

## Legislative Assembly of Alberta

**Title:** Tuesday, April 21, 1998 **1:30 p.m.**  
**Date:** 98/04/21  
 [The Speaker in the chair]

### head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

Oh God, grant that we the members of our provinces's Legislature may fulfill our office with honesty and integrity.

May our first concern be for the good of all our people.

Guide our deliberations this day.

Amen.

Please be seated.

### head: Presenting Petitions

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

MR. MARZ: Thank you, Mr. Speaker. I'd like to present on behalf of 1,702 of my constituents a signed petition asking the government "to invoke the notwithstanding clause so that sexual orientation is not included in the . . . Bill of Rights."

THE SPEAKER: There are quite a number of hon. members today. The hon. Member for Clover Bar-Fort Saskatchewan.

MR. LOUGHEED: Thank you, Mr. Speaker. I'd like to introduce a petition signed by over 260 Albertans from the Capital region. This petition is regarding the 1997 Bill 29, Medical Professions Amendment Act.

MR. DICKSON: I have two different petitions to present, Mr. Speaker. The first one is a petition signed by 114 Albertans urging the government to prohibit discrimination on the basis of sexual orientation and committing not to use the notwithstanding clause.

The other petition is one signed by 54 Albertans concerned about changes to the Medical Professions Amendment Act.

Thank you very much.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I'd like to introduce a petition signed by 342 people from a variety of constituencies in the province regarding the 1997 Bill 29, Medical Professions Amendment Act.

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

MRS. O'NEILL: Thank you, Mr. Speaker. I wish to present a petition signed by 26 Albertans urging the Minister of Health to include important drug therapies in the Alberta Health drug benefit list for Albertans with MS.

### 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 prior to our break be now read and received.

### 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.

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

MR. DICKSON: Thank you, Mr. Speaker. I'd ask that the petition I had introduced just before the Easter break now be read and received, please.

### THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to move immediately to elect the Boards of Alberta's Regional Health Authorities. We further urge that the elections take place in all Regional Health Authorities during the 1998 municipal elections.

### head: Notices of Motions

MRS. BLACK: Mr. Speaker, pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I will move that written questions appearing on the Order Paper stand and retain their places with the exception of written questions 92 and 93.

I'm also giving notice that tomorrow I'll move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 84, 85, 86, 87, 88, 89, 90, 91, 94, and 95.

### head: Tabling Returns and Reports

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

MS CARLSON: Thank you, Mr. Speaker. I'm happy to table five copies of a petition signed by 1,210 people from the Peace River, Fairview, Grimshaw area concerned about the privatization of our parks.

THE SPEAKER: The hon. Minister of Advanced Education and Career Development.

MR. DUNFORD: Thank you, Mr. Speaker. Today I'd like to table five copies which are answers to the questions that were raised by hon. members during second reading of Bill 35.

MR. MacDONALD: Mr. Speaker, I rise this afternoon to table five copies of a document encouraging a royal commission on the privatization of Canada's medicare system.

Thank you.

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to table five copies of my questions of the government asking for a breakdown of the submissions made to the Private Schools Funding Task Force in terms of those who favoured and those who opposed such funding.

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

MS BARRETT: Thank you, Mr. Speaker. I rise to file five copies of five letters of the more than 500 that my office has

received opposing Bill 37. This is about 25 percent of the letters.

Mr. Speaker, while I'm on my feet – I don't know why these came to me today: about 500 cards opposing Bill 37 for the Premier and about the same amount for the Health minister.

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 dated April 21, 1998, from a coalition of concerned citizens for medicare addressed to all MLAs. I've made sufficient copies for every member of the House this afternoon.

MRS. McCLELLAN: Mr. Speaker, today I'm pleased to file with the Assembly copies of letters I sent congratulating Cathy Borst on her team's bronze medal win at the World Curling Championships last week and a letter to Frank King, who was awarded the Canadian Olympic Order for his work as chair of the 1988 Olympic Winter Games in Calgary.

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

THE SPEAKER: Hon. members, we have a long list of guests to be introduced today. The hon. Member for Edmonton-Ellerslie, then the hon. Member for St. Albert.

MS CARLSON: Thank you, Mr. Speaker. It's a pleasure today to introduce to you and through you to Members of the Legislative Assembly 28 students from Ellerslie elementary and junior high school. They are accompanied today by a program aide, Mrs. Toni Smith, and their teacher, my very good friend, Mrs. Phyllis Olson. I would ask that they please rise and receive the traditional warm welcome of the Legislature.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It gives me pleasure to introduce to you and through you to Members of the Legislative Assembly 32 students and four adults from Vital-Grandin elementary school in St. Albert. They are here today with their teachers, Mrs. Jeanne Boutin, Mr. Jim Montpetit, and Mrs. Marie Stolson, and parent Mrs. Doreen Spence. They're in the members' gallery. I would ask them to stand and receive the warm welcome of the Assembly.

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

DR. PANNU: Thank you, Mr. Speaker. I am pleased to introduce to you and to all members of this House 24 visitors from my constituency, 22 of whom are grade 5 and grade 6 students accompanied by their teacher, Mr. Jean-Daniel Tremblay, and a parent, Claire Cadrin. They all come from l'école Maurice-Lavalee school, which is a very important school in my constituency. I would ask all these guests to stand and receive the warm welcome of this Assembly.

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

MR. AMERY: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you to members of the Assembly 29 grade 6 students from St. Mark school located in my constituency of Calgary-East. The students are accompanied by their teacher, Mr. Bruce Campbell, and three parents: Ms Lillian Tumax, Ms

Ellie Bruer, and Ms Holly Trotta. They're all sitting in the members' gallery. I would like to ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to members of the Assembly Mrs. Gwen Hooks. She is a retired teacher, poet, and author of note. She is accompanied by Mr. Bob MacDonald, the former superintendent of schools for the county of Leduc, a city of Leduc alderman, and an able assistant in our constituency office. Please extend to them the warm welcome of the Assembly.

1:40

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

MS BARRETT: Thank you, Mr. Speaker. It's my pleasure to introduce several dozen staunch supporters of the public health system. They're seated in the public gallery. Most of them are wearing little green badges like mine that read "Save Medicare: Stop Bill 37." They'll be back tonight for committee reading of Bill 37. I'd ask them to rise and receive the warm welcome of the Legislature.

THE SPEAKER: The hon. Member for Highwood.

MR. TANNAS: Thank you, Mr. Speaker. I am delighted to introduce to you and through you to members of the Assembly a constituent presently taking law. His name is Wade Clark. He's sitting in the members' gallery, and I'd ask him to rise and receive the warm welcome of the Assembly.

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

MR. SAPERS: Mr. Speaker, the government closed down public hospital beds, claiming there were too many of them. Now under pressure from their corporate friends this government wants to approve private, for-profit hospital beds. My questions are for the Premier. Why does Alberta need private hospitals paid for with public dollars when this government just finished closing down public hospitals throughout this province?

MR. KLEIN: Well, Mr. Speaker, as I understand it, we are not promoting in any way, shape, or form private hospitals or private health care.

Mr. Speaker, there will be plenty of time to debate. The hon. leader of the ND opposition pointed out that this bill will be going to committee tonight, and there will be ample time at that point to debate this bill.

You know, I find it strange that the Liberals would complain about this bill. Their cousin in Ottawa, Mr. Rock, the chief health honcho for the country, said only five days ago: "Alberta's Bill 37 . . . is similar to Ontario legislation that's been used to prevent such development." I'm quoting from the *Lethbridge Herald*. I imagine it's as good as any of the other publications that we quote from. He was in Lethbridge obviously. He said:

It's a tool governments can use to preserve the public health system and that's what [Alberta] health minister Halvar [Jonson] says he's determined to do.

So the federal Minister of Health is totally onside. As a matter of fact, it says here: "Rock will roll with Alberta's Bill 37."

### Speaker's Ruling Anticipation

THE SPEAKER: Hon. members, if these questions are going to lead us to Bill 37, the point has to be made today that in essence it is clearly on for committee review tonight. I'm sure the galleries will be full in anticipation of this enormous debate. So that we don't follow through with what we did yesterday, the anticipatory rule will apply today to all hon. members.

### Private Health Services (continued)

MR. SAPERS: Dealing with government policy. Thanks, Mr. Speaker.

The feds just don't know this government the way we do, but we'll be bringing them up to speed, Mr. Speaker.

Now, which is it, Mr. Premier? Were hospitals closed because Alberta had too many beds, or was it just part of your government's plan all along to create a market for private health care facilities? Is that what you're up to, Mr. Premier?

MR. KLEIN: Well, Mr. Speaker, unlike the Alberta Liberals it appears that the federal Liberals are at least trying to be reasonable.

MR. LUND: They read the Bill.

MR. KLEIN: Mr. Rock obviously has read the bill, and he says:

"I think it's better to wait until facts emerge before I get on a soapbox and tell other people what to do."

Ottawa will monitor what's going on and "try to be constructive."

Maybe the Alberta Liberals could try for a change to be constructive.

MR. SAPERS: Pull the bill. That's constructive.

Will the Premier at least reveal which corporate interests his government has consulted with over health care privatizations so Albertans can at least know who's going to profit from your policy?

MR. KLEIN: Well, Mr. Speaker, am I missing something? We have about 4,500 physicians, you know, in the province. I'm sure that my hon. colleague the Minister of Family and Social Services, who's a physician, profits from his profession. Doctors are not in the business to get poor. They are in the business to treat people of course, but they're also in the business to make a living. They run their clinics based on profit.

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

MR. DICKSON: Thank you, Mr. Speaker. One week ago the Premier described his policy of licensing private hospitals as innocuous. Last night, however, 150 concerned Albertans met to discuss problems with that policy, a policy which would give the Minister of Health alone the power to license private, for-profit hospitals. Since the Premier wasn't at that meeting, I want to relay to him one of the most frequently asked questions. To the Premier: exactly who will benefit from his private hospital policy other than the small number of shareholders in Health Resource Group and private insurance companies? Give us that list.

MR. KLEIN: Mr. Speaker, there is no private health policy. They've gone from this two-tiered, Americanized, terrible, awful health care system to now a government policy. As a matter of fact, the policy that is being developed through this legislation allows the Minister of Health to make sure absolutely that whatever happens relative to the delivery of health care services has to have ministerial approval. It's a bill to protect the fundamental principles of the Canada Health Act. That's what it's all about.

MR. JONSON: Mr. Speaker, I'd just like to supplement the answer given by the Premier. As we have repeatedly stated in this Assembly, the government supports the principles of the Canada Health Act and the maintenance and improvement of a strong public health care system in this province. I find it very curious that some of the letters, particularly the comments from the opposition, seem to be very general but very short on specifics as to what might be the basis for improvement of Bill 37.

I would just request a bit of latitude on your part to make one illustration. One example of what is in this bill is that with respect to monitoring and controlling private clinics and their ability to charge additional fees or facility fees, we adopted a private clinic policy in 1996. Of course, a policy does not have the effect or strength of legislation. Just as one example of several in this bill, the bill would put the private clinic policy into legislation in the Alberta Health Care Insurance Act, something which strengthens our ability to deal with that type of situation. I could go on at some length, but I agree with you, Mr. Speaker, it is something to be dealt with in committee.

### Speaker's Ruling Anticipation

THE SPEAKER: Hon. members, I must be talking to myself. Just a few minutes ago I got up, and I basically said that there is an anticipatory rule. Everybody shook their heads and said yes, nobody's going to raise questions on it. So here we go with a question on it, and here we go with a response dealing with Bill 37. So I'm going to try one more time, hon. member, and we'll see if it works. If it doesn't work, we're going on to the hon. Member for Edmonton-Calder.

### 1:50 Private Health Services (continued)

MR. DICKSON: Mr. Speaker, still addressing a question of government policy, I'll ask the hon. Premier: just how many phone calls does the Premier have to receive before he will acknowledge that there are serious problems with this new health policy? Is it the threshold he established with Bill 26 of 250 calls? Is it 300 phone calls? Tell Albertans so they'll know what the threshold is, Mr. Premier.

MR. KLEIN: Well, you know, we deal with a number of issues. You name it, and we deal with it. I get phone calls on all kinds of issues. You want to talk about phone calls. A week and a half ago we received about 3,700 phone calls a day – a day, Mr. Speaker – and a lot of those phone calls were very, very nasty phone calls. We did the right thing. If I had listened to the majority of those phone calls, we probably would have used the notwithstanding clause because that's what the majority of the people were telling us to do. But we didn't. We did the right thing, and we have accepted the reading into the human rights legislation of the right of appeal on the basis of sexual orientation. So there's a very, very good example.

We don't run our government via phone calls and letters, especially those that are promoted and written and photostatted by the Liberals so people can sign them and send them out.

MR. DICKSON: Mr. Premier, through the Speaker, how many phone calls will it take before the government changes its policy? How many phone calls?

MR. KLEIN: Well, Mr. Speaker, we do what is right. The place to debate policy, which the hon. minister explained is about to be incorporated into legislation to allow for the protection of the public health system as we know it now – that is a matter of doing the right thing. That's not a matter of cards and letters and phone calls and rallies and so on. It's not a matter of a Liberal politically orchestrated campaign. It's a matter of doing the right thing, and that's what we're going to do.

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

### Electric Utilities Deregulation

MR. WHITE: Thank you, Mr. Speaker. Government policy to limit return of benefits to customers under electricity deregulation represents the biggest single giveaway of asset value in this province's history. It's bigger by double than NovAtel, Gainers, MagCan, and the Lloydminster upgrader all combined. The \$8.7 billion beneficiaries of this policy change are clearly the power producing corporations, as is evident by the doubling of their share value in the last three years. My questions are to the Minister of Energy. How can you tell the ratepayers that they are not losing out when the shareholders are clearly reaping the benefits of this deregulation plan?

DR. WEST: Mr. Speaker, I'll look Albertans in the eye and tell them that Bill 27 goes the fullest length to return full benefits, reasonable and prudent and fair benefits, to the people of Alberta and at the same time getting on with deregulation to allow customer choice and competitive electrical generation in the province of Alberta.

MR. WHITE: Thank you, sir. Then can you tell the House this: how can you proceed with this policy change when the only studies you've produced thus far and tabled in this House will guarantee that the utility companies are the only beneficiaries?

DR. WEST: Mr. Speaker, those studies, some of which I've tabled in this House, do not do what was just alleged by this member in this House.

MR. WHITE: Thank you, sir. Will you now admit, then, that the reason you are invoking closure after just six hours of debate on this particular policy item is because the ideological dogma that you run is that unfettered market value is the only solution?

THE SPEAKER: Hon. member, I'm sorry. I have the Order Paper in front of me. Bill 27 is up for debate tonight. There has been no notice given in this Assembly about anything, so let's move on to the leader of the ND opposition.

### Private Health Services

(continued)

MS BARRETT: Mr. Speaker, I listened quite carefully to the Premier in response to other questions put to him on his health

care policy, and he kept saying: well, this policy will mean that we can say no, that we can look after public medicare. Therefore, my question to the Premier is: why doesn't he enunciate today a policy on behalf of the government that will say a specific no to HRG and no to private, for-profit hospitals being able to dip into the taxpayer system?

MR. KLEIN: Mr. Speaker, I think that what is fundamental here is not a matter of saying no to anything. It's a matter of saying yes. It's a matter of saying yes in particular to abide by and to protect the fundamental principles of the Canada Health Act. To that we say yes, and I'm sure that the hon. leader of the ND opposition would say yes to that as well.

MS BARRETT: No, I don't think it goes far enough, Mr. Premier.

Mr. Speaker, given that a recent study by the *New England Journal of Medicine* found that fully 34 percent of the costs of operating U.S. private, for-profit hospitals is eaten up by administration, how can the Premier justify supporting a policy that will invite private, for-profit hospitals to pad their profits by using tax dollars?

MR. KLEIN: Mr. Speaker, I think that the hon. member is reading a lot more into this bill than is actually there. Again I point out that this bill is to protect and preserve those very fine and very fundamental principles of the Canada Health Act.

I'll have the hon. minister supplement.

MR. JONSON: Mr. Speaker, I would like to get into the specifics of the bill again, but I will certainly not do so until it is up for debate in the House. Again, I think it is very important to recognize what the hon. leader said in her question, and that is that she talks about HRG. HRG is offering uninsured services, not part of the overall scope of what we support within the public health care system.

MS BARRETT: Well, Mr. Speaker, given that under NAFTA, once Alberta allows any for-profit hospital to dip into the taxpayer funded system, we will be forced to open the door to U.S. corporations like Columbia/HCA, how can the Premier justify jeopardizing the future of our entire health care system by allowing investors to own and operate acute care hospitals?

MR. KLEIN: Well, Mr. Speaker, I really don't know how NAFTA would figure in this whole situation. If you want to use that argument, I guess, then you could say that there has to be some prohibition, I would think, on the part of the thousands and thousands of Canadians who visit the United States and pay out of their own money to attend places like Mayo Clinic and Scripps and other institutions.

Then you would also have to examine the policy which has existed in this province for years and years whereby hospitals, especially border hospitals in places like Cardston and Milk River, Banff – the Banff hospital is good – where they actually go out and promote from outside the province, from outside the country, people to come to their hospitals and charge 125 percent . . .

MR. SAPERS: That's private money for public care. That's the other way around.

MR. KLEIN: Oh, they're different people? They aren't people

because they're from America? That's what he's saying.

They charge 125 percent of premium, and most of those hospitals operate in the black. All the minister is trying to do through this bill once again is to protect the fundamental principles, as we know them now as Albertans, of the Canada Health Act. That's all he's trying to do.

THE SPEAKER: The hon. Member for Calgary-Currie, followed by the hon. member for Spruce Grove-Sturgeon-St. Albert.

### Applied Degree Programs

MRS. BURGNER: Thank you, Mr. Speaker. I'd like to clarify that this is an education question. In 1995 this government caught up with the future in implementing an applied degree program in this province. The concept of applied degrees, which combine learning and work experience, is being tested in eight demonstration projects around our province. The minister has appointed an advisory committee to make recommendations to him on those projects as well as the future of applied degree credentials and appropriate accreditation mechanisms for applied degrees. Can the minister now advise this House when the committee will report?

2:00

MR. DUNFORD: Well, thank you, Mr. Speaker. The advisory committee that is looking into the applied degrees is expected to recommend a model and have an answer to me by this summer, the summer of '98, so that we can put a decision-making structure into place, and then we can start looking at perhaps the approval of further applied degree programs by the fall of 1998. Decisions on further applied degree programs will likely be possible, then, by December of '98 for implementation in 1999.

MRS. BURGNER: Mr. Speaker, as currently at Mount Royal College their interior design program is having to put in limbo 50 students because the accreditation process is being compromised, is the minister prepared to respond to those students wanting to enroll in applied degree programs sooner than his time line of 1999?

MR. DUNFORD: Well, the mention of the time lines being compromised is interesting. The hon. member, as well as members of the House, will undoubtedly recall that when we first went to applied degree programs and approved them, in setting up the advisory committee, we talked about the year 2001 as the date for a final review and then a commitment on the part of this ministry on whether or not we would continue on with them at that particular time. So we feel that again as a ministry we've been trying to be responsive by moving up the date. We're applying some pressure, I would indicate to you, on the approval committee.

The applied degree programs that are ongoing seem at this particular time certainly to be successful. We're trying to, then, accommodate all of the requests that we have in front of us as quickly as we can. I think that similar to what this government has done in the past, we want to end up making the right decision, and I'm not going to be forced into making a decision just because of someone else's agenda. We have a situation here that's very, very important for the future of the postsecondary system here in Alberta, and we want to make sure we're doing the right thing.

MRS. BURGNER: Mr. Speaker, my final question to the

minister: is he saying that where you have international accreditation up and running and a college prepared to continue a program that will provide educational opportunities for its students, we're going to sit on it while other colleges who don't have that position are going to determine the agenda for this government?

MR. DUNFORD: Well, of course the answer is no, Mr. Speaker. What we have is a situation where in the particular example that's been given in this question, you have a number of professionals in the field which are represented by the organization mentioned applying very strong pressure toward this particular degree. Mount Royal College, wanting to have the approval for this degree, is applying quite a lot of pressure on us as well. What we're trying to do at the present time, though, is to get a better indication from employers in the situation as to how they want to deal with the accreditation that would come from this type of degree.

We as a department are very interested in the applied degree program, because we see it as perhaps a fast-tracking situation over perhaps a university degree. However, it should be made clear and I want to make it clear to all members of this House that we have a tremendous community college system here in the province, and there is a large area and large room and a large demand for diploma type programs, and we're going to continue to work that way. The community college system that's been set up is located very, very well geographically for adult learners within this particular province, and we will not do anything that will tend to destroy the community college operation in this province.

As you know, Mr. Speaker, the community college can adapt to market conditions very, very rapidly, and that's the kind of situation we want to ensure that we have. Also, I can tell you this: as a member of this government, I'm not interested in credential creep on the part of any part of our postsecondary system.

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

### School Bus Safety

MRS. SOETAERT: Yes. Thank you, Mr. Speaker. The minister of transportation promised that he would take school bus safety seriously and that our children's safety on those buses would greatly improve. Since the beginning of the school year the Calgary Police Service has found that only 50 percent of school buses passed inspection, while the Edmonton Police Service has found that only 40 percent of buses passed basic safety inspections. The minister has not only failed to keep his promise, but more importantly he has failed the children riding on those buses. My questions are to the minister of transportation. Why is the minister willing to risk the lives of 60 percent of our children who are riding school buses?

MR. PASZKOWSKI: Thank you, Mr. Speaker. Certainly we are not risking the lives of the children that are riding in our school buses, to the point where last year our record of performance was that we had some 52 school bus accidents. Of those, one was the result of mechanical failure, out of 94,000 total accidents this past year. We monitor. We have a complete inspection process. We inspect all the buses twice a year with mandatory inspection. We have roadside inspections as well on an ongoing basis. Indeed, the buses in Alberta are safe.

MRS. SOETAERT: Thank you, Mr. Speaker. Sixty percent are not.

Parents deserve to know when they can expect some changes from your department. What are you going to do about it to make them all safe?

MR. PASZKOWSKI: We have a continued responsibility, of course, to see that the buses are safe. We have put in place a very, very definitive process that inspects the buses. They have to automatically be inspected twice a year. They're subject to roadside inspections, and they're subject to casual inspections as well. The question basically is the degree of safety of that bus. What can be considered as an unsafe bus is a torn seat cover, an exhaust pipe that can be an inch too long, weather stripping that is protruding. Those types of things can actually identify a bus as being unsafe, so it's the degree of the safety that's critical as well.

MRS. SOETAERT: Thank you, Mr. Speaker. Given that this government finds plenty of money to maintain the luxury fleet that the ministers have, I'd like to ask the Minister of Education: why can't you find enough money in your budget under student transportation to make sure that our children get to school safely?

MR. MAR: Mr. Speaker, I wish to point out that school boards have the overall responsibility for the transportation of students. We have recognized, in accordance with comments made by school boards throughout the province, that there are increased maintenance costs for bus fleets, so we have increased transportation funding by \$13 million.

Mr. Speaker, you know, the contracts that are signed between school boards and transportation companies generally include a clause that obliges that the transportation companies will ensure that buses are safe and roadworthy and that they will transport children safely from home to school. If those obligations, those contractual obligations which are entered into between school boards and bus operators, are not being complied with, then it is incumbent upon the school boards to ensure that the contractual obligations are being lived up to by the transportation operators. I think transportation operators throughout the province take seriously this contractual obligation that they have, that they make with school boards. When bidding, the onus is on the contractor. [interjections]

### **Speaker's Ruling Decorum**

THE SPEAKER: I really want to listen to what the hon. minister is saying. A question was asked. You know, it's amazing, hon. Member for Spruce Grove-Sturgeon-St. Albert. You ask a question, and then you heckle the person who is answering the question. I don't get it. There's something I just don't understand in that. I really don't. I'm going to spend a lot of time this summer really thinking about that though.

So, hon. Minister of Education, would you kindly conclude your answer.

MR. MAR: Thank you, Mr. Speaker. I'm not going to spend that much time thinking about it.

2:10

### **School Bus Safety (continued)**

MR. MAR: When bidding, the onus is on the contractor to ensure that there is sufficient money in the bid that they're making to

cover the expenses of keeping their buses roadworthy and ensuring that there is safe carriage for children.

MR. PASZKOWSKI: Mr. Speaker, I'd just like to supplement as well and identify that the majority of the school bus accidents are a result of other drivers running into school buses. Therefore, it's really critical and important that the people driving the roads of Alberta recognize school buses. They are not allowed to pass school buses. [interjections] Though they may think it's funny, it's very serious. This is a serious item. The drivers of Alberta have to recognize that indeed it is critical that when a bus is discharging children or when a bus is loading children, it is illegal to pass that school bus.

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

### **Prisoners' Voting Rights**

MR. FISCHER: Thank you, Mr. Speaker. My questions are to the Minister of Justice. Voting in this country is a privilege. It's earned by being a good, upstanding, law-abiding citizen. The policy of this government has been to deny all lawbreakers the right to vote. This policy is supported solidly by the constituency of Wainwright. Recently the courts ruled that a blanket ban on prisoner voting is unconstitutional. I have heard from many of my constituents, and they are extremely upset. They look upon this issue as another step in the breakdown of the moral fibre of our society. My question to the minister: is this just another case of the courts making the law instead of interpreting it?

MR. HAVELOCK: Well, Mr. Speaker, I have to be cautious in responding to this question because again there is the matter of sub judice. However, to put this in perspective and prior to responding, I'd like to take a few moments to advise the House on a few quotes that have appeared in the media over the last year or so. The first one appeared in the *Journal* and *Herald* on February 15, 1997. The quote is, "My personal feeling is that they should have the vote . . . It's not an issue politicians can have much impact on." That was at the time the Leader of the Opposition who made that quote. Another quote which appeared March 7, *Edmonton Sun*:

Alberta Liberal leader Grant Mitchell has spoken out valiantly in favour of giving prisoners the right to vote . . .

A vote for Mitchell is a vote for prisoners' rights. A ballot for Klein reinforces that crime does not pay.

Finally, one of my favourites. A Mr. Bobby Holt, Bowden Institution, appeared in the *Edmonton Sun* May 24, 1997. He said, "We're voting Liberal because they're easier on us."

Having said that, I can assure the member that the ruling he refers to is being carefully reviewed. I can also tell the House that our initial assessment shows that with only minor changes to the existing legislation, the prohibition against prisoners' voting can be maintained. In other words, the decision affirms the right of the Legislature to prohibit sentenced prisoners other than those serving very short sentences or those who are in jail for failing to pay a fine. But it affirms the right that we can actually prohibit other prisoners from voting in provincial elections.

MR. FISCHER: To the minister: what sort of term of sentence, then, is considered a short-term sentence?

MR. HAVELOCK: Well, Mr. Speaker, the Court of Appeal was

very helpful in that regard. In fact they stated that a short sentence could be considered to be one of 10 days or less. The Alberta Election Act currently prohibits all convicted prisoners from voting, including those who have not yet been sentenced. The act also prohibits prisoners from voting who may be serving terms of less than 10 days. As I stated earlier, we are assessing the decision. However it does seem that the prohibition against prisoners' voting, other than those on remand or serving short sentences, can be maintained constitutionally.

MR. FISCHER: To the same minister: will you be appealing this court ruling?

MR. HAVELOCK: Well, Mr. Speaker, the court ruling was only handed down late last week, and we want to review it very carefully. We are considering our options at this time. I can advise the House that in the very near future we'll take some options forward for consideration by caucus.

#### VLT Plebiscites

MR. WICKMAN: Mr. Speaker, a substantial number of municipalities will be including a question on their ballots during the fall election. Municipalities have placed their trust in this government's commitment to remove those machines within seven days of a successful plebiscite. To the minister responsible for lotteries: will the minister give her commitment that her government will live up to this commitment and have those machines removed within that time frame?

MRS. BLACK: Mr. Speaker, first of all I'd like to welcome back the Member for Edmonton-Rutherford. I've missed his questions in this area.

I have answered this question several times in this session. There is a process in place that has been put forward that municipalities, once they have held a plebiscite, notify the Alberta Gaming and Liquor Commission. It is actually the commission that has a board decision to remove the machines once they've been notified by the municipal body as to the results of the plebiscite. So that process is in place, and it has been followed all the way through.

MR. WICKMAN: Mr. Speaker, that's not exactly what the Premier said sometime ago.

Nevertheless, to the same minister: have the VLTs now been removed in the municipality of Wood Buffalo, who incidentally made a formal, written request in June of 1997?

MRS. BLACK: Well, Mr. Speaker, again there was a process that was followed by the commission on that in conjunction with the municipality. I will refresh the hon. member. There was a court case and an appeal made by the people in the regional district of Wood Buffalo, and that ruling came down just a few weeks ago. It is in the commission's hands. It is not up to us to make that decision but in fact to the commission to make arrangements with the municipality. Those questions should actually be directed to the commission.

MR. WICKMAN: Mr. Speaker, it's called waffling.

In any case, to conclude, again to the same minister: will the minister do the logical thing and spare the municipalities the unnecessary expense and effort by holding a provincewide plebiscite?

MRS. BLACK: Well, Mr. Speaker, again this question has been asked several times. I'll take the hon. member back to the Lotteries Review Committee's report that came out about three years ago, where 18,500 Albertans expressed the opinion to the committee that the municipalities be allowed to make that determination on their own, municipality by municipality, not the provincial government. Some municipalities have decided to retain the VLTs within their communities; others have decided to remove them. So we have embraced that report and gone with the wishes of Albertans that they, in fact, decide at the local level.

I will remind the hon. member that this weekend there is a gaming summit taking place in Medicine Hat and that, again, people from across Alberta will be expressing their views as part of the three-year review that was also part of the Lotteries Review Committee's report. I'm sure we will hear from Albertans as to the future of gaming in the province of Alberta.

So we are following the wishes of Albertans by allowing each municipality to make that determination, but again I must stress that the municipality must communicate to the commission because they are the governing body for gaming in the province of Alberta.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Mill Creek.

2:20

#### Drinking Water Quality

MR. DUCHARME: Thank you, Mr. Speaker. Recently there have been a number of news stories about high levels of arsenic in private wells used for drinking water around Cold Lake. One well's arsenic concentrations were so high that the local health authority stopped its use. Some residents are blaming Imperial Oil's operations for the problem. Can the Minister of Environmental Protection please tell me and these residents that are affected by the high arsenic levels what his ministry is doing about the situation?

MR. LUND: Thank you, Mr. Speaker. Currently we are working with the health unit in the area, the health authority, and Imperial Oil to look at this whole situation, but I think it's important to recognize a bit of the history that has happened there. I believe it was in February of '95 that Imperial Oil reported that in fact they had some bitumen that had leaked to the surface. They were concerned about possibly a cracked casing or something of this nature. So we issued them an order, and one part of the order was that they had to set up a water monitoring system within the Cold Lake area. Through that monitoring system, the arsenic was discovered in some wells, and as the hon. member mentions, one of the wells was above the standard that is permitted under the Canada water quality for drinking purposes.

Now, the fact is that there are a number of elements that can exceed that which are naturally occurring; for example, iron or selenium or, for that matter, even sodium. The initial tests seemed to indicate that in fact it is naturally occurring, although there is still further work being done. The monitoring wells that were required at the time when we issued the order are still in place, and we'll be continuing to use those.

MR. DUCHARME: Thank you, Mr. Speaker. To the same minister: will Environmental Protection remain diligent in ensuring that Cold Lake residents and their environment are protected from this problem?

MR. LUND: Mr. Speaker, as part of the order the company had to report every two weeks or more often if there was information discovered, and that will continue. As well, as I said earlier, the monitoring wells that were established are still in place, and we are still monitoring those wells.

MR. DUCHARME: Thank you, Mr. Speaker. My second supplemental is to the Minister of Health. If the arsenic in the Cold Lake area is naturally occurring, this entire issue of arsenic in groundwater becomes the responsibility of the Minister of Health and not of Environmental Protection. What are the Ministry of Health's intentions concerning this issue if the arsenic in fact turns out to be naturally occurring?

MR. JONSON: Mr. Speaker, the Lakeland regional health authority has already undertaken a number of measures with respect to dealing with this situation. Alberta Health will be undertaking in conjunction with the regional health authorities and their public health authorities an overall assessment of the situation. We will be involving experts from the University of Alberta in doing this overall assessment. So certainly Alberta Health wants, first of all, to ascertain the overall situation very accurately and, certainly, should there be any threat to health from that base of information, to develop a plan to deal with it in conjunction with the overall community and other government departments.

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

#### **Special Waste Treatment Centre**

MR. ZWOZDESKY: Thank you. Mr. Speaker, Albertans are very concerned with the Provincial Treasurer's admission yesterday that taxpayers will not receive even one sweat-soaked loony from the government's \$441 million investment in the Swan Hills waste treatment plant for the year 1997. In fact, taxpayers are even further upset that the price tag of \$57 million in site cleanup costs is another figure they'll be stuck with when Bovar gives the plant back to the province on January 1 of 1999. It's a very strange deal, and taxpayers do want some explanations as to what's going on here. So my question is to the Provincial Treasurer. Will you explain why taxpayers are eligible to receive only 20 percent of the profits from the Swan Hills plant in 1998 when they were eligible to receive 40 percent of the profits in 1996?

MR. DAY: Mr. Speaker, everything the member opposite is saying – and usually his questions are well thought out and worth doing some research on – is based on the hypothesis that we're getting the plant back. So would he share with me and with the House the information he has that says that Bovar is giving the plant back to us? Could he could give us that information?

MR. ZWOZDESKY: Mr. Speaker, the question had to do with 20 percent in 1998 versus 40 percent in 1996. Perhaps the Treasurer didn't hear that part.

Let me ask the Treasurer this: will the Treasurer admit that the performance bond posted by Bovar cannot in fact be used to offset the \$57 million in site cleanup costs that taxpayers may have to fork out starting January 1, 1999?

MR. DAY: Mr. Speaker, I have to go with his initial premise.

He prefaced his question saying: when Bovar gives the operation back to us before December 31. Everything he's saying is premised on that. We have no indication from Bovar that, in fact, they'll be doing that. There are some things that could trigger that action. Being very clear, and I heard it very clearly – I was listening carefully – the Member for Edmonton-Mill Creek said: when they give it back. Does he have some information that it's coming back to us? I'm not aware of it.

MR. ZWOZDESKY: Well, zero percent of zero in the last year would certainly point in a direction that you should be wary of, Mr. Treasurer.

I want to ask the Treasurer if he at least would share with us what his plan is to minimize the impact of the \$57 million in potential site cleanup costs starting January 1, 1999? What's your plan?

MR. DAY: Mr. Speaker, yes, indeed, it's been thought of and put in the budget sometime ago in terms of contingent liabilities, and there's an \$18 million residue, if we can call it that, as far as the performance bond. But, again, everything this member is saying – and I like to take him at his word; I find him usually good to work with on that. He stood in the House and prefaced his question by saying, when they give it back, as if he's got some information that it's coming back. I said today and I said it yesterday: there are certain things which could trigger and which could happen which would mean the ownership of the facility would revert to the province. I think at this point it's misleading to stand up and base an entire line of questioning on something that he is saying is fact when, in fact, I have no evidence of that whatsoever.

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

#### **Used Oil Management**

MR. MARZ: Thank you, Mr. Speaker. This past week I've received numerous complaints from throughout my constituency about the lack of service being provided by the Alberta Used Oil Management Association. It appears that some sites only take used oil products back from their own customers while others simply cannot accommodate the volumes that the farmers are bringing in, so they simply refuse to take it. My first question is to the Minister of Environmental Protection. Who ultimately receives the deposit money that is collected at the point of sale for the oil filters and the oil containers?

MR. LUND: Mr. Speaker, this program is industry driven. The industry actually came to us proposing that this would be a good way to assist in cleaning the environment and making sure it is enhanced. So the levy, the environmental handling charge that is charged at the wholesale level, is remitted to the Alberta Used Oil Management Association. They, I'm told, keep the revenue separate from the oil, the filters, and the containers. In fact, then that money is used for the collection, transportation, and, where necessary, for the recycling of the various materials. So the levy is truly a handling charge that goes to the used oil association.

MR. MARZ: Thank you, Mr. Speaker. To the same minister: given that customers do not receive their deposit back when they return the used product and that there's a lack of capability at the recycling centres to receive the product, what incentive is there



for customers to dispose of this material in an environmentally responsible manner?

2:30

MR. LUND: Mr. Speaker, I think that Albertans generally and almost exclusively believe in protecting and enhancing the environment. Certainly the six pilot projects that we had operating within the province before this was officially put in place by some changes in regulation saw a steady increase year after year of products returned: oil, filters, and containers. So I think that over time, with some education and the ability to have sites that are more accessible to the users – for example, right now there are about 200 sites within the province. We've asked AUOMA to get that number up by at least 50 by midsummer so that in fact there will be sites that are easily accessible and within good, easy driving range of the customers.

Now, it's important to recognize that where you have a deposit/return system, that creates a lot of extra paperwork, and there's a lot of costs connected to it. So in fact to put that in place on these items would add costs. We have concern as well as it relates to particularly the oil, as we would be fearful that there would be some contamination in order to increase the volume.

MR. MARZ: Thanks, Mr. Speaker. To the same minister again: why were adequate collection sites not in place prior to collecting fees for this program and prior to putting this program in place?

MR. LUND: Well, Mr. Speaker, the fact is that the program hasn't been in place for very long, and there is quite a cost associated with setting up the depots so that they can receive the product. But as I indicated earlier, we're insisting that there be even more sites added to the program. So I would hope that people have a little patience, and we will have those sites near them.

THE SPEAKER: Hon. members, we'll proceed with Members' Statements in 30 seconds.

Hon. members, prior to proceeding with Members' Statements, might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

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

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

MR. LOUGHEED: Thank you, Mr. Speaker. On behalf of my colleague from Sherwood Park I'm pleased to introduce some people from Campbelltown elementary school, 32 students, and they're accompanied by some visitors as well. They are parents and helpers Mrs. Lois Lucas, Mrs. Virginia Olson, Mrs. Leanne Oslund, and teachers Mrs. Heather Weber and Mr. John Younie, a former colleague of mine from Elk Island public schools who was a member of this House from Edmonton-Glengarry from '86-89. Please welcome them. If they would rise, please.

THE SPEAKER: The hon. Member for Edmonton-McClung caused me to say something today that I vowed I would never say in this House, and that's to use the word "order." I feel really disappointed in myself for having done that, and I'll have to have a chat with him too.

head: **Members' Statements**

THE SPEAKER: The hon. Member for Leduc first, then the hon. Member for Edmonton-Centre, then the hon. Member for Calgary-Fish Creek.

**Gwen Hooks**

MR. KLAPSTEIN: Thank you, Mr. Speaker. It is with considerable pride that I present this member's statement recognizing Mrs. Gwen Hooks, a retired teacher from Leduc. Last fall Gwen was the recipient of a black achievement award for outstanding accomplishment in the fine arts and professional category. She received the award for her book titled *The Keystone Legacy: Recollections of a Black Settler*. The book is a chronicle of the courage and strength of 50 black families who in the early 1900s moved from Oklahoma to Keystone, which is now called Breton, about 70 kilometres west of Leduc. The book is full of anecdotes about the early black settlers as seen through the eyes of Gwen's husband, Mark, who is now deceased. Many of the stories revolve around the poverty experienced by the settlers and the absence of doctors and health care facilities.

Gwen's book has brought her considerable attention. A feature article about her and her book appeared in the *Globe and Mail* on October 10, 1997. She was invited to speak at the Glenbow Museum. As well, she has been a guest speaker at the Leduc public library, the south side Chapters bookstore, and her church in Leduc. Gwen has recently been nominated to receive an outstanding citizen award from the city of Leduc. Gwen is an accomplished prose writer and has written a great deal of poetry as well.

Gwen Hooks is a great Albertan.

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

**Protection against Family Violence Act**

MS BLAKEMAN: Thank you, Mr. Speaker. We deal with a wealth of issues in this Legislature, and it's important to set priorities to make sure critical issues for Albertans are dealt with in a timely manner. Domestic violence is a serious problem in Alberta. MLA Alice Hanson introduced Bill 214, the Victims of Domestic Violence Act, in this Assembly two years ago. Despite working co-operatively to amend the bill, the government used an obscure procedure to kill it.

This session the government introduced Bill 19, Protection against Family Violence Act. Despite working co-operatively to amend the bill, I'm now afraid that the government intends to let this necessary bill die on the Order Paper. Bill 19 got through the committee stage on March 31. There have been eight afternoons and eight evenings since that day during which we could have done third reading on the bill, but the government did not schedule the bill, and they could. I note that yesterday after Bill 39 passed second reading in the afternoon, it went to committee the very same evening. Clearly, when it is money rather than women's lives that are at risk, the government can be very speedy indeed.

I look at the Order Paper for today and no Bill 19. I see Bill 13, the Alberta Personal Property Bill of Rights, but no Bill 19. Bill 13 is purely a slogan bill, so fraught with exceptions, exemptions, and notwithstanding clauses as to be virtually meaningless. Only one Member of this Legislative Assembly has even bothered to speak in favour of the bill. Yet despite the numbers of MLAs, stakeholders, professional organizations,

community groups, and Alberta citizens who have spoken about the need for family violence legislation, it is Bill 13 and not Bill 19 that is scheduled to be dealt with this week. I had been led to believe that this was going to be a flagship bill of the government, but clearly the safety of women and children is not a priority for this government.

Thank you.

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

#### **Organ and Tissue Donor Awareness Week**

MRS. FORSYTH: Thanks, Mr. Speaker. It is with a great sense of accomplishment and pride that I wear this green ribbon today in recognition of Organ and Tissue Donor Awareness Week. This special week runs from April 19 to 25. It is particularly important to me because of Bill 206, my private member's bill, receiving Royal Assent and everyone in this Legislature recognizing the importance of organ donation. Alberta has again taken the lead.

I am standing here as an Albertan who has signed their organ donation card and ask every Albertan, every Canadian to talk with their loved ones about organ and tissue donation. I'm asking Albertans to sit down with their families and have an earnest discussion about donation. I'm quite certain that there are many of us in this Assembly who have never discussed this issue with anyone in their family.

Mr. Speaker, this is the week to change all that. This is the week to have a sit-down and talk with your family. Talking about organ donation is not an easy discussion, because in many cases it means that your loved one will have passed away, and this is certainly something none of us like to talk about. But without this talk, your life may end and your wishes may never be known. You may not be able to pass on the greatest gift of all: the gift of life.

In closing, Mr. Speaker, I would like to thank and congratulate each and every person who is part of the organ and tissue donation process whether they are part of the surgical team, part of an organ or tissue foundation, or the family who has talked about organ donation. These people save lives. They do make a difference.

Thank you.

#### **Speaker's Ruling Bills Containing Similar Provisions**

THE SPEAKER: Before the Clerk calls Bill 213, I have a statement, a ruling in effect, with respect to the duplication of bills.

Hon. members, on your Order Paper we have two bills: Bill 35, which has now received second reading, and then private members' Bill 214. As this is the time in the business of the House to address private members' bills, the chair would like to make a statement concerning Bill 214, Post-Secondary Education Statutes Amendment Act, 1998, which is sponsored by the hon. Member for Edmonton-Mill Woods. In essence, this bill attempts to place a limit on the amount that can be charged for tuition fees under three acts, which is the object of Bill 35, Colleges, Technical Institutes and Universities Statutes Amendment Act, 1998. Bill 35 received second reading on April 9, 1998, and Bill 214 has not yet come up for debate at second reading.

2:40

It is a well-established principle of parliaments that the same

question is not to be raised twice during the same session. *Beauchesne*, sixth edition, is quite clear on this subject at paragraph 653, where it is stated:

There is no rule or custom which restrains the presentation of two or more bills related to the same subject, and containing similar provisions. But if a decision of the House has already been taken on one such bill, for example, if the bill has been given or refused a second reading, the other is not proceeded with if it contains substantially the same provisions.

This section of *Beauchesne* has been relied on by former Speakers of the Legislative Assembly of Alberta to rule bills out of order at second reading on October 15, 1973, and October 26, 1994.

Members are also referred to *Erskine May*, 21st edition, at pages 468 to 470, which outlines the historical evolution since 1610 of the prohibition against two bills of the same subject.

Accordingly, Bill 214 will not proceed to debate at second reading and will be removed from the Order Paper.

The chair would also like to remind members that the principle prohibiting the same matter from being debated twice during the same session applies to all bills. Accordingly, the situation could arise someday where a decision on a private member's bill at second reading could affect a government bill.

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

#### **Bill 213**

#### **School (Computer Instruction) Amendment Act, 1998**

THE SPEAKER: The hon. Member for Lacombe-Stettler.

MRS. GORDON: Thank you, Mr. Speaker. Before I begin today, I wish to acknowledge the expertise and the help that I've received from one of my hon. colleagues, the hon. Member for Calgary-Egmont. This gentleman is certainly well versed in computer technology, and I thank him for his assistance.

Alberta's ability to capitalize on the opportunities presented by the emerging economy relies upon information-literate Albertans using innovation to create business success. Education is central to the future competitiveness of the Alberta economy. It is the wellspring of innovation in knowledge-based industries. Our schools must provide students with the best possible and most relevant education to prepare them to live and work in this rapidly changing environment.

Students who wish to participate in the new economy need to be immersed in the effective use of information and telecommunications technologies to compete effectively and successfully for information-related, high productive jobs. The workforce of the future will face challenges unlike those seen by previous generations, and it needs the tools to meet them.

The new economy is rapidly evolving, and today's workers and employers are also challenged to upgrade their skills and knowledge to take advantage of the new opportunities. Many Albertans today are changing careers more often than their parents changed jobs. This creates new challenges for our education system, as these new learners often hold down jobs and attend to the needs of their families at the same time as they are going to school. They need a learning environment with the flexibility to let them learn at their own pace, on their own schedule, and if necessary in their own home. Educational institutions, parents, and students who recognize these needs look to the promise of the information

highway. Through telecommunication-based applications like distance learning, telelearning, and educational networking, educators can provide anytime, anywhere education in support of the lifelong learner.

I consider this bill, Bill 213, to be very important for ensuring our students' futures in a highly competitive world. The aim of this bill, Mr. Speaker, is to establish a basic level of computer literacy among Alberta students and teachers. This is consistent with steps this government has already taken with the Framework for Technology Integration in Education report in 1996 and the Learner Outcomes in Information and Communication Technology announced by the Minister of Education last November. Similarly, I believe that the objective of Bill 213 is consistent with the overall mission of the Department of Education, which is

to ensure that all Alberta students have the opportunity to acquire the knowledge, skills and attitudes needed to be self-reliant, responsible, caring and contributing members of [our] society.

Improving access to information technology was specifically identified as a key priority area for improvement in the department's recently published three-year business plan.

Mr. Speaker, the importance of technology in education was also discussed in the recent Speech from the Throne. The speech emphasized continued commitment on the part of this government to help students learn through technology. It outlined the provincial standards of knowledge and technical skills which are being established. The throne speech also made mention of the fact that quality of access was improved upon by eliminating the requirements for school boards to match government funding for technology. Certainly it is not only this government which recognizes the need for our students to well acquaint themselves with information technology, but parents, employers, and industry leaders also acknowledge the importance of education in current technologies.

We are constantly moving away from the industrial age and are well into the information age, Mr. Speaker. This period in history, which began about 40 years ago, is now based on computers and their connections with human beings. If we can describe the industrial age as a time in which we developed great skill in manufacturing and transporting physical goods, the information age could be described as a time in which we begin to develop skill in the manufacture and distribution of information, or bits. Our most important commodity in the present is knowledge and is likely to become even more important in the future. Many traditional jobs are disappearing or changing substantially, and new jobs are being created. Professions that are currently in high demand, such as systems analysts, computer engineers, and programmers, have been created as part of our transformation in a technology-dependent, information-based society. Alberta has become a leader across Canada and the world in so many, many areas.

One of the most important elements of the Alberta advantage is the highly educated workforce that exists in this province. There are opportunities for Albertans not only to compete in existing industries and markets involving technology but, in fact, to be instrumental in developing new ones. Our ability as a province and as a country is to capitalize on these opportunities. These opportunities in a changing global economy are dependent upon members of our society who are informed, literate, innovative, and creative.

Technologies, particularly computer and communication technologies, are now integral to our daily lives. They affect us in an immediate and an immensely greater way than they ever have before, and this trend shows no sign of weakening.

Computers have become central in almost every sector of our economy, including manufacturing, medicine, agriculture, energy, retail, and many, many others. Mr. Speaker, these sectors rely heavily on the presence of a workforce skilled in the operation of technology, of which computer and communication technologies are the most prevalent. I have only made mention of those technologies which are widespread and important today. We are not sure what the future holds, but there are also more technical changes and advances to come, including the expansion of artificial intelligence technologies. Not only must we be adept in using contemporary technologies, but we must also be able to adapt to those which are yet to come. As such, it is imperative that we ensure our children have a strong foundation in computer technology before they enter the workforce and that they continue to upgrade their skill sets and knowledge throughout their working lives.

**2:50**

Mr. Speaker, reading, writing, and arithmetic have long been considered the three Rs. They certainly were when I went to school. A basic level of knowledge in these three areas used to provide a useful level of skills to secure employment and to function in the real world. Later a high school diploma was needed, and now students almost definitely and surely need some form of postsecondary education to be competitive. Competence in these areas will continue to be a central focus in the classroom, but the environment in which these skills are taught has been undergoing a metamorphosis. Instead of writing with pen and pencils, students now have the option of writing with a word processor and utilizing such features as spell check and thesauruses. Math can now be studied using calculators and graphing programs, even allowed for use on many exams. Computers are fast altering how we approach these traditional courses of study. Not only are computers changing how we approach reading, writing, and arithmetic, but they are becoming an essential element of study in their own right. Computer literacy is fast becoming the fourth R for our children, as important as reading, writing, and math.

The United Kingdom has taken this approach to education, committing to the development of the information and communication technology skills of Britain's children. A national goal has been set to permeate every aspect of the education system with these technologies within 10 years. A proposal was also made to institute an exam in information technology alongside the other compulsory national tests in English, math, and science, effectively recognizing these skill sets as on par, one with another.

It is this strong level of commitment that Bill 213 proposes for our province's education system, Mr. Speaker. It is important that we establish and maintain standards and consistency across Alberta in this particular area of education. The Minister of Education recently announced a new initiative, which defines the knowledge and skills Alberta students are expected to acquire, entitled Learner Outcomes in Information and Communication Technology. General and specific learning expectations for students in grades 1 to 12 are provided by this framework. These expectations range from the development of simple skills, such as keyboarding or creating and editing text, to complex skills such as the independent use of multimedia technology for presentations.

Mr. Speaker, the Department of Education has taken the approach that computer skills should be learned by students within the context of their other courses. In other words, the framework represents a curriculum within a curriculum, allowing students to apply their computer skills in very practical ways as they learn

new concepts or search the Internet for information on a particular project. I would like to commend the minister and his department for this integrated approach.

In light of this framework, however, some might be inclined to ask: why are you bringing this bill forward if the government is already taking action to ensure that our children are well versed in using computers? Doesn't the recent framework make this bill redundant? My answer to that question is that Bill 213 is complementary with the recent government initiatives, Mr. Speaker, not redundant. Both Bill 213 and the learner outcomes framework recognize the importance of integrating computer technology within a school curriculum in order that Alberta students learn the skills they will need in a highly competitive global workplace.

As such, during the Committee of the Whole I will be bringing forward an amendment that is more reflective of our department's policy and what I want to achieve from this particular bill. Instead of prescribing standardized courses of study in computer technology, I will be proposing an amendment to the wording of the bill so that the minister may prescribe standardized outcomes in the study of computer technology. These technology outcomes must reflect knowledge, skills, and attitudes that are integrated and applied within the context of most programs and core areas of study within the school system. This bill will ensure that this happens.

What Bill 213 is about is entrenching a firm commitment to the ideas I've been discussing within this debate, demonstrating to Albertans how serious we are about our students becoming knowledgeable technology users and lifetime learners. It puts technology education on an equal footing with other elements of the curriculum. It must be integrated so that it cannot fall by the wayside should some other resources or pressures on class time arise.

Mr. Speaker, there's a great deal of inconsistency in the area of computer technology education as we look across this province. Presently there are 25,000 teachers in Alberta of various ages and with different educational backgrounds, possessing differing skills as far as computer competency goes. It is important that all of these teachers have the necessary level of education to deal with common software programs, E-mail, and Internet so that their students may benefit from their knowledge. Albertans acknowledge, as was reported in the Framework for Technology Integration in Education, the necessity of computer literacy and competence in the use and application of technology for Alberta's students. In order to facilitate teachers' skills in these areas, it is important that supports be available to help them upgrade their knowledge base and skill sets on an ongoing basis.

There is also a level of inconsistency with respect to the number of computers and Internet connections in each school across the province. Mr. Speaker, there appears to be a clear rural/urban split in access to these technologies in schools. There are several reasons for this. Market forces direct corporate sponsorships to school districts in urban areas, where there is a higher population density. In rural Alberta, where there are fewer students over a broader area, the involvement of the private sector will not be as great. We must acknowledge this disparity and resolve to address it. Government must take a leading role here in order to ensure that rural and urban students have comparable levels of access to these technologies.

More than the number of computers is the disparity that exists between rural and urban areas with respect to infrastructure. In particular, band width size creates a definite equity issue. Schools

in urban areas have access to a greater band width than rural schools, which means that far more students at one time can access the Internet in urban areas. In fact, the speed that many rural areas have access to only permits up to about half a dozen users at a time, while a city school that uses a wider band width can provide for the whole school. This allows students in urban schools to access information faster and more frequently than their peers in rural Alberta. This is certainly a problem for which we need to provide solutions, Mr. Speaker, so that the rural students are not at a disadvantage.

What do I want to achieve from this bill, Mr. Speaker? I want to show Albertans that this government and this Assembly are committed to technology within the school system. This bill would help to address many of the inequities and challenges I've raised today. Understandably, this isn't something that can be overnight, as I believe it is very, very important to involve the private sector in partnerships in the work that we must do in technology in the future. But by entrenching the government's commitment to this bill and making integrated technology in Alberta schools a commitment, I think we will have made a start. We must do this for the sake of our children's future and our future as a province.

I would urge all members of this Assembly to support second reading of Bill 213.

3:00

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

DR. MASSEY: Thank you, Mr. Speaker. I would like to make a few comments about Bill 213. Before I do, I'd like to thank the Member for Lacombe-Stettler for the courtesy of sharing with me the thoughts and the reasons for this bill prior to this afternoon's debate.

The purpose, as the member has indicated, is to allow the Minister of Education to prescribe a set of standards. As I understand, it's going to be amended to read: a set of standards for information technology or computer courses. I would remind the House that the minister already has that authority. Under section 25(1) of the School Act it states that a minister may do the following:

- (a) prescribe courses of study or education programs, including the amount of instruction time;
- (b) authorize courses of study, education programs or instructional materials for use in schools . . .
- (d) approve any course, education program or instructional material that may be submitted to the Minister by a board or another operator of a school for use in a school . . .
- (f) by order adopt or approve goals and standards.

As I understand it, that's exactly what the member is proposing.

In conversation, I understand the member is aware that the minister already has the authority in the School Act to do what the bill intends and that the intention here is to make this an underlining bill, a bill, if you would, to highlight the importance of computer education and information technology education and to make sure that it's not overlooked and to again underline the necessity of such instruction taking place in our schools. So given that that's the intent, we would probably support this bill but urge that it be dealt with quickly and moved through the House.

Thank you, Mr. Speaker.

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

MR. HERARD: Thank you, Mr. Speaker. It's my pleasure to

rise today in this Assembly and indicate my full support for Bill 213. The purpose of the bill, as the Member for Lacombe-Stettler so well indicated, is to better prepare Alberta's students for the future by ensuring that our schools provide them with the tools to achieve computer literacy, in other words technology outcomes.

Almost exactly two years ago, Mr. Speaker, I helped to produce a report called Framework for Technology Integration in Education. This report was the result of two years of work by a great committee that I had the honour to chair and that also included my colleague from Calgary-Montrose. We reviewed technology integration initiatives in other jurisdictions, both nationally and internationally, to gather ideas on where Alberta should be heading as we educate our children.

We also prepared a discussion paper that was distributed to Albertans that proposed a vision and a strategy for technology in education. The response to this discussion paper was impressive, Mr. Speaker. We received over 600 responses and 40 briefs from interested Albertans who showed a great deal of interest and support for integrating technology into Alberta's education system. I would like to share with the House some of the recommendations that came out of the MLA team's investigation, for I believe they are quite relevant to what Bill 213 is trying to achieve.

We found through the consultation process that 86 percent of Albertans believe skill in the use of technologies and knowledge in the use of information retrieval and processing are very important for the future of Alberta's students. None of the respondents believed these skills to be unimportant. Albertans recognize that the education our children receive needs to reflect our information and knowledge-based society in order for students to succeed when they enter the workforce.

The amount of information we possess and the rules under which industries operate are changing at an incredibly fast rate, Mr. Speaker. In order to keep pace with this change, our definition of learning also needs to change accordingly. Employers need graduates who have the capacity and flexibility for independent lifelong learning. The word "independent" is of particular significance because it speaks to a student who has taken ownership of his own lifelong learning. Now, this doesn't happen all by itself. It requires a set of values or attitudes that require nurturing from a very early age by both parents and educators. Independent lifelong learning also requires a person who is turned on by something, because it takes effort and a burning in the belly. In fact, the word "vocation" is a calling from within, and students need to tune in to that burning in the belly.

Mr. Speaker, the body of knowledge required by industry is always changing. As a result, critical thinking, problem solving, working in groups, accepting criticism, getting along with others, and communication skills that allow easy adaptation to changing information are becoming more and more crucial. These human skills also speak volumes to the values and attitudes that our children must attain before venturing out into the world of work or the world of higher education.

One of the most basic recommendations in our framework report was that the benefits of technology should be available to all Alberta students in an equitable and affordable manner. It is important that minimum provincial standards are in place in order to ensure that rural students have the same access as urban students and that students in less affluent areas have access equal to students in wealthier neighbourhoods. Particularly in the case of very small or remote schools, Mr. Speaker, access to technology can tremendously expand the resources available to both

student and teacher. For example, a small or remote school may not have the resources to equip their library with the same volume of books and periodicals as a large urban school. Hooking schools up to the Internet, however, can provide teachers and their students with access to much greater amounts of information on almost any subject imaginable to which they may not otherwise have access.

Mr. Speaker, Albertans also believe that access to technology-based learning resources, such as multimedia programs, can be of great assistance in helping students learn difficult concepts. Such resources help students to learn in a very different way, by showing them practical application of theories or ideas, stimulating their imaginations, and requiring their active participation. One of the greatest advantages to using these resources is that it allows for more individualized learning. There is a wide range of talents and abilities in every classroom, and it is tremendously challenging for teachers to address the needs of those who are struggling to keep up simultaneously with the students who are itching to move ahead at a faster rate. Integrating technologies into the core curriculum assists teachers and students in this challenge. Such an undertaking means that teachers need to have a solid background in the use and application of technology and communications and that learning resources are available to assist these teachers.

In addition to the wealth of information that access to computer technologies provides and the advantage they provide as students tackle difficult concepts, knowledge of the skill with those technologies themselves opens many doors. There are few industries now in which information technology does not play an integral role in operations. Looking through the classified ads in the papers or trade magazines or wandering through any career fair demonstrates how essential it is to have a solid background in information technology.

Previous generations of school kids, of which I am one, did not have access to computers in the classroom and may have only encountered computers as part of an optional computer programming course. As a result, we had to learn computers at a later date and attempt to synthesize this new knowledge with our existing skill set. Most are learning to adapt, but some have faced greater difficulties in doing so. One only has to look around this Chamber on any given day to see how many of our colleagues of my generation are plugged in compared to the later generation. Mr. Speaker, ensuring a commitment from this government that all Alberta students will have access to technology from the early days of their education is to ensure them a more prosperous, brighter future. I believe Bill 213 is a means to make sure that we remain competitive with other jurisdictions across the globe.

### 3:10

Mr. Speaker, Albertans are greatly interested in how we compare with other jurisdictions, what direction we are headed, and how Alberta plans to take a leadership position in technology integration in education. There are concerns within the educational community that Alberta may be behind other provinces and some parts of the United States. Both the United Kingdom and the United States have committed themselves to providing technology education as an integral component of their education systems, recognizing that in today's world technology skills are as essential as knowing how to read and write. This is a realization that we in the province of Alberta have also come to. We know that computer skills must become the fourth R for our students if we are to maintain the Alberta advantage. From that realization must follow commitment, and I applaud the government for the

steps that have been taken thus far to integrate technologies in the classroom. Bill 213 serves to strengthen that commitment by putting into law the importance of computer skills in our education system.

Mr. Speaker, I want to refer to a study done in 1996 entitled *Alberta Careers Beyond 2000*, by Roger J. Goodman and William R. Lee of Kernow Enterprises Inc. This multivolume study is available from the Learning Resources Distribution Centre. I would encourage all hon. members to read these and other documents to enhance their insight with respect to the importance of information technology on the future quality of life for our children. I refer to the volume that deals with 25 of Alberta's most important economic activities, entitled *Industry Sector Profiles*. This volume deals with agriculture, food processing, the oil and natural gas industry, the coal industry, the forestry industry, printing and publishing, fabricated metals industry, electric and electronic products, telecommunications and computer equipment, industrial equipment, chemical industries, construction industry, electric and gas utilities, retail trade, wholesale trade, health care, education, business services industries, personal services, finance, insurance and real estate, tourism and travel, communications industries, trucking and rail transport, amusement and recreation, and finally, government services.

I think most of you would agree that this list of sectors is very comprehensive, and the point that I'm trying to make is that in describing the growth potential of all of these sectors, the study cited information technology as a most important factor that will influence its growth and productivity and profitability in the next century. It stands to good reason, then, that our parents, students, teachers, and, yes, our politicians must recognize the importance of information technology skills and take appropriate action to ensure that Alberta children will prosper as knowledgeable workers in the 21st century.

Mr. Speaker, information technology is now available to essentially minimize the competitive edge of one company over any other in virtually all sectors of the economy. In other words, a firm can have the same technology and efficiencies as the competitor across the street or the competitor located halfway around the world. The difference in success will be in the skills and knowledge of its people. If all productivity factors are essentially equal in a global economy, the difference will be in the skill of the knowledgeable workers.

I trust that both sides will take this bill seriously for the sake of the future of Alberta's children. With a minor amendment to be proposed in committee, I'm very pleased to support this bill in second reading and urge all hon. members to support the hon. Member for Lacombe-Stettler in this important bill.

Thank you.

THE SPEAKER: The hon. Member for Lacombe-Stettler to close the debate.

MRS. GORDON: Thank you, Mr. Speaker, and I'd like to thank the members of the Assembly. Bill 213 entrenches in legislation our commitment to integrating technology in Alberta schools for Alberta students, the future citizens of the province. I ask you to support this bill in second reading.

[Motion carried; Bill 213 read a second time]

**Bill 215**  
**Highway Traffic Amendment Act, 1998**

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. One life lost as a result of a senseless, preventable accident is one too many. Bill 215 is about safety and prevention on Alberta streets. As the sponsor of this bill I'm pleased to rise today and begin second reading.

Mr. Speaker, Bill 215, the Highway Traffic Amendment Act, 1998, would allow photographs taken by unmanned red-light enforcement systems to stand alone as evidence in a court of law should a ticket issued be challenged by the person who has committed the violation of running a red light. Currently the Highway Traffic Act certificate states that the result of a test of a speedometer, a tuning fork used to determine the accuracy of the radar set, or a device used in connection with establishing the speed of the vehicles is permitted to be used

in evidence as prima facie proof of the facts stated in the certificate without proof of the signature or appointment as a tester of the person signing the certificate.

Red-light cameras are not included.

Mr. Speaker, a red-light camera is an automated traffic enforcement system which consists of a film-based camera, computer, inductive loops, and a connection to the traffic signal or controller. The camera records vehicles running red lights and information such as the time, date, location, code violation number, the time elapsed since the light turned red, and the speed of the vehicle. After the light turns red, the camera is triggered by any vehicle passing over the sensors after a specified time period while exceeding a predetermined threshold speed. A second photograph is taken approximately one second later to show the offender in the intersection. To be clear, as you enter an intersection on a yellow light and the light changes to red, your vehicle will not be photographed. As an example, motorists who are in an intersection waiting to turn left when the light changes are not considered to be running a red light.

An electronic flash enables the camera to produce a clear image regardless of the weather conditions, and afterwards the photograph is verified and a \$50 ticket is sent to the registered owner by mail. There would not be any demerits against driving records. I should also mention that the costs associated with this technology would be the responsibility of the police service installing the equipment and not the government of Alberta. With that in mind, Mr. Speaker, it is recognized that start-up costs will be high but can be offset by the fines paid by the offenders, savings from crash preventions, and by freeing police to focus on other enforcement efforts.

Mr. Speaker, there are a number of objectives that can be achieved by the implementation of the red-light camera program. There would be a reduction of accidents – lives would be saved – a reduction in insurance rates and health care costs, and increased police officer safety and ability to respond to pressing public concerns. If you take a moment to think about the police resources required to monitor every high-risk intersection, it becomes clear that it is impossible for the police to efficiently monitor these intersections as well as others that may require attention. Police officers would be more able to monitor areas such as school and playground zones, thus ensuring greater traffic safety for our children.

3:20

At the same time, Mr. Speaker, Bill 15 is not suggesting the abandonment of conventional methods of catching violators of the law. What the red-light enforcement devices would do is supplement the resources of the police force, allowing them to respond to situations that require immediate attention and assistance. In actual fact, using red-light cameras to monitor the

specific intersections will lead to more comprehensive coverage of all the intersections. What we see happening without the use of red-light cameras is that while police officers may be issuing a large number of tickets for red-light violations, they are in effect catching only a small percentage of the violators.

Mr. Speaker, we know that countless traffic accidents have occurred as a result of running red lights. There is no doubt that these types of instances will continue to occur unless we take a proactive approach in getting them under control. In Alberta in 1995 collisions involving motorists running red lights totaled 901. There were 11 fatal collisions and 890 injury collisions.

Mr. Speaker, when an accident occurs, whether it be at a traffic light, crosswalk, or on the highway, the victims are numerous. When I say victims, I am speaking not only of those who have unfortunately been injured or even killed; I am talking about the families and friends of those people as well as those in the life of the person who has committed the offence.

There are also financial effects of accidents in addition to the lives that are affected both emotionally and physically. There are the hospital bills, costs of emergency crews, repairs to property, and possible criminal actions, depending on the severity of the accident. One thing to remember, Mr. Speaker, is that regardless of the severity of the accident, there are always consequences. The fact of the matter is that in addition to safety, fewer accidents mean fewer costs to other areas like health care and the justice system. But that is only one factor, a factor that actually comes as a bonus through the creation of the awareness of these potential violations as well as the lives that may be saved.

Mr. Speaker, every parent's worst fear is answering the knock on the door to find police officers standing there to tell them that their child was involved in a car accident. No one wants to be on the receiving end of such tragic news, and certainly police officers do not want to be the ones to have to deliver the message. Unfortunately, this does happen and has happened many times as a result of someone running a red light.

With this bill we are looking at the toll that driver behaviour at intersections takes on human lives and property. I cannot stress strongly enough that red-light violations are preventable. There is a way to reduce, if not prevent, red-light violations and related collisions, injuries, or fatalities that can occur. The use of red-light cameras has been proven successful in serving as a deterrent for drivers who run red lights, and consequently they have helped to prevent collisions.

Since the introduction of the bill I have encountered several issues in discussions I've had regarding the use of red-light cameras. These include the issues of the potential for violation of privacy, the fact that the tickets are sent to the owner of the vehicle, whether or not the owner was driving, as well as the money taken in by the fines that are issued.

Mr. Speaker, to address the issue of the violation of privacy, I would start by saying that the use of red-light cameras does not violate anyone's privacy. Driving is a regulated activity that takes place on public roads. When a person chooses to obtain a driver's licence, that same person is agreeing to abide by certain rules that have been established pertaining to the operation of a motor vehicle. One such rule is to obey traffic signals. It would seem to me that a person who violates any of these rules and perhaps causes an accident or is involved in a collision is the one that has violated the rights of other motorists and pedestrians by jeopardizing their safety.

I have to say, Mr. Speaker, that I do not see how a bill such as this one is in violation of privacy. If you break the law, you have

waived your rights to privacy. Now, some may say: what about the photographs that are taken? Well, the answer is that the photographs are taken of the licence plate, not of the driver or occupants of the vehicle. Therefore, visual identification of the driver or occupants is not documented.

My next point is to address the issue of who receives the ticket in the mail. I have heard concerns from people saying: "Well, what if I wasn't the one driving the vehicle? Why should I have the ticket issued to me?" Mr. Speaker, there was a study done which looked at the relationship between drivers running red lights and the ownership of the vehicles. The study determined that it is likely that drivers who ran red lights are either the owner of the vehicle or reside in the same household as the owner. Therefore, sanctions against the vehicle owner for running a red light could be expected to deter any potential violations. I would also put forth this question: as an owner of a motor vehicle, am I not responsible for the use of that vehicle? If I choose to lend my car to my neighbour, there has to be an element of trust between us and an understanding that the vehicle be used with care and that I accept responsibility for anything that may happen.

In reference to the issues of costs surrounding the cameras and the revenue brought in by the fines paid by violators, I would first mention that there are two parts of a red-light camera system. There is a portable enforcement unit that can be alternated between intersections. This is the part that contains the camera, computer flash, and digital signal process. The stationary part includes a pole upon which a housing unit sits and wiring and detection loops that are permanently installed underneath the road surface. The portable unit costs approximately \$70,000, and the hard wiring at the intersection for all four intersections costs about \$180,000.

In looking at the costs of collisions or accidents, one example is the region of Peel, Ontario, where in 1994 intersection accidents cost \$26,451,000. That is a significant price to pay for something that can be prevented. I would also like to point out that there have been pilot projects conducted with red-light cameras that have looked at the reduction of violations and accidents at specific intersections. In 1992 in Victoria, B.C., there was a 75 percent reduction in red-light violations. In Los Angeles, California, there was an 84 percent reduction in violations and in Jackson, Michigan, an 80 percent reduction in accidents at intersections.

Mr. Speaker, the implementation of a red-light system is about increasing traffic signal compliance, which leads to intersection accident reductions. We have to look at the fact that running red lights and other traffic devices like yield or stop signs is the most frequent cause of collisions in urban crashes. I put it to you simply: how many injuries or fatalities do we have to go through before we move from reactionary measures to choosing prevention strategies? With Bill 215 and the consequent use of red-light cameras we have the opportunity to prevent tragedy, to save lives. Is there anything more important than that? In 1997 there were more than 3,740 tickets issued to drivers running red lights, and I have already mentioned that we are only catching a fraction of those violators using the conventional method of ticketing.

There is a problem, Mr. Speaker. I have become more aware of these violations since introducing this bill, and there does not seem to be consistency in the prevention of red-light violations. I've also seen people running red lights at numerous different intersections and at all times of the day. It is not suggested that we install these cameras at every red light, but surely we can take a look at the strategies, determine the high-risk intersections, and

use these cameras as a deterrent at these locations. We must realize that the conventional method . . .

THE SPEAKER: I hesitate to interrupt the hon. member, but the time limit for consideration of this business has now concluded for today.

Before we go to the next item, just a point of information. Earlier this afternoon the House dealt with Bill 213, the bill by the hon. Member for Lacombe-Stettler having to do with the computer instruction amendment. Hon. members should know that when we began this session, there were less than half a dozen members in this Assembly who were, quote, wired into the system. As of today there are currently 31, and three additional members have also requested access to it. That's a very, very high proportion I suspect, but by this time next year virtually all members will be.

Another note of interest is that the American Senate, which is the most powerful body in the world in terms of a democratic institution, voted recently to disallow laptop computers.

**head: Motions Other than Government Motions**

**3:30 Rohypnol**

511. Mrs. Forsyth moved:

Be it resolved that the Legislative Assembly urge the government to strongly encourage the federal government to move the drug flunitrazepam, Rohypnol, and its related drug family from schedule 4 of the Controlled Drugs and Substances Act to schedule 1 in light of its use as a sedative to render a person unconscious for the purpose of sexual assault; properly educate the general public, targeting high school and postsecondary students, about its effects and the need to seek medical and police attention if it is believed they were a victim of an assault; provide detailed information about this drug to travelers leaving Canada for destinations where this drug is currently legal; and work cooperatively with other governments to ban the use, distribution, and manufacture of this drug.

[Debate adjourned April 7: Mrs. Forsyth speaking]

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

MRS. FORSYTH: Thank you, Mr. Speaker. When I had this motion drafted, I had only one concern, and that was: did it go far enough? Did this motion address those things I believe needed to be addressed in regards to the drug Rohypnol? I believe it does. But as with all motions it only encourages a government to do something; it does not force them. However, I hope in this instance the federal government will act quickly in banning this drug.

[Mrs. Gordon in the chair]

This motion, as members can see, addresses four main areas in relation to the drug Rohypnol, including moving it from schedule 4 of the Controlled Drugs and Substances Act to schedule 1, to educate the public on its effects, to provide information to travelers who will be entering a country where this drug is legal, and to work with other governments to ban the use, distribution, and manufacturing of this drug.

This is not a short wish list, Madam Speaker, but when I detail

some of the stories related to this drug and its effects on people's lives, I believe all members will agree that something needs to be done and it needs to be done now. This drug looks remarkably like an ordinary aspirin. It has no taste, no odour, no colour. It dissolves quickly in a drink and is absolutely terrifying. This drug has 10 times the sedative power as valium, and because of its sedative powers it can be used to knock a person unconscious. Once unconscious these people, who are mostly women, are raped.

The drug has many street names, with its most popular being the date rape drug. I personally do not feel this name is accurate because, quite simply, it is a rape drug. It can be used by anyone at any time. This small white pill is dropped into a person's drink, and because of its properties it's not detectable. The person, most often a woman, who consumes the drink will, within three to 30 minutes, begin to feel and act very drunk, eventually blacking out.

Madam Speaker, I have heard and read many stories about this drug, and I would like to relate one of those stories to the members of the Assembly today. Before I do, however, I would remind members that this drug was not widely known about and certainly when this story took place was not in the media's eye. But once I have finished, the Assembly will understand the reason we need to educate the public, especially women, about the drug as soon as possible.

The woman in this story did not have the benefit of knowing this drug existed before her ordeal, so let's give others this knowledge before they fall victim. A young woman was traveling to Mexico with friends for a getaway, and as with most young people, they were there for sun and relaxation. On the woman's last night in Mexico she was at a bar with friends she was traveling with as well as those she had met while in Mexico. Soon after arriving at the bar, the woman began to look and act very intoxicated. Some of the Canadian men she had met down there offered to take her home because she wasn't feeling well and they were on their way back to the hotel anyhow.

Madam Speaker, these men drugged this woman and then took her back to the hotel and raped her. She was gang-raped in a foreign country by despicable people who certainly knew about the effects of this drug. During the rape this woman awoke a few times, realized what was happening, but blacked out again before she could even say anything. That unfortunately is not the end of the story.

In addition to this drug causing blackouts, it also causes memory loss for between eight and 24 hours. This woman being raped could not even remember that it happened until she was on the plane home, on the same plane as the men who had raped her. And even then it was a vague memory that she could not be sure of. Madam Speaker, I cannot think of anything more terrifying.

This is a terrible and tragic story, but it's not the only one. Many hundreds, perhaps thousands, of women have similar stories but may never fully remember what has happened to them. These women, as with many rape victims, will never believe justice has truly been served, and the uncertainty that it even took place makes it even more difficult.

The story I related occurred in a foreign country where the laws and justice system are different than we are used to, and even if the woman was cognizant of the rape, it is unlikely she would have gone to the authorities because of the uncertainty, the uncertainty of their legal system and the uncertainty of what happened to her.

Madam Speaker, the terrors of this drug seem never to end. In



addition to it causing blackouts and temporary amnesia, it can only be detected in a person's system for up to 72 hours, and that even has to be done by special test. So it is entirely possible that a woman could be raped and have the drug out of her system before she even remembers, if she remembers at all. That is what has to be addressed.

The use of Rohypnol in the commission of an assault or a sexual assault has not been reported to police here in Alberta, but it has been reported in Toronto, Vancouver, Montreal, and all across the United States. Several sexual assault centres in Alberta have had reports but not the police, which is absolutely terrifying, Madam Speaker. There may be victims, but they are not even sure a rape has taken place because of the effects of this drug.

Madam Speaker, this drug is coming to Alberta, if it is not already here, and we need to protect and educate our children about its effects and how to best defend themselves against becoming a victim. When we were children, our parents told us over and over again not to take rides from strangers, and the same holds true for accepting an open drink from a stranger today. Yes, it may be part of the dating ritual for someone to buy you a drink, but the consequences may be more than a hangover. Women – and I highlight women because most often they are the victims of an assault – should go in pairs. Each woman should be aware of how the other is behaving. If one seems to be out of sorts or acting intoxicated too quickly, then the other friend needs to be able to step in and take control of the situation.

On a recent vacation I met a young couple from London, England, and during our conversation we began talking about this drug. The young woman asked if I as a politician had heard of this drug or if anything was being done about it in Canada. Before I even met this couple, Madam Speaker, my motion had been drafted, but after talking with her, I realized that I needed to add to it. I needed to add a stronger educational aspect. This woman I met told me that she was terrified to go to a bar or to a cricket match by herself anymore because the drug is so prevalent in England.

Madam Speaker, I know that not only do we need to ban this drug from being manufactured and for it to be illegal in Canada, but we also need to educate Albertans. We need to educate our high school students and especially our university students about this drug, and we certainly need to educate Canadians who are traveling abroad for a vacation.

The story I related earlier was of a young woman who traveled to Mexico, the country where this particular drug is manufactured and sold legally. In Mexico and in other countries around the world it is used as a preoperative sedative or as a sleeping pill for insomniacs, but, Madam Speaker, this is a drug that is simply not needed. The U.S. drug enforcement agency is also in the process of having this drug moved to schedule 1 of their Controlled Substances Act. A drug under this section is considered to have the potential for abuse, to have no currently accepted medical use in treatment, and to lack accepted levels of safety for use under medical supervision.

Even the President of the United States is aware of this horrific drug. In 1996 President Clinton signed a law making the use and importation of Rohypnol a federal offence, and with the signing of this bill, the use of this drug as a weapon adds an automatic 20 years to a prison sentence. The state of Florida has such a problem with the drug that simple possession of Rohypnol in the state causes a 30-year state prison term. Canadians need similar protection. They deserve nothing less than our best effort in taking this drug out of circulation and ensuring that anyone who

uses it for sexual assault feels the full force of the judicial system and that under the Criminal Code anyone using a stupefying drug such as Rohypnol faces a sentence of life imprisonment.

An interesting fact is that although this drug is manufactured in Mexico, the parent company of this drug is Hoffmann-LaRoche Inc., which is headquartered in New Jersey, U.S.A. This company needs to be sent a strong message, Madam Speaker. They need to know that the drug is not needed or wanted in North America because its potential for abuse far outweighs any benefits.

I realize that there are many drugs currently in circulation that create dependency, such as crack, cocaine, or even alcohol, but these drugs are ingested by choice. They are not forced upon you unexpectedly as Rohypnol is. This type of drug seems to be the wave of the future. Designer drugs: we as a government need to send a strong, clear message to people who use these drugs that we will not tolerate it and will do everything within our power to make sure the drug is taken off our streets.

Madam Speaker, the effects of this drug have been discussed on television shows from *Oprah Winfrey* to *20/20*, and even pop culture teens such as in *90210* have done episodes on this drug as a way of educating young people that this drug exists.

The problem does exist, and I urge all members to support the passing of this motion. I would also urge members of the Assembly to begin educating their family about the drug. The education process needs to begin, and it needs to begin now. The University of Calgary and the University of Alberta have both done stories on the drug in their campus papers, and that is a start. But these students as well as our high school students need to be educated and educated properly about Rohypnol to allow Canadians the ability to protect themselves from becoming victims.

In closing, Madam Speaker, I'd like to thank my researcher, Jamie Davis.

Thank you.

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

3:40

MR. DICKSON: Thank you, Madam Speaker. I'm rising to speak in support of Motion 511. Normally this member has some concerns when we're urging another level of government to do something, but I take from at least the core part of the motion a big focus on public education. For the most part, frankly, we don't have to wait for the government of Canada to embark on that kind of an education program. Education is a provincial responsibility, and I would like to think that the province of Alberta will also show some leadership in terms of dealing with Rohypnol, the date rape drug.

A couple of observations. One would be that although it's been banned in the United States and is supposed to be unavailable in Canada, there's still belief that it's smuggled into Canada from Mexico and other nations and sold on the street. I also have received confirmation from the Calgary and Edmonton sexual assault centres that as many as six to 10 cases have been identified as potentially involving Rohypnol. My understanding is that there have been no confirmed cases to date, but the speculation is there and that belief exists.

I'm encouraged to some extent – and I'm not sure whether the mover from Calgary-Fish Creek has mentioned this – by the notion that the manufacturer of Rohypnol, Hoffmann-LaRoche, is at least alive to the problem, and that's important, because I think

there's a huge responsibility on a corporation that manufactures a product. Once you're invested with knowledge that a product you make can be used in the way that Rohypnol is being used, then I think there's a huge social, never mind legal, responsibility on the manufacturer to do things like adding odour or taste so that unsuspecting people would be alerted to the presence of the drug. So I'm encouraged by that.

The Member for Calgary-Fish Creek is quite accurate in terms of talking about the work that has been done by the University of Alberta's Sexual Assault Centre as well as by the Edmonton and Calgary sexual assault centres in terms of giving information. So while we wait for the manufacturer, Hoffmann-LaRoche Inc., to alter the presentation or the format of the drug, I think we have to take advantage of every opportunity we have to give people information. I think the motion recognizes the importance of that.

A couple of observations I'd want to make relative to it. The first one is to recognize that Rohypnol is the drug that has all of the notoriety, but there are a number of other drugs also that are used for exactly the same purpose, exactly the same application. While it's important to identify the problems associated with Rohypnol, I think we also have to acknowledge that GHB, Triazolam or Halcion, Burundaga, and Ketamine are also drugs in street form which have exactly the same kinds of dangerous properties that the Member for Calgary-Fish Creek has quite rightly identified. In fact, the American Academy of Forensic Sciences had announced earlier in 1998 that some 20 different substances have been identified as being involved with drug-related rape. Some of them would be the obvious ones such as marijuana, cocaine, alcohol, but there are a number of other more exotic substances that have nowhere near the kind of notoriety that Rohypnol has attracted.

I support moving Rohypnol to schedule 1 of the Controlled Drugs and Substances Act. That does allow for stiffer sentences for anyone convicted of possession or trafficking. While higher penalties aren't always the answer, I think it's a useful part of a comprehensive strategy to address the concerns that have been identified.

The drug, however, is a tool or a means to perpetrate a sexual assault, and as offensive as the use of the drug may be, we're still left with the criminal activity associated with a sexual assault. We might just take this opportunity to consider the range of other things that are available to us as legislators and as a community to address sexual assault. Education continues to be hugely important in terms of creating awareness among women, particularly young woman. We continue to see the need for adequate funding of sexual assault centres. Services that treat the victims of date rape or any other form of sexual assault continue to be a major need. There continues to be need to educate medical professionals, people working in crises centres, as well as family physicians about the potential for injury with date rape drugs like Rohypnol. So if we see this as part of a broader strategy to reduce the risk of sexual assault, then I think Albertans are going to be advantaged.

I'll just conclude my comments. I started off by saying that I support the motion largely because I think there's an important education role and, frankly, just the fact that we're even having this debate. I thank the Member for Calgary-Fish Creek for creating the opportunity. It allows us as legislators to be better informed and, to the extent that we may have any influence outside these four walls, an opportunity to share some of that information, some of that concern with our constituents and other Albertans.

For all of those reasons, Madam Speaker, I'm pleased to support and vote in favour of Motion 511. Thank you.

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

MS KRYCZKA: Thank you, Madam Speaker. I, too, would like to make a statement regarding Motion 511. As has been said, there are four components to this motion. The motion addresses, first, the need to move the drug Rohypnol to schedule 1 of the Controlled Drugs and Substances Act; second, to develop an education program to inform Albertans and Canadians about this drug both in Canada and, third, while traveling abroad; and, finally, to work to ban the use, distribution, and manufacture of this drug.

I agree with all four aspects of the motion and encourage all members of the House to vote in favour of the motion, but we must realize that work will need to be done once this motion passes. We cannot let this issue fade into the sunset. We have to begin to form a plan as to how we can educate the public about this drug. We also need a plan to work with other jurisdictions to stop this drug from being produced. We need to ensure, further, that the federal government is made aware of the potential for problems with this drug and that those problems are addressed. In essence, we need a plan of action.

Yes, Madam Speaker, there are other drugs on the street that are killing people and destroying their bodies and their minds, but those drugs are taken knowingly. A person decides to take them. It is a conscious decision on his or her part. He or she may become dependent upon that drug, but initially the choice is theirs. Rohypnol is different in the case of sexual assault. The drug is slipped into a drink, as has been described, unknowingly, and the person is not given the opportunity to make that decision. They may not even be able to react once they realize something is going terribly wrong.

3:50

When reading about Rohypnol, I learned that some people think the drug reduces a woman's sexual inhibitions so that she will want to have intercourse. Madam Speaker, that is certainly not the case. What this drug does is knock its victims unconscious. They can't say "No" or "Stop," as they are incapacitated. This is a prime example of why we need to educate our children. There is too much false information or just a plain lack of information out there.

Madam Speaker, the Member for Calgary-Fish Creek mentioned that Rohypnol has been discussed many times on mainstream television as a means to educate the public. I'd like to take a moment and quote directly a few lines from a 20/20 interview from August 1, 1997, where the devastating effects of this drug were described. One rape victim said: "It makes you feel like you can't trust your own memory. Everything kind of blends together, but you know you were raped." To quote another rape victim: "This is not a lovemaking session. This is an act of violence, in which he could have killed me." Another victim stated: "I just have no memory at all. Like, it was a cape came over me. I don't remember anything."

A mother of one of the rape victims had this to say about the drug and its effect:

There's a perfect crime there waiting to happen. No fingerprints, no witnesses, no memory, no nothing. I mean, there's just absolutely nothing! And it gives the man the power to go in a bar and order a vodka tonic and say, "I'll have a vodka tonic and that blond right there," and get both and absolutely walk away from it - absolutely 100 percent walk away from it after it's all over.

This mother's daughter woke up in a fraternity house bed naked with only the knowledge that she had been raped. She never found out who it was. No one was ever tried for the rape. She

had no memories of the assault. This young woman must spend the rest of her life with that knowledge.

Madam Speaker, the drug is terrifying. The stories we have heard today should scare us all, but we should not be so scared as not to go out again. What we really need to do is be sure that when our children, family, and friends go out, they have the knowledge that Rohypnol exists, what powerlessness it creates for the victim, and that it may even be here in Alberta. Not only must we initiate responsibility to educate our children about this and other dangerous drugs; we must educate them to make their own decisions. Our goal should be well-educated children who in particular are aware and confident enough to handle most any personally threatening situation and ask for help when they perceive they're unable to do so.

Any education program to deal with Rohypnol should focus on females but not exclude males, as they also need to know about this drug. Both sexes need to know that there are insidious people who will use this drug and that they need to inform the police immediately if they believe an assault has taken place. I say this because, for example, some fraternities apparently make a game of using Rohypnol, and these people need to be brought to justice for their actions. These people also need to know that there are consequences to using this drug in an assault: life in prison. That is the maximum sentence for using a stupefying drug in the commission of a crime such as sexual assault. People who use this drug to control others need to know this consequence. They need to know that they will go to jail, and they also need to comprehend how badly they will physically and emotionally devastate their victims of abuse.

Articles on Rohypnol have appeared in campus papers over the last few years, but my question is whether fully descriptive information is available at campus health centres, sexual assault centres, in doctors' offices, and in police stations. The existence and use of Rohypnol is a serious issue because it will affect us all. Whether this drug is used in coming off a stimulant high, as has been mentioned, or in the commission of an assault, there will be serious long-term repercussions, and people need to be fully aware and informed.

As I've said, Madam Speaker, access to information is the key. Providing our students and children in particular with the resources and confidence to make their own decisions will go a very long way in curtailing drug use, but at the same time, we must ensure that our children are sufficiently street smart to be able to tell friends and family when something has happened. In the case of Rohypnol, again, it leaves the person's system within 24 to 72 hours. This is not a long time to muster the strength and courage to tell a parent or the police that you believe you were assaulted.

Madam Speaker, as with all sexual assaults, the evidence disappears quickly, and the quicker the assault is reported, the better the chance a conviction will happen. A critical reference is that people have been tried in the U.S. for assault using Rohypnol and tried successfully.

I will be voting in favour of Motion 511, and I only ask that the Member for Calgary-Fish Creek ensure that this drug and motion be brought to the attention of the federal government.

Thank you.

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

**MS OLSEN:** Thank you, Madam Speaker. I'd just like to table

five copies of a pamphlet called Sexual Assault and Drug Misuse: What Should I Know to Protect Myself? It was put out by Hoffmann-La Roche Limited in conjunction with a number of other people. Is that appropriate? Can I do that? Thanks.

I would like to add a few more comments. I'm certainly interested in supporting this motion. I think that any effort to raise awareness and impose stricter penalties on an offender is welcome. However, I also am wondering if we should not be looking at what we can do within this legislative competence as well, at a number of those things, and actually they could be policy concerns that I would be pushing for. I'd like to stress the importance of public education, education programs that should focus on a variety of different areas, areas that will help create awareness of the possibility of drug use and sexual assault and actions people can take to reduce the risk of being drugged and sexually assaulted. I believe that pamphlet I've just tabled from the drug company talks about that, talks about public education and what people should be doing for themselves.

For many, many years as a police officer often I and my colleagues would attend a complaint where somebody had apparently been sexually assaulted, but they may have been drunk or drugged or something to that effect, and there's very limited ability to collect and gather evidence from this. One of the concerns I have is that Rohypnol has a short life span in the blood system, not like other drugs such as cocaine or marijuana, of which THC lasts eight days in your system – or if you were Ross Rebagliati, who knows how long it would be in your system? Months, I guess. However, I do also want to point out that the drug company has made an effort to make Rohypnol a little more detectable. They want to add a taste and they want to add a colour to it so that when it's mixed with alcohol, then people are going to know what this drug is. That will take an education process as well, an awareness that we should all have.

Certainly, looking at the Sexual Assault Centre and some of the initiatives that they are undertaking and have, I think that that's a good step. Certainly in our schools we should be looking at what's going on. We should be talking about what a person should do if they suspect they've been drugged and sexually assaulted, and given the necessity of timely reporting to confirm sexual assault that has involved drug misuse, additional supports must be in place to assist a victim that comes forward. The social stigma is still there – and we've heard this time and time again – that somehow the victim was looking for it or caused the incident to happen. So we have to be prepared to deal with that and the shame and the guilt that will often prevent a victim from coming forward in this type of incident. Certainly this government could do more in relation to drug awareness and traveling to other countries and what can be expected, not just that the drug's available but what it does, what the properties of these drugs are.

As my colleague from Calgary-Buffalo noted, there are a number of drugs that have indeed been on the market, at least on the black market, for a number of years. These particular drugs have also been given or put in somebody's drinks. I'll never forget a time as a police officer that this young man had totally, in my view, lost his mind. He was so violent and combative that it took I believe it was four police officers to tackle this young man to the ground. He was no more than about five foot nine and a very thin chap, but somebody had apparently given him some type of drug, a narcotic, in his drink in the bar. This was behaviour unbeknownst to him, and when the police arrived, he certainly wouldn't settle down. It took quite some time for him to come down and for him to understand what was happening to him.

4:00

So, yes, the target is women, in this particular case, that we're trying to protect. The target is trying to prevent sexual assaults as well, but I just would like the Assembly to know that this is not uncommon, the use of drugs and putting drugs in people's drinks and that type of thing.

Now, I believe the last hon. member that was talking, Calgary-West, spoke about drugs. I'm not sure where in the Criminal Code the section is that she's talking about: life imprisonment for administering a drug that causes stupefying behaviour or whatever. In all of my years in policing I never used that particular section, and it might have come to light, given the sexual assaults that occur and the different types of things that occur with alcohol. So I'm just wondering where that particular section came from.

But we do have a number of sections in the Criminal Code that may or may not cover different types of drugs and things. We certainly have trafficking: section 4(1) of the Narcotic Control Act, trafficking in a narcotic. Certainly taking this particular drug to that level where it becomes a schedule I drug and where the penalty is increased is desirable. There are other sections for simple possession, and if that drug is not available in Canada, then certainly there still is the use of the Criminal Code as well, bearing in mind that there haven't been any actual convictions for the use of this particular drug.

I believe that drug companies have a huge, huge responsibility for the drugs that they produce and that they should be equally as responsible as any government who approves the drugs. So I think that although governments have a vital role to play through legislation, the police play an important role through enforcement. Drug companies, who are the people who profit from the sale of these drugs, also must be challenged to at least prevent the ability for these drugs to be used in the manner that Rohypnol is.

Certainly public education, as I spoke to earlier, can come from the government level. It can come from public health. It can come from certainly any other forums: in the schools and that type of thing. I think it's very important that we acknowledge that and free up the ability – be it funding, whatever resource is needed in the schools, especially in the high schools – to deal with these types of situations, not just this drug specifically but the broader public education package on illegal substances.

With that, Madam Speaker, I will take my seat and allow anybody else to speak on this.

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

MR. SHARIFF: Thank you, Madam Speaker. I would like to offer my thanks to the Member for Calgary-Fish Creek for bringing Motion 511 before us. I see this motion as a first step in fighting a drug that will soon be in Alberta if in fact it is not already here. When speaking to friends about this drug, they wondered why only this particular drug was being highlighted through this motion, because they said that there are other drugs that are equally damning such as crack, cocaine, LSD, or even alcohol. That is quite true. These drugs do exist, but these other drugs, whether they are legal or illegal, have existing laws surrounding their use. Most are illegal to possess and use, and while alcohol may be a part of people's daily lives, it too has its restrictions, such as the age limit and restriction of certain activities such as driving while under the influence of alcohol. But Rohypnol does not have such legal parameters. This particu-

lar drug truly falls through the cracks of our system.

Madam Speaker, there seems to be a contradiction with this drug and its legality in Canada. The federal government has said that it is illegal to prescribe or sell Rohypnol in Canada, but you are able to use and possess it if it was prescribed by a foreign doctor. It seems that the government has said it's not useful for medical purposes and therefore cannot be prescribed by a Canadian doctor, but if a foreign doctor has prescribed it, then it is all right. It is this contradiction in our laws which, if not fixed, may lead to its abuse in Canada.

As the Member for Calgary-Fish Creek has pointed out, this drug has been used in sexual assaults, and the story she highlighted should be a wake-up call for all of us. This drug and the people who may use it do not discriminate. Anyone, male or female, regardless of age, is susceptible to this drug and its effect. It is because of its strong sedative powers that educating people about its existence is one of the strongest components of this motion. I also agree that while all Canadians should be warned of this drug, those in high school and postsecondary institutions ought to be the focus of that education.

We all understand that attending a university or college can sometimes be a difficult transition. These young people are away from family and friends in a new environment, an environment where you may be alone and trying to fit in, lacking some of the supports you traditionally rely on. During the first few years of postsecondary education we all know that there is peer pressure to drink heavily and party at all times, but the consequences of these actions are never truly spelled out. With the advent of this drug a new reality exists. Drinking unwisely has become even more dangerous, because not everyone you meet in this world has honourable intentions, and the use of this drug can lead to some very dangerous situations.

In an effort to warn students, both young and old, universities across the province and across the country have done stories and columns in their campus newsletters. From the stories I have heard and the clippings I have read regarding this drug, I believe we must stress to the younger generation that if they must drink, they do so wisely and drink only with people they know and trust. As the Member for Calgary-Fish Creek said, growing up we were all told not to accept candy or rides from strangers. The same applies as we get older: don't accept drinks from strangers.

4:10

I am focusing on the use of this drug in combination with alcohol because that seems to be the most common setting where this drug is used. American colleges have reported cases where the use of this drug has turned into a game with fraternities. It seems that these fraternities will go out in groups and try and use this drug on as many women as they can in one night. This is absolutely frightening, frightening because these young men do not understand what they are doing or what the consequences of their actions will be on themselves and on others.

As I have said, this drug may or may not be in the province yet, but the reality is that it eventually will be here. It will eventually be accessible across the province, and there will very likely be an increase in the number of reports of sexual assault. The state of Florida has such a problem with Rohypnol that simple possession of this drug carries an automatic 30-year jail term. The reason for this strong crackdown comes from the increase in the number of sex-related doping crimes reported after Rohypnol surfaced in the state in 1991. In 1992 Florida had 11 reported cases of Rohypnol-related rape, and by 1995 that number had jumped to 342.

Madam Speaker, cases of Rohypnol rape have been reported in Ontario, Vancouver, and Montreal, so we need to pass this motion today in order to send a strong message to the federal government that something needs to be done and done now before any more cases of Rohypnol rape are reported.

Madam Speaker, I have spoken about one particular scenario for the use of this drug, but I must mention the other use of Rohypnol, which is equally as dangerous. Although this drug has been used in the commission of assaults, it is also widely used by drug addicts as a parachute drug. The blackout effects of Rohypnol are considered a remedy for the depression that follows a stimulant high from drugs such as heroin or cocaine. This is certainly another reason why this drug must be made illegal to possess in this country. If addicts are using this drug to temper their depressions, we must ensure that instead of turning to a \$2 pill for help, they should turn to a friend or AADAC for help.

In the United States, mainly in the south, Rohypnol is commonly used by high school students, who take the drug with alcohol or after using cocaine. To them it is seen as a safe drug because it comes in a bubble pack, as many legal drugs do, and secondly, they believe that the drug cannot be detected by urinalysis. The reason this particular point is important is because, as it has been said, this drug has similar effects to alcohol. Therefore a person on this drug will act and feel as though they are extremely intoxicated, and if the drug was not detected by urinalysis or breathalyzer, a person could realistically take the drug and drive and not be charged for driving under the influence. They most certainly will have the same reduced motor skills and much slower reaction time, but if pulled over, they will pass any breathalyzer test.

Madam Speaker, the drug Rohypnol is not a needed drug here in Canada or anywhere in the world. We do not allow Canadian doctors and pharmacists to prescribe this drug, but we will allow a foreign doctor to, which personally strikes me as very odd. We need to have this drug banned here in Canada, and we need to give our police services the right to confiscate this drug when they find it. We must also work with other countries, such as the U.S., to ban the manufacture of this drug.

That is why I will be voting in favour of Motion 511. I encourage everyone to support and vote in favour of this motion.

Thank you.

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

MS HALEY: Thank you, Madam Speaker. I won't take very long, but I wanted an opportunity to just speak briefly on Motion 511. The Member for Calgary-Fish Creek is requesting that the government of Alberta urge our federal government to do something about the drug Rohypnol, or the date rape drug. Mainly, this drug should be moved from schedule 4 of the Controlled Drugs and Substances Act to schedule 1.

At this time our police literally have no ability to deal with this drug other than if they feel somebody has enough quantity that they could be trafficking it. Otherwise, there's virtually nothing that they can do. We need to give the police the tools necessary to deal with this ongoing problem. In fact, Madam Speaker, I would suggest that the Member for Calgary-Fish Creek should send a letter and a copy of the *Hansard* debate on Motion 511 to our federal Minister of Justice requesting that this drug be taken out of circulation and also that they go forward with a public awareness campaign against this drug. Included in that campaign

we must stress that if a person believes they may have been assaulted because of this drug, they need to contact the authorities as quickly as possible.

The company Hoffmann-La Roche knows the problem with the drug exists, so much so that the company offers free testing in the United States to see if in fact the drug is present in someone's system. I'd like to find out if the company has a similar arrangement with Canadian law enforcement agencies, and if not, then why not. The United States is trying to move Rohypnol to schedule 1 of the Controlled Substances Act. A drug in this category is ranked with drugs such as heroin and cocaine, illegal to use and illegal to possess. Madam Speaker, we need to follow the American lead and begin the transition of Rohypnol to schedule 1 of our Controlled Drugs and Substances Act.

While today we talk about this particular drug, Madam Speaker, I'm also concerned about the use, abuse, and easy availability of other illegal drugs not just in our country but in our province, our cities, our towns, and our villages. Marijuana, crack, cocaine, heroin, LSD, to name just a few, are all relatively easy to acquire in our province. I know that they're available without a great deal of difficulty in the city of Airdrie, and I'm sure they're just as available out in the communities of Beiseker or Irricana or over in Bearspaw. I'm concerned about them not just because they exist – they've existed for years – but because basically as a society we seem to not talk about them anymore. That's what really bothers me. I don't believe we put enough resources into combating these drugs, and I'd like to encourage my colleagues, especially Calgary-Fish Creek: we get behind a concern such as Rohypnol, but we must never forget that we have other problems out there.

Right now it's fashionable to talk about smoking and why people shouldn't smoke, but we rarely talk about what happens to kids that have access to LSD. In Airdrie right now you can buy what they call three tabs of LSD for \$5. That's an incredible drug for that price, and the vast majority of our young people have access to \$5. It's not hard for them to find, it's easy for them to hide, and it's easy for them to use. So along with the Rohypnol, Madam Speaker, I hope that we as a government and as a province take the other drugs just as seriously and attempt to do something about them.

Thank you.

[Motion carried]

MRS. BLACK: Madam Speaker, I request the unanimous consent of the Assembly to waive Standing Order 8(2) so that the House can consider third reading of government bills prior to 4:30 today.

THE ACTING SPEAKER: Having heard the motion by the Deputy Government House Leader, are you agreed?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? It's carried.

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

**4:20 Bill 20**  
**Fair Trading Act**

MR. DUCHARME: I'd like to pose the question on the bill, please.

THE ACTING SPEAKER: Hon. member, you must move third reading of the bill, please.

MR. DUCHARME: Madam Speaker, I'd like to move third reading of Bill 20, the Fair Trading Act.

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

MR. DICKSON: Thank you very much, Madam Speaker. On Bill 20, the Fair Trading Act, just if I can summarize it at third reading, the sense had been certainly from my colleagues in the Liberal opposition that it was important to consolidate a number of different consumer legislation items in a single bill, and that's an extremely positive move. Anything that makes it easier for Albertans to find out what their rights and what the remedies are as consumers and to be able to do that in a single statute is salutary. That's a very positive step forward.

On the flip side, some major concerns continue with Bill 20, the Fair Trading Act. We have a bill, as has been demonstrated at second reading, at committee, that's rife with delegated power. I don't remember, but at one point I'd counted the number of sections that confer regulation-making power on other bodies, and it's huge. It's absolutely huge. So that continues to be a major concern. The fact that in this province we still don't have any all-party legislative control over the way we make subordinate laws, over the way we make regulations continues to be a major concern.

Madam Speaker, I know that at third reading we're not entitled to speak of amendments moved and defeated, but when we look at Bill 20, one of the glaring weaknesses in the bill is the fact that so much of the detail of the bill is not going to be found in these 105 pages. So much of the detail is going to be found in regulations. One may say: "Well, okay; for the regulations, at least now when we go to the *Alberta Gazette*, we only have to look in the index under one statute. We don't have to look under the index and trace down five or six different statutes." But the point is that too much of the real control is outside the scope of this bill. So that continues to be a concern, and this may be an old lament . . .

MS CARLSON: But it's still valid.

MR. DICKSON: But it's still perfectly valid, as my colleague suggests.

The other concern that continues has to be the attempt of the provincial government to regulate the Internet. Through all of the debate around Bill 20 I still haven't heard, at least to my satisfaction, an explanation of how that particular provision is going to be reasonably enforceable, and to the extent it isn't, it creates a bit of a problem. What it does, Madam Speaker, is it allows people to think that in some fashion the Internet is now going to be regulated and that advertising on the Internet is going to be regulated. The reality is that it cannot effectively be done under this bill by a provincial government minister with all of the regulations that are going to be passed. This brings home, surely, the concern that has been expressed before.

I see the Minister of Energy is engaged, sharing no doubt some of the same concerns about subordinate lawmaking. I'm happy to always, anytime, make common cause with the Minister of Energy. It happens too few times in our respective overlapping legislative careers, but when I can make common cause with the

Minister of Energy and when he expresses some sympathy and some shared concern about regulation-making run amok, then I'm happy to go shoulder to shoulder with that gentleman and fight to ensure . . . [interjection] No, no. To fight with the minister; not to fight the minister. To fight with the minister to ensure that we make our legislation simpler.

There's a huge irony, Madam Speaker, with Bill 20. It's the Fair Trading Act, and it's put forward as a vehicle to make it simpler for consumers to know what the remedies are, but the irony is that to find out what your remedies are, you're going to have to go and wade through, I'd expect, something in the order of 70 pages of regulation to find out what's there. So the refrain from consumers' groups, the Consumers' Association of Canada (Alberta) – what they want is plain language legislation, to be able to go to a place and find out what laws bind you. You're not going to find it in Bill 20, not because the wording is cumbersome but because all of the details are going to be in the regulations. You know, regulations in Public Works, Supply and Services are no different than any of the regulations in Bill 20.

MR. WOLOSHYN: They're all very good.

MR. DICKSON: But they're difficult to find. The regulations are difficult to find. How many Albertans have ready access to the *Alberta Gazette*? Can we do a little show of hands in the House right now, Madam Speaker? How many Albertans in their constituencies have got ready access to the *Alberta Gazette*? Too few. Too few. We have a very computer-literate Assembly. I look at the laptop computers flashing and winking away on the 34 desks of MLAs. Very impressive. But, you know, we have a lot of Albertans that aren't wired. We have a lot of Albertans that don't have access to the Internet, and it still continues to be tough for those people to find out what their consumer protection is and what the remedies are.

The detailed analysis has been done by my colleague for Edmonton-Manning, who has, I think, shared his very thorough analysis of Bill 20. I just express my regret that more of the excellent ideas offered by the Member for Edmonton-Manning have not been carried forward as positive additions, amendments to Bill 20.

I'm confident that there are other people also who want to mark the final stage of a bill that really, in one sense, holds out great hope to consumers yet dashes that hope in the next moment by making it tough. I know that the plain language advocates sitting in close proximity to and further away from this member probably want to join and register their concerns.

Thank you very much, Madam Speaker.

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

MR. BONNER: Thank you very much, Madam Speaker. I would also like to say a few words in regards to Bill 20, the Fair Trading Act, this afternoon and again thank the Member for Bonnyville-Cold Lake for bringing me up to speed on Bill 20. His efforts were certainly considerate. They were well received, and they were valuable. I probably will be echoing a number of the thoughts that the Member for Calgary-Buffalo did expound on.

Certainly the first thing that I liked about Bill 20 was that it did consolidate seven different acts into one. It was no small feat, and in many regards I believe that the job done was a job well done, and I do like that about Bill 20. It is a good move, a

positive move for Albertans, because it is very relevant to the way consumers shop and the way they pay for goods and services. [interjection] Madam Speaker, we'll give lessons in catching later, if you would care for those.

Carrying on with Bill 20. Another strength of Bill 20 is that it will also protect our businesses and our consumers not only at this time but had the foresight to look into the future and see new methods of doing business, how the people and the businesses will be protected down the line. Another strength of this bill is that it protects consumers in Alberta when we have unethical telemarketers in other parts of the country. It also protects consumers in other parts of the country when we have unethical business practices here in Alberta. In both regards, I do like this bill. Another strength of this bill, Madam Speaker, is that it harmonizes Alberta's legislation with other Canadian jurisdictions.

I must agree with the hon. Member for Calgary-Buffalo that in reading through this bill, if there is one criticism that I have of this particular bill, it is the great amount of delegated power in the bill. It is enormous. In order to protect the people that this bill is meant to protect, the businesses and the consumers of Alberta, I would certainly like to also see an all-party legislative panel.

Apart from these few concerns, Madam Speaker, I would like to take this opportunity to conclude my comments at this particular time on Bill 20.

Thank you.

4:30

THE ACTING SPEAKER: The hon. Member for Bonnyville-Cold Lake to close debate.

MR. DUCHARME: I'd like to call the question, please.

[Motion carried; Bill 20 read a third time]

### Bill 23 Railway Act

THE ACTING SPEAKER: The hon. Member for Fort McMurray.

MR. BOUTILIER: Thank you, Madam Speaker. I'd like to move third and final reading of the Railway Act.

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

MR. DICKSON: Thank you very much, Madam Speaker. Bill 23, the Railway Act, is what I wanted to speak to. Of the 39 pages, for the most part, there's nothing in the bill I disagree with until I get to section 56(1). There's been extensive debate at the committee stage prefaced by some debate at second reading about the problem with section 56(1). That's the section that says:

The Lieutenant Governor in Council may make regulations for any matter that the Minister considers is not provided for or is insufficiently provided for in this Act.

I just wanted to reflect again that we had offered the Member for Fort McMurray two alternate more satisfactory and narrower wordings, that still would have allowed the cabinet the flexibility it needs in dealing with a novel bill but not allowing regulation to expand the scope of the act. I think if we look at the three other statutes that have been cited by the government, somehow the government has slipped these by. I'll blame it on the former Member for Fort McMurray. I counted on him to pick out those

regulations. Somehow some of those broad regulation sections escaped his keen attention. Lest that be regarded as some sort of a precedent, maybe we should establish something of a benchmark right now on Bill 23 and make it clear that the opposition is going to continue to be vigilant when we see this kind of improper delegated authority.

I'd not want any member or any minister of the Crown to come back, if we have a fall session or at next spring session, and try and bring in a bill that has something that the former Member for Fort McMurray would describe as odious, something as offensive as section 56(1) is. I don't know how we got down this very wrong road, but the notion that you can by regulation do anything that the minister deems appropriate – you could expand the scope, and we used the example of armadillos being kept along a rail line. As outrageous as that situation might be, it was illustrative of the nonsense that you could find with somebody using section 56 improperly. It may be that the current minister of transportation would never abuse that authority, but it's an absolutely awful precedent, absolutely awful, and if Parliamentary Counsel want to make better legislation, then surely to goodness they and ministers and members should stop bringing this kind of a provision into an Alberta statute, because it's incredibly offensive. It is so absolutely disrespectful of parliamentary democracy that I still find myself amazed that we would even have to debate it, even have to raise the concern.

After proposing some amendments to the Member for Fort McMurray that would have achieved a better balance than what's in there, to find those amendments spurned was incredibly disappointing. It might even be hurtful, Madam Speaker, that those constructive amendments were rejected and, may I say, rejected summarily.

That's the concern I had with respect to the Railway Act. It continues to be a concern, but I'm going to undertake to the current Member for Fort McMurray that I now have developed a keen interest in Bill 23, an area that hasn't been of particular attention to my constituents in Calgary-Buffalo, but I'm particularly concerned now. These are going to be the regulations that I'm going to see first when I look at my computer screen and I see the next round of orders in council with regulations going through. The minute I see Railway Act and see precisely what kinds of regulations, I want to see the extent to which this section is used or misused. This may be worthy of a private member's bill at another time to specifically attack any abuse of the jurisdiction of the Railway Act. So I just wanted to assure the Member for Fort McMurray right now so that he knows the kind of concern and the extent to which people are going to be watching very carefully to see what kind of regulations come out of the act.

So those are the comments I wanted to make. Thanks very much, Madam Speaker.

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

DR. MASSEY: Thanks, Madam Speaker. Just a few comments at third reading on this bill to underline the concerns that have been raised throughout the debate, and that is section 56(1) and the power that is conferred upon the Lieutenant Governor in Council to make regulations for any matter not included in the act. I think the sponsor has been forthright and has tried to assure us that the context in which the bill was developed was one where good intentions prevailed. He's tried to assure us that we are

reading far more into this provision of the act than actually was intended or that will ever be used.

I take those assurances with the good reputation of the member in mind and would like to think I might leave the bill comfortably, but there's the nagging provision that that may not be the case. I think that there will be people who follow us who will not have had the benefit of the context in which this bill was developed and who will be looking at the words on the page staring back at them, the actual provisions of the act. It will be handed on to other people for interpretation, those, again, who weren't privy to the context in which this provision of the act was generated, and they may put on it the very connotation and understanding that the members of the opposition have placed upon it. That understanding in the literal reading of the provision is that it gives to the minister and to the cabinet a tremendous scope in terms of the kind of regulations that they might make, a scope that is really quite unacceptable in legislation.

**4:40**

I think there's something else that's happened this session that gives us cause to reflect carefully upon the kinds of provisions such as this. That has been the uneven crafting of legislation. We have seen examples of bills being presented and soon to be followed by pages and pages of amendments to try to rectify the original shortcomings in the crafting of the legislation. We've seen bills withdrawn and bills that have caused a great deal of public outcry being left to die on the Order Paper. So the context in which the provisions of this bill are put forward is not confidence inducing. It's for those reasons, Madam Speaker, that we have such grave reservations about the bill and this particular section, section 56(1).

So with those comments I would conclude my remarks. Thank you, Madam Speaker.

THE ACTING SPEAKER: Thank you.  
Edmonton-Glenora.

MR. SAPERS: Thank you, Madam Speaker. I have just a few comments to say about Bill 23. I will reference the section of Bill 23 which gives the minister this power to make regulations, that my colleagues have spoken about.

I just want to say that this bill forms part of a disturbing trend, where there are broad powers given to a minister. In a bill that the Minister of Advanced Education and Career Development has before the House that affects the Students Finance Board, the role of that board is really usurped by the minister. We see that when the Minister of Justice is confronted with issues in Bill 25, he tells us that he'll be addressing those concerns through the form of a comfort letter; in other words, writing a letter saying: "I'm from the government. Just trust me. It will all work out okay."

We see that there is another bill in front of the Assembly where we're being told: it's really not what we mean to do; we'll fill in the blanks later. That's the deregulation bill, where we don't really know what we're going to accomplish necessarily, but again, "We're from the government, so trust us." This is a very, very disturbing trend. This is legislation on the run. This is the kind of thinking, Madam Speaker, without putting too fine a point on it, that leads us to the point in this Assembly where we would be dealing with the kind of legislation that Bill 26 represented, legislation that started a sentence with the words "sterilization victims" and ended that sentence with the word "notwithstanding."

This is lazy thinking on the part of a government, and it is inexcusable that this kind of legislation continues to come before

the Assembly. I don't think Albertans need to be constantly put in the position of being told by their government: really, we mean no harm; take us at our word. It's incumbent on the government to do a better job of protecting the interests of Albertans by saying what they mean in law the first time and not just leaving it to the murky world of regulations and ministerial order.

Thank you.

THE ACTING SPEAKER: The hon. Member for Fort McMurray to close debate.

MR. BOUTILIER: Thank you, Madam Speaker. I want to say first and foremost that my comments – it's the Railway Act not the railroad act. It must be my Fort McMurray accent that I picked up from the former member who used to sit here from Fort McMurray. To the hon. members: I will relay all of their unflattering comments to the former Member for Fort McMurray.

I want to conclude debate by saying that some concerns were raised about section 56(1). I want to remind all the members that this is a 90-year-old act that we are ultimately rewriting. Very few acts from 90 years ago have been rewritten. I do want to say that these regulations, Madam Speaker, will only be effective for two years at most. So within two years the government would have to bring back the interim provisions to this House for debate to formally add the sections back to the act. Otherwise, the provisions would die. This type of clause is commonplace. I would like to conclude by saying that it's long overdue, the updating of a 90-year-old piece of legislation.

I thank the members for their comments, and now I ask that we call the question for third reading.

[Motion carried; Bill 23 read a third time]

### **Bill 28 Drainage Districts Act**

THE ACTING SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Madam Speaker. I'd like to move third reading of Bill 28, the Drainage Districts Act.

This bill constitutes an updated, streamlined act. I would like to thank the members from the opposition for their questions and for partaking in discussions on this bill, and I would like to urge all members to vote in favour of this bill at this time.

Thank you.

MS CARLSON: Madam Speaker, we were happy to support this bill and the approach which the government took in consulting the people in the community, the participation that the community had in developing this bill. In fact, it was promoted from that perspective and brought forward to the government's attention, and they worked together for some few months to put together this information in a way that came to this Legislature in a very proper fashion. It required very little debate, it required no amendments, and it was easy for us to support.

I would contrast that to Bill 25, the Justice Statutes Amendment Act, which has come forward in this Legislature in a very different process. They came from similar kinds of backgrounds. They were community driven in the first instance. The government needed to react . . .

THE ACTING SPEAKER: Hon. member, we are discussing Bill 28. That is what is in third reading.



MS CARLSON: I am very relevant in terms of talking about the nature of the process in which the bill was brought forward, debated, and discussed.

MR. DICKSON: Contrast is a legitimate form of analysis.

MS CARLSON: Contrast is a legitimate form of analysis in this House, Madam Speaker, and I think this is very legitimate.

We can see one member having had a completely different approach to bringing forward a bill as compared to another member. I think that that's important to take a look at as we wind down the end of this session and we take a look at how the government is going to approach legislation that is being brought forward for the upcoming session. This is important to note. It is very possible to listen to consumer needs, to adjust and adapt to the outside environment, to consult on a thorough basis, to write proper legislation, to bring it forward into the House in a manner that is easily and readily understood and debated, and to not have to bring forward 34 different amendments, like we see on that bill, and to not have to look forward in the future to any kind of miscellaneous amendments that are going to need to come up in the next session.

We're not going to see that happen with the drainage bill. It was very well done. It was properly consulted on in the community. There was enough feedback and input on it so that we could just bring it in here, discuss it in a very short format, and have both sides of the House agree to it.

Madam Speaker, I would suggest that other members from the government side also take that into consideration.

[Motion carried; Bill 28 read a third time]

4:50

**Bill 29**  
**Students' Financial Assistance**  
**Statutes Amendment Act, 1998**

THE ACTING SPEAKER: Can I just remind all members that when I do call on a member to speak, they do have the floor. We are getting a little noisy in here.

The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Madam Speaker. I would like to move third reading of Bill 29, the Students' Financial Assistance Statutes Amendment Act, 1998.

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

DR. MASSEY: Thanks, Madam Speaker. In speaking at third reading of the bill, I think it's only fair that we review what the bill actually does and some of the reservations we have about the movement of the student loans program back to the department.

The consolidation of the operations of the functions of the student loan program under the department of advanced education is still a concern to us. It's going to leave students in the position of having to appeal to the very department that has made decisions to which they may take objection. Even though the loans program of the past was not arm's length, there was the feeling on behalf of students that there was some independence and that should they have an appeal, they would have at least two forums in which that appeal might be heard. This bill narrows those appeals now to the department itself.

There are some aspects of the bill that we see as being neces-

sary. It makes it easier – and we think this is a good thing – for Alberta students studying outside of the province to get Alberta student loans. That's only good for our students because it encourages them to look elsewhere for opportunities and to enhance the kinds of education that they eventually end up obtaining. The Alberta government of course has to have the right to add funds to the heritage scholarship fund. It's a provision that we fully support. The scholarship fund has been a very worthwhile fund in this province and has helped and aided a number of students who need it and who are worthy of support.

The provisions of putting the Students Finance Board strictly under the minister as an advisory board, again I say, we take issue with. We don't think it's the right move, but we do support the bill.

Thank you.

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

MR. SAPERS: Thanks. This bill is one of those Trojan horse kinds of bills, because it kind of gets inside your camp, sneaks up on you, and bites you on the posterior.

DR. MASSEY: Is that what a Trojan horse did?

MR. SAPERS: Well, I'm stretching – it's just because I was provoked by the Minister of Energy.

The issue with this bill is that the role of the Students Finance Board substantially changes, and the amount of power that the minister controls is exponentially increased. This should be a concern to all of us, particularly those members that represent small communities where there are skill training and career development issues.

The way that it works right now is that the Students Finance Board will make decisions around the tuitions that are paid on behalf of students who are clients of the provincial government, either directly or through HRDC, through the agreement that was reached between the federal government and the provincial government. So when one of these clients – they may be an EI recipient, or they may be somebody else – comes through and is seeking tuition to go to an approved course for skills development or training or upgrading of some sort, there is a payment made on behalf of that student and usually through the student, a form of tuition to the approved school or the place of instruction. Those places get, I think, in the order of \$7,500 per student, and if it's more than a 13-week course, they get . . .

MRS. BLACK: Yeah, yeah.

MR. SAPERS: Well, if you know all that, Madam Minister, what is the amount?

MRS. BLACK: Why are you repeating all this?

MR. SAPERS: Why am I repeating all of this? The Minister of Economic Development – is it still: and tourism? No, I guess you're not responsible for tourism anymore; are you? [interjections] Well, you'd never know it, Madam Minister. You'd never know it.

[The Speaker in the chair]

Anyway, the reason why I'm repeating all of this is because there is a very real issue, particularly outside of the major cities, where Albertans are being denied access to career upgrading, career development and training, skills development and training. The reason why they're being denied access is because there is bad information or no information on what the market conditions are. There's not a lot of dialogue or intelligence sharing between those people in the field and the Students Finance Board and the minister's department and the policy development mechanisms in the province in terms of providing access to training and skills development. So what you have is a policy change coming at this particular point in time which is going to add to the confusion. It's going to add to the backlog, and it's not going to do anything to enhance the ability of the Students Finance Board to provide financial support to those students who are seeking this kind of training and skill development enhancement. So I am very concerned, and I think it bears repeating.

As I've said, it may not be so important, Madam Minister, in Calgary-Foothills, just like it may not be the most important issue in Edmonton-Glenora, but you know, in Cypress-Medicine Hat and in Little Bow and in Airdrie and in Whitecourt it's very much alive. It's very much an issue, because the way that the money flows right now because of the way that the department is managing the agreement, the federal dollars, is that the schools and the courses of instruction don't get any more block funding. They only get the funding through students, and because they need a critical threshold of a number of students before they can offer their courses and keep them going on an ongoing basis, some of these schools are shutting down. That drives up the sources of instruction. Of course, there are fewer options for training in smaller communities, so that just creates this cycle of more people needing the services but, because of an administrative decision on the part of the government, fewer services being available.

The real downside of all that is that there are probably 100,000 Albertans who could use job training and skill development and upgrading. The money is there because it's federal dollars that have been given to the province, and those 100,000 people aren't getting the skills that they need. They're not getting the upgrading that they require. The money isn't being spent; it's being left on the table. Certain aspects of the market are not being supported through government policy. There are critical shortages in many, many labour areas in this province, and nothing is being done about those shortages. That is a shame, and I think it should concern us all in this Assembly.

So this bill, which appeared at first to be a bill that was really administrative and minor in nature, is really a bill that speaks right to the heart, to the government strategy. I remember the Premier of the province campaigning at one time by saying that he's going to be creating 110,000 new jobs. I would guess, with the way that this government has sort of abandoned a lot of the career development and job upgrading and skill development field, that they no longer care about the role of the government and government policy in the creation of employment and in upgrading employees, Albertans, particularly those Albertans who have been most affected by other government policy: the downsizing of government departments, the cutbacks in health care and education and the cultural industries and in social services. These men and women want to work. These men and women lost their jobs not because of any lack of confidence or need for their services but because of government cutbacks. Now these men and women want to be retrained to enter into other market areas, and they are being denied that opportunity as well, which I think is quite a slap in the face.

5:00

So I would hope that the minister, who is intent on seeing this bill become law, understands the implications of what he's done, understands the eight ball that he's put these students behind and the way in which he's now constricted and constrained the role of the Students Finance Board, and I hope he will move administratively to quickly sort all that out. I will offer my support to that minister to help him do that, to help him accomplish that, and if it means remedial legislation coming to the Assembly, I can pledge on behalf of the Official Opposition that that remedial legislation would be quickly reviewed and adopted. We would be very happy.

In fact, I've been hearing that there is some rumour that the government is anxious to close down the Assembly, that it could happen Thursday, that it could happen Tuesday, but, Mr. Speaker, I'm here to tell you that the Official Opposition is willing to stay in the Chamber until we get the job done, until we get meaningful legislation passed in this area of career development, until we get the family violence bill passed, until we get conflicts of interest legislation dealt with. There's a whole legislative agenda out there well beyond Bill 29, and I'd be happy to stay here and debate that and help the government be as good as it can be. You know, it's a daunting task, but the Official Opposition is up to that task.

So I would hope that the Minister of Advanced Education and Career Development will be able to review *Hansard*, that he'll be made aware of the concern we have around Bill 29 and the role of the Students Finance Board, that he will pay attention, and that he will take action. I'll be more than happy to help him more fully understand those concerns that are being brought to my attention from around Alberta and, as I said, particularly from the smaller communities in this province, which would like to participate in the economic growth of Alberta but are being denied that opportunity. The citizens of those small communities are being forced to leave those communities, travel to Edmonton, travel to Calgary, to try to find whatever kinds of operators they can who are providing these career development and upgrading courses.

You know, what's interesting, Mr. Speaker, is that when it comes to licensing these career development schools, there isn't really even a process of reviewing them in a proper way. So what you have is a whole bunch of interim licences granted with no oversight. The school is up and running one day and can be gone the next, and there's no recourse. Of course, what's happened in the interim is that that school has taken those public dollars, purported to offer a course, and may go out of business because they didn't have enough students enrolled, and that circles back to the policy, and then they're gone. There doesn't seem to be any recourse, any accountability. There doesn't seem to be any concern on the part of the government about that either.

So lots of things to be concerned about. Bill 29 is far from a perfect approach to this issue. It's at third reading, and of course the government's going to use its might and its power to ensure that this bill passes, but it's important that we get these concerns noted on the record.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose to close debate.

MR. JOHNSON: Thank you, Mr. Speaker. The concerns raised today were largely addressed in earlier readings, but I would like

to conclude the debate by maybe stating the main objectives of this bill once again, because it's some time ago now that we actually did go through second reading and committee.

The bill clarifies and better defines the role of the minister and the Students Finance Board in line with today's realities, the changes that have taken place over the years. So in other words it updates the bill. It provides for a more portable financial assistance program in terms of interprovincial programs between the various provinces. It allows for the use of modern electronic technology in terms of loan transactions, again bringing it up to date. Finally, it makes provision for additional funds to be placed in the Alberta heritage scholarship fund, making more funds available, more loans available for our Alberta students. These are the main objectives of the bill.

I appreciate the debate, and I encourage all members to support the bill.

[Motion carried; Bill 29 read a third time]

**Bill 30**  
**Cemeteries and Funeral Services Statutes**  
**Amendment Act, 1998**

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

MRS. LAING: Thank you, Mr. Speaker. I'm very privileged this afternoon to rise and move third reading of Bill 30, the Cemeteries and Funeral Services Statutes Amendment Act, 1998.

I do realize that there's still some concern on the direct sale of preneed services. However, the majority of stakeholders and the public as seen through the Angus Reid poll do support this prohibition, and I think it's time to move on.

I would like to thank very much the hon. Member for Edmonton-Glengarry for his co-operation and thoughtful analysis of Bill 30 and also Helen Hanson and Frances Cruden from the Department of Municipal Affairs for their support and their assistance.

I would urge all members to support this bill when the vote is taken. Thank you.

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

MR. DICKSON: Thank you very much, Mr. Speaker. Just a couple of observations I wanted to make to Bill 30. The first one is a question. There's a concern that's been expressed to me in terms of the current regulations dealing with people who die who have been infected with HIV. I received a number of concerns that I understand have been shared with – I'm not sure which minister of the Crown, whether it's the Minister of Health, whether it's treated as a public health issue. There are some real concerns that I wanted to flag in terms of some regulations that frankly reflect neither current public health practice in terms of risk of infection and are seen as representing something less than treatment with dignity of people who have died with HIV. It's not in any way expressly addressed in Bill 30, but I'm hopeful that either the Member for Calgary-Bow or those members responsible for implementation of the bill subsequent to passage would address that concern.

The other thing that I find interesting with Bill 30 is that once again the regulation power is massive. Under the Cemeteries Act, section 59.74(6) right through new section 60, there are more than 30 subsections dealing with delegated regulation power. If you look at the funeral services act, there are fully seven pages of Bill 30 dealing simply with the funeral services act regulation. For

those of us concerned that regulations are getting away on us without adequate oversight, without adequate monitoring, this is one of those bills like Bill 20, which has an enormous number of regulations.

I'd just remind members that every year the ministers who sit opposite to me generate something in the order of 700 to 900 regulations. In this province, almost unique among parliaments and democratic systems on the continent, there's no all-party oversight of those regulations. So when we see a bill like Bill 30, which for the most part may be seen as remedial and not a big deal, it forces us one more time to ask people like the Minister of Health or the minister of intergovernmental affairs or the Minister of Economic Development: why is it that we see such broad power accreted to cabinet ministers, deputy ministers, and why so little sharing of power with others who have also been elected? Why wouldn't we want an open system?

**5:10**

It may be that when we look at Bill 30, Mr. Speaker, we can balance all of the comments and promises around openness and accountability and . . . [interjections] I see that other members share the concern. This won't be reflected in *Hansard*, but I hear some supportive comments from the far row, from the Calgary Conservative caucus. And that's great. I always like to work with my colleagues in the Calgary Conservative caucus. I know there's some concern around excessive regulation-making. I don't want to embarrass the member by citing him by constituency, but that's okay. We're happy to lump in all 20 Calgary Conservative MLAs, because I know they're feeling a little uncomfortable about this trend that's happening in the Legislature. The Minister of Health may be frowning, but that's because he probably can't understand why his colleagues don't support a more open system of dealing with regulation, and I understand that.

Mr. Speaker, it would be so amazingly easy for us just to remain in our seats at third reading, say nothing as a bill like this goes through, and it just moves on and the Member for Calgary-Bow is able to turn it over to the respective ministers. But then they start the regulation factories. As soon as the lights are turned off in this place, there are people in those departments that are going to start sitting down at their keyboards, cranking out regulation after regulation after regulation. And who's going to look at them?

DR. TAYLOR: Maybe Law and Regulations will look at them.

MR. DICKSON: Well, finally the Member for Cypress-Medicine Hat, one of the brightest lights in the Conservative caucus, identifies how easy it would be to remedy this problem, just to assign the regulations to the Standing Committee on Law and Regulations. If I might be so bold as to speak for the opposition members on that committee, we would be prepared to meet, I daresay, on an hour's notice.

Mr. Speaker, there's a misconception that opposition members simply like making work for themselves as well as for members in the front bench. Nothing could be further from the truth. What we're offering, one time only . . .

**Speaker's Ruling**  
**Third Reading Debate**

THE SPEAKER: Hon. member, the only misconception or confusion that I'm hearing in the House today is that we're dealing with third reading of a particular bill, and if we concentrated and focused on the essence of third reading, we'd probably

not have any of that misunderstanding. So would you please proceed.

MR. DICKSON: I certainly will, Mr. Speaker, and thanks very much for that advice.

### Debate Continued

MR. DICKSON: As I'd started off saying, in Bill 30 there is a huge principle at stake, and the principle is very much one of delegated lawmaking. I just wanted to make that point, sir. It detracts from what otherwise I think would be a very positive bill and a bill that people – it's no fun being a curmudgeon, Mr. Speaker. It's no fun always raising concerns with bills and always appearing to find the glass half empty. But there are some issues that are so important that they just have to keep on being reinforced time after time after time until maybe the members opposite will just decide it is far easier to take a key element of Bill 30, a key principle, which is delegated lawmaking, and task that to a committee, a committee that is going to move with lightning speed, a committee that is going to pare regulations. Deputy ministers will be quivering, anticipating the scrutiny of that all-party Committee on Law and Regulations, taking knives and aggressively cutting out regulations that are inappropriate, that would expand a jurisdiction. And that's going to happen, not just under the cemeteries and funeral services act, but we're going to move to economic development and tourism. There'll be no deputy minister that will be safe from the keenest scrutiny that will ever have been exhibited in this province.

When will that time come, Mr. Speaker? Well, the government teases us. Bill after bill members of the opposition come in excitedly, anticipating, waiting for a nod, just a small nudge, a wink, any suggestion that there's going to be some movement, not to be seen yet.

In any event, those are the concerns I wanted to record on Bill 30. I'm expecting that there are other members who share that concern with that fundamental principle of Bill 30 and the excessive regulation. I'm hopeful that point will be reinforced by others, because it's clear that there's a need to reinforce this.

Thank you very much, Mr. Speaker.

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

MR. BONNER: Thank you, Mr. Speaker. I would also like to speak to Bill 30, the Cemeteries and Funeral Services Statutes Amendment Act. I want to again take the opportunity to thank the Member for Calgary-Bow for the effort she made in bringing me up to speed on this particular bill, how good her staff was and how patient they were in dealing with all of my questions and concerns. One of the strengths of this bill is that it does harmonize what is happening in the funeral and cemetery business with other pieces of legislation currently being used in the province.

It deals particularly with prearranged funerals. In a poll conducted by Angus Reid, Albertans certainly indicated their concern about door-to-door and telephone solicitation for prearranged funeral services and cemetery supplies and services. So what Bill 30 has done is address many of these concerns for the majority of the stakeholders in this particular business. As well, what this bill does, Mr. Speaker, is it will now hold money in trust for people that do prearrange these services. A change will be that these people who do have their money held in trust will be paid interest on that money, and only those services that they use will be paid for out of this trust fund when they use them. It also

allows for a very fair settlement if, for example, somebody wants to give up their particular cemetery plot because they've moved, because of divorce in the family, or whatever.

Another very good part of this bill, Mr. Speaker, is that it protects the most vulnerable people who would use these services. That, of course, is our seniors. It allows extra time for these people, a lengthening of the cooling-off period when they have purchased particular services from either the cemeteries or funeral services. It gives them time to talk over with their families and to reconsider what has happened and what they have done. That again is a strength of this bill.

I would be remiss if I did not mention that I do support the majority of the comments by the Member for Calgary-Buffalo in that I also have some concerns with the regulations that are stated in this particular bill. But overall, Mr. Speaker, in conclusion I would again like to thank the Member for Calgary-Bow for doing a good job on Bill 30.

Thank you.

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

MR. SAPERS: Thank you very much, Mr. Speaker. While I share very, very deeply the fundamental concern that my colleague from Calgary-Buffalo mentioned about the aspect of this bill which delegates so many important issues to regulation-making instead of debate in the Legislature, I won't take the time of the Assembly to repeat those concerns. What I do want to say about Bill 30 at this point is that in my own opinion and the feedback that I've had from my own constituency – and some members may be surprised to learn that I've actually had direct comment from constituents on a bill that maybe hasn't had the broadest public circulation or the most notoriety. But the feedback that I've had in Edmonton-Glenora indicates that there are some legitimate concerns about the government casting perhaps too broad a net over what could have been and in the past has been a problem. I'm referring specifically to the telephone sales of advance or prearranged funerals.

### 5:20

While it is laudable that the government would like to oversee this industry and ensure that there is dignity and respect and that people are not harassed, there is another side to the coin. I know there's a particular sensitivity to seniors and those whose health may be fragile for one reason or another, ensuring that they're not targeted, particularly in an aggressive or unscrupulous way. That other side to the coin is that prearranged funeral sales is a legitimate business. It's not an illegal business. It's not an unethical business. It's a legitimate business that is practised by legitimate businessmen and women whose success would suggest that there is a market for the product they're selling. The primary means this business is conducted through is usually the telephone.

There are different categories of sales agencies. You can have a prearranged funeral sales entity that does nothing but sell prearranged funerals, or you can have one that works arm in arm with a funeral home, which would primarily be in the business of meeting funeral needs at the time of death. So what's happened is that because of this legislation those businesses which are primarily or exclusively involved in telephone sales of prearranged funerals and have no other business are put at a significant disadvantage when compared to those businesses which also work with a funeral home, because the funeral home still has that part of its business and has other means and methods of attracting business or creating a business interest.

So I think that while we want to do everything in our power to ensure that people are not targeted or taken advantage of unfairly or in a way that we would be uncomfortable with, I think we also in this Legislature have a responsibility for not picking winners and losers, not taking sides in what may be seen as a matter to be resolved by the market, not by legislation. I personally am not comfortable that this bill hasn't done exactly that. In fact, I think that perhaps in our attempt to achieve a good thing in this legislation – and I do commend the member who sponsored this bill – perhaps we have gone a little bit too far. I hope either the member or the government will take it upon themselves to review and reflect on what's happened with the industry over the coming months and years and, if need be, to be open to remedial legislation, because it could very well be that there will be some pressure put on this government to lift the restriction on this one form of telephone sales.

The other issue, of course, is what other telephone sales may now be at risk of being legislated out of business. We may find a whole number of things distasteful if they are tried to be sold over the telephone. I guess now I'll be waiting in anticipation of the next law that'll be proposed by the government to limit telephone solicitation for something else that some government member may not think is the way that business should be conducted.

Mr. Speaker, I hope these comments are understood. We are not taking issue with the intent of the bill, but I certainly feel that perhaps it goes too far.

Thanks, Mr. Speaker.

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

MRS. LAING: Just a last-minute remark. In jurisdictions where the direct-sales prohibition is in effect, there has been no noticeable drop in sales and business. Recently the funeral services industry has started a nationwide launch of public relations, and I think we find there are many avenues open for them to advertise.

I would now thank the members for the debate and call the question.

[Motion carried; Bill 30 read a third time]

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

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'd like to move third reading of Bill 33. This particular bill will help enhance the Environmental Protection and Enhancement Act. So I would like to take this opportunity to thank all those that spoke in favour of this bill in second reading and in committee and would urge all members of the House to vote in the affirmative on third reading.

MS CARLSON: Well, Mr. Speaker, it's certainly a first when we

can see an environmental bill in this Legislature where section by section, clause by clause, word by word we agree with the government, but in fact . . .

AN HON. MEMBER: Can't be.

MS CARLSON: They say it can't be. I know; I just rolled over on this one. Who could believe it; right?

MR. SAPERS: Must have been a Liberal initiative.

MS CARLSON: There you go.

What it was is a bill that cleaned up a lot of different items that needed to be cleaned up, and we sat down with the minister and some of the senior members of his staff and literally went through the bill word by word. We were looking for anything that might have been in there that we wouldn't have been happy with or satisfied with or needed more input from people from the community, but, Mr. Speaker, it just wasn't there. We were quite happy with everything in the bill and happy, in fact, with the direction that was taken in some regards, particularly with the handling of hazardous waste and some of the alignment that went with some of the justice statutes. So there's no doubt that . . .

MR. SAPERS: Legislation from a parallel universe. This can't be happening.

MS CARLSON: Yeah, legislation from a parallel universe. That's right. [interjection] Oh, you want to pass it? Okay.

Well, having said that, Mr. Speaker, I'll take my place, because we did agree with everything that went on in this particular bill.

THE SPEAKER: The hon. Minister of Environmental Protection to close debate?

Well, hon. members, this bill was introduced and it passed second reading within four minutes, and third reading will now go within three minutes. I think I'm going to have somebody do some research. That's quite a record.

[Motion carried; Bill 33 read a third time]

MRS. BLACK: Mr. Speaker, I move that the House now stand adjourned until 8 this evening.

THE SPEAKER: The House has before it a motion by the hon. Deputy Government House Leader, and we'll call that within 12 seconds.

I just want to advise all members that I will be departing this place tomorrow to attend an executive committee meeting of the Commonwealth Parliamentary Association, which is located in Swaziland. I want to thank all members for the great opportunity given to me to serve on that particular committee. So I wish you well.

[The Assembly adjourned at 5:29 p.m.]

