hon. Member for Calgary-Buffalo alluded to a proper information campaign. What we will try to do is to get the facts out as to what this legislation means. No, we aren't going to attack any particular group. That's not our business. Our business is to communicate to Albertans on the basis of factual information, and that's exactly what we will do.

THE SPEAKER: The hon. Member for St. Albert, followed by the hon. Member for Edmonton-Calder.

Multiple Sclerosis Treatment

MRS. O'NEILL: Thank you, Mr. Speaker. Many Albertans suffer from the debilitating disease of multiple sclerosis in its varying forms and degrees of acuity, and unfortunately their numbers are growing. My constituents, most specifically those affected by the disease, tell me that there are three specific drugs

which, when properly administered, reduce the number of MS attacks and slow the accumulation of disability caused by the disease. They openly admit that the drugs are not cures, nor do they arrest MS in its tracks, but they do have measurable benefits. My question is to the Minister of Health. Would he please advise whether or not the MS drugs Betaseron, Rebif, and Copaxone, which have been approved for use in Canada, are included for funding under Alberta's provincial drug benefit list, and if not, when will they be?

MR. JONSON: Mr. Speaker, we have a process of approving drugs for coverage which I think is well known to members of the Assembly, but I would like to review it. First of all, there is the approval that is provided at the federal level in terms of, I guess you would say, the safety of drugs. Then in Alberta we have an expert drug committee, which is, I think, a very impressive and well-qualified group of people in this particular field of drug assessment, that look at the scientific evidence, the research connected with the benefit of this particular drug to patients.

The drugs that are being referred to in the question, Mr. Speaker, have been studied by the committee. To date they have not been given full authorization. There is, however, research being done. These research findings, I understand, shall be available in the fairly near future, and they will be reviewed by the committee at that time.

MRS. O'NEILL: Thank you, Mr. Speaker. Also to the Minister of Health: could he, then, perhaps explain the process and the criteria used to determine whether or not a new drug is added to Alberta's drug benefit list?

MR. JONSON: Well, I think, Mr. Speaker, that I've outlined the process in large part, but perhaps I could make one additional comment with respect to the criteria. The basic criterion is: is there scientific, medical evidence that this particular drug is beneficial and does not have any harmful outcomes or side effects? That is at the very heart of the consideration of the expert panel.

MRS. O'NEILL: Thank you. My third supplemental is also to the Minister of Health: could the minister advise the Assembly if he knows when these particular drugs for the treatment of MS might be added to the provincial list?

MR. JONSON: Mr. Speaker, the expert drug committee provides recommendations to my office twice yearly, and I believe the next round of approvals will be coming up in early fall.

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

Electric Utilities Deregulation

MR. WHITE: Thank you, Mr. Speaker. The Minister of Energy claims that Alberta consumers will receive the full benefits of his policy to deregulate the existing generating units by the year 2020, but he has yet to produce a single study to back up his claim. A leaked report prepared by the Independent Power Producers Society of Alberta found that there are over 3,600 millions of dollars in benefits for the utility companies by extending the base life of their generating units for an additional five years. Why do you, Mr. Minister of Energy, continue to ignore findings of such studies as this?

DR. WEST: Mr. Speaker, the detailed analysis of the 2020 power purchase agreement that was done by London Economics took into consideration all of the risk factors and capital investments that would have to be made by the existing plants out until the year 2020. It also considered the production of power from these plants that had been paid for by Albertans, called the rent or residual value, in that consideration. They also had to consider stranded costs. That's the cost of plants, some of which wouldn't see their life finished until the year 2030. It had to accommodate those plants so that they weren't stranded with expensive costs and unable to compete in a marketplace.

When they balanced those out – the 2030 plants, the 2025 plants, to the ones expiring in 2005, like Wabamun – the 20-year contract was the fairest to Albertans in their residual value and the fairest to the companies that have served this province, some of them 80 years, on their stranded costs. Therefore, any other assumptions that come in on that can be played one way or the other as far as what the fullest of benefits are to Albertans, but they don't take in the consideration of future risks on these plants to operate them in the year 2025, 2030, or 2021.

Speaker's Ruling Anticipation

THE SPEAKER: Hon. Member for Edmonton-Calder, it is very, very clear that on today's Order Paper Bill 27 is clearly identified in Committee of the Whole tonight, so restrict your question very narrowly. You can have this debate tonight.

Electric Utilities Deregulation (continued)

MR. WHITE: Thank you, Mr. Speaker. The Minister of Energy just outlined a report that he has yet to table. Would you table that report and all other reports that you have that prove the point? Either that or just simply protect consumers.

DR. WEST: Mr. Speaker, when this act is passed and we get on with electrical deregulation in the province of Alberta, the power purchase agreements and all of the facts and figures that have to go into them have to be determined by a panel of experts that will look at the results from the regulatory hearings of today and base them to each plant in the province of Alberta. That is an arduous task.

We have fired the assumptions and the risk management into the 2020 contracts, but we haven't put the actual power cost into each contract on every plant. That's a very complicated, very arduous task and will take a tremendous amount of time. It will take a tremendous amount of regulations, which I have said all of the consumer groups and the vested groups in the study of this act will have input into. Therefore, to lay that all out here would put at risk a process to establish a fair power purchase agreement that returns residual value to the people of Alberta.

2:10

MR. WHITE: Mr. Minister, if you're not about to produce any of the reports and you're asking the citizens of Alberta to just trust you, what the heck are you hiding?

DR. WEST: We're not hiding anything, Mr. Speaker.

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

Highway Cleanup Program

MR. STRANG: Thank you, Mr. Speaker. My question today is for the Minister of Transportation and Utilities. I've noticed that with the arrival of spring and the snow melting, the ditches along the highway need to be cleaned of garbage. In the highway cleanup campaign, when will this be taking place?

MR. PASZKOWSKI: Thank you to the hon. Member for West Yellowhead. Indeed, through the process of winter our roads do get covered with a significant amount of garbage. We've got a record of cleanliness, we've got a good, high standard that we have established with our roads, and we want to be able to maintain that. This year will be the 22nd year that we've maintained that type of a program.

On May 2 we'll be enlisting various organizations, including probably members from Spruce Grove-Sturgeon-St. Albert who do participate and do have the opportunity to help fund some of their organizations as well. May 2 will be the scheduled day for this particular event, and we want to caution all people that are on the roads to be careful as they drive through. This is a very important event. Indeed should the weather not be suitable, it would be postponed until the following Saturday, which would be May 9.

Speaker's Ruling Decorum

THE SPEAKER: Hon. member and hon. minister, the announcement today of May 2 as the annual highway cleanup in the province of Alberta has brought a tremendous, resounding, enthusiastic response from all members of the Assembly here. This buzz of excitement that came from all parts of the Assembly with respect to this question is quite overwhelming, so can we narrowly move on now?

Highway Cleanup Program

(continued)

MR. STRANG: Thank you, Mr. Speaker. My first supplementary question is: how many volunteers are expected to participate in this cleanup?

MR. PASZKOWSKI: Last year there were 12,000 volunteers, young people who represent organizations such as 4-H, such as forest wardens, and people that indeed represent various other organizations. These young people actually cleaned 7,100 kilometres of ditches and roadsides in this province of the 30,000 kilometres of ditches and roadsides that we have in Alberta. We should be justly proud of the contribution that they make to keep Alberta ahead of the rest.

MR. STRANG: Thank you, Mr. Speaker. My second supplementary question is to the same minister. Can he tell us what incentive is in place for these groups to get involved in the cleanup, and also can he tell me what colour the bags are going to be? [interjections]

THE SPEAKER: The hon. Member for Edmonton-Glenora, followed by the hon. Member for Grande Prairie-Wapiti.

Doctors' Fee Negotiations

MR. SAPERS: Thank you very much, Mr. Speaker. I'd like to focus the Assembly on a matter of urgent importance, and my

questions are to the Minister of Health. As a result of government policy Alberta doctors are now direct billing patients, they're refusing to add to their waiting lists, and they're restricting their availability to patients. Yesterday the Premier said that he was inviting doctors back to the negotiating table, but at this very minute Alberta Health is not making its key negotiators available to meet so talks can resume. To add fuel to this fire, the Premier is now suggesting that doctors are breaking their physician's oath by withholding their services. Why can the Minister of Health not understand that doctors are taking the action that they are in protest of government policy and that they would be in fact violating their physician's oath if they were silent and did nothing?

MR. JONSON: Mr. Speaker, the basis for the hon. member's question is utterly incorrect, untrue, and everything else. Our negotiators have been endeavouring to be in contact and to arrange a meeting with the representatives of the Alberta Medical Association over the past number of days and will continue to do so.

MR. SAPERS: If that's true, Mr. Speaker, then will the Minister of Health tell us why talks aren't going on right now? Whose fault is it? Are you saying that doctors have refused to negotiate?

MR. JONSON: Well, to date, Mr. Speaker, following up from my first answer, we have not had any response to the latest efforts to make telephone contact. We are standing ready to meet, and we need to be able to meet. It is not our side that is not willing to meet on this particular matter of great importance. That's something I do agree with him about.

MR. SAPERS: Would the Minister of Health explain why it is that the offer that Alberta Health has made to doctors doesn't account for the aging of the population of Alberta, doesn't account for inflation, doesn't account for technology costs, doesn't account for the downloading through home care services and the extra burden on family physicians, and doesn't account for the reasonable request that doctors have put forward that their fees be adjusted at the beginning of the negotiations instead of having to be paid for through secret agreements and supplementary estimates after the fact?

MR. JONSON: Mr. Speaker, the long list of items that the hon. member has alluded to has not had any particular figures attached to them, and I do not think that is the way to approach negotiations. But I would like to tell the members of the Assembly, since these specifics have been raised, that we have I think a very serious, reasonable offer on the table with the Alberta Medical Association.

We have agreed to the current utilization of physicians' services rates as a starting point. That means in 1998-99 the starting point is \$797.6 million, almost \$78 million above the amount agreed to in the current contract with physicians in 1997-98. That means that we have recognized all additional current utilization costs up to the start of the new agreement. We have placed on the table an offer of 3 percent in a fee increase for the first year, 2 percent in the second, 1 percent in the third. This is a total of 6 percent, which is above at least the initial position of the AMA in which they wanted their 5 percent back, and that is in this agreement.

We have made provision in our latest offer for recognizing population growth, and that will cost an additional \$13.6 million,

\$13.4 million, and \$13.9 million in each of the three years respectively of the projected agreement. We have committed to a total of \$5 million a year to a rural physician on-call payment system. We have offered and put on the table funds to provide for the cost of insurance premiums, a very significant item for many doctors in the province, above the basic deductible amount. Also, a very important feature of our proposal is that, yes, we do want to have an overall umbrella or hard cap on the total expenditure on physicians' services. We cannot let utilization go completely unchecked. This is a very concrete offer, addresses what I think are the key areas in negotiations, and we are prepared to meet again.

2:20 Electric Utilities Deregulation
(continued)

MR. JACQUES: Mr. Speaker, let me say at the outset that I am cognizant of the wisdom and the guidance that you did provide to all members yesterday at the conclusion of question period. On behalf of my constituents I recently met with representatives of Alberta Power regarding certain policy issues involving deregulation of the power industry. All my questions are to the Minister of Energy. Why is the minister rejecting a policy that would provide for a review of residual benefits, thereby ensuring that those benefits are being passed on to my constituents?

DR. WEST: Mr. Speaker, a review in 2018, as has been suggested by one of the utility companies, would indeed send a negative response into the marketplace. New suppliers wouldn't know what they might be up against after the year 2020, and in the face of this uncertainty they would hesitate to invest. The other reason is that the assumptions made by Alberta Power that there would be \$8 billion left in the year 2020 that should go back to the consumers was based on certain assumptions.

In fact, APL in its forecast assumed that most of the existing generating units would have their life extended by 15 years. This one assumption accounts for \$7.4 billion of the \$8 billion that they talked about. But here are the facts. Alberta Power Limited in 1996 electric tariff proceedings argued very strongly that it was unlikely that the lives of the existing generating units would be extended. Alberta Power requested that the EUB increase Alberta Power's depreciation rates by approximately 4 percent to cover the expected costs of demolishing APL's units and restoring the site at the end of the base life, the legislated hedges. The base life for each generating unit is shown in part 1 of the schedule in the act.

The EUB accepted APL's argument in 1996 that there would be no life extension and that depreciation expenses paid for by the customers should be increased by 4 percent. Right now you are paying for 4 percent depreciation, yet they are making an assumption for the base of argument today that there is life extension in the plans. In fact, APL has clearly changed its assumptions respecting the likelihood of extending the lives of existing generating units in its efforts to exaggerate the amount of residual value left at the year 2020.

Mr. Speaker, there is one rule when you're in a regulated system that has to do with the benefit of those generating power, not the consumer. In a deregulated system the benefits do flow through to the consumer by market force.

MR. JACQUES: Mr. Speaker, in a response to my constituents, will the minister outline the policy reasons as to why deregulation cannot be deferred until later this year or into 1999?

DR. WEST: Mr. Speaker, there is a tremendous amount of independent power producers, green power and others, who have been waiting since 1994 to make their business decisions in entering into the competitive market. If you delay this bill at this present time, you send a negative signal to the capital in the marketplace that's sitting there waiting to produce new power. If the rules aren't set and firmly set by Bill 27, then of course we're back to a position where we will have to look at continuing under the legislative hedges. With the power consumption in the province of Alberta it may necessitate going back to the process we had before in the last megaprojects that we had sponsored and going back into continued legislated hedges that would go out further than the year 2030. So I think that it's time we send the right signal to those that are waiting in the province of Alberta to go ahead with new power production.

The other thing is, after the statement I just made of what goes on at the EUB hearings, without this piece of legislation, the consumer is caught in the vortex of regulated power, without choice and actually without lowering the cost for his production.

THE SPEAKER: I think, hon. members, that we spent nearly five minutes in that exchange.

Seismic Drilling Holes

MS CARLSON: Mr. Speaker, we know from recent studies that many surface waters are contaminated, and seismic well drilling can make an easy route for these contaminants to reach our aquifers. Environmental Protection does not require seismic holes that are drilled to be plugged to their full depth, resulting in one and a half million holes per year just sitting there under the surface of the land. If you think of Swiss cheese just below the surface of our farms and forests, you get the picture. Why does the Minister of Environmental Protection require test holes for water wells to be plugged to the full depth but have lower standards for seismic holes, even though those holes are often made in ditches that collect water?

MR. LUND: Mr. Speaker, there has been some concern raised in certain quarters that in fact there may be some contamination occurring from shot holes. The report from the Canada/Alberta sustainable agriculture water study clearly did not show that there was necessarily contamination caused by the seismic holes. However, through my department we are currently doing some studies to determine whether in fact there is contamination.

I must add that I have lived in the rural area all my life. In fact, I first remember seismic drilling back in 1948. We have on our farm about six wells, Mr. Speaker, and there has been drilling going on every year, including late 1997, and we do not have any indication of any contamination on our farm.

MS CARLSON: Fifty years of seismic holes. That means 75 million holes that aren't plugged below the surface of our land, Mr. Speaker. That's a lot of holes.

Why does the minister want to reinvent the wheel here by conducting more studies when we know that several U.S. states have concerns and have adopted more stringent standards? You are creating a problem by not addressing this.

MR. LUND: Unfortunately, I think the hon. member's argument has got a lot of holes. It's fine to get up and make those kinds of accusations, but when you have no proof and an awful lot of it is theory, then it does create some problem. Mr. Speaker, to

criticize the fact that we are going to do a study to determine whether there is a problem I find really confusing. They want us to jump to a conclusion, but we don't have the evidence. So what's the problem with gathering the evidence?

MS CARLSON: Mr. Speaker, the farmers that I have talked to want to know that the minister will at least commit to completely plugging these holes until the results of his study are in, rather than the current practice of only plugging the first three feet. You have to do the responsible thing here. It's your own people who used to vote for you who are asking for this.

MR. LUND: Well, Mr. Speaker, I've had the opportunity to review the information that the hon. member filed today, and there are a whole number of assumptions, not totally faulty assumptions, made in that paper she filed. I've got to go back and indicate that a very extensive report done by Canada and Alberta on water quality as it relates to sustainable agriculture – there were some flags raised about contamination, but when there was examination done on the shallow aquifers that were contaminated, it was found that a number of those were traced back to water wells that in fact people were using. With many of those the well was not completed properly. It was leaking around the casing. Others were hand dug and using cribbing that was the problem. In others it was discovered that in fact farmers were filling their sprayer tanks directly from a pressure system and not using any type of stop, so that in fact there was a siphoning back into the water, so there was a trace of chemicals. But if you really study the report, it certainly did not indicate that there was a major problem from the seismic holes.

2:30 **Doctors' Fee Negotiations** (continued)

MR. STEVENS: Mr. Speaker, some of my constituents are becoming concerned with threats being made by the Alberta Medical Association that some doctors may take job action such as lining patients up in parking lots of emergency wards, refusing to see patients on certain days, or direct billing patients for services received, causing an undue financial hardship for such individuals. Could the Minister of Health advise what steps he will be taking to ensure that Albertans are not placed at risk?

MR. JONSON: Well, I think, Mr. Speaker, certainly we recognize that the physicians of the province provide a very key and important service in the health care system. The main measure, the one that I think is available to both sides, is to get back to the negotiating table and develop an agreement. I have responded to our concern about that not being able to take place, it seems, earlier today.

Mr. Speaker, with respect to the various types of job action that are being threatened or perhaps even starting to occur, yes, they quite frankly will cause difficulties for the health care system and particularly for individual patients, according to some of the things that are being mentioned. This is very regrettable, particularly given that we have an overall agreement to extend the provisions of our current contract for another two months. Doctors are being reimbursed. Even though we have been endeavouring to reach an agreement for some months, there is still time. There is really no basis, in my view, for job action.

MR. STEVENS: Thank you, Mr. Speaker. On a radio show yesterday the head of the AMA called into question this govern-

ment's ability and willingness to continue negotiations. I'd appreciate it if the minister could clearly indicate to this Assembly what the current status of those negotiations is and what will happen next?

MR. JONSON: Well, Mr. Speaker, we are endeavouring, with the initiative on our side, to meet again regarding bargaining on the contract. I hope that a meeting will be possible in the near future so that we can ascertain what the AMA's position is. We have not had a formal offer placed before us except for the initial offer, which I could go over in detail for the Assembly but will not take up this time at this moment. We need to ascertain what their current position is and discuss things further.

MR. STEVENS: I have no further question.

Speaker's Ruling Decorum

THE SPEAKER: I'm going to give all hon. members 30 seconds. Those hon. members who do not want to stay in the Assembly and do not want to listen to what their colleagues are saying in terms of recognitions, kindly leave now so that we do not have the embarrassing situation that occurred yesterday when a number of members very clearly embarrassed themselves in constantly talking when certain hon. members were given the floor. So I'm going to sit down for 30 seconds. Clear out, anybody that doesn't want to stay.

Hon. members, I take it, then, that those who are going to be here are going to provide the courtesy to other colleagues in the House who will be providing an opportunity to make a statement under Recognitions.

Recognitions

THE SPEAKER: We will proceed in this order: first of all, the hon. Member for Calgary-West, followed by the hon. Member for Spruce Grove-Sturgeon-St. Albert, then the hon. Member for St. Albert, then the hon. Member for Edmonton-Gold Bar, then the hon. Member for Calgary-Currie, and then the hon. Member for Edmonton-Highlands.

The floor is now in the hands of the hon. Member for Calgary-West.

Andrew Beauchamp

MS KRYCZKA: Thank you, Mr. Speaker. Today I would like to recognize Andrew Beauchamp, a constituent of Calgary-West and a grade 11 student presently attending Ernest Manning high school. Last Wednesday, April 1, I received a letter from Andrew proudly informing me that he had just been selected Alberta's Sea Cadet of the Year for 1998. The honour occurred following a selection interview process in Red Deer, Alberta, and now the Navy League of Canada, Alberta division, will forward his nomination for National Sea Cadet of 1998. Andrew tells me that he has achieved this status in five short years, joining the Royal Canadian Sea Cadet Corps Undaunted, *HMCS Tecumseh*, in September 1992.

Unique, challenging experiences await Andrew as a result of being selected Alberta's Sea Cadet of the Year. He'll be traveling to Halifax in April to represent Alberta's sea cadets at a national forum. He has also been asked to sit on a board to plan for Alberta's sea cadet forum next year.

Congratulations, Andrew Beauchamp. I look forward to your

keeping me posted as your nomination proceeds through the national selection.

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

St. Joseph's Parish Centennial

MRS. SOETAERT: Thank you, Mr. Speaker. On Saturday, May 2, 1998, the Catholic community of Spruce Grove will celebrate the 100th anniversary of St. Joseph's parish. This is an important milestone in their faith journey, and it will be memorable for past and present parishioners.

This community has built a strong Christian presence in Spruce Grove. Over the last 100 years they have served their community well through various outreach programs. The Catholic Women's League and the Knights of Columbus are examples of the many groups that serve not only their faith community but the community at large.

St. Joseph's parish is an active, vibrant faith community. The people of this parish are hard working, welcoming, prayerful, and spiritual.

Congratulations to Father Gordon Roebuck and the organization committee for their hard work in organizing this memorable event. May God continue to bless St. Joseph's parish on their journey of faith.

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

Lurana Shelter

MRS. O'NEILL: Thank you, Mr. Speaker. I rise today to recognize the presence of Lurana Shelter in the community of Edmonton. Lurana Shelter is an inner-city shelter that houses and assists women and children who flee family violence. It's a shelter that provides food, clothing, referrals, visits from the Victorian Order of Nurses, social workers, child support, counseling, programming for children, and follow-up visits.

Lurana Shelter began as a 24-bed overflow facility in 1988. When there was no space in other shelters, women and children were referred to Lurana Family Shelter. There were 24 beds available. On May 27, 1992, the Franciscan Sisters Benevolent Society was awarded the contract to build a new 32-bed inner-city shelter. The new shelter opened in November 1993, and the name was changed to Lurana Shelter. This shelter accepts women with or without children and has housed them for up to 11 days.

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

Southeast Edmonton Seniors Association

MR. MacDONALD: Thank you, Mr. Speaker. I would like to congratulate the Southeast Edmonton Seniors Association, affectionately known as SEESA, on their many years of productive services to seniors in Edmonton-Gold Bar and throughout the city.

Incorporated as a society in June 1980, SEESA has worked diligently to respond to the many needs of seniors and also to design and implement programs for seniors in the community. The many programs offered by SEESA include: fitness programs; recreational activities such as crafts, socials, dances; and health outreach services.

The Southeast Edmonton Seniors Association's multi-use facility is a refurbished elementary school in Holyrood and has become

a gathering point for many seniors and a fine example for seniors by fostering a healthy lifestyle.

This organization is all about people helping people. Our community, city, and province are all better places to live because of the efforts made by these fine citizens who make the SEESA centre a vibrant, thriving home away from home.

Thank you.

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

Carma Developers

MRS. BURGNER: Thank you, Mr. Speaker. Last evening Carma Developers celebrated their 40th year of successful building in Calgary, specifically developing our Calgary communities. Recognizing past employees and board members, President and CEO Alan Norris reaffirmed Carma's support for our Alberta advantage in announcing a \$100,000 contribution for the establishment of the Carma centre of excellence in home building and development. This Centre of Excellence will extend a model currently in place, the industry training and institute for skilled labour trades. Home building and development of industries present many interesting challenges and rewarding career opportunities, and the Centre of Excellence will provide training, development, and confer certificates to recognize individual achievement. Their partners include the professional Home Builders Association in participation with the Southern Alberta Institute of Technology and the Alberta new home warranty program.

Mr. Speaker, in congratulating them on 40 years of excellence, we recognize their commitment to the future of our young people in this province.

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

2:40

Our Voice Newspaper

MS BARRETT: Thank you, Mr. Speaker. Late last week the fourth anniversary edition of *Our Voice* newspaper hit the streets. This is a remarkable accomplishment for this innovative and original economic development project. This is a newspaper with a difference. That is because its explicit goal is to help low-income and economically marginalized individuals earn some income and put some food in their bellies.

Originally called *Spare Change*, the Edmonton edition started in 1994 modeled after the Vancouver original *Spare Change*. Since that time it's changed its name and expanded to Calgary. It's worked with well over 1,000 vendors in that time, helping them get a leg up. A nonprofit venture, it runs on a shoestring budget with minimal overhead to keep the cost down for vendors, who pay 60 cents per paper and sell it on the street for donations. I usually buy it at 5 bucks a copy. *Our Voice* has a track record of kick starting vendors into bigger and better things. Some of whom I've spoken to talk about how it gave them a reason to get out of the house, to do something positive and rewarding.

I congratulate *Our Voice* for its four years of hardy, determined existence.

THE SPEAKER: Thank you very much, hon. members.

Might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

head: **Introduction of Guests**
(*reversion*)

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

MR. BONNER: Thank you, Mr. Speaker. I'd like to introduce to you and through you to all Members of the Legislative Assembly Manuel Januario. Manuel is the president of the Provincial Injured Workers Coalition of Alberta. He is seated in the public gallery, and with your permission I'd ask that he now rise and receive the traditional warm welcome of the House.

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 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, and 83.

[Motion carried]

Export Guarantee Program Write-offs

Q71. Ms Paul moved that the following question be accepted: What is the breakdown of the \$2,044,543 in write-offs under the export guarantee program by individual borrower as contained in the 1996-97 public accounts, volume 2, page 217?

MR. DAY: Mr. Speaker, the government is pleased to accept Written Question 71.

[Motion carried]

Fish and Wildlife Program Spending

Q72. Mr. Zwozdesky moved on behalf of Ms Carlson that the following question be accepted: What was the total budget in the 1995-96 and in the 1996-97 financial years for each of the following programs: the fisheries habitat development program, the fisheries management enhancement program, the fish stocking program, the wildlife habitat development program, the wildlife management enhancement program, and the Report a Poacher program?

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. This question seems to be written in a form that we are able to answer, so we will accept it.

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

MR. ZWOZDESKY: Yes. Thank you, Mr. Speaker, and thank you, hon. minister. We look forward to those responses.

[Motion carried]

Provincial Parks

Q73. Mr. Zwozdesky moved on behalf of Ms Carlson that the following question be accepted:

What was the total cost to the government of operating, respectively, Moonshine Lake, Miquelon Lake, and Wyndham-Carseland provincial parks between April 1, 1987, and March 31, 1988, and between April 1, 1997, to date; what was the total revenue brought in through campground and other fees in each year; and how much of that revenue was retained by any operators with contracts to maintain the campgrounds or other services?

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. Unfortunately, this one is not written in a form that we're able to accept, so we find it necessary to make some amendments. The difficulty we have going back to 1987 is that we don't have those kinds of records, and of course with reorganization a number of things have changed, so it would be very difficult. There are some other wording situations that cause a problem.

I would move that we amend Question 73 by striking out "was the total cost" and substituting "were the costs"; (b) by striking out "between April 1, 1987, and March 31, 1988, and between April 1, 1997, to date" and substituting "in each fiscal year between 1992-93 and '97-98 inclusive"; and then by striking out "campground and other fees in each year" and substituting "camping and related fees in each park in each fiscal year"; and then by striking out "maintain" and substituting "operate"; and then by striking out "or other services." So the question would now read:

What were the costs to the government of operating, respectively, Moonshine Lake, Miquelon Lake, and Wyndham-Carseland provincial parks in each fiscal year between 1992-93 and 1997-98 inclusive, what was the total revenue brought in through camping and related fees in each park in each fiscal year, and how much of that revenue was retained by any operators with contracts to operate the campgrounds?

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

MR. ZWOZDESKY: Yes. I just wanted to say that the amendment as presented and the rationale and reasons behind why it's being presented in that fashion are acceptable, and we would look forward to the forthcoming answers. So we're in favour of that amendment.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. We just will reiterate our thanks to the minister for undertaking to provide that information.

[Motion as amended carried]

Accrued Interest Breakdown

Q74. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$38 million classified as accrued interest receivable by individual entity as contained in the 1996-97 public accounts, volume 2, schedule 5, page 15?

MR. DAY: Mr. Speaker, I'm pleased to accept Written Question 74 if we can amend it, using the citations which I have in the past related to some of the difficulties with all of the information being disclosed because of private-sector confidentiality, contracts, possible legal problems that we might have. Also, we don't want to negatively impact business of any company involved if we are involved in recoveries there. We don't want that necessarily to impact on the particular business of the company and maybe inhibit its potential for success.

So if it would please the members of the Assembly, I'd like to amend the request by striking out the words "by individual entity" and adding the words "by individual ministry." So the written question then would read:

What is the breakdown of the \$38 million classified as accrued interest receivable by individual ministry as contained in the 1996-97 public accounts, volume 2, schedule 5, page 15?

I would hope that would be acceptable.

2:50

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes, on the amendment. I appreciate the Treasurer's explanation of why he couldn't accept the question in the form that it was given, but it does strike me with a tone of disappointment nonetheless, because I think that again this is information that taxpayers do have a right to receive. Obviously that's why I brought it forward.

There's still much discussion, Mr. Speaker, with respect to how much of the amounts in question here really pertain to loan agreements between the government and private-sector entities where interest is being accrued, and more specific to that, which I don't think the amendment may provide for, is the explanation of what arrangements the government does have in place for this interest that we're talking about and, additionally to that of course, the collection of it. It's a point of accountability, I suppose, or effectiveness in measuring how well the Treasury Department is doing in managing these assets. So that's why the question was posed in the way it was posed.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Yes. Thank you, Mr. Speaker. We will nonetheless be accepting the written question as amended and look forward to the Treasurer's provision of the information requested.

[Motion as amended carried]

Accrued Liability Breakdown

Q75. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$48 million estimated liability for guarantees and indemnities and the \$100 million classified as "other" by individual borrower under other accrued liabilities as contained in the 1996-97 public accounts, volume 2, schedule 12, page 20?

MR. DAY: Mr. Speaker, again I have some difficulty with the entire question as is, but I'm certainly willing to accept it as

amended with the following amendment, using the same citations as before. I know the member opposite appreciates the difficulty, and I appreciate the difficulty he has with our difficulty. So we're appreciating each other's difficulty here. We can provide this information by category rather than by individual business or borrower by amending the written question by striking out "by individual borrower." The written question would then read:

What is the breakdown of the \$48 million estimated liability for guarantees and indemnities and the \$100 million classified as "other" under other accrued liabilities as contained in the 1996-97 public accounts, volume 2, schedule 12, page 20?

I could make that information available if that was acceptable, Mr. Speaker.

MR. ZWOZDESKY: I appreciate the hon. Treasurer's explanation. I just want to tell him that we're looking for some specifics here, and the amendment as presented may not be able to provide those. However, until we actually receive the information, we won't know for sure. So with that brief comment I would say that if that's the best the Treasurer can do by way of what he's bound and/or obligated to, then we will accept his explanation.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. As I said earlier, we were looking for a little more of the detail and a little more of the breakdown on an individual borrower basis. Nonetheless, we will accept the information that may be forthcoming from the Treasurer and thank him for it.

[Motion as amended carried]

Individual Borrower Breakdown

Q76. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$8 million allowance for doubtful loans and advances by individual borrower under other loans, advances, and investments as contained in the 1996-97 public accounts, volume 2, schedule 7, page 16?

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Question 76, which appears under my name on the Order Paper, I'm pleased to move because it requests again some additional information for taxpayers.

MR. DAY: Mr. Speaker, again, not wanting to repeat myself but using the same provisions, I would be happy to accept that question if we can amend it by providing under that one category. As the member mentioned before on the last item which he talked about, I think he will be somewhat pleased – I don't know if he'll be totally elated – with this further information.

I would propose that we amend Written Question 76 by striking out the words "by individual borrower." The written question as amended then says:

What is the breakdown of the \$8 million allowance for doubtful loans and advances under other loans, advances, and investments as contained in the 1996-97 public accounts, volume 2, schedule 7, page 16?

I would move that amendment, Mr. Speaker.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. The issue here with respect to the amendment: again, it may or may not give the kind of detail that I think taxpayers are entitled to. What we're simply saying in the original motion versus what the amendment says – we're talking about \$8 million here that for all intents and purposes could be classified as other or miscellaneous or et cetera. Those kinds of terms tend to fuzzy up and cloud up the explanation.

Nonetheless, I do look forward to what it is that the Treasurer has in mind by way of a breakdown. At this stage the amendment doesn't specifically qualify or categorize or explain what kind of a breakdown we can expect. But I will take the Treasurer at his word and look forward to that breakdown nonetheless.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. This particular issue is again being brought forward at the behest of a number of interested Albertans who are attempting to seek more information from the government. So whatever it is that the Treasurer is able to provide I'm sure they'll be grateful to receive.

Thank you.

[Motion as amended carried]

Valuation Adjustment Breakdown

Q77. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$55 million provision for guarantees and indemnities and the \$28 million provision for doubtful accounts and loans by individual entity or borrower under valuation adjustments as contained in the 1996-97 public accounts, volume 2, schedule 3, page 14?

MR. DAY: Again, Mr. Speaker, same provision applying, I'd like to accept this if we can amend it. I assure the member that I understand that when they say they accept the amendment and the motion, he's not forever guaranteeing, because he's not in that business, that he's going to be happy with the information but that he's willing to take a look at the expanded information and see if that meets the purposes. I understand his position.

On that understanding, I would propose that we amend this particular written question by striking out "by individual entity or borrower" so that Written Question 77 as amended reads:

What is the breakdown of the \$55 million provision for guarantees and indemnities and the \$28 million provision for doubtful accounts and loans under valuation adjustments as contained in the 1996-97 public accounts, volume 2, schedule 3, page 14?

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

3:00

MR. ZWOZDESKY: Yes. Thank you, Mr. Speaker. Speaking to the amendment on this particular question, I guess I would reiterate the fact that I think Albertans wanted a little more information with respect to this category of loans and guarantees, doubtful accounts, whatever you want to call them. The main

reason for that, which the amendment may or may not address, is that I think taxpayers don't want any more surprises. I don't think it surprises anyone to know that Albertans were somewhat alarmed to find out what happened in the case of the Millar Western deal, where we lost \$244 million, or in the case of the pending Al-Pac deal, where we could possibly lose \$130 million, \$135 million. This was simply intended as a question to shed more light on those issues and perhaps some that might be forthcoming.

Nonetheless, I am happy to hear that the Treasurer respects the role that I have as the official watchdog on the finances of the province on behalf of Her Majesty and others. In that context I look forward to the expanded information which he's able to provide with respect to this question.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would only say that the Treasurer has accepted the gist of the question and refined it to suit his specific abilities or his specific ablings, if there is such a word – sounds good to me – with respect to the portfolio that he occupies. In the spirit of that I would ask him to provide as much of the detail as he can. We accept the motion as amended.

[Motion as amended carried]

Individual Borrower Breakdown

Q78. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown by individual borrower of the \$10 million classified as "other" under the \$101 million provision for losses, doubtful accounts, loans, guarantees, and indemnities as contained in the 1996-97 public accounts, volume 1, schedule 3, page 36?

MR. DAY: Mr. Speaker, this I have to unfortunately reject, and I hope the member opposite doesn't take it personally. I'm usually totally forthcoming with his requests, as he knows. I did communicate by letter to the member on this particular item back on August 1 of '97, explaining the reasons in detail at that time, and I'll make the same references to *Beauchesne* 446(2)(e), *Erskine May* 16(2)(C)(1)(j)(vii) and (iii), all applying. I might refer him again to the FOIP Act, section 15, which actually provides for the mandatory exemption from disclosure of commercial, financial, or business information of a third party unless "the third party consents to the disclosure." In this case the third party has not consented to the disclosure, and I am guided by the FOIP Act, section 15. On that basis I will reject that. I did respond to the member in writing on that particular one.

If there's some specific item he'd like to see, I would continue to invite him to ask me if I might invite him to come into the document room and actually take a look at it to assure himself that there's nothing going on in the way of anything that's untoward and that in fact it's simply a matter that we are stuck with the FOIP provisions that these are mandatory exemptions.

MR. LUND: That's under freedom of information.

MR. DAY: That's under the freedom of information act.

I think he'd be satisfied with that, but on that basis I have to reject this question, Mr. Speaker.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to express some concern with respect to the Treasurer's rejection of this particular written question, because it does speak to that entire issue of openness, accountability, transparency and honesty, the OATH, as I have often said in this House, which I am attempting to reaffirm with the Treasurer. I recognize that he did respond in some earlier correspondence, for which I'm thankful. I appreciate the explanation that he's given with respect to the confidentiality aspect contained and referred to in that particular correspondence. So I appreciate his openness in that respect.

However, I still think taxpayers have a fundamental right to know the details of these provisions that remain against ad hoc loans, including some of the loans that were given to Centennial Food Corp., Pratt and Whitney Canada, Canadian Airlines, the Centre for Frontier Engineering Research, Pocater Development Corporation, and perhaps others. It's a fundamental request, Mr. Speaker, that keeps coming up time and time again.

I would just close by saying that these loans and guarantees are representative of a very significant amount of money, which taxpayers should duly be able and allowed to receive information on. There are significant financial assets and contingent liabilities of the province tied up in respect to these loans and guarantees, and at some point, I suppose and I hope, the taxpayers of Alberta will be provided with that information. Unfortunately, with the early rejection of this motion today by the Treasurer, again, in spite of the comments he's made, we'll have to keep on waiting. Waiting, Mr. Speaker, tends to conjure up all kinds of wrongful images. There's a perception building that information is not as forthcoming as the government has always said and promised it would be, and this continues to be an example.

Although I'm going to be forced to accept it, I don't find totally understandable nor easy to convey to the public of Alberta the confidentiality as expressed by one or more of the corporations who receive these funds, putting forward arguments that the Treasurer then can use here. I know what competition in the business sector is all about as well, Mr. Speaker, and much as I respect that confidentiality, surely there was an expectation and an understanding somewhere when these moneys were received or when these guarantees were received by the private corporations from public dollars, from public taxpayers, that somebody somewhere would be accountable for them, if not explainable.

So it's unfortunate that this particular written question has to be rejected, and I will undoubtedly have to come back at another time and try and rephrase it.

[Motion lost]

Individual Borrower Breakdown

Q79. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown by individual borrower of the \$7 million classified as "other" under the \$89 million allowance for doubtful loans, advances, implemented guarantees, and indemnities as contained in the 1996-97 public accounts, volume 1, schedule 8, page 39?

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

MR. ZWOZDESKY: Thank you again, Mr. Speaker. Continuing on with the issue of transparency and openness, I'm pleased to move Written Question 79, which appears on the Order Paper under my name.

MR. DAY: Well, Mr. Speaker, the member knows I am addicted to openness and accountability, so with some sense of withdrawal, I have to say that we cannot accept this particular question and, in fact, will reject it.

If I can just comment briefly, Mr. Speaker, to the member. He's used words like "accountability." These particular elements are all accounted for. They're in our public accounts. The Auditor General is fully aware of them. They are accounted for. But there are some confidential business details which the FOIP Act restricts us from releasing.

The member mentioned that taxpayers want to know. Actually, I don't get calls or letters from taxpayers saying: tell me the individual business dealings of a particular company. I do hear and I have heard from taxpayers who've said: we don't think the government should be involved in these loans and loan guarantees. That's why we're out of that business. That's why we don't do these loans and loan guarantees anymore. That's why we still account for them. They are audited by the Auditor General, but we will respect the law, which says – these are mandatory provisions here – not to disclose confidential, private information unless the third party agrees. We're stuck with that.

So we're accountable. These are all fully accounted, and the Auditor General is aware of them. We cannot, however, break the law by releasing this private-sector information. We don't get into these deals anymore. We won't be getting into these. As a matter of fact, we're getting out of them. We've reduced from \$3 billion in liability down to \$1 billion in liability, but we also will not break the law and release the information. I am simply not hearing from taxpayers: release this private-sector information. They are, however, saying to the government: get out of that business, and take care of what's left there. And that's what we're doing.

On that basis I have to reject this one, Mr. Speaker.

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

3:10

MR. SAPERS: Thanks, Mr. Speaker. Written Question 79 is about the taxpayers' interests, the best interests of the people of the province. The Treasurer has inherited a tradition of openness from a previous Treasurer, but his hesitancy to provide information and his reliance on rather one-sided interpretations of what may or not be excluded under freedom of information and privacy legislation makes us question whether or not he wants to take that tradition of openness further or whether he would like to see it truncated and end under his watch.

Seven million dollars may not be considered to be a lot of money, but in my life and in my world and in my constituency \$7 million is a tremendous amount of money. For the government to simply dismiss it under a category known as "other," which could mean absolutely anything the government wants it to mean at any given point in time, is not acceptable. It's also not acceptable that the Treasurer would in a blanket way use provisions of the freedom of information and protection of privacy legislation to say that it's the law that prohibits the Treasurer from doing what he otherwise might be inclined to do.

If the Treasurer is so inclined, I would ask the Treasurer to do this. Take a look at that \$7 million. Examine whatever the nature of the contractual relationship was between the government in any way and the individual borrower or consortium of borrowers that received the benefit of that \$7 million. Look for every and each opportunity to release the most information that the Treasurer possibly can within the context of the law, and then encourage the commissioner to indicate specifically which sections of the law would be violated if more information was to be released. If the Treasurer went through that process, then every man and woman in this Assembly and in fact every taxpayer in the province of Alberta would be able to accept the Treasurer at his word without question. But unless the Treasurer is willing to go that far in the interests of his own addiction, which is to be open and accountable and transparent, as he has said, then it makes us question the power of that addiction or perhaps the effectiveness of whatever treatment he may have been seeking.

So I would ask the Treasurer to once again take a careful look at Written Question 79, to examine it against his stated commitment to openness, examine it against the law as it is written in this province, and then give us the detailed breakdown. This is not just a matter, Mr. Speaker, of saying "show us the money," because the money is gone. That's the one thing we can be sure of. But it's to show us where it's gone, to whom, under what circumstances, and to explain in detail, chapter and verse, why it is that he can't tell us more and, through us, tell the taxpayers of this province more about what this government considers to be "other" in public accounts.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I was listening very attentively. I missed one thing of what the Treasurer said, and that was which section under the FOIP Act he had referred to.

MR. DAY: Section 15.

MRS. SOETAERT: Section 15. I know my hon. colleague from Calgary-Buffalo would like to address that section of it.

You know, the Treasurer says that people don't call him asking where that money went. I think that should be an indicator to him that no wonder the perception about politicians hiding money and not telling where all our tax dollars go is out there. No wonder politicians have such a bad image, because when we don't give all the information, then people doubt and people wonder where that money went.

Now, \$7 million in my life is a lot of money, and I would expect that it's probably a lot of money for the hon. Treasurer. I would expect that if he's just going to file it under "other," maybe he could indicate some projects that it was spent on or indicate that it was three companies or four companies or one individual. Maybe he could just give us a better sense of where the money went so people don't sit back and say: they're hiding something over there. We like to help the government be accountable and open. We do everything in our power to try to help them that way, and this is one case where this question is helping them. Regretfully, they're ignoring it and rejecting it.

Mr. Speaker, I would urge the Treasurer to look deep in his pockets and find out where that \$7 million went. I'm sure it didn't go into his pockets; that was figuratively speaking. But I

think he has the ability to certainly give more information than just filing \$7 million under "other." With that, I would encourage the hon. Treasurer to give the information for this written question.

Thank you.

MR. DICKSON: Mr. Speaker, I wanted to add a couple of comments with respect to Written Question 79. This may not be in *Hansard*, but when my colleague from Sturgeon-Spruce Grove-St. Albert had asked what section, the Provincial Treasurer indicated that it was section 15 of the freedom of information act, and section 24. Now, I'm glad he indicated that, because if we look at section 24, this is a curious provision because it's a discretionary exception. What that means is the head of a public body, in this case the Provincial Treasurer, can choose to share the information or not. It's not a question that he can't say: my hands are tied; I have no discretion. The discretion is clear. In the first part it says:

The head of a public body may refuse to disclose information to an applicant if the disclosure could reasonably be expected to harm the economic interest of a public body.

I'm not sure we've heard that case made by the Provincial Treasurer. I have a strong sense that the Provincial Treasurer does as administrators and governments often do: take the broadest possible view of an exception instead of the narrowest possible view.

With section 24, if we look at the way Mr. Robert Clark, the FOIP Commissioner, has interpreted this, consistent with the way it's been interpreted in Ontario and British Columbia, it's been interpreted very narrowly. So that's not a solid foundation for him to refuse to disclose.

The other section he's used is section 15. Now, section 15 is a mandatory exception. If this were an application, if somebody had paid \$25 or \$50 and made an application for the information, the Treasurer could only refuse if he could prove certain things. One of the things he'd have to be able to prove is that the third party doesn't consent to the disclosure, and I'm not sure - if he said this, I stand corrected. But did he contact those individual borrowers and say, "In the Legislature there's a question; somebody wants to have this information. Will you consent to the disclosure?" Now, if in fact he did that and he was told no, then obviously I withdraw this particular line of argument. If he didn't make that inquiry, then I'd say it's not appropriate for him to rely on section 15 now.

Another thing he'd have to be able to show is that the disclosure of this information could reasonably be expected to "harm significantly the competitive position or interfere . . . with the negotiating position of the third party." Well, Mr. Speaker, I think from your considerable experience in government you'll know this is a small province. Most people in a given industry have a very good sense of what their competitors are doing. It would be astonishing to me that the extent to which somebody would be listed as an "other" in terms of "doubtful loans, advances, implemented guarantees, and indemnities" - that it would be a competitive advantage or disadvantage to disclose the information.

The other thing that would have to be shown is that it resulted in "similar information no longer being supplied to the public body." This would be a preposterous argument. You've got people who came to the provincial government with their hands out, people who wanted Albertans either to give tax dollars or to accept a backstopping position and an exposure in terms of public dollars. To say that this government or any government would be

prepared to provide funds without saying to somebody requesting it that if you want public dollars, you have to accept a measure of accountability that goes along with it . . .

3:20

Another thing the Treasurer would have to show is that it's going to "result in undue financial loss or gain to any person." I didn't hear the Provincial Treasurer offer any information, any evidence that that would be the case.

Fourthly, he'd have to show that it revealed information in the form of an arbitrator's report, a mediator's report, a report from a labour relations officer. Well, I don't know the names of these people that my colleague, our Treasury critic, is trying to secure, but it wouldn't seem to me that any of those would apply.

So it seems to me that if the Provincial Treasurer or indeed any other cabinet minister is going to try and invoke the freedom of information act as a basis for refusing to share information, they're surely going to have to particularize the section and then offer some argument around the elements of the section. That hasn't happened here, so it's simply not a credible argument to make in terms of refusing to give the information.

If the minister chooses to refuse, then let him stand in his place and say: I refuse to give the information. But to attempt to hide behind the freedom of information law is just foolishness, Mr. Speaker, and the Provincial Treasurer should be embarrassed to make that kind of an argument.

Thank you.

THE SPEAKER: The hon. Leader of the Official Opposition.

MR. MITCHELL: Thank you. Mr. Speaker, normally when the issue of the names or the identification of companies who have received loans or guarantees from this government arises, the government dismisses it by saying that it's a private-sector player, that they can be damaged if the details were to be known, that it might hurt them commercially. Well, we're not asking for the details of the loans here, and to say that we can't learn the names of the borrowers who account for this \$7 million is to say that the government was then incorrect in telling the people of Alberta how much Daishowa was loaned, how much Al-Pac was loaned, how much Millar Western was loaned, how much all kinds of projects were loaned: Bovar, MagCan, NovAtel. We know their names. We're not asking for the commercial paper. We're simply asking for their names. So if we can have it in . . .

MRS. BLACK: You already know their names. Why are you asking?

MR. MITCHELL: We don't know the names for the \$7 million, Madam Minister. We don't know that.

We know Millar Western. What did they get? Two hundred and fifty million dollars? So why can't we have the names of some people, of some companies that got \$7 million? Wouldn't that be appropriate? There's a clear contradiction here in the government's policy. There is no consistency, and it just . . .

MR. DICKSON: And no transparency.

MR. MITCHELL: No transparency. For a government that prides itself in being open, it raises the question: what do they have to hide? Why shouldn't Albertans know what companies are getting Albertans' money? Maybe not even the terms - we're not asking for that - just what companies are getting Albertans'

money. Is that too much to ask? It seems straightforward. We should have a free vote on this one, because I think there are some reasonable MLAs over there who would definitely vote for open government.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I want to add some comments to those already offered by my hon. colleagues, all of which express disappointment with respect to this particular rejection. The Treasurer has on occasion alluded to certain communications that he has exchanged with me in response to my requests. I appreciate those communications, but they don't always measure up with the degree of information that we were looking for. So sometimes we have to write back and rephrase the question, and sometimes we have to go through this formal process to find out the information requested here.

The information on this particular \$7 million may pertain to any of a number of recipients, all of whom took money or guarantees from the province on the understanding that of course it would be repaid insofar as they were able and insofar as the clauses of the various agreements required them to conform. Unfortunately, from time to time as you look through public accounts, which I have done extensively and exhaustively, you will find examples such as this. You'll be reading along; everything is nicely explained. There's an entity specified, an amount given and a year given, the targeted amount, the projected amount, and so on, and those are fine. But suddenly every now and then you'll come across something called "other." Whenever that kind of a statement is made with respect to issues, sometimes they are overlooked, but when the issue is money as opposed to some other subject matter, then the public, especially at this time in the province's development, starts to raise some doubts, and that's where the questions come from. They come from individuals who simply want basic information they thought they would be getting from the current government.

Nobody is faulting the current government for these particular loans or these particular guarantees, so let's get over that issue, hon. members. We're not looking for anything that tarnishes your image, nor are we looking to try and tarnish the image of a previous government who have all left this House now. We simply are looking for information which you should be very willing and certainly are able to provide. There are no doubt provisions within some of those agreements that might even allow that.

As I look through some of the other guarantees that have been given over the years, a number of those guarantees never had to be exercised because the companies who undertook them honoured their deal. Business was good and profitability was high, and they were able to extinguish the debt or not take up the offer of a guarantee. I'm looking at a list here which compares guarantees and indemnities from 1992-93 through to 1997-98. In actual fact this provides a list of guarantees and indemnities that were offered by the province, and it explains in some detail the amounts given, the year they were given, and the year by which they were exhausted or not exercised. That is good, open, accountable governance.

We read, for example, here that Weldwood of Canada Limited had a guaranteed loan of \$240 million. That was the actual amount in '92-93. And do you know what, Mr. Speaker? By '97-98 that particular loan was fully repaid by the borrower.

Now, that's good news. By the same token we have other very good examples here. Slave Lake pulp partnership repaid its loan of \$96 million. We have others that are in the form of debentures and other guarantees.

Then we have others that are not so good. We have some losses that were incurred. I mean, you're of course familiar with Gainers and Bovar and a few of those others, and I won't go into them. Those at least have been explained to the public. We don't like what happened and the general feeling of the public is that they don't like what happened, but they're having to accept what happened. At least they know; that's the key issue here. Is there something so bad and so sinister in some of the books that it defies explanation or defies revelation? I would think probably not, but we will continue to ask, because until the government does answer some of those basic questions, we will never know and taxpayers will never know.

Who do they go to for those answers? If you can't go to your own government for those answers, Mr. Speaker, where do you have to go? Do you have to go to the United States, like we had to or whoever it was that went to find out the information about the NovAtel deal, for example? That information wasn't forthcoming from the government of Alberta, and it just came back to hurt the province and the taxpayers and the government. It hurts the image of the process, and it hurts the image of us all as elected officials, be we on the government side or on the opposition side. We're going to keep getting the question posed to us: well, what kind of opposition are you that you can't find out that information? Then I have to stand up and try and defend something on behalf of the government, whereas in this instance the government could be quite, quite straightforward and forthcoming and simply provide the information.

So with some disappointment, Mr. Speaker, I will conclude my remarks and again express my disappointment on behalf of thousands of taxpayers who wanted this information. I once again urge the Treasurer to reconsider and perhaps entertain the thought of providing that information to us through some other means.

Thank you, sir.

3:30

THE SPEAKER: The hon. Member for Edmonton-Mill Creek has moved acceptance of Written Question 79. All those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is defeated.

[Several members rose calling for a division. The division bell was rung at 3:31 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Bonner	Mitchell	Soetaert
Dickson	Paul	Zwozdesky
Gibbons	Sapers	

Against the motion:

Black	Herard	O'Neill
Broda	Hierath	Paszkowski
Calahasen	Hlady	Renner
Cardinal	Jacques	Shariff
Clegg	Jonson	Stelmach
Coutts	Klapstein	Stevens
Day	Kryczka	Strang
Doerksen	Laing	Tannas
Ducharme	Langevin	Tarchuk
Fischer	Lougheed	Taylor
Fritz	Lund	Thurber
Gordon	Marz	Trynchy
Graham	McFarland	West
Haley	Melchin	Yankowsky

Totals For - 8 Against - 42

[Motion lost]

Individual Borrower Breakdown

Q80. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown by individual borrower of the \$60 million classified as guarantees and indemnities under the \$77 million estimated liability for guarantees and indemnities as contained in the 1996-97 public accounts, volume 1, schedule 14, page 44?

MRS. BLACK: Mr. Speaker, on behalf of my colleague the Provincial Treasurer I'd like to move an amendment to the written question. The amendment would be: by striking out "by individual borrower." Therefore, the written question would read as amended:

What is the breakdown of the \$60 million classified as guarantees and indemnities under the \$77 million estimated liability for guarantees and indemnities as contained in the 1996-97 public accounts, volume 1, schedule 14, page 44?

I understand that the opposition member has seen the amendment and is in agreement with it.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Yes, Madam Minister, I have seen the amendment, and I am going to suggest that we do in fact accept that amendment.

I would note, however, that once again the amendment takes out one of the critical parts of the original motion, which qualifies the type of breakdown we were looking for, specifically "by individual borrower." Nonetheless, I think the Treasurer indicated earlier this afternoon that he would endeavour to provide as wide and large a breakdown, as detailed a breakdown as he possibly can. So I will look forward to seeing what that is and put him on notice that we may have to come back at a later time and ask for further explanations in that respect. But as it sits, on the surface the amendment is acceptable.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I would only close by saying that what propels this question in part to have been phrased the way it was is simply that the losses on loans and loan guarantees over the past decade, which tends to go beyond the life span of the current government, total something in the amount of \$3 billion. That's a very significant amount of money that the province has lost through the loans and guarantees program. That's why I support the current position the government has with respect to getting out of the business of loans and guarantees. In fact, I've said on record many times that one of the major factors that made me enter this field of public service was the fact that I was getting very concerned about how much money we were letting go and not recovering on as timely a basis as we had hoped or to the extent and in the amount we had hoped.

So \$3 billion in losses requires some explanation, and much of that explanation is available, but we're looking for the rest of it. Nonetheless, we'll look forward to what it is that the hon. Treasurer is able to provide, and we'll take it from there.

Thank you.

[Motion as amended carried]

N.A. Properties (1994) Ltd.

Q81. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$8,774,000 in write-offs under N.A. Properties (1994) Ltd. by individual borrower as contained in the 1996-97 public accounts, volume 2, page 217?

MRS. BLACK: Mr. Speaker, on behalf of my colleague the Provincial Treasurer I'd like to move an amendment to Written Question 81. The amendment would be by striking out the words "breakdown of the" and then by again striking out "by individual borrower." Therefore, the written question as amended would read:

What is the \$8,774,000 in write-offs under N.A. Properties (1994) Ltd. as contained in the 1996-97 public accounts, volume 2, page 217?

Again, Mr. Speaker, I understand that the hon. member opposite is in agreement with the amendment.

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

MR. ZWOZDESKY: Yes, Mr. Speaker. Thank you. Yet again we have another request of a nature similar to those requests which preceded this particular one. Again we have the same explanation from government, which we are going to accept because we would like to at least learn something from these dealings, and this will afford us an opportunity to do that. I'm not sure what type of breakdown may come as a result of this amendment the way it sits. Again, without knowing that information, it's difficult to conclusively say that we're in full support of the tactic being employed here, but we are favourably disposed to at least receiving whatever it is that the Treasurer is able to provide through the amendment as enunciated.

Thank you.

[Motion on amendment carried]

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I think what's important to note here is that it was a couple of years ago when the now Minister of Energy, addressing an assembly of individuals in Ontario, first mentioned that there was a \$2.5 billion loss in the housing mortgage corporation business of the province going back over a few years, and N.A. Properties was certainly an instrumental part of that.

3:50

In fact, N.A. Properties (1994) Ltd. formed as a result of the amalgamation of the assets of a variety of companies, which included Softco and S C Properties and Holdco. The company was designated to continue the mandate of the disposition of all real estate properties which the former minister referred to and other assets that had been acquired from a variety of banking sources in the '80s. So I would have hoped that we would have received a more specific breakdown rather than the general one that we can anticipate.

The fact is, Mr. Speaker, that the province does make payments on the losses that were incurred by N.A. Properties on the disposal of those assets under a specified indemnification agreement, I believe. Between April 1, 1994, and March 31, 1997, something in the order of \$21 million in payments had been made under that indemnity provision. So any write-offs that were incurred by N.A. Properties from the disposal of the properties obviously impacted the balance sheet and influenced the payment, such that the taxpayers felt there was at least some explanation there. But as it influenced the payment the taxpayers must make under that indemnity, it also raised additional questions, and that was what propelled the request for additional information to be provided.

So with that note of disappointment on the one hand but a note of optimism as to what we might anticipate, I will support the motion as amended.

[Motion as amended carried]

Treasury Branches Write-offs

Q82. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$256.5 million in write-offs under the Alberta Treasury Branches by individual borrower as contained in the 1996-97 public accounts, volume 2, page 218?

MRS. BLACK: Mr. Speaker, again on behalf of the Provincial Treasurer I'm afraid we're going to have to reject Written Question 82. The reason we have to reject it is because disclosure of this requested information would be contradictory to the freedom of information act.

[The Deputy Speaker in the chair]

Section 4(1)(m) applies in this case, in that records "in the custody or control of a treasury branch" other than records that pertain to "a non-arm's length transaction" are exempt from the FOIP Act. Section 15 also applies, in that a public body must not disclose the financial or commercial information of a third-party business unless "the third party consents to the disclosure." For write-offs that are a concern of private interests, section 38 applies.

In addition to that, *Beauchesne* 446(2)(e) and *Erskine May* section 16.2.C.(1)(j)(vii)(3) also apply.

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

MR. DICKSON: Thank you, Mr. Speaker. The first point is that the reference to section 4(1) of the freedom of information act is a bit mischievous. What the act in that section says is that "this Act applies to all records . . . but does not apply to the following," and that's one of the enumerated exceptions to the act. So far from being authority not to disclose, it simply says that if we were making and talking about a freedom of information access request, it would be perfectly legitimate to make the answer that the Minister of Economic Development has just made. But it's nonsense to put that forward as an argument to refuse a written question. One has nothing to do with the other. This isn't a FOIP application; it's a request under parliamentary process. Section 4 does not say that the information shall not be provided. It's not a mandatory or a discretionary exception. It just isn't part of the act, period.

We fall back, then, on general principles about transparency and accountability. The reference to section 15 doesn't make any sense, because we've just seen that the government isn't applying the elements of section 15 of the act in any event. So it's a bit of a naked and shallow attempt to justify a decision to withhold information, information Alberta taxpayers should be able to have access to.

I wanted to make those comments with respect to the explanation proffered by the minister. Thanks, Mr. Speaker.

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to express some disappointment with this rejection of Question 82, that being the information with respect to write-offs that have been incurred at the Alberta Treasury Branches. I understand and I respect what the Minister of Economic Development has said in terms of third-party consent being required prior to the release of that information, and I also understand her comments that she quoted out of *Beauchesne* respecting the provision of information as requested here.

But I would just remind everybody that the Alberta Treasury Branches, who have undergone significant restructuring and are doing quite well now, are still backstopped by the province and by the taxpayers in turn. Therefore, I would have thought that at least those loans, those write-offs in particular, or write-downs that fall under the commercial loan portfolio would have been made available to us and to taxpayers, because we legitimately have a right to know about what transpired in those cases. Since the net income or net loss of the Treasury Branches is reflected in the province's consolidated financial bottom line, we thought we were on solid ground to request that information.

If the Treasury Branches, Mr. Speaker, were not part of the consolidated financial picture of the province, then the arguments put forward for the rejection would hold deeper water than they do at the moment. At the moment it's somewhat shallow because of course the Treasury Branches income/loss statement is part of our overall financial picture of this province. So once again we're simply asking for information that is relative to that bottom line and had hoped for a favourable outcome. Nonetheless, we shall come back to this issue perhaps another time through other means to pursue it, because we firmly believe in that openness, accountability, transparency, and honesty, or OATH, acronym. We will

endeavour to pursue this through other means at another time. Thank you.

[Motion lost]

N.A. Properties (1994) Ltd.

Q83. Mr. Zwozdesky moved that the following question be accepted:

What is the breakdown of the \$1.505 million provision for impairment in value of mortgage assets by individual mortgage held by N.A. Properties (1994) Ltd. as of March 31, 1997, as contained in the 1996-97 public accounts, volume 3, note 10, page 222?

MRS. BLACK: Once again, Mr. Speaker, I'm afraid I'm going to have to reject Written Question 83 on behalf of the Provincial Treasurer. The reason that we have to reject this is that disclosure of the details of an individual mortgage would reveal information of third parties who have entered into mortgage arrangements with N.A. Properties on the basis of commercial confidentiality. This information could be provided, but it would have to have the consent of the third parties concerned.

Mr. Speaker, the Auditor General in his annual audit of N.A. Properties reviews the provisions established by the management to satisfy himself that the provisions reflect the appropriate level of risk of collecting any given loan, and therefore there is an audit trail there.

Again, I will refer members to *Beauchesne* 446(2)(e), which deals with the disclosure of financial information, and *Erskine May* in section 16.2.C.(1)(j)(vii)(3) in that if information pertains to companies or other bodies that are not under statutory authority or control of the government, they should not be released, and this disclosure cannot. So we must reject Written Question 83.

4:00

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

MR. ZWOZDESKY: Thank you, Mr. Speaker. Once again I express some disappointment at the rejection of this written question, which again simply seeks some further details, some further explanations with respect to another chunk of money that basically taxpayers have a right to inquire about. A provision for impairment in the value of assets is made by N.A. Properties on an annual basis, and this is a charge against net income of N.A. Properties.

Now, the \$1.5 million provision for impairment that was taken on the sale of \$3.79 million in mortgages sold in 1996-97 is really quite a significant amount of money and quite substantial. So I would have thought that there would have been some additional information that the province would be willing to share with us in that respect.

Mr. Speaker, given that the provision for impairment in the value of the assets affects the bottom line of N.A. Properties, that will influence the amount the taxpayers may be required or will be required to pay under that indemnity. We, in the pursuit of this information, must remember that we are not only pursuing these issues for purposes of resolution but also for purposes of explanation and for the ultimate purposes of educating and informing the public who have elected us for the purpose of communicating with them. I've heard on numerous occasions in this House numerous ministers of the Crown, as well as private

members, state how important that communication is. The best communication is with full, total, complete, open information. Then people can make their decisions and their choices much more wisely.

I again express my disappointment at this information being rejected through the government's rejection of Written Question 83 and would urge the province to discover other means and other ways of providing some of that information that does not violate anyone's cause or anyone's concern or any of the rules or any of the other privileges that we enjoy here.

With that, Mr. Speaker, I will take my place. Thank you.

[Motion lost]

head: **Motions for Returns**

MRS. BLACK: Mr. Speaker, I move that motions for returns appearing on today's Order Paper stand and retain their places.

[Motion carried]

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

head: **Government Bills and Orders**

head: **Third Reading**

Bill 204

Workers' Compensation Amendment Act, 1998

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

MR. HERARD: Thank you very much, Mr. Speaker. It's a pleasure to rise and speak to Bill 204 in third reading. When we last discussed this bill in committee, I indicated that I had numerous meetings with interested parties and many long phone conversations that had led to a much better stakeholder understanding of Bill 204. I also indicated that I did have good success in numerous face-to-face meetings with various sectors, success in reducing the misunderstanding that existed. I also indicated that I had received very few responses that indicated continued concern with this area of the bill from interested parties who had taken the trouble to do due diligence on Bill 204. But to be clear, I did not presume that silence was acceptance of this bill. In fact, I have since received numerous calls and letters to indicate that not all the concerns with this bill have been addressed.

I want to also clarify a remark that I made with respect to the number of responses that appeared to be a knee-jerk reaction. Perhaps the remark should have been that about 75 percent of the responses that I received were essentially identical and characteristic of a letter-writing campaign with no apparent due diligence on the bill. I certainly did not intend to offend the people who did do due diligence on Bill 204.

During committee another important aspect of this debate dealt with the number of WCB injured workers who are on welfare. You will remember that Judge Meredith indicated that the true aim of a compensation law is to provide for the injured workman and his dependents to prevent their becoming a charge upon their relatives or friends or on the community at large. You will recall that I advised that the total number of individual injured workers on welfare during this period from 1993 to 1997 was 2,217 workers. I can advise today that these cases did not include AISH clients, so the number of injured workers on welfare and on WCB benefits is higher than first thought. The AISH numbers are as follows: 1993-94, for a partial year, 182 cases; '94-95, 202; '95-

96, 213; '96-97, 230; '97-98, 231, and that's for a partial year. So that's certainly disturbing, because those numbers are going up.

The high number of injured workers on welfare continues to be very disturbing to me because these cases do not include injured workers who've been cut off WCB benefits, so we still don't know how many injured workers we're really talking about here. How many more injured workers on CPP disability are using up their EI prior to welfare? What additional costs are being incurred by our health care system? How many families are put at risk for lack of income resulting from work-related injuries? With respect to the additional health care costs, I've not yet had a response from the Department of Health, because this is a complex issue and it will take some time to get a handle on it.

I have had the opportunity to have further discussions with the WCB and can report that they are taking issues raised by all members of this Assembly in the debate on Bill 204 very seriously. I'm tabling a letter from the president and chief executive officer in this regard.

I want to thank all members from both sides of the House for their meaningful participation in the debate on this bill and look forward to their further comments.

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

MR. BONNER: Thank you, Mr. Speaker. It is a privilege this afternoon to rise to speak to Bill 204 in third reading, the Workers' Compensation Amendment Act, 1998. I do think it is a very necessary bill, as I've said all along. I think it is necessary, it is good, but it could have been better. I think that when we have significant differences in medical opinion, that should warrant equal – and I say equal – right of either the WCB or the worker to have the benefit of a medical panel. This bill is a very, very good starting place, but I think that our work did not come as far as it could have. It does do some significant things in that it does move this into law, if this is passed, and it will in effect certainly put more pressure on WCB to deal with these particular cases that the hon. Member for Calgary-Egmont has already referred to.

4:10

Part of the Meredith principle, Mr. Speaker, was to avoid the secondary tragedies that we do have when there are injuries in the workplace and particularly serious injuries or death in the workplace.

He has referred to how people are being forced on to welfare, how injured workers are having to go to Canada pension, how injured workers are forced to use many of the resources that they have built up over time. I would certainly hope that we will have a chance in future years to look at this particular bill, that we will be able to strengthen it, that we also will be able to fill any shortages that are now occurring in WCB policy, and that the true victims of this entire process, the injured worker, their concerns, will be heard and dealt with and that they will not have to have additional burdens placed on them and their families as they try to resolve these situations.

So with those few comments, Mr. Speaker, I would like to conclude my statements to Bill 204.

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I count it a

privilege to speak in third reading of Bill 204. I must commend the hon. member for raising the awareness of such an important issue as workers' compensation. It is an issue that affects so many Albertans, and I applaud the member for all the hard work that went into this bill and his conviction to take it upon himself to bring the discussion to the forefront of this Assembly. Bill 204 has sparked debate not only in this House but around the province and has proven to be a healthy process in examining the workers' compensation system in Alberta. Bill 204 addressed two major areas of concern that were raised with the hon. Member for Calgary-Egmont and which many MLAs can share.

Mr. Speaker, there was some confusion and misinformation with regards to Bill 204, and I wish to outline the provisions in the bill to again reiterate its intentions. The second provision in Bill 204 is quite clear. It allows the injured worker the option in the event of differences in medical opinion to request a medical panel.

The first provision of Bill 204, which raised the most concern with stakeholders, addressed the bar-to-sue provision under section 18 of the Workers' Compensation Act. Under the current act workers covered by workers' compensation that are injured in transportation-type accidents are barred from pursuing civil action. Effectively, as it stands, a worker injured through the negligence of a third party employed by another employer covered under the act may not pursue civil action. Under section 17 of the act the Workers' Compensation Board already can pursue action on behalf of injured workers covered under the act against negligent third parties not covered by workers' compensation. The provision outlined in section 18 of Bill 204 would allow the Workers' Compensation Board to take action on behalf of injured workers against third parties that are also covered under the Workers' Compensation Act and transportation-type accidents occurring off the work site.

As the sponsor of the bill has maintained throughout the debate, the purpose of the amendment of section 18 is to update the Workers' Compensation Act, which existed prior to the advent of compulsory motor vehicle insurance. I cannot express the gravity of the situation enough. As it stands, workers covered under the act who are injured off the work site in transportation-type accidents do not have the right, as other Albertans, to have their fair day in court. This is an area of concern that all relevant stakeholders need to understand and seriously consider.

While many of the members of this Assembly can attest to the solid provisions laid out in Bill 204, as a private member one has only so many resources at his or her disposal to conduct the proper consultation that needs to go into legislation of this magnitude. I believe the area of concern of stakeholders and the Workers' Compensation Board was not necessarily just the contents of Bill 204 but the process in which discussion took place.

Many of the letters received surrounding the issues raised in Bill 204, specifically with respect to third-party liability, indicated that discussion of Bill 204 should encompass the consultation process outlined by the board of the Workers' Compensation Board so an informed decision could be made by all stakeholders. As I understand it, an agreement has been reached between the hon. Member for Calgary-Egmont and the Workers' Compensation Board with respect to Bill 204.

I would like to applaud the Workers' Compensation Board for their plan of action with respect to Bill 204. Indeed, as Sir William Meredith envisioned, the purpose of the workers' compensation system is to ensure workers and their families are

well taken care of in the event of injury. I firmly believe the Member for Calgary-Egmont has done much work in this vein.

Mr. Speaker, in light of the current developments I propose hoisting Bill 204. I propose the following amendment to the motion for third reading of Bill 204, the Workers' Compensation Amendment Act, 1998: that the motion for third reading of Bill 204 be amended by deleting all the words after the word "that" and substituting the following.

Bill 204, Workers' Compensation Amendment Act, 1998, be not now read a third time but that it be read a third time this day six months hence.

Thank you. Mr. Speaker, I also have 90 copies of the amendment here for distribution.

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

MR. HERARD: Thank you, Mr. Speaker. I rise in support of the hoist amendment. As all hon. members have seen, I've distributed a letter from the WCB. I think everyone has had an opportunity to read it, so I'll go through the reasons why I support the amendment.

The consultation process has failed to stem the tide of concern with respect to this bill. The initial WCB information, of course, didn't help clarify the issue, but be that as it may, it is much better to take the appropriate time to ensure that stakeholders can participate and have some level of comfort in a proposed legislation. Clearly, interested parties are asking for more time to do due diligence and to participate in the consultation process, and I will not presume to prevent or deny them that right.

The letter that you have before you is, in my view, a win/win scenario, and I must give credit to the WCB and the Minister of Labour for their part in achieving this agreement. I want to thank my assistant, Kate Jenvey, who happens to be in the gallery this afternoon – thanks for coming – for all the hard work she did with the bags and bags of letters and calls that we received on this and also my researcher, Chris Ghazouly, for the great work that he did.

I won't read the whole letter because I've tabled it, and all hon. members have a copy of this letter. The first paragraph deals with the current situation with medical panels. The important part is that "medical panels, as proposed in [Bill 204], will be piloted as a working model." So I think that's a win/win situation from the perspective that if we compare that to what we have today, this is certainly an improvement, and they have made that commitment.

The second paragraph deals with third-party liability in motor vehicle accidents. That certainly was the area of the bill that had the most number of people concerned. As the hon. Member for Leduc mentioned, as a private member you have very limited resources to do these consultations, and certainly more is needed. Therefore, I will continue to work with the WCB on the third-party liability in motor vehicle accident issues to augment stakeholder input and provide the board with the opportunity to make recommendations to the minister with respect to this after we've had a good consultation.

4:20

The third paragraph deals with the concerns that have been expressed in this Legislature by members from both sides. The WCB and the Minister of Labour have heard the concerns expressed in this Legislature and are taking all of them very seriously. As a result, the challenges of improving customer

satisfaction will now involve a review of the processes and procedures at WCB, and I think that's again a win/win situation. In fact, the letter confirms that this will also involve a review of the processes.

I want to thank all members for their vital input, their valued input, the WCB for taking the concerns expressed in this Chamber seriously, and the minister for his assistance in arriving at this win/win agreement.

You know, I think we have to also recognize that we do have a new chairman with respect to the WCB, and we do have a new president and CEO. I believe that their reputations precede them with respect to integrity, and I take them at their word.

So I urge all members to support the hoist amendment, because it achieves benefits today and leaves the door open for improvements in the future. Thank you.

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

MR. BONNER: Thank you very much, Mr. Speaker. I do find the amendment acceptable at this particular time. The hon. Member for Calgary-Egmont certainly referred to the integrity of the new chairman and CEO, and I would have to as well put my support behind these people being involved in the process that he has mentioned. It's a \$2.5 million process that WCB is carrying out right now in a review of their policies. This hoist will certainly assist them in making the necessary changes to address some of the problems that do exist at this time, and they are the problems that I think led to this bill being proposed. It also echoes concerns that I've heard from stakeholders and various labour groups. So it is with no hesitation that I support this hoist for this time period.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Castle Downs.

MS PAUL: Thank you, Mr. Speaker. I just have a few comments to make. I suspect that I will be supporting the hoist, but I have a concern. Maybe because I'm a relatively new member in this Legislature, I spoke with a lot of enthusiasm when this bill was introduced and had on good authority that the bill had been researched; the homework had been done. It was brought to this Legislature. We spent up until third reading to be informed that: excuse me; we're not that well informed.

Quite frankly, Mr. Speaker, I find that a little alarming. We did spend, as I said, a lot of time in discussion. There was a lot of, so to speak, excitement with respect to the intent of the bill. It has merit. I spoke to the merits of introducing this type of legislation at this time, because all MLAs are being inundated in their offices with problems that are taking place with respect to workmen's compensation. I find it's a little disconcerting to get to the third reading and find that the bill is going to be hoisted. I hope that we do see it recover its speedy and expeditious placement on the Order Paper in six months. I'm wondering if we're going to be around here in six months, but that's neither here nor there.

Mr. Speaker, I think that the homework or the extra research and extra care that was put into the bill – and I know the hon. Member for Calgary-Egmont has done an excellent job, but now he's indicating that due to lack of resources, due to lack of this or that or the other thing, he needs another six months. I don't

know; obviously maybe I'm the only one having difficulty with this. I'm the only one speaking against it. I suspect that some of my colleagues on this side of the House are expressing the same concern: that we've spent all this time and all this energy. The bill has merit, and I'm sorry to say that it's going to be hoisted.

With that, Mr. Speaker, I'll take my seat.

[Motion on amendment carried]

head: Public Bills and Orders Other than
head: Government Bills and Orders
head: Second Reading

Bill 211
Legislative Assembly Amendment Act, 1998

[Debate adjourned April 7: Mr. Dickson speaking]

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

MR. DICKSON: Thank you very much, Mr. Speaker. I'm happy to conclude my commentary with respect to this bill, introduced by my colleague for Edmonton-Glenora. What I was attempting to do last day was to reflect on some of the commentary we'd heard from those members who were speaking in opposition to the bill. We heard some quotes from Winston Churchill, which didn't, as best as I could determine, support the proposition that Legislatures should only sit once in a year. But from some of the comments it struck me that we have a number of people in the Assembly who might take the same approach as Fisher Ames, an American statesman who somewhere in the late 1700s said:

The people as a body cannot deliberate. Nevertheless, they will feel an irresistible impulse to act, and their resolutions will be dictated to them by their demagogues, and the violent men, who are the most forward to gratify those passions, will be their favourites. What is called the government of the people is in fact too often the arbitrary power of such men. Here, then, we have a faithful portrait of democracy.

Well, I think one might say that the arbitrary power of violent men, who are the most forward to gratify those passions – that's what tends to happen in a lopsided Legislature, and it's why it's important that there be some checks on that power of a Legislature.

The Member for Calgary-Glenmore – and I'm not picking on him – had offered the most expansive views in opposition to the bill we have in front of us. I think it's most important that the Member for Calgary-Glenmore know that we were paying rapt attention to his observations and giving careful thought to his analysis. A couple of observations. At one point he said, "This government does bring forward strong legislation, and creating strong legislation takes time." Mr. Speaker, I've been thinking of when we looked at a municipal government act that came in one spring session, was debated and passed too hurriedly, and the following year we looked at an amendment package virtually as big as the initial act. I think of bill after bill that we see come forward and then the next year we have to do the remedial work, the patch-up work.

I'm thinking to myself that it clearly is not a question that we see strong legislation coming forward. We see too often flawed, weak, poorly considered, ill-considered legislation coming forward, legislation that then warrants a whole lot more attention. Well, think of it this way, Member for Calgary-Glenmore. If we were to sit a little more often, we would be better positioned to be able to continue the debate. We'd be better positioned to be able

to reflect on and respond to feedback in the community when people are concerned with a particular bill.

So to Calgary-Glenmore's argument about wanting to ensure we have strong legislation, I'd suggest, with respect, that the place that legislation ought to be made is in this place, and maybe that's where we agree to disagree. Some members think that legislation is made independently of this place and that all this place is simply a rubber-stamping process. Well, I didn't get elected to be doing any rubber-stamping. I don't think any member was elected to be here to rubber-stamp what the executive does. This is the place where legislation ought to be made, and it can't be made only sitting for a couple of months out of the year.

4:30

This is, I think, part of a bigger pattern that we see in Alberta. The government has used closure more frequently than ever before. I think members are familiar with the fact that the Peter Lougheed government during that entire period used closure a single time. We have used closure I think in excess of 30 times. The Minister of Energy can correct me if I'm wrong, but I'm sure it's in excess of or very close to 30 times that the parliamentary guillotine has been invoked to shorten debate. Many times it's brought in after three, four hours of debate.

DR. TAYLOR: You haven't lost your head yet, Gary.

DR. WEST: But they had 90 percent of the seats.

MR. DICKSON: Well, you know what I'm encouraged by, Mr. Speaker . . .

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. Minister of Energy, if you wish to enter the debate, I'll put your name down on the list. But right now we have the hon. Member for Calgary-Buffalo.

Hon. Member for Calgary-Buffalo, if you'd address yourself to the bill as opposed to citing or inciting different members, that would be appreciated as well.

MR. DICKSON: Thank you. I was provoked by the Member for Cypress-Medicine Hat.

Debate Continued

MR. DICKSON: Mr. Speaker, what I wanted to say is this. There's a pattern we see with this government in this Legislature. We see the most frequent use of closure ever in the history of the province. We see that the commitment to democracy is incredibly shallow. I use the example of regional health authority elections, a promise that had been made by this government to Albertans on March 11, 1997, that commencing in the 1998 municipal elections, we'd be able to elect two-thirds of RHA members. What happened is that the Premier came along and after his extensive consultation with the regional health authority chairs, that he appointed, he then concluded that it's a bit dangerous to bring this degree of democracy to regional health authorities.

It seems to me that that same spirit, that same hostility, the same contempt for the good judgment of Alberta electors is really evident in the opposition to Bill 211. So I want to encourage all members to make it clear that they do think that Albertans have good sense, to make it clear that this Legislature does have a vital role to play in holding big, powerful governments accountable.

The best way they can demonstrate that sort of belief and understanding is by voting positively for Bill 211.

Thanks very much, Mr. Speaker.

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

MRS. O'NEILL: Thank you, Mr. Speaker. I would like to make just a few observations on Bill 211, the Legislative Assembly Amendment Act, 1998. This bill may seem to have honourable intentions, but I see it as political posturing. In their 25-year role as opposition they have never before brought forth a motion or a bill calling for two sittings a year, which is particularly interesting . . .

MR. SAPERS: Point of order, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Glenora is rising on a point of order. You have a citation?

Point of Order Provocative Language

MR. SAPERS: Standing Orders 23(h), (i), and (j): using language that would be provoking debate. Mr. Speaker, there were two absolutely incorrect, misleading, and fallacious statements in the opening comments from the Member for St. Albert. Number one, this Official Opposition has not been the Official Opposition for the last 25 years, and that member knows better. Number two, when the current Speaker was the Government House Leader and when the current Leader of the Official Opposition was the Official Opposition House Leader, there was an historic agreement signed between House leaders which said that there shall be two sessions of the Legislature in each year. At that time the Premier said and the Government House Leader said that we would work towards legislating what was in that agreement. This member may be a rookie in this Assembly, but that does not give her the right to mislead the Chamber.

THE DEPUTY SPEAKER: On the point of order, hon. member.

MRS. O'NEILL: Mr. Speaker, I did not say in the last 25 years. I said, "In their 25-year role as opposition they have never before . . ."

THE DEPUTY SPEAKER: Well, I think that we have, clearly, a difference of opinion. The hon. Member for Edmonton-Glenora has managed to clarify part of what he objected to, so there's no further order than that.

I would ask the hon. Member for St. Albert to continue.

Debate Continued

MRS. O'NEILL: Thank you very much. This is certainly not the first time an Alberta government did not have a fall sitting. For example, Mr. Speaker, there was no fall sitting in either 1985, 1986, 1988, 1989, or 1991. As has been said already, there was a time in this Assembly's history when there were no fall sittings for over 10 years straight. So I suggest that this bill was not brought before us because of the opposition's belief in democracy but to promote their view that democracy is directly proportional to how many questions some of them can ask, how many offhand and out-of-order comments some of them can shout out, and how many off-topic positions they can flaunt across the floor of the House.

Mr. Speaker, on October 14, 1997, the opposition put out a press release which highlighted their top 10 reasons for having a fall session. I would like to go through a few of those reasons in detail and tell what the government has done in relation to each one.

The first reason they stated for having a fall session was: "To Reinvest in Public Education." [some applause] For the benefit of the opposition, I would like to highlight some of the investments in education which have been brought forward by this government.

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. members, there's nothing wrong with showing your approval for a particular statement, but when you prolong it for that kind of period of time, you appear to be interrupting someone from speaking, and I'm sure that was not your intention.

Hon. member.

Debate Continued

MRS. O'NEILL: Thank you, Mr. Speaker. There has been approval for \$22 million to help children in kindergarten through grade 2 to read well, \$10 million annually to provide additional teacher aides to support classroom teachers from grades 1 through 6, and \$5 million annually to provide ESL support for Canadian-born students. There's also approval for an additional \$93 million over the next three years to the basic instruction grant, \$171 million over three years for enrollment growth, \$86 million over three years for children with special needs from kindergarten to grade 12, and \$8 million will be put towards addressing issues of equitable funding among school jurisdictions. Technology upgrading will receive an additional \$20 million. The department has also committed \$13 million for student transportation and, finally, a onetime special investment of \$100 million in 1997-98 for school construction and renovation.

This may sound like the estimates process, Mr. Speaker, but if their need to hold a fall session was to increase education dollars, I respectfully submit that we have done just that. We have done this as part of our goal to better educate all Alberta students and have focused our spending to meet specific, targeted programs.

4:40

A second reason the opposition raised for a fall session was: "Because Children at Risk Need our Help." Mr. Speaker, I would like to use Budget '98 as a backdrop to respond to this reason. Some of the budget increases for Family and Social Services include, first, a \$1 million increase for women's shelters, an increase of 14 percent; secondly, an additional \$5 million to implement a new funding formula for family and community support services; thirdly, an increase of nearly \$20 million, or 9.1 percent, to address an increased caseload in the child welfare program; fourthly, an increase of nearly \$6.5 million to the handicapped children's services program; and fifthly, \$17 million has been allocated in 1998-99 for early intervention programs.

Mr. Speaker, one particular problem this government has addressed in regard to children in need was accomplished through Bill 1. That bill will help children involved in prostitution get off the streets and into a rehabilitation program. If that is not protecting the children of Alberta, I don't know what is.

The opposition also states that a second sitting is needed "To Help Prevent Incidents of Domestic Violence." This government

is addressing that need through Bill 19, which is currently before the House. Mr. Speaker, this government is certainly not sitting on its laurels; we are addressing concerns of all Albertans and addressing those needs in a timely and comprehensive way.

A fourth issue the opposition would like addressed in a second sitting is: "To Defend Public Health Care." Mr. Speaker, what would they like to defend it from? This government has said over and over that we support and believe in the Canada Health Act, and all of our health legislation and policy is in line with that federal act. This government is committed to the public health system. Anything else would, quite frankly, be illegal.

Two more issues the opposition highlights: first, "Because Albertans Deserve Action, Accountability, and Answers from their Government," and the second one, "Because the Doors of Democracy Must be Kept Open." I believe that these two issues are the heart of this bill. The opposition clearly does not believe this government can be accountable for its actions if the House is not sitting, and that is clearly an example of the opposition's myopic view of the role of government. The government is open government, and as a side note, Mr. Speaker, the Legislature's sittings do not dictate democracy. Democracy is dictated by those who have elected us. It is our electorate to whom we must answer, and I for one do this every time I'm in my constituency or elsewhere in Alberta.

Mr. Speaker, to say that this government is not democratic because it will not legislate two sittings of the House flies in the face of all that we stand for. Flexibility is a hallmark of understanding, and this government is flexible when it comes to sittings in the Legislature. We have given our commitment to have two sittings a year or even more if need be, but dictating the times for a sitting to take place is both regressive and constricting to good government. Mr. Speaker, holding the government accountable for its actions and its policy is the right as well as the role of the opposition. But the government also has the right and the role to offer its citizens sound, productive, and strong legislation, legislation to make Alberta as strong a province as possible, and we are doing that. Legislating two sittings a year is not the way to effect democracy. Political matters do not follow a calendar, so why should we make them do so?

For those reasons, Mr. Speaker, I will be voting against Bill 211.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Castle Downs.

MS PAUL: Thank you, Mr. Speaker. Well, it's quite unusual that I would be following a member of the opposite side that made some very, very strong comments with respect to Bill 211. It has been brought forward by the hon. Member for Edmonton-Glenora.

Mr. Speaker, the tangent, actually, that the member before me went on was talking about the whole agenda of the Liberal Party and citing dollars and cents and carrying on about the rationale as to why we have to have two sittings in this House. It's very obvious that the purpose of the bill is to ensure democracy is upheld in the province of Alberta. I mean, the whole agenda of the Liberal Party with respect to our view versus their view on dollars and cents in education and child care issues wasn't brought to this House to be debated. It's a very simple and straightforward bill which would make it a law that we have at least two sittings in this province.

Mr. Speaker, I take exception to some of the comments made by the previous speaker with respect to our hidden agendas and

that we only want to have another session so that we have question period. Well, of course we want question period; that's our job. That's what we're here to do. I mean, we have a number of questions that have to be answered in the Legislative Assembly. I can cite Bill 26, for example. If we were not in session, then what would have happened to that? [interjection] Gosh, the hon. minister of science, research, and technology is taking part all of a sudden.

Mr. Speaker, I find it incredible that all Members of this Legislative Assembly would not support the simplicity and the intent of Bill 211. I mean, we are MLAs. We are elected officials in the province of Alberta, and there are only 83 of us. Good heavens, to have accountability twice a year is incredible. We have to be accountable. That's what I was elected to do when I was elected in the constituency of Edmonton-Castle Downs.

Speaker's Ruling Decorum

THE DEPUTY SPEAKER: Hon. members on both sides, we have the hon. Member for Edmonton-Castle Downs making her speech relative to the bill before us. Members on her side are trying to engage in lively discussion with members on the other side. To say the least, that's bad parliamentary manners. Could we not listen to the hon. Member for Edmonton-Castle Downs, and if we're not prepared to do that, then please, with the permission of your respective whips, disappear and go out to one of the lounges until you feel compelled that you could listen.

The hon. Member for Edmonton-Castle Downs.

MS PAUL: Thank you, Mr. Speaker. There seemed to have been quite a ruckus here. I can't imagine why.

4:50

Debate Continued

MS PAUL: Mr. Speaker, I think I've cited a few reasons why we need to have it put in law, that Bill 211 be passed. It only stands to reason that as elected officials we are accountable. Democracy should not be dead in Alberta. We need accountability. We need accountability in terms of how we run our campaigns. We need accountability in terms of how we function in our role as MLAs. We need accountability for everything that we do with respect to governing laws in the province of Alberta. It's quite astounding that anybody that is a responsible Member of this Legislative Assembly would not take this at face value and support this bill. The intent is very straightforward. There's no hidden agenda. We need to have two sessions.

I have mentioned the fact that as the elected MLA in Edmonton-Castle Downs, that's the expectation. Sure, we have time that we spend in our constituency office. When we're not in session, we're in our constituency. When we hear from our constituents, we bring it to the House. When there is a major issue, we ask a question. When it becomes even insurmountable or more than that, we bring a bill forward. That is the role of the MLA in this province. You bring it forward as a private member's bill. You bring it forward as a motion. You bring it forward, and it's debated in caucus. I mean, that is the role of all elected officials.

I find it absolutely astounding that we had to listen to all the rationale and all the things that this government has been doing with respect to spending money in areas that are in dire need in this province. We listened about the amount of money that's being put into education and health care. Yes, Mr. Speaker, there have been red alerts in the province. Teachers are threatening strike. Doctors are walking out. The province is in chaos, and

here we don't even want to have two sessions. I find it absolutely astounding that there would not be more support for the intent of this bill.

Mr. Speaker, there is the necessity also to debate budget issues. I mean, we're running all over this building trying to find the room in which we're supposed to be debating the budget for the province of Alberta. We are the citizens that keep the budget process in place. We have to ask questions with respect to estimates and supplementary estimates. We have to be in one room at 7 o'clock in the morning while we're doing another meeting at 8 o'clock in the morning. We're running all over the building, and this is not acceptable. We were all elected to be responsible, and you must be responsible. You should want to be in this House. We should enjoy the responsibility collectively, your role and our role. It is something that has to be played out in this Legislative Assembly. It should not be done once a year; democracy is in place at least two sittings a year.

With those comments, Mr. Speaker, I'll take my seat at this time.

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

MRS. SOETAERT: Well, thank you, Mr. Speaker. My colleague from Edmonton-Castle Downs did just a wonderful job, but I want to add a few more things. You know, last fall I saw Conservative members fumbling around the province trying to defend why they weren't having a fall session, and you know what? Their excuses were appalling. In fact, they were nonexistent. I remember a meeting that the Member for St. Albert and I were at, and it was a meeting for day care people. They were really upset with the changes that had just taken place, just a directive order from the minister. At that meeting I said: you know, if we had had a fall session, we could have brought this up in there, and maybe the minister would have made a good decision. You know what? I honestly felt sorry for the Member for St. Albert because she had to defend that without having a chance in the Legislature for us to question it and hopefully make it a much better ruling. I don't know whether she was comfortable or not; I can't speak for that part. But it seemed to be a difficult meeting for some people.

So, Mr. Speaker, we have to respect democracy. The only way we can do that is by keeping a government – you know, I hate using the word “arrogant,” because it may be unparliamentary. But sometimes you have to use that word when referring to an arrogant government that's lasted about 30 years. And you know what? You've lasted 30 years. Well, good for you. But you know what? You've become a little arrogant, a little lazy, a little laid back, and you should be more accountable. That's why we're suggesting two fall sittings.

MR. SAPERS: One fall sitting.

MRS. SOETAERT: One fall sitting. Heavens. One fall sitting. A spring session and a fall session. Sorry; let me clarify that. Well, we could go for two; that would be fine too.

Mr. Speaker, sometimes in here people say: Spruce Grove-Sturgeon-St. Albert, you know, this is going on and on. But we should appreciate the fact that we get to debate things in this building. I was once talking – well, several times I've spoken with the Minister of Energy, and he said: you know, in the old days we used to just fight it out on the streets. Now we are elected to speak it out in the Legislature. Now, you know what?

You shouldn't hold in frustrations and pent-up anger. People should be able to speak out on behalf of their constituents in this Legislature more than 31 or 41 days a year.

AN HON. MEMBER: Is that all?

MRS. SOETAERT: That's all we had last year. How many did we have last year?

AN HON. MEMBER: Thirty-eight.

[The Speaker in the chair]

MRS. SOETAERT: Thirty-eight days last year. Imagine.

You know, I know we all work outside of session. We work very hard, and people out there don't appreciate that. But I think they do expect us to at least sit for, I'd say, definitely half of the year, and we certainly don't. That doesn't make for good government.

We're talking about being accountable about education funding. My heavens, if we weren't in here, what would they get? Absolutely nothing and more dollars for private. That's what would happen behind closed doors: onto our buses to private schools.

So you know, Mr. Speaker, I have to say: I strongly support this bill. I urge all members to support this bill. It's a simple question of holding a government accountable. If you're not afraid of being held accountable, then support the bill.

Thank you.

MR. ZWOZDESKY: Mr. Speaker, just very briefly. I've been listening to the discussion on Bill 211 surrounding the need or the lack of need for a double sitting in a given calendar year with respect to the Legislative Assembly. I just want to make one specific point in addition to the points that have been made, and that is that sometimes the government has to acknowledge that not all good ideas are they their own author of. There are good ideas that come to this Legislature and/or there are issues that come to this Legislature also from the rest of us, who were elected on the same basis, and that is to serve.

By having a second session in the fall, it gives an opportunity for those good ideas to come forward or for those good questions to come forward. The Assembly when it sits doesn't need to be viewed as a negative experience by all all the time. Sometimes there are very, very positive things that happen here. I think the hon. Speaker of the current date has very much that kind of change in mind in the longer run. To your credit, Mr. Speaker, I think you're accomplishing some of that, and I sincerely congratulate you for that.

To suggest that there is perhaps no need for a fall sitting is a very premature conclusion to come to. I agree that we have to take a look at what has to be done legislatively or we have to take a look at what it is that the government has on its plate to accomplish. But by the same token I think the government in fairness has to respect the process and the other MLAs, who represent their constituents in the same way, and say: what do you have to contribute, hon. opposition?

Mr. Speaker, I've said before and I have to remind you again: I didn't run to form opposition; it just worked out that way. But I would like to think that there have been abundant examples over the history of our parliamentary tradition, over the hundreds of years that it has existed, where opposition members have brought

some good ideas into the House and/or have actually helped the government accomplish something that was necessary for the benefit of others. That is what is afforded, at least by way of opportunity, if you have a fall session scheduled.

5:00

Now, in the event that a fall session is not needed or the business of the day or the week gets tidied up in a much earlier fashion, then fine. We adjourn, and we go our separate ways and come back when the next session is called. But I think there should be a provision for that opportunity. It should not be exclusively up to the government of the day, because the government of the day in most instances would probably not favour being in here. There are times when I wonder why we're in here as well. However, the bottom line is that that's the job. That's the job. I said that I didn't run to form opposition; it just worked out that way. I didn't ask for this job of being the specific watchdog on all of the government's actions, but somebody has to do it. Otherwise, the system doesn't work.

So all we're saying is: let's put this into legislation. If the government won't put it into legislation, then perhaps it should be at the discretion of some special select committee, which is represented by all parties who come to the decision based on the information provided with respect to the amount of work that needs to be done and the good ideas or the good questions or the issues that need to be resolved. That would be extremely fair and democratic and representative.

Mr. Speaker, if we're ever going to change the image, the perception that the public has and restore it to what it once used to be – and I don't know how far back we have to go. Looking at it in terms of the future, we could do that now. We could start with support for this legislation, for example, and move on from there to do something extremely positive that the public out there would look at and say: "Now, isn't that wonderful? We have elected representatives who are putting the process and the outcomes ahead of themselves." That would bode very, very well for restoring some of what I referred to earlier, which the hon. chair and the person sitting in it I know are trying to accomplish as well.

So with those brief comments I will take my seat and allow other members to wax eloquent.

THE SPEAKER: The hon. Leader of the Official Opposition.

MR. MITCHELL: Mr. Speaker, thank you. I support the bill. I am not compelled even remotely by the arguments that were made earlier from that side of the House.

I do want to emphasize the point made by our House leader earlier that, in fact, the Liberals have been directly involved in this issue and in pursuing the issue of standard fall sessions in the agreement in 1993 between today's Speaker and me on behalf of the entire Legislative Assembly. In fact, that agreement was endorsed unanimously by this Legislative Assembly. It came from an experience of a number of years in which there was evident weakness in the process because fall sessions weren't held. The Member for St. Albert alluded to the number of years in the late 1980s preceding our 1993 agreement in which no fall session was held. I think it is not coincidental that those were the years – I think she mentioned three, four, or five that did not have fall sessions – when this government ran up \$25 billion in debt. So, Mr. Speaker, that agreement, unanimous as it was, came from a context that clearly recognized the weakness in not having fall sessions.

Secondly, I would just ask the member who made her arguments, if she thinks arbitrarily that we don't need a fall session, how many days do we need then? Maybe we only need a week in the spring, or maybe we only need 11 days or four days. Clearly there has to be some established time.

Finally, it isn't a question of what the government does in or out of the House. It is a question that all organizations and their management need in turn to be managed. That's what happens in this Legislative Assembly. That's what question period performs. Management is held accountable. It's very . . .

THE SPEAKER: I hesitate to interrupt the hon. Leader of the Official Opposition, but under Standing Order 8(5)(a) I would invite the hon. Member for Edmonton-Glenora to close debate on Bill 211.

MR. SAPERS: Thanks, Mr. Speaker. I'll make my closing comments very, very brief. I found it interesting in the debate that the only members who spoke out against the notion of legislating two sessions of the Assembly each and every year were card-carrying supporters of the government, and only members who make up the Official Opposition supported this private member's free vote initiative. This makes me question the very basis of this government's commitment to openness and what may go on behind closed doors in their secret caucus meetings. Any member of this Assembly, I would suggest, that votes against Bill 211 is in fact voting for closed door decision-making, exclusive decision-making, and secrecy in government.

Mr. Speaker, the government clearly doesn't get it. They don't understand that the role of the Legislative Assembly is not about the government's agenda. The Legislative Assembly is a public forum in which the government can be held accountable, and that's why this Assembly must be called to order as often as possible, to give the citizens an opportunity to hold their government accountable as their government proceeds to run roughshod over the public interest.

Mr. Speaker, before I conclude, while I'm on the floor, I would like to move a motion. That motion would be that we waive Standing Orders in the event of a division being called to reduce the time between bells to one minute. I understand that such a motion to waive Standing Orders would require unanimous consent.

THE SPEAKER: Hon. members, in his wrap-up remarks the hon. Member for Edmonton-Glenora has moved a motion asking that the division time between bells be one minute. That would require waiving Standing Orders, and that would require unanimous consent. So I put the question to you. The members in favour of reducing the time between bells in the event of a division on this particular bill to one minute, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. The motion is carried.

MR. SAPERS: Thanks, Mr. Speaker, and thanks to members for that. We're trying to be efficient, this being a private member's day, one of the few that we get because of the restricted number of sittings of this Legislative Assembly.

Mr. Speaker, I will let these remarks stand on the record. I would ask for all members to consider the importance of this private member's initiative, and I would ask that this bill receive their support and consent.

Thank you.

THE SPEAKER: All those members in favour of second reading of Bill 211, the Legislative Assembly Amendment Act, 1998, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is defeated.

[Several members rose calling for a division. The division bell was rung at 5:09 p.m.]

[One minute having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Barrett	Gibbons	Sapers
Blakeman	Mitchell	Soetaert
Bonner	Paul	Zwozdesky
Dickson		

Against the motion:

Broda	Klapstein	Paszkowski
Burgener	Kryczka	Renner
Calahasen	Laing	Shariff
Cardinal	Langevin	Stelmach
Clegg	Lougheed	Stevens
Coutts	Lund	Strang
Doerksen	Marz	Tannas
Ducharme	McClellan	Tarchuk
Fritz	McFarland	Thurber
Graham	Melchin	Trynchy
Haley	O'Neill	West
Jonson		

Totals:	For - 10	Against - 34
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[Motion lost]

Bill 212 Amusements Amendment Act, 1998

MRS. FRITZ: Mr. Speaker, I'm pleased today to move second reading of the Amusements Amendment Act, Bill 212.

This is a bill whose premise I hope we can all agree upon. It's based upon the fact that the proliferation of pornography in our society is harmful to minors and that we should when possible restrict minors from accessing it. I've brought a form of Bill 212 forward in the past, and my colleague from Edmonton-Mill Creek has presented this idea in the Legislature as well.

The bill we are debating today is very different from any previous bills and represents more comprehensive and practical means of addressing the issue of minors accessing pornographic videotapes. I also want to tell you, Mr. Speaker, that this bill was drafted with the very serious input of the Minister of Community Development, whose department will be responsible for its implementation. I sincerely thank the minister for her concern and the attention she has given this issue. I believe her input has resulted in a very workable and effective amendment to the Amusements Act. For that I say thank you.

Mr. Speaker, I know the issues related to pornography and its proliferation in our society raise a serious debate. I know there are two extreme points of view on how pornography should be dealt with. Some will demand complete censorship; others will argue that there should be no restrictions at all placed on this type of material. These debates enter into the realm of political philosophy and the fundamental issue of morality. Bill 212 does not take a moral stand on pornography. It is not the government's role to legislate morality. This is something which needs to be dealt with on a larger scale in society as a whole in terms of community standards.

Pornography in many forms is prevalent in our society, Mr. Speaker, and I think we are all aware of this. We know there are numerous access points. Magazines and videotapes can be found in most corner stores. Some very specialized movie theatres and video or magazine stores find this market so viable that they sell or rent only pornographic material. It is an extensive international industry, and the industry has become so large because there is a market for this type of material.

Adults are accessing pornography, and it is their right to do so; however, minors are accessing it as well. Boys between the ages of 12 and 17 are the largest consumers of pornography. It's difficult to believe, but if we think of the nature of pornography, it is not something that is generally talked about or even addressed publicly. It is a secretive, very personal type of material which deals with relations which are private. I think it is also generally considered to be on the periphery of society, a deviant pursuit, cloaking it in even more secrecy. So although minors are not bragging about what they view, they are accessing pornography, and they are watching pornography. For many, their first experience regarding sexual relations are the vulgar, demeaning, and often violent ones they see through hard-core pornography. This is at a time when minors are developing their sexual identities and personal values. Mr. Speaker, it's a difficult time for teenagers. We cannot underestimate the influence that exposure to various media has on their emotional development. Exposure to sexually explicit material may influence minors to associate sex with the violence and demeaning behaviour that is so graphically portrayed through hard-core pornography.

Bill 212 is supported strongly by municipalities throughout this province. Many have passed resolutions urging this Legislature to develop legislation restricting minors from accessing pornographic videotapes. They have been looking for legislation at the provincial level to support their efforts in reducing the prevalence of pornography. The bill is also supported by the Citizens of Alberta for Positive Community Standards, who have expressed their concerns for the harmful effects of the exposure to pornography as well.

Mr. Speaker, I've outlined quickly for you the premise and parameters of Bill 212. It is still incumbent upon the parents to be aware of what their children are involved in, to teach them confidence and strong values so they will be less influenced by external factors. Bill 212 will assist, to the extent government is able, in reducing exposure of minors to the harmful effects of pornography. I would ask that each of you support this amendment to the Amusements Act.

Thank you, Mr. Speaker.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I rise this afternoon to speak in second reading to Bill 212, the Amusements Amend-

ment Act, 1998. This is a very straightforward bill. Essentially it's covering not selling or distributing adult videos to minors, segregating the videos in a shop that is distributing them so that minors don't have easy access to them, and ensuring that there are classification labels on videos. The bill is so similar to one put forward by my colleague from Edmonton-Mill Creek in the 23rd Legislature. That was Bill 222. So I'm glad that my colleague's good idea was taken up by the hon. member opposite.

There are a few quick points I'd like to make that I'd ask the member to consider. The definition of a minor is specifically spelled out in this act. It had been put to me that there was a reference to defining a minor in the Amusements Act. Now, I've read through it, and I don't find the specific documentation there. I might suggest that instead it refer to the Age of Majority Act, I think it's called. That way, if at any time the Legislature did change the age of majority, rather than changing a number of small pieces of legislation like this, change the one act and everything else refers back to that.

5:20

It also refers to fines as seen elsewhere in the Amusements Act, which at this point are set at \$200. I think in this day and age you wouldn't find too many businesspeople that would find a fine of \$200 much of a deterrent. I notice that my colleague was proposing a thousand dollars and in some cases higher as a fine, which strikes me as more of a deterrent. So perhaps the hon. member could take that under consideration as well.

One of the things that I noticed particularly in this is speaking about adult videos and our classification of them. It's always struck me as a tremendous irony in this society of ours that we would legislate or try to stop young people and others from seeing anything to do with sex or sexuality or the human body in a semi-clothed or unclothed form, but we have no problem and we don't do similar kinds of classifications and warnings on anything to do with violence. So while you may not see a naked body on the video, you can see a fully clothed body eviscerated, hung, drawn, and quartered, if you like. That's always struck me as wrong. If we're going to be dealing with the influence on young people, then please, could we also take that into consideration? I think we're giving some of our young people a very strange idea of what is valued and not valued in our society and what's accepted.

There's also no provision in this amendment act for any kind of education for children. Given the amount of mass media that's available to everyone in this day and age through the Internet, through videos, through television with hundreds of cable channels, what are we doing to help our children develop critical analysis or critical thinking around all of these images that they're being bombarded with? I would like to see something very proactive done there by the government.

I think those are the main points that I wanted to make. So if perhaps you could point out to me where in the Amusements Act the definition of minor is and consider raising the fines to be more of a deterrent. Also, perhaps, if we could consider either in this context or in a larger one the idea of violence being more acceptable than naked bodies and education for our children on developing critical thinking and critical analysis around what's happening here. Those are the few points I wanted to raise.

I believe that we will be supporting this bill. I think overall it has a good intent in that it's not censorship, but it is making sure that videos, like these adult videos as mentioned, are not easily accessible by youth and children. That strikes me as being perfectly reasonable. With those few comments, I will conclude.

Thank you very much.

THE SPEAKER: The hon. Member for Calgary-Cross to close debate.

MRS. FRITZ: Thank you, Mr. Speaker. Debate's closed.

[Motion carried; Bill 212 read a second time]

THE SPEAKER: The hon. minister of science, research, and information technology.

DR. TAYLOR: Mr. Speaker, I'd like to adjourn the House until 8 p.m., when we will convene in Committee of the Whole.

[The Assembly adjourned at 5:25 p.m.]