

## Legislative Assembly of Alberta

**Title:** Tuesday, April 28, 1998 1:30 p.m.  
**Date:** 98/04/28  
 [The Deputy Speaker in the chair]

head: **Prayers**

THE DEPUTY SPEAKER: Good afternoon. Let us pray.

Heavenly Father, as we near the end of the spring session, may You renew in our hearts qualities of patience, understanding, and tolerance for one another.

Help all members of this Assembly to keep their commitment to better serve in dignity our constituents and all Albertans.

Amen.

Please be seated.

head: **Presenting Petitions**

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

MR. McFARLAND: Thank you, Mr. Speaker. I beg leave to introduce a petition signed by Albertans from a variety of constituencies supporting the holding of "Senate elections during the province-wide municipal elections in October 1998."

THE DEPUTY SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I beg leave to introduce petitions signed by Albertans from a variety of constituencies supporting the holding of "Senate elections during the province-wide municipal elections in October 1998."

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

MR. BONNER: Thank you very much, Mr. Speaker. I beg leave to present a petition on behalf of 104 Albertans to urge the government of Alberta to

examine and amend the Workers' Compensation Board Act to provide appropriate benefits to those Albertans whose spouses died in work-related accidents, and who subsequently lost their benefits due to remarriage.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I also have copies of a form that is from constituents in different parts of Alberta indicating that "Albertans deserve an accountable Senate."

THE DEPUTY SPEAKER: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Speaker. On behalf of 95 people in the Lethbridge area I'd like to submit a petition expressing their concern about Bill 37.

Thank you.

head: **Notices of Motions**

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

MR. HAVELOCK: Thank you, Mr. Speaker. I beg leave to give oral notice of the following motion:

Be it resolved that further consideration of any or all of the resolutions, clauses, sections, or titles of Bill 40, Senatorial Selection Amendment Act, 1998, shall, when called, be the first business of the committee and shall not be further postponed.

THE DEPUTY SPEAKER: The hon. Minister of Economic Development.

MRS. BLACK: Thank you, 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.

I also am giving notice that tomorrow I will move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 94, 95, and 96.

head: **Introduction of Bills**

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

### Bill 231 Medicare Protection Act

MS BARRETT: Thank you, Mr. Speaker. It is my pleasure today to beg leave to introduce Bill 231, Medicare Protection Act.

I don't have the small-format copies yet. However, I did put a copy of this bill on the desk of the Government House Leader and the Opposition House Leader.

Briefly, Mr. Speaker, this bill will require that all medically necessary health services requiring overnight patient stays are performed in public hospitals operated on a not-for-profit basis, and it would also require doctors who opt out of medicare to reimburse the taxpayers for their use of public health facilities.

[Leave granted; Bill 231 read a first time]

head: **Tabling Returns and Reports**

THE DEPUTY SPEAKER: The hon. Minister of Municipal Affairs.

MS EVANS: Thank you, Mr. Speaker. It's my pleasure today on behalf of Credit Counselling Services of Alberta Ltd. to table two documents. The first is Re-establishing Your Credit after Debt Problems, and the second is the 1997 annual report of the activities of Credit Counselling Services, who have served over a thousand families, over 6,000 individuals and have returned \$1.8 million to creditors in Alberta.

MR. LUND: Mr. Speaker, it's with a great deal of pleasure that I table five copies of responses to questions that were raised by the members opposite during the deliberation of the designated supply subcommittee on Environmental Protection.

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

MR. STELMACH: Thank you, Mr. Speaker. I have two tablings. One is the Alberta Agricultural Products Marketing Council annual report from 1996 to 1997.

The second tabling is a report on university animal facilities

inspections. Under Alberta Health's regulatory reform the animal welfare responsibilities in the Universities Act were transferred to Alberta Agriculture. I'm pleased to report that all animals on their premises were being cared for appropriately, and it was apparent that there were no significant animal care problems at the university.

Thank you.

MS BARRETT: Mr. Speaker, I'm tabling today copies of a little-known public document entitled Public/Private Health Services: the Alberta Approach. This document was signed off with the federal Liberals in 1996, and amongst other things it actually encourages private, for-profit health care in the publicly funded system. [interjections] Yup, the federal Liberals.

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

MRS. BURGNER: Thank you, Mr. Speaker. I'm pleased today to file with the Assembly five copies of a letter under my signature as chairman of the Alberta Alcohol and Drug Abuse Commission to the hon. Acting Leader of the Official Opposition. This letter clarifies the current status of AADAC's prevalence report and outlines the reason why the complete report will not be released until November of this year, when it will be publicly released.

THE DEPUTY SPEAKER: The chair would like to table a memorandum from the hon. Member for Calgary-Cross requesting that Bill 212, the Amusements Amendment Act, 1998, be brought to Committee of the Whole on Wednesday, April 29, 1998. I would like to have this bill brought to Third Reading on the same day, as soon as House business will allow.

head: **Introduction of Guests**

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

MS PAUL: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all Members of the Legislative Assembly 56 very energetic students from St. Charles school in Castle Downs. They're here with two teachers, Denise Zubko and Paula D'Amours. Also I would like to say a special hi to Bryce Blakeman, the stepnephew of the hon. Member for Edmonton-Centre. Will everybody please give them a warm reception.

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

MRS. GORDON: Thank you, Mr. Speaker. I am very pleased to introduce to you and through you to members of this Assembly 72 enthusiastic, eager students from a school I visit often. With them today are teachers Mr. Rob MacKinnon, Mr. Justin Rindal, and Miss Teri Lynn Woodrow; parent helpers Mrs. Merlene Giles, Mrs. Chiko Hancik, Mrs. Teri Giles, Mrs. Barb Lubbers, Mr. Robert Forsstrom, Mrs. Susanne Schweer, and Ms Dixie Schmidt; and bus drivers Mrs. Jennifer Shackleton and Mr. Jerome Wildeman. They're seated in both galleries. I would ask that they rise and receive the warm traditional welcome of the Assembly.

1:40

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I wish to introduce to you and through you to members of the Assembly 58 students from Corinthia Park school in Leduc who will be joining us during question period. They will be accompanied by 11 adults as well their teacher, Mrs. Val Baron. The adults are Mrs. Michelle Wright, Mrs. Janice Greenley, Mrs. Laverne Wereley, Mr. Richard Fulmore, Mrs. Sandra DeWit, Mrs. Roxanne Girard, Mrs. Debbie Jarvis, Mrs. Brenda Wereley, Mrs. Wanda Nickoleff, and Mrs. Sharon McAmmond.

Thank you.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'm very pleased today to introduce to you and through you to Members of the Legislative Assembly 13 women who are joining us today in recognition of the International Day of Mourning. They are Nora Biggs, Shirley Fry, Val Benoit, Ev Miller, Irene Lagacé, Patricia Dunn, Sandra Perras-Franzen, Evelyn Frerichs, Vera Prest, Leta Schmaltz, Shirley MacLeod, Ursula Brandt, and Margaret Leonard. I would ask them to please rise and receive the warm welcome of the Assembly.

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

MR. DUNFORD: Thank you, Mr. Speaker. I'd like to introduce to you and through you today to the members of the Assembly a woman of distinction who's well known and respected within the advanced education community. Mrs. Lois Hole was recently elected as the 16th chancellor of the University of Alberta and will begin her term on June 9. I believe this woman's leadership will take the U of A senate into the next millennium and work on the vision of new avenues of co-operation and support of education partnerships. I would ask that as she rises, we give her a very warm welcome. She is a valued and dear member of the Edmonton community and a constituent of my colleague from St. Albert.

head: **Ministerial Statements**

### **Day of Mourning for Injured Workers**

THE DEPUTY SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you, Mr. Speaker. I am pleased to stand in the Legislature today and deliver a statement on the Day of Mourning for Injured Workers. This is the day that workers who have been hurt or fatally injured on the job are recognized by their peers, their employers, and fellow citizens.

April 28, a special day for working Albertans, is once again upon us. We are reminded of our many friends and coworkers who were forever taken from our ranks as working Albertans, and we mourn for them.

Mourning: the word implies deep emotion felt over a period of time. During our lifetime we learn many lessons. One that we learn too well is to hide and protect emotional feelings from close scrutiny, but we cannot hide from them forever. Emotion tells us to deplore the waste of human life. We must take one of life's most important lessons to heart, that when it comes to safety, we must be ever vigilant. Many workers still do not realize that safety is a mantle that must be worn at all times. Safety is not a

cloak to be removed at our convenience or when we consider the moment an acceptable risk. It is not a feeling we can adopt in the morning and banish in the evening.

The day of mourning is the one day in the year when working Albertans can express their feelings of righteous indignation towards those whose action in the workplace puts us all in jeopardy, to scorn those who pay lip service to safety and suggest that accidents and death are just a cost of doing business, and to abhor those who are immune to the pain and suffering of the family deprived of a mother, a father, a son, or a daughter.

All of the sacrifices over the past year will be lost if we do not take time to learn from the losses we have endured. We should also take time today to reflect on our own health and safety practices, to remember that beyond physical hazards, we expose ourselves to other hazards such as heart attack from stress, cancer from chemical exposure, and other industrial diseases. We owe it to ourselves and our families to come home safely at the end of the day. Our employers want to see us return to their work site every day.

Let us remember our brothers and sisters who have died as result of hazards and accidents in the workplace. Let us wear the badge of black and gold as a constant reminder of the promises we have made to ourselves today. If you have more than just a working acquaintance with a family who has suffered a loss from a workplace accident, convey to them the feelings of love and support of a labour movement that cares.

Mr. Speaker, the statement I just read was kindly prepared by Mr. Ron Townsend. He's the director of training for the Plumbers and Pipefitters local 488 and a member of the occupational health and safety advisory council. He prepared this statement this year just as Mr. Bob Blakely, president of the Building Trades Council, prepared last year's statement. I would point out to the Legislature that more people than ever are working in Alberta, over 1.5 million, and injury rates are at the lowest levels in our history.

I want to leave all members of this Legislature with one message today. Workplace health and safety isn't just a once a year issue; it's an everyday concern, whether it be at Alberta Labour, the Workers' Compensation Board, or at work sites across the province.

Workplace injuries are preventable and unacceptable. By working together with employees and employers, associations, and health and safety professionals, we can make Alberta work sites the safest and the healthiest in North America.

Thank you, Mr. Speaker.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to thank the minister for his gracious remarks. The international day of mourning is a very important occasion. It recognizes that there are lives that are needlessly lost because of unsafe and unhealthy workplaces. I was very pleased to hear the minister indicate that workplace health and safety is not just a once a year issue but an everyday concern of his department. Employers, employees, and the Department of Labour must work together throughout this province and through this spirit of co-operation must decrease the alarming number of workplace fatalities that occur on a daily basis in this province.

Unfortunately, Mr. Speaker, a trend to self-regulation has contributed to an increase in claims to the Workers' Compensation

Board and an increase in the number of work-related deaths. Instead of addressing this with action and concrete solutions, the government has chosen to cover up the problem by removing the number of deaths as part of their key performance measures. In 1997-98 the key performance measure of workplace time lost was calculated using the number of days lost due to injury or death. In this year's government estimates any reference to death has been removed. This is at a time when the Workers' Compensation Board states that the number of deaths is rising.

My point is that the government must accept responsibility for policing companies and ensuring that they provide safe workplaces instead of distancing themselves from the problem. Albertans expect no less from their elected officials, and in a climate of deregulation and downloading the government still has an important function. In fact, it is the only organization with the power and breadth of perspective needed to set up provincewide standards and ensure compliance.

This morning I was honoured to attend a short ceremony at Alberta Union of Provincial Employees headquarters to recognize this very important day. A plaque in memory of all AUPE members who lost their lives while working still has 34 empty spaces. I hope all Members of this Legislative Assembly cooperate to ensure that none of these empty spaces have to be used to remember a worker who has lost their life because of inadequate or poorly enforced occupational health and safety standards.

Thank you.

*head:*

### Oral Question Period

*1:50*

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

### Gambling Prevalence Report

MR. SAPERS: Thank you, Mr. Speaker. This government will do and say anything to justify their dependence on VLTs. The Premier has called religious groups hypocrites for speaking out against video slot machines, the Minister of Advanced Education and Career Development has suggested that the future of VLTs shouldn't be trusted to a democratic vote, and now the Minister of Community Development has called into question the reputation of an internationally renowned Edmonton-based research consultant by saying that his work was late and fraught with error. My questions are to the Minister of Community Development. Given that the Wynne report was not late, was not sent back to Wynne Resources for correction, and was not fraught with data errors, will the minister tell the House what exactly she has learned about the Wynne report since she made those claims yesterday in question period?

MRS. McCLELLAN: Mr. Speaker, one thing I will agree with the hon. member on is the credibility of the consultant on this report. Perhaps he should have a conversation with the consultant. I have, because I certainly didn't want these allegations to be misinterpreted by that person, whom, I might say, is a person I've known for many, many years.

The hon. chair of the Alberta Alcohol and Drug Abuse Commission tabled a letter today to the hon. member, which I know that she faxed to him earlier, and I hope he's had an opportunity to read it. I could quote from an interview that Brian Kearns from AADAC gave on the radio today talking about the need for further revisions and the back-and-forth work with the consultant on this report.

But, frankly, it's unfortunate. You know, the gaming summit in Medicine Hat was a tremendous success, and I think that is due to the 150 to 200 people who participated and the chair of that summit, Harley Johnson, who made sure that the process had great integrity, that the choice of persons to be there had great integrity. Now we're looking for something to further this issue, which is firmly, in the minds of the opposition, the most important thing that's happening in Alberta today. Well, let me tell you, Mr. Speaker, the fact that we have the lowest unemployment in Canada is more important to most Albertans. That this is the best province in Canada to live in is in the minds of most Albertans.

I'm sorry. I'm not going to help them further their agenda. What I said is accurate. There is no issue with the consultant and me, there is no division with the consultant and me, and the consultant and AADAC will continue to work on that report to make sure that when that's released this fall, Albertans have the most accurate information that they possibly can have to understand the prevalence of gambling in this province.

MR. SAPERS: Despite evidence to the contrary, Mr. Speaker, the parliamentary system depends on ministerial responsibility, and I'm glad to see the minister take responsibility for her allegations. My question is: why would the minister make those allegations yesterday inside the House, recant them outside the House, and now say in the Chamber that what she said yesterday is absolutely accurate? Which is it? Is the report late? Is it full of errors? Has it been sent back for correction or hasn't it? Why don't you just release it so we can decide for ourselves and let Albertans decide for themselves?

MRS. McCLELLAN: Mr. Speaker, there is a difference obviously on the two sides of the House. We do like to be accurate here. The hon. member knows full well that the discussion that was held yesterday in this House was in reference to a freedom of information request that he had made for a draft report. So what we were talking about were the time lines. There was a suggestion yesterday that we had suppressed this information. We were trying to explain, I think, in a logical way by tabling a letter of August of last year from Brian Kearns from AADAC to a member of my staff – that was an updated one of December; the original was in August – on the time line of the study to show very clearly to the House and to all Albertans that there is no desire to suppress information.

So what I said in the House was that the draft report that came first to AADAC had data errors in it and had to go back. In fact, as I understand it in talking to AADAC, it's been back and forth a number of times with the consultant, and they are still working on it. So what I said outside the House is consistent with what I said inside the House. The final report, or what the consultant considered a final report, was on time.

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

MR. SAPERS: Thanks. Albertans aren't getting anywhere with your answers; on that I agree with you.

Time lines, Madam Minister, change. Summits come and go. Doesn't the minister agree that the right thing to do would be to provide Albertans, all Albertans, with the report right now so we can see whether the government's decision to suppress the report was justified because it has errors or whether in fact the report is truthful and accurate? Why don't you just table it now? Why don't you just release it?

MRS. McCLELLAN: Well, Mr. Speaker, there's a couple of reasons. One, as I indicated yesterday, I have not seen the this report. I do not have this report. The chairman of AADAC does not have this report. The board of AADAC does not have this report. So I don't have a report, draft or final, to release.

Secondly, what is at stake here, other than their ruffled feelings because this isn't going exactly the way they wanted it to, is the fact that AADAC has a world reputation to protect. I don't believe AADAC is going to release things in dribs and drabs and risk the integrity of that world reputation, recognized by the United Nations and countries around the world, to satisfy their bruised feelings because the gaming summit was in fact a great success.

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

### Multiple Sclerosis Treatment

MR. DICKSON: Thank you, Mr. Speaker. The pleas of a family in the Olds-Didsbury-Three Hills constituency have gone unanswered, unanswered by the Premier, unanswered by the Minister of Health. This young family is asking for help from its government. A young woman gave birth to her family's first child, a little girl, in 1994. Barely a year later this young mother was diagnosed with multiple sclerosis. Today this young family, trying to stay on their farm, pays \$1,500 a month, or \$18,000 a year, for Betaseron, the one drug that enables this new mother to enjoy both life and her young daughter. My question this afternoon is to the Acting Premier. Why does Alberta not fund Betaseron, an MS drug which is the only hope for many MS patients to enjoy a more normal quality of life?

MR. DAY: Mr. Speaker, I recently learned about this drug myself in meeting with a constituent who in fact has MS. Certainly our feelings go out to this particular family as it would to the thousands of Albertans who have this particular affliction.

In discussing this matter related to this particular drug – actually there are a couple that this individual had mentioned; I think the member opposite probably has those on a list also. There are certainly a number of questions being considered. I know that the cost is extremely high, and that needs to be looked at in terms of the pressure that puts on the individuals and the families. I understand that there are a number of side effects that go with the various drugs, depending on which of two or three they use.

In terms of getting that drug onto the health benefit list, I'll refer that particular part of the question to the Minister of Health. I recently had a meeting with my constituent and sent him a request to give me an update on that. I know the Premier is concerned about the same thing. We'll ask for an update.

MR. JONSON: Mr. Speaker, the same very important question has been raised before in the Assembly. As I indicated at that time, in terms of the authorization of various pharmaceuticals in this province we do rely on an expert committee, and I do mean expert. There is a very impressive and responsible group of people around that table. In the case of this particular drug, their recommendation, as I think I also indicated in the House somewhat earlier, pending of course research findings, studies that are currently under way – at this point in time they have certain questions, certain issues that are unresolved with respect to its

overall advisability. Therefore, it will be reviewed within the next period of time, but it is not covered at this time.

2:00

MR. DICKSON: To the Minister of Health then: what does this Alberta Health expert panel know about Betaseron that British Columbia, Saskatchewan, Manitoba, Ontario, and Quebec don't know? In each of those provinces it is available. Is this just one more example of the government putting money ahead of the interests of Albertans?

MR. JONSON: Mr. Speaker, I think there are different payment policies in different provinces, and we could go into that in some detail. The way we have approached it in this province, I think generally very effectively, is to have a review done of various pharmaceuticals that are proposed for offering in Alberta once the federal authorities have attested to the drugs' overall safety. There is a range of treatments available for this particular physical condition. We recognize that there is pressure for full coverage, the authorization of this particular pharmaceutical, but as I've said, we have taken the approach in the province of Alberta for some years now to work through people very knowledgeable in the field of pharmaceuticals and make our decisions based on their recommendations.

MR. DICKSON: Mr. Speaker, my final question to the same Minister of Health would be this: what specifically is this minister doing to ensure that rural families in Alberta challenged with MS have the supports they need so that they can stay on their farms, close to their families, their friends, their churches?

MR. JONSON: Mr. Speaker, lest the hon. member not understand, the overall programs and supports that we have available, particularly with respect to pharmaceuticals, are the same in rural Alberta as they are in urban centres.

THE DEPUTY SPEAKER: The next Official Opposition main question will be by the hon. Member for Edmonton-Riverview.

### Child Welfare

MRS. SLOAN: Thank you, Mr. Speaker. It's becoming common practice for this government to commission studies for thousands of dollars and then not release them. The Coopers & Lybrand study commissioned by this government last fall was completed in January and has yet to be released by the Minister of Family and Social Services. The minister has assured this Assembly publicly that the report would be made public soon. The framework for implementing the regionalization and privatization of child welfare is well under way. My questions are to the Minister of Family and Social Services. When will the minister exhibit some political courage and table the Coopers & Lybrand report?

DR. OBERG: Mr. Speaker, the Coopers & Lybrand report was given to me on January 23. I then passed it over to my department to look at the issues that the Coopers & Lybrand report brought up. A lot of those issues are actually in the framework on accountability document that I tabled about a week and a half ago. I gave my pledge at that time when questioned before that this would be tabled in the Legislature, that it would be released publicly, but at this moment we are not ready to do that.

MRS. SLOAN: In the absence of the factual report, then, could

the minister indicate whether or not the report provides an analysis or recommendations as to why Alberta has the fastest growing child welfare caseloads in the country?

DR. OBERG: Mr. Speaker, I think there's a couple of questions there. First of all, the report does not make any actual recommendations as to why the caseloads have been increasing in Alberta. The report looked at the structure of the children's services authorities, it looked at what was happening, what was the best possible way to arrange children's services in Alberta, and that's what we're looking at.

The hon. member raised a very interesting point about the rate of growth of children being brought into care in Alberta. Yes, that is certainly a concern to us. Mr. Speaker, we have looked at a lot of the different reasons, and it's multifactorial. As a matter of fact, I bet there are probably 285 reasons why children are brought into care in Alberta.

MRS. SLOAN: Let's hear them, Mr. Speaker. Let's hear them.

My final question, also to the Minister of Family and Social Services: does the report, then, provide any analysis as to the relationship between Alberta's low social assistance and AISH rates and the rise in child welfare caseloads in this province? If you won't table the report, then answer the questions.

THE DEPUTY SPEAKER: The Minister of Family and Social Services.

DR. OBERG: Thank you very much, Mr. Speaker. I would love to answer that question. The welfare rates started coming down in Alberta in 1993. Over that time we have seen a growth in the child welfare rates, and indeed that has been documented. Other provinces have seen similar growth. As a matter of fact, British Columbia, for example, is probably growing at very close to the same rate that Alberta is. Is that a concern? Absolutely that's a concern.

Mr. Speaker, one of the very interesting points about this is that the document that was brought out on a national basis said quite explicitly on the first page that you cannot compare the child welfare rates from one province to the other because everyone uses different mechanisms to arrive at those numbers. They use different statistics to arrive at those numbers. So when it comes to Alberta, yes, we are absolutely very concerned about the number of children going into child welfare, but it is my job as the Minister of Family and Social Services in this province to ensure that children are protected.

### Private Health Services

MS BARRETT: Mr. Speaker, the Conservative government's track record on protecting public health care is not particularly healthy. In 1987 the government tried to legalize private insurance for services covered under medicare. In 1989 the now leader of the Liberals brought in a bill to sell public hospitals to private interests. [interjections] Yes. You bet. And it was the NDP who stopped those bills. In the 1990s we've now had the Gimbel foundation, Hotel de Health, HRG, allowing private, for-profit clinics to charge facility fees. Yes, and I will get to the question, Mr. Speaker. The NDP has fought all of those initiatives, and we continue to. Why won't the Minister of Health now level with Albertans and admit that the government's private hospitals plan is part of a deliberate plan, worked out in that deal with the federal Liberals, to expand opportunities for private, for-profit to make money off the taxpayer-funded health care system?

MR. JONSON: Mr. Speaker, there is no such plan in conjunction with the Liberals or anything else. The whole purpose, as I've indicated several times with respect to a bill that is before the Legislature, Bill 37, is one of, in a proper and straightforward way through legislation, putting in place a framework whereby the public health system can thrive in this province, whereby the principles of the Canada Health Act are adhered to, and whereby we also, yes, recognize that in certain established forms that have been established for decades, we do have an important private health care component in our system. As I said, it has been there for decades. It is an integral part of our overall publicly administered health care system.

MS BARRETT: Well, Mr. Speaker, it's in black and white. It was signed in the summer of '96 by this government and the federal government, and it says: encourage more private, for-profit in the public system.

How can the minister say that this doesn't provide the platform for Bill 37 essentially, when it's clear in black and white? How can he say that he's not promoting this?

MR. JONSON: Mr. Speaker, as I recall the particular document which I think the hon. member is waving, this document was one in which the governments of the day recognized that within the overall health care system of Canada there is a major and dominant public health care component, but there is also . . .

MS BARRETT: This is Alberta only.

MR. JONSON: Well, Alberta too. Sure. We are part of Canada, and I hope you're glad of that.

Mr. Speaker, it is recognized that there are the two components of our current operating health care system.

**2:10**

MS BARRETT: Well, given the widespread opposition to private, for-profit hospitals making money and doing business with the publicly funded, not-for-profit system, will the government now agree to hold a health care summit so that these deplorable key principles outlined in this document can be publicly debated and adjudicated?

MR. JONSON: Mr. Speaker, Bill 37 is before the Legislature, and this is the centre of overall debate on behalf of the public of this province. I hope that the hon. leader of the New Democrats will be open to proceeding with the debate and perhaps amendment and passage of Bill 37 in due course.

Mr. Speaker, the hon. leader of the New Democrat Party talks a great deal about public consultation and openness. But you know, there's a new device called the Internet, and we just happened to become the beneficiary of their style of public consultation. In this form letter which they are saying everybody in the province should read and sign and sign up automatically I guess, it says here in brackets – and I assume that they are referring to the government representatives – when they phone us, “No matter what they say, you must close by restating your opposition,” and then they've got the words for people to say. So I really am quite disappointed, because this is obviously their version of consultation. Therefore I would ask whether we should bother following their version.

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

MS BARRETT: A summit for this and a summit for that.

THE DEPUTY SPEAKER: Just one set of questions, hon. leader. Calgary-Fish Creek.

### Young Offenders Act

MRS. FORSYTH: Thank you, Mr. Speaker. My constituents are continually bringing the matter of youth crime to my attention. In fact, they've been doing so since I chaired the young offender task force and toured the province in 1994. It's been so long that the document is fading. The task force listened to Albertans, and we've recommended many, many changes, yet again it doesn't seem that anything has been done. My questions are to the Minister of Justice. Mr. Minister, what is happening with the changes to the Young Offenders Act?

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

MR. HAVELOCK: Thank you, Mr. Speaker. I'll just wait for a moment so we have a little quiet here.

I can understand the member's frustration with respect to the changes to the Young Offenders Act, Mr. Speaker. In fact in 1997 Angus Reid conducted a poll which indicated that only 13 percent of Albertans expressed a satisfactory level of confidence with respect to that act. There are news reports today that the federal minister is planning some changes this fall. However, we have been hearing that sort of talk for quite some time from the federal government.

As indicated by the member, it was actually exactly four years ago today that Premier Klein appointed the committee, headed up by the hon. member, to tour throughout the province and solicit input from Albertans. I believe that the committee visited 16 Alberta communities, and Albertans did respond and express a high level of frustration with respect to the act. The task force reported in October 1994, the government examined those recommendations, implemented a number of them, and then of course forwarded those recommendations within federal jurisdiction to the federal government.

Unfortunately, despite that follow-up – we are constantly in touch with the federal government, and to date we have not seen any action. Now, if today's report is accurate about toughening up the young offenders laws, although let me make it clear that we've heard that for a very, very long time, certainly I believe this government would welcome it and will continue to pursue that on behalf of all Albertans.

THE DEPUTY SPEAKER: First supplemental, Calgary-Fish Creek.

MRS. FORSYTH: Thank you, Mr. Speaker. Do you agree that the Young Offenders Act should be replaced?

MR. HAVELOCK: Well, Mr. Speaker, that's entirely . . .

### Speaker's Ruling Seeking Opinions

THE DEPUTY SPEAKER: This question really just asks for an opinion. Can you phrase it in terms of government policy or something pertinent to the department?

MRS. FORSYTH: Given that the federal government is reporting

that they're looking at changing the Young Offenders Act, do you agree or disagree, Mr. Minister?

THE DEPUTY SPEAKER: Do you have a supplemental question that would be within the purview of the minister?

MRS. FORSYTH: It's out of the report from 1994.

### **Young Offenders Act** (continued)

MRS. FORSYTH: What exactly are the changes in youth law that this government is pushing for, Mr. Minister?

MR. HAVELOCK: Well, Mr. Speaker, to make it clear, I do believe that the Young Offenders Act should be changed and replaced.

Nevertheless, what are the changes we've been pushing for the past while? This has been a very public debate. The precise changes rest in the federal jurisdiction. They can certainly do what they wish. However, what we've been pushing for on behalf of Albertans are the following changes. We would like to see children under the age of 12 who have committed serious or violent crimes or are chronic offenders held accountable for those offences and able to be charged with criminal offences. We would like to see easier transfer to adult court for those young people committing serious and/or violent crimes or chronically reoffending. We would like to have those youths who are transferred to adult court have the same parole requirements as adult offenders. We have looked at publishing the names of young offenders, those that commit serious or violent crimes or are chronically reoffending. We would certainly support restricting court-appointed counsel only to those young offenders who cannot afford to pay for such services, and we would also like to see the young offenders pay the victim surcharges.

Mr. Speaker, I believe that a number of these changes, if they are in the bill which the minister has indicated will be tabled in the fall – I think a lot of it is due to the persistence of Albertans who've made their views clear and also this government on behalf of Albertans pushing the federal government to make those changes.

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

### **Support for Municipalities**

MR. ZWOZDESKY: Thank you. Mr. Speaker, between 1992 and 1996 the government of Alberta cut municipal grants by almost 50 percent, the deepest cuts by a provincial government anywhere in Canada according to Stats Canada reports. In fact, the MASH sector – municipalities, academic institutions, schools, and hospitals – stated in their report to the Alberta Growth Summit that the provincial government cuts have resulted in lack of sufficient resources for preventative care, increasing financial and social barriers to access, an 'infrastructure deficit' . . . [and] deteriorating service standards thus creating a serious hidden deficit at the municipal level. My question is to the Minister of Municipal Affairs. How did your government's decision to cut municipal grants by 50 percent contribute to this hidden deficit at the municipal level?

MS EVANS: Well, Mr. Speaker, first of all, our government didn't make a decision to cut 50 percent of the grants to municipal

governments. In fact this year we are working still on a targeted municipal assistance grant program to provide relief. We've provided additional relief to municipalities with the assessment program. We've provided in total \$15 million for municipalities, and we fully expect to deal with those individual cases through the Premier's task force on infrastructure, that will look further at other areas of need. I know that we're working very hard to accommodate municipalities who have needs.

MR. ZWOZDESKY: Mr. Speaker, my supplemental is to the hon. Provincial Treasurer. How did your government's decision to cut municipal grants by 50 percent contribute to an 18 percent increase in local property and business taxes between 1992 and 1996?

MR. DAY: You know, Mr. Speaker, the issue as articulated by the AAMD and C and in fact the AUMA reflects on a figure of 30 percent. So we have different numbers, but whatever you look at, 50 percent or 30 percent, that's a significant reduction of dollars that are flowing to municipalities. For some of the larger cities, Edmonton and Calgary, that could be up to 5 percent, 6 percent of their budget. To smaller municipalities it's an even greater impact.

2:20

Mr. Speaker, the other thing that is troublesome to municipalities is that they also feel that they're losing the fiscal capacity to actually raise the dollars to replace that. In fact what that type of pressure does is the same type of pressure that was put upon us when the Liberals reduced significantly by 50 percent transfers to health and areas of social spending. It caused us to look at ways in which we could restructure and redefine how services are delivered so that we still have a high quality of service.

I think we need to be committed to work closely with municipalities to help them with the fiscal challenges they have. A number of them have, of course, an increase in revenue that they've experienced because of the Alberta advantage, increased revenues coming to them. Other municipalities, also because of the Alberta advantage, are dealing with pressures, for instance, on their resource roads and other areas of infrastructure. We're working closely with them and will continue to do that.

MR. ZWOZDESKY: Mr. Treasurer, what specific steps, though, are you really taking at this stage to help municipalities deal with these 50 percent cuts which have resulted in some very disturbing and devastating situations of off-loading and downloading that they now are having to deliver on on your behalf?

MR. DAY: Well, Gene, buddy, work with me on this. Here's the picture. You know, we have, as anybody who comes to this province knows – this province continues to lead the country in terms of advantage, in terms of opportunity, the lowest unemployment rate. Mr. Speaker, we are seeing construction, for instance, at the highest rates in the last 15 years. We're seeing unemployment at the lowest rates in almost 20 years. We're seeing unprecedented investment. We're seeing opportunity, high-tech, long-term opportunity for jobs. We are in the middle of an era of opportunity and an era of optimism, and we are working.

In terms of specific steps, Mr. Speaker, I can tell you that we have met, as the member knows, with a task force, one of those representatives being the mayor of the city of Edmonton, and others from around the province, saying: what do we do to sort

of expand our thinking and look at different ways to address the positive pressures that are coming with growth?

I do take a bit of exception to the member opposite. It is not usually his style to stand up and paint a picture of devastation, a picture that civilization as we know it is devastated in this province. We're in the best shape of any province. We hope that will continue, and we have specific steps that we are taking, working with municipalities to help them address these pressures.

THE DEPUTY SPEAKER: The hon. Member for Redwater.

### Corporate Registry

MR. BRODA: Thank you, Mr. Speaker. I have received numerous calls from my constituents who have concerns about the new process of registering their corporations and filing their annual returns. To the Minister of Municipal Affairs: why was the corporate registration system privatized?

MS EVANS: Mr. Speaker, we privatized the corporate registry system in response to our customers, our businesses. Many of them resented having to wait weeks for their registration. Several times law firms, accounting firms, individuals asked our corporate registry office if, in fact, we could make it easier.

Mr. Speaker, for the last two years we have been working with our stakeholders to find a way of doing that. We initiated that process late in January, and it's our hope that ultimately the response time for businesses will enable businesses in Alberta to become registered more quickly and that there will be 800 trained professionals to administer that registration service at the local level.

MR. BRODA: Mr. Speaker, given that this new corporate registration system has also led to increased service charges – some companies are paying 25 to 75 percent more to file their corporate registry annual returns. To the same minister: why are these fees so costly?

MS EVANS: Mr. Speaker, we're looking at that as we discuss the private business plans with Price Waterhouse, the registry agents, and a number of our customers that work as Crown corporates throughout Alberta. We're trying to decipher why so many are charging more than what we believe is necessary. Some of the agents for annual return filing are charging \$5; some are charging \$10. For those that are charging more, we're going to take a close look at why their costs have increased.

THE DEPUTY SPEAKER: Final supplemental, Redwater.

MR. BRODA: Thank you. Again to the same minister: why hasn't government capped the service fees that these agents charge?

MS EVANS: Mr. Speaker, we are taking a look at how the registry agents, the law firms, are managing this corporate registration, and we're monitoring it closely. We have hope that the marketplace would evolve into a more equitable place and that it would, in fact, take care of its own. A bit of that influence is beginning to be felt where some registry agents are seeing that it isn't as complex and are reducing their fees. Others are enabling fax registration and filing for annual returns. That is also making a difference. We're taking a very close look at this. We are not making a decision to cap fees, but we're looking at ways that we can improve on our service.

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

### Homeless People

MS PAUL: Thank you, Mr. Speaker. The final report on the Calgary homeless study commissioned by the Minister of Health reports that homelessness is now a reality for 3,000 Calgarians. Contrary to what the Minister of Family and Social Services might believe, only 1.6 percent of the homeless citizens interviewed said that living on the streets was preferable to finding stable accommodation. Particularly significant is the finding of the report that a large number of these homeless Calgarians manifested suffering from physical and/or mental symptoms, were in need of treatment, and experienced barriers to accessing health care resources, particularly mental health services.

My first question is to the Minister of Health. Given that the government has had this report for four months now, what specifically has this minister done to ensure that proper mental health services are now available to Calgary's inner-city homeless?

MR. JONSON: Mr. Speaker, as I indicated in this House actually and before the report – I think if you want to go back, you'd find that this statement was made about the time the report was initially commissioned. Nevertheless, across the province but particularly in Calgary we have first of all moved to make sure that our community mental health funding is increased and equitable as far as the city of Calgary is concerned. The Provincial Mental Health Advisory Board has been working in conjunction, to the greatest extent possible, with the Calgary regional health authority.

I will just give you a couple of their initiatives which I think bear directly upon the problem identified in the report. One, Mr. Speaker, is that one of their priority initiatives this year is working to fund and to increase the funding support for homes or accommodation for the mentally ill in the community or those who are recovering from mental illness in the community. In addition they are working in conjunction with a very commendable group in Calgary known as the Clubhouse Society to stabilize and expand their particular operations. [interjections] Those are some examples. The hon. members across the way do not wish to hear further answers, so I will sit down.

THE DEPUTY SPEAKER: First supplemental, Edmonton-Castle Downs.

MS PAUL: Yes. Thank you, Mr. Speaker. My first supplemental is to the Minister of Family and Social Services. Given that the report notes that no phone, no clothes, and no transportation are primary barriers preventing many homeless Calgarians from getting stable jobs, what has the minister done to remove these barriers?

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

DR. OBERG: Thank you very much, Mr. Speaker, and thank you for asking that question. What we have done is in 1996-97 we gave the city of Calgary \$1.4 million for the Calgary homeless shelters. In 1997-98 they received \$2 million, an increase of almost 33 percent.

2:30

Mr. Speaker, in January of this year I went to visit the homeless at the Calgary shelter, I saw the situation they were in, and the next day I announced that they would be receiving \$100,000 more. I talked to Alderman Joanne Kerr last week, and she has stated that they have used this \$100,000 to open up 60 new beds in the former Currie barracks.

This is not an easy problem, but it is something that we have taken steps to look at, we have taken steps to work on, and as of right now they have received almost 35 or 40 percent more dollars this year than they did last year, because Calgary is such a hot economy, because there is essentially a zero percent vacancy rate. It is a problem in Calgary. Calgary city council has to take a look at zoning regulations. It has to take a look at housing, and we are working closely with that group to come up with a solution to this very difficult problem.

THE DEPUTY SPEAKER: Final supplemental, Edmonton-Castle Downs.

MS PAUL: Yes. Thank you, Mr. Speaker. My third question is to the same minister. Given that the report identifies about 900 mats or beds available nightly and given that the onetime government grant of \$100,000 in January created 64 more spots, where are the remaining 2,000 citizens to sleep? On the banks of the Bow River?

DR. OBERG: Mr. Speaker, I had a very interesting conversation with the executive director of the Calgary homeless shelter, and this was back in January when they had just opened a new shelter in eastern Calgary. He said at that time that Calgary was the only city in North America where there were enough facilities for the homeless and no one needed to go without shelter at night. [interjections]

THE DEPUTY SPEAKER: Members that have already asked a question are not entitled to a second question.

The hon. Member for Spruce Grove-Sturgeon-St. Albert.

### Highway 794

MRS. SOETAERT: Thank you, Mr. Speaker. Time and again in this Legislature I've raised the issue of how unsafe highway 794 is. In the last four years there have been 37 injury accidents and six fatal accidents. This highway has a very high volume of both commuter and industry traffic. My questions are for the minister of transportation. Given that the minister says that highway construction is based on safety, why are only about 17 kilometres of 794 being improved? What about the rest of it?

MR. PASZKOWSKI: Highway 794 of course is a critical network. It's a secondary highway in the province of Alberta and one that is getting some improvement this year. There are 17 kilometres scheduled on it, and obviously it is on the long-term planning as well. The studies that have been done on highway 794 indicate that there is variable traffic on it depending on which end you're actually doing the count on. The last counts we have indicated a low of 1,560 vehicles to a high of 4,080 vehicles on that with an average 2,530 vehicles a day. That is a fairly normal amount for a secondary highway. It's not that exceptionally high for a secondary highway. Indeed, we are continuing to monitor 794, and we will continue to do that.

With that in mind, one of the things we are looking at is doing an additional traffic count again this year because the indications that we have received in the past are that the growth has been very, very normal relative to growth in the rest of the province, and that's in the area of 2 to 3 percent. So it really hasn't fit into a category where it has exceptional growth over the rest of the province. It seems to fit into a very average type of growth and development as far as the rest of the province is concerned. We are looking at it. We are considering it. Indeed, the present width of the road is anywhere from 9 metres to 9.5 metres, which again is a relatively standard width for the secondary highway system in this province.

If after the check this summer there is an indication that there is an exceptional growth that's happened, if after the checks that we do this summer there is an indication that perhaps we should be looking at an 11-metre top, then indeed we'll accommodate that. But we don't just build roads on the basis of wishes. We're building roads on the basis of need, and that really has to be clearly identified and clearly recognized. As far as safety is concerned, it meets the standards of the province. True, there are accidents there, and I acknowledge that, and certainly that is a concern. Accidents are something that we are very much concerned about.

THE DEPUTY SPEAKER: Supplemental, Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Speaker. Given that Sturgeon county has asked several times that you redesignate this highway to primary status, would the minister please redesignate 794 to primary status?

MR. PASZKOWSKI: Mr. Speaker, our Provincial Treasurer had alluded to a task force that the Premier has structured that is reviewing the whole highway infrastructure in the province. This will be part of the review. Indeed we do have to consider periodically, from time to time, the basic use of our roads. We have to realize that the primary highways are used for through traffic. Secondary highways are feeder roads that feed to the primary highway network. There is a designation, a clearly defined designation of why a road is designated a secondary road relative to why a road is designated a primary road. In this particular case the last designation that we have indicated that this particular road was used as a feeder road.

THE DEPUTY SPEAKER: Final supplemental.

MRS. SOETAERT: Thank you, Mr. Speaker. It's not safe. Given that the county, the school board, and local residents are so concerned about the state of highway 794 that they've called a meeting tonight in my constituency, will the minister join me – I know he's been invited – to hear directly from these Albertans about the dangers of highway 794? I'll drive you myself, and we'll take highway 794.

MR. PASZKOWSKI: Mr. Speaker, we do have House duty tonight. We do have responsibilities in the Legislature, which, I am told, we need to have fall sittings for because we're not able to complete the work in the spring sitting. To me it's essential that indeed we participate in the House sitting. Unfortunately, I also have a supper meeting tonight, so I'm not going to be able to participate. However, I want to commit that we will have a

department representative at the meeting, because these people are important to us and we have to hear the wishes of these people. [interjections]

I really would like to complete my concern here.

### **Speaker's Ruling Speaking Order**

THE DEPUTY SPEAKER: The chair would like to let you, but the chair must apologize to the hon. Member for Calgary-Fort. In my excitement at getting nearer to 10 in one whole question period, I inadvertently had two members of the Liberal opposition in a row. So if you'll indulge me, we'll have, first of all, Calgary-Fort, and if time permits, West Yellowhead, and then get back into the sequence.

The hon. Member for Calgary-Fort.

### **Toxic Waste Spills**

MR. CAO: Thank you, Mr. Speaker. Given that our natural living environment knows no boundaries, in the world's news recently there was an environmental catastrophe in southern Spain. Hundreds of millions of cubic metres of toxic waste from a Canadian-operated mining operation broke loose and flowed into a river system. It contaminated drinking water supplies, killed crops and fish, and damaged an important wildlife reserve in Europe. My question is to the Minister of Alberta Environmental Protection. Given that Alberta has a large natural resource industry operation, are we exposed to this kind of environmental threat, and can you guarantee a hundred percent it won't happen in Alberta?

MR. LUND: Mr. Speaker, that was a very serious spill in Spain. In fact a settling pond actually broke its dikes and spilled over. As far as saying that it's a hundred percent that anything like that will never, ever happen in Alberta, I can't say that there's a hundred percent, but certainly 99.99 and I don't know how far you can go. We have a very extensive approval process. Whenever there's a project going to be developed, it must go through a complete assessment of the surrounding area. Risks are all assessed, certainly even to the extent that if there was any possibility of, like, an earthquake happening, that would have to be taken into consideration. As well, Mr. Speaker, the area is assessed, and if in fact there was great risk of getting into a river or something like that, there would have to be measures put in place to make sure that wouldn't happen. We would insist on some kind of emergency plan that would see very quick action to contain any kind of an eruption, and that would have to be in place before approval would be given as well.

2:40

THE DEPUTY SPEAKER: First supplemental, Calgary-Fort.

MR. CAO: Thank you, Mr. Speaker. My last question is to the same minister. As a hundred percent guarantee is not possible, can the minister tell us specifically an incident that happened and what measures were taken then?

MR. LUND: Well, Mr. Speaker, certainly there have been no incidents anywhere near the magnitude of the one that happened in Spain. About three years ago up at Fort McMurray one of the dikes, it was noticed, was leaking in one of the settling ponds during the winter, and there was remedial action taken and a cleanup. In fact, it turned out that there wasn't something

hazardous in that particular case. I am very confident that we will not see anything anywhere near that extent. As a matter of fact, I don't think we will see anything that is harmful to the environment happen in these kinds of instances.

DR. WEST: A supplemental.

THE DEPUTY SPEAKER: The hon. Minister of Energy to supplement.

DR. WEST: As minister responsible for mines in the province of Alberta I just want to put on record that the relationship between what happened in Spain and here is not relevant because we do not have that type of core mining in the province of Alberta as it is in Spain. So I just say that those types of fears could be put off to the side because we don't have the dimension of those types of mineral mining in the province of Alberta.

THE DEPUTY SPEAKER: We'll just take a moment for those people that may wish to leave.

head: **Members' Statements**

THE DEPUTY SPEAKER: This afternoon we're going to start off with the hon. Member for Calgary-West, then Edmonton-Strathcona, then Calgary-North West.

### **Alberta Sport Legends**

MS KRYCZKA: Thank you, Mr. Speaker. I would like to recognize five well-known Alberta athletes who have contributed immensely to our pride and interest in athletics. They are true Alberta sport legends who are presently members of our vibrant seniors' community.

One of the most well-known female golfers in Alberta, Betty Stanhope-Cole, won the Canadian junior championships in 1956 and went on to win the Canadian ladies open in 1957. Betty also competed on the provincial golf team for 25 years and the Canadian Commonwealth and Canadian world teams in 1964, '74, and '76.

A golfer since the 1950s Keith Alexander played in many Alberta competitions. At the University of Colorado Keith was named all-star twice. He won the Alberta open, the Willingdon Cup, which he played in 25 times, the Calgary open, and the Edmonton open. Internationally he competed in France and Central and South America.

Many will remember Bob Wylie for winning the Calgary amateur golf title five times and the Alberta amateur crown four times. Bob's accomplishments include competing in the Willingdon Cup for 11 years and winning three championships. Bob played on the Canadian world amateur team that won a bronze medal in 1960. After becoming professional in 1953, he competed extensively, winning the Tucson open in 1958.

Now turning to football, Normie Kwong, the China Clipper, played for both Calgary and Edmonton during his football career. Norm played on four Grey Cup winning teams, on the western conference all-star team an amazing eight times, and on the Canadian Football League all-star team five times. He won the Schenley award twice and was Canadian athlete of the year in 1955. Norm also built the profile of other sports in Calgary after retiring from professional football. He's a constituent of Calgary-West.

Jackie Parker also played football with the Edmonton Eskimos,

quarterbacking in three Grey Cup victories and winning the Schenley award three times. He has been recognized as most outstanding player in the western football conference seven times.

Each of these accomplished athletes has been inducted into the Alberta Sports Hall of Fame. Although their careers may be complete, sport legends should be remembered for their contribution to sport participation and excellence.

Thank you.

THE DEPUTY SPEAKER: The Member for Edmonton-Strathcona.

### **International Day of Mourning for Injured Workers**

DR. PANNU: Thank you, Mr. Speaker. With your permission I would like to join the Minister of Labour and the hon. Member for Edmonton-Gold Bar and make a statement today, the International Day of Mourning for workers killed or injured in the workplace.

The International Day of Mourning was started in Canada by the Canadian Labour Congress and adopted by the International Confederation of Free Trade Unions in 1996. They, along with the Alberta Federation of Labour, are hosting a variety of ceremonies in Edmonton. The emphasis will be on the plight of child workers worldwide.

Here in Alberta, Mr. Speaker, in 1994, 74 Albertans died in work-related accidents. In 1997, 120 died, a 62 percent increase; in other words, an additional 15 or 16 lives lost on a yearly basis. This increase coincides with the decreases in staff at the Department of Labour and cuts to the dollars spent on workplace health and safety in the same period. It's obvious that if you deregulate and privatize everything, even the best intentioned employer will be forced, through competition with more ruthless employers, to cut health and safety programs.

Deaths, injuries, workplace-induced illnesses are on the increase worldwide. This is a result of globalization, deregulation, and the lowering of labour standards by too many governments and too many corporations. Unfortunately, Alberta leads the way. Today is a time for all of us to pause and reflect on the huge cost in human misery caused by illness, injury, and deaths in the workplaces of the world. We must all vow to do better in the future.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-North West.

### **Family Values**

MR. MELCHIN: Thank you, Mr. Speaker. In light of the recent Supreme Court decision regarding Delwin Vriend, I would like to declare my love for liberty and freedom. Liberty seeks to defend the rights of each unique individual and our freedom of association. Liberty cares for the homosexual person as for any other individual. Liberty, however, is based on more than the right to make a choice but on making the right choice, which means a moral or value choice. Ethics and values form the basis of all the laws of our societies, and the laws are the legal sanction of society values.

We can't avoid the question of legislating morality. We do it every time we pass a law. Concepts such as liberty, freedom, rights and responsibilities are ethical and moral in nature. Life is full of conflicting values and beliefs. We are free to choose our

actions but not the consequences, good or bad, that follow. If we believe in freedom to choose our own values, then government should limit as much as possible its size, scope, and intrusion into the lives of its citizens.

The Delwin Vriend issue is centred on the issues of discrimination and rights. I would also like to declare my love for the family and outline why I feel that the religious, two-parent family is now one of the most discriminated groups. The value of abstinence from sex outside of marriage isn't taught in our public schools, yet our children are taught in sex education classes the appropriateness of both heterosexual and homosexual activity outside of marriage. We value the life of the unborn, yet are forced to pay for abortion. We sacrifice to keep one parent home to nurture and teach our children, yet have to pay for everyone else's day care and unfavourable family tax laws. We replace laws that are based on belief in God with humanist values. We say we value freedom of religion and families, yet we wonder why there are so many divorces, more problem children, more crimes and addictions.

As important as this issue to change our laws to include sexual orientation has been to many here, might I also petition us to be just as vigilant and strengthen the liberty and lifeblood of our society, the family, in all our laws.

THE DEPUTY SPEAKER: The chair didn't hear any points of order being raised during question period.

The chair would like to commend both Redwater and the minister replying to Redwater's questions and Calgary-Fort and the ministers replying to that question, because both of those were at three minutes. But we did get through 10, as the chair talked about earlier.

**head: Orders of the Day**  
**head: Public Bills and Orders Other than**  
**head: Government Bills and Orders**  
**head: Second Reading**  
**2:50 Bill 215**  
**Highway Traffic Amendment Act, 1998**

[Debate adjourned April 21: Mr. Broda speaking]

THE DEPUTY SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. I'd like to continue on second reading of Bill 215 as I left off last week. It is not suggested that we install these cameras at every red light, but surely we can take a look at the statistics, determine the high-risk intersections, and use these cameras as a deterrent at these locations. We must realize that the conventional methods of enforcement at red lights have limited effectiveness. There are just not enough police officers, and the safety of the officers, other motorists, and pedestrians can be easily put at risk in trying to stop the violators. Using these cameras would allow police officers to better utilize their time at other intersections and at places such as crosswalks and schools, where children are far more concerned with talking to their friends or getting home and certainly not with the traffic that may potentially harm them.

Mr. Speaker, there is public support for these red-light cameras. Support for the usage was documented in a Canadian Automobile Association public policy survey in August 1993. In that survey 84.3 percent of those surveyed agreed that red-light cameras were a good idea, and only 16.9 percent thought that the police do an adequate job of red-light enforcement.

I would also point out, Mr. Speaker, that the provinces of British Columbia and Manitoba have passed respective pieces of legislation allowing photos taken by red-light cameras to be used as evidence of an offence. Additionally, numerous areas of the United States have put in place red-light cameras. Photographic detection devices are used extensively in many other countries, including Australia, Austria, Belgium, Germany, Israel, the Netherlands, Singapore, South Africa, Switzerland, Thailand, and United Kingdom. I bring these places to your attention not to insinuate that just because they do, we should. I say this because clearly these devices are considered necessary. One quick example is Victoria, Australia, where police have been using red-light cameras since 1983 and have seen a decrease in right-angle collisions of 32 percent and in injuries by 10 percent.

Mr. Speaker, in closing, I want to reiterate that Bill 215 is about increasing the safety of the people of this province. It is about the effectiveness of the technology available and the efficiency of our police forces.

Today I was available and was at a news conference this morning over at Sherwood Park, where the first red-light device has been installed on the Sherwood Park freeway. Just to indicate to you, in roughly 390 hours there were 267 direct violations of going through red lights, and that's not talking amber lights. This is a direct result of going through red lights.

With this said, I close now by encouraging every member of this Assembly to support Bill 215. Thank you, Mr. Speaker.

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

MS OLSEN: Thank you, Mr. Speaker. I rise to speak in support of this amendment to the Highway Traffic Act.

MRS. SOETAERT: No.

MS OLSEN: I know that's hard for you to understand, hon. Member for Spruce Grove-Sturgeon-St. Albert, but certainly the 14 years that I have served as a police officer would lead me to very clearly want to support an amendment like this.

Just a few things to note. I believe that sometimes we get taken offtrack by the use of technology in policing, but what we have to understand is that red-light cameras are not there as a revenue generator and neither is photoradar. The by-product of that technology may in fact be revenue, but let's not forget that public safety is the number one aim of all of these tools. We have to also think about why somebody would want the local law enforcement agency to use this tool. Well, public safety is one of them. Regular policing patrols have been cut back. The amount of provincial funding going to municipalities and consequently to policing agencies has been reduced dramatically over the last few years. As a result of that, the police agencies have had to realign their operational organization. Really what that means is that every time a police officer pulls somebody over and they get a little upset about the fact that they're getting a ticket, they often tell the police officer: well, you should be out catching robbers and bad guys. The average Albertan is more likely to be involved in a motor vehicle accident than to be a victim of a heinous crime, so let's not lose sight of that.

The other aspect is that we know – in fact, the Edmonton Police Service has surveyed photoradar sites where they have noted a decrease in speed where photoradar is. I would suspect that red-light cameras at specific locations, high accident locations, would

also show us that there are fewer people running red lights.

Now, I'm also cognizant of the perception of unfairness. However, I can reconcile that notion after having been to a number of accidents, numerous accident scenes where drivers and passengers are injured and killed as a result of somebody going through a red light.

One of the other arguments is that the driving public can just as easily be deterred from red-light running at a given intersection by the presence of a police officer. But we know that police officers are not going to sit at intersections when there are calls for service outstanding for other criminal activities, so it's going to be targeted. It may be targeted by a traffic enforcement unit, but that traffic enforcement unit may not have the required manpower any longer to sit at lights and intersections.

I can specifically remember one fellow I followed straight through a red light. He turned left on a red light, and he tried very hard to convince me that the light was green. I issued him the summons, and he was very, very angry with me. He had to tell me that he was somebody important and that he shouldn't be getting this red-light ticket. I told him what the options were. He could pay the fine or go to court – it was certainly up to him – but very clearly the light was red, and he drove right through it. Well, what was happening at that very same time is that an ambulance was coming westbound on the avenue at the same time this guy was going through the red light northbound. It was just by the grace of God that this ambulance did not ram that driver. So it's a matter of raising the issue to a conscious level for drivers.

I also remember that I was at an intersection actually in Mill Woods. It was at 91st Street and I think about 34th Avenue or somewhere, that intersection. I was a very junior police officer at the time. A priest went through a red light, and he had a nun with him. I gave him the red-light ticket, and when I'm writing this up, I thought: well, you know, he went through the red light, and I had to do the right thing by giving the priest a ticket. You couldn't have guessed that he challenged it, and he went to court. At that time I said to the prosecutor: "Well, he's got a collar on, and he's going on the stand. I have a couple of years service. I think he wins." Very clearly, the gentleman did not believe that he had gone through a red light, but I was right behind him. The light was red and he just went through.

3:00

MRS. SOETAERT: Did you give a priest a ticket?

MS OLSEN: I gave a priest a ticket. Yes, I did.

MRS. SOETAERT: Did you have to go to confession after that?

[Mr. Shariff in the chair]

MS OLSEN: I did indeed. I did indeed. So there were some moments, to say the least, in ticket giving as a police officer.

However, I want to also note that some people say: well, you know, if you get caught by the camera and get a ticket for driving through a red light, you may not be the person responsible for actually going through the light. My comment to that is that it's your car, your responsibility. It's no different than it is now if somebody reports you for driving erratically, for going through a crosswalk or any other traffic violation. As long as you get a written statement from the complainant, I can go and charge the registered owner of that vehicle. It doesn't have to be the person

who is actually driving the vehicle. So that really isn't a change. That exists now.

The issuance of red-light tickets is absolutely essential for public safety. There have been cutbacks to policing, as I previously stated, so that impacts traditional enforcement means. Technology advancements make it far more efficient to do business with the photoradar and the red-light cameras. It takes far fewer police members to do the job then, which really means that the service to the community in terms of actual calls for services is much better, the response time from your policeman is much better, and the action is much better.

The whole issue of insurance and the high cost of insurance that we all pay now absolutely is impacted by the way people drive, and the high cost of property damage accidents, the high cost of health care as a result of the numerous injuries that occur to individuals. Many of these people are injured for life, and they require in many instances rehab equipment, rehab care. It takes a lot to look after some folks after a serious car accident. Consequently, we pay high insurance rates, so anything that we can do – anything – is absolutely essential for public safety.

At some point I believe the hon. Member for Redwater, who sponsored the bill, had stated that if you break the law, you waive your rights to privacy or something to that effect. I'd just like that member to know that we have means in place where that isn't actually the case. I can't tell somebody that I issued Joe Blow a ticket on a given day. I can't violate that nor can an insurance agency get a copy of the actual police comments that are made at an accident scene or the statements of witnesses at an accident scene without the permission of the witnesses. There are ways and means of protections in place, so the whole privacy issue is definitely addressed.

The other issue that people talk about often in relation to new technology and traffic enforcement is: does the equipment work? Well breathalyzers, radar instruments, any tool like that has to be calibrated on a regular basis to ensure that it is functioning properly. Whatever the calibration time is on those particular instruments, that will indeed be carried out. If the instrument doesn't calibrate, then it won't be used. So there are those processes in place to help with that issue for sure.

One of the other comments I'd like to make is that not long before the election, in the fall just prior to the election, I was involved with some other policemen where we set up a stop sign check and seat belt check. It was 7:30 in the morning, and it was on Grierson Hill by the Convention Centre. We had a tremendous number of calls to the police department saying: "Why are all these policemen down there giving tickets for stop sign violations and for no seat belts? They should all be out catching the bad guys." Well, there is a responsibility, and it's incumbent upon the driver of every vehicle to follow the laws and the rules that exist.

MRS. SOETAERT: Spoken like a police officer.

MS OLSEN: It may indeed be spoken like a police officer.

So in taking the responsibility of driving and operating a motor vehicle, along with that comes the rules of the road. That is for none other than public safety, as we've seen over the years.

With that, I can only speak in support of this, and hopefully all other members will consider this a good initiative put forward by the hon. Member for Redwater and speak in support of it as well. Thank you.

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

MR. STEVENS: Thanks, Mr. Speaker. It's always a pleasure to stand and speak in support of a Redwater initiative, especially one which has the acceptance and support of Edmonton-Norwood. Traffic safety is a very important issue to all Albertans and the subject of many debates, studies, and initiatives across the province. It's just this issue, that of traffic safety, that the Member for Redwater was concerned with when he drafted Bill 215.

This bill is about exploring a new method of ensuring greater safety on urban streets through the use of red-light camera units. These cameras are not in themselves new, as they have been utilized in traffic safety programs in many countries around the world since the 1970s.

MR. DOERKSEN: Since when?

MR. STEVENS: Since the 1970s, so for a very long time.

Mr. Speaker, Bill 215 would allow, through an amendment to the traffic safety act, a photograph taken by an unmanned, unpersoned perhaps, red-light camera to stand alone as evidence in a court of law. The bill is an important part of the ongoing process of increasing traffic safety in Alberta, and as such I am pleased to stand in this House to express my support of this legislation.

One of the more serious traffic violations committed by drivers involves the running of red lights in urban areas. This is an incredibly dangerous and costly offence which can cause severe damage both to property and person. The American Insurance Institute for Highway Safety has completed an extensive amount of work in the area of red-light violations and red-light camera enforcement. Their most recent study of this issue indicates that running traffic controls accounts for 22 percent of all crashes, and of these, 24 percent involved running red lights. Motorists are more likely to be injured in crashes involving red-light running than in other types of urban crashes. Occupant injuries occurred in 45 percent of red-light running crashes, compared with 30 percent for other types. It's also typically a small number of intersections at which the greatest percentage of collisions occur. As such, pinpointing the intersections where red-light cameras would be of the greatest use should be determined with relative ease.

Locally, Edmonton statistics showed that at seven of the city's top collision locations, 40 to 61 percent of collisions had light violations as their primary cause. For every one of these collisions, Mr. Speaker, there are tremendous risks involved. Most importantly, lives can be lost or greatly affected. Injuries certainly can and do result from these collisions, which can all too readily result in permanent disabilities or loss of livelihood, not just to the offending driver but to pedestrians, other drivers, or passengers in either vehicle.

**3:10**

There were 901 collisions in Alberta last year that were caused by red-light running. Of these collisions 890 resulted in injury and 11 resulted in death. In other words, Mr. Speaker, not one of those ended with the parties walking away unharmed. Every single accident – that's every single accident – resulted in injury or death to someone at the scene.

In addition to the physical risks to the people involved, there are economic consequences to red-light running. These can include days lost at work, increased burdens on the health care system and the legal system, and structural damage to property and the environment. Statistics provided by the city of

Mississauga, region of Peel, Ontario Ministry of Transportation, and Transport Canada all found that intersection accidents cost Ontario taxpayers millions of dollars per year. These costs are likely paralleled here in Alberta.

Albertans recognize the serious problem of red-light running on their streets. A 1993 public policy survey by the Canadian Automobile Association asked the following question: "Do you agree or disagree with the following statement? Red light cameras are unnecessary because very few people drive through red lights." Over 80 percent of Albertans disagreed or strongly disagreed with that statement, Mr. Speaker.

In recognizing the existence of the problem, we also realize that our justice system should do what it can to reduce the occurrence of such offences. Currently two approaches are taken: traditional enforcement methods and education. Educational efforts are in place to encourage traffic safety through such initiatives as the Mission Possible campaign and the government's traffic safety initiative. However, in their present form these campaigns had a negligible impact in reducing collisions.

[Mrs. Gordon in the chair]

There's also a problem with adequately enforcing our laws with the current system we have in place. Enforcing compliance with traffic signals in urban centres is difficult not only because of limited manpower but because of factors associated with traditional enforcement methods. By this, Madam Speaker, I'm referring to the current system which requires police to follow a violating vehicle through a red light to stop it. This will hopefully serve as a deterrent to an offending driver who, if caught, may think twice about offending again. But as for this particular offence, the risk to all parties was only increased by the police officer's pursuit. Motorists, pedestrians, and police officers are all endangered by such a pursuit.

Certainly red-light cameras have been viewed by law enforcement officials as both a necessary and desirable element of preventing and punishing red-light violations. The Calgary Police Service has considered red-light cameras to be important for some time now. In fact, since 1996 the Calgary police traffic section has been studying the issue of red-light cameras and is evaluating various available commercial systems. They believe that the use of a red-light camera system does decrease accidents and that the use of these systems is looked upon favourably by the public.

Madam Speaker, the Edmonton police system has likewise proposed the use of red-light cameras both as a deterrent for drivers and as a law enforcement tool in addressing red-light violations. As my colleague from Redwater mentioned, there's also evidence of substantial public support for the use of red-light cameras. The survey by the Canadian Automobile Association, which I mentioned earlier, showed that 74 percent of Canadians supported the idea of red-light cameras. That percentage was even higher among Albertans, at 84 percent. In that same survey 71 percent of Albertans also indicated a belief that red-light cameras would reduce the number of accidents at intersections.

There are two main benefits to the implementation of red-light cameras on our city streets, Madam Speaker. Firstly, they will help to act as a deterrent to prevent these types of violations from occurring as frequently. Secondly, they will aid law enforcement officials in charging and securing convictions for those individuals who violate the law and endanger the lives of others.

The sponsor of this bill has indicated the use of red-light cameras in several jurisdictions across this country and around the

world. In fact, I understand that there are over 2,500 red-light camera units in operation around the world. This number is expected to increase significantly by the end of this year to approximately 3,500 cameras. All of these areas for which we have statistics indicate that these programs achieve great success in the prevention of red-light violations and ultimately of collisions.

The American insurance institute reported that many states with red-light camera programs noticed a decline in the number of tickets issued over time, indicating that the program was effective in achieving its objectives. Overall they found that the red-light violation rate dropped by about 42 percent after enforcement began. There was an additional advantage to the presence of these cameras, Madam Speaker, in that the increase in driver compliance was noted not only at camera-equipped intersections but also at nonequipped intersections as well.

Closer to home, the Victoria Police Department conducted a red-light pilot project in 1992 and 1993. The cameras were installed in June of 1992, but the public was not made aware of their presence until that December. This was done so that the police could get a good sense of how many red-light violations were taking place, both with and without public awareness of the cameras. What they found was quite interesting, Madam Speaker.

Before the public was made aware of the cameras' presence, there was an average of 7.3 violations per day. That's 480 instances of red-light running over only a 66-day period. Once the presence of the camera became known to the public, the average number of violations dropped significantly, to only two violations per day. This is a drop of about 75 percent, Madam Speaker. While we do not have similar statistics for Alberta, not yet having a red-light program in effect, it is highly probable that we, too, would see a dramatic decrease in the number of red-light violations and consequently the number of collisions resulting from them.

All indications point to the benefits of red-light cameras in the jurisdictions which have them. Traffic collision statistics in Alberta certainly point to the need for some strong action, and indeed those who know best, the police who keep our streets safe and the motorists who use them every day, have reacted very positively to the suggestion of a red-light camera program here in Alberta.

Bill 215 would allow photos taken by these cameras to stand alone as evidence in a court of law. This is necessary if any red-light camera program is going to be operated successfully. If I go through a red light, receive a ticket and contest it, the admissibility of that photo can be instrumental in determining whether I'm found guilty or not. With the photo as evidence it would be more difficult to refute any infraction.

Red-light cameras certainly appear to be a good approach to take, and as I have indicated, they have the support of major stakeholders in the province. There are numerous benefits that will result from the passing of Bill 215. Not only can the operation of a red-light camera program help to catch and convict offenders, Madam Speaker, but it may also deter drivers from committing offences. This in turn can help to reduce both financial and human costs of traffic collisions on our streets. As such, I urge all members of this Assembly to lend to this bill their support.

Thank you.

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

MRS. SOETAERT: Thank you very much, Madam Speaker. I'm the transportation critic on this side of the Legislature.

MR. FISCHER: I thought you were agriculture.

MRS. SOETAERT: I was agriculture, just an interim position there, and a darn good job I did.

MR. JACQUES: Can we vote on that?

3:20

MRS. SOETAERT: No, there will not be a vote on that because it would be unanimous anyway.

I do want to speak for just a brief moment about this bill. I know it's a rare moment that I agree with the Member for Redwater, but I'm actually going to support this bill. I am sure the papers won't cover that. You know, they don't like to talk about whenever we agree on an issue. They only speak about when we disagree, which tends to be more often, mind you.

On this issue of the red light, I do want to support it, and I'll tell you that as the transportation critic I often look at safety in this province, different highways that are unsafe: 794. But when I'm traveling in the city, often you see people run red lights. As the transportation critic I am very conscious that people may identify me and notice . . . Oops.

MRS. SLOAN: As she goes through the red light.

MRS. SOETAERT: No, I would never go through a red light or speed. [interjections] Well, not intentionally.

But truly I think that because of this portfolio I do tend to be a little more watchful on the roads. I am, because, you know, if you're going to talk about safety, you better be driving safely. I remember being in Vancouver years ago and just being surprised at how many people would make that left-hand turn again and again and again when the light was almost red again. Like, it's a mess, I thought in Vancouver, and here we are in Alberta and that same thing is happening. I think that if we do install these cameras, it may be an effective tool to prevent some accidents.

I do have some people saying: is this going to be another cash cow? I feel that this one is quite a bit different than the photoradar, which is always contentious.

SOME HON. MEMBERS: No.

MRS. SOETAERT: Not to some members, but I know we've all heard that the photoradar could be just a cash cow. I've seen photoradar used in very good areas, where lots of people are speeding. It's a good use of equipment, and it smartens people up. I've also seen it put in spots where the speed limit changed, and then there's the photoradar. I know some members disagree, but I was there. So people have phoned me with those concerns about photoradar. I have to tell you that.

MS OLSEN: Watch the speed limits.

MRS. SOETAERT: It's true. No one should ever speed anyway, but that's what I've heard. However, with red lights I haven't heard anybody voicing concerns; in fact, a great deal of support.

What I thought would tie into this quite well would be front licence plates. I think it's time that we put those back. I've heard a great deal of concern about that. Women of Unifarm, it's one of their resolutions. Certainly in rural Alberta, if you back

out of a lane, no one will know who is leaving with your prized property and possessions, you know. So maybe we can amend it. I'm not sure if the front licence plates are a regulation or a part of the bill.

MR. PASZKOWSKI: Different.

MRS. SOETAERT: Totally different. Well, it's a good idea anyway. If we send out those wonderful good ideas, those pearls – as the minister of advanced ed likes to hear pearls, then here's one for him: put the licence plates back on the front of vehicles. I think that will also be something that would help make our roads safer.

I do support this initiative of the Member for Redwater, and if we can save one life in this province by having these cameras in place, then we've done a good thing in this Legislature.

With those few remarks, Madam Speaker, I appreciate the opportunity to speak to this bill.

MS KRYCZKA: Madam Speaker, I'm grateful for the opportunity to rise today and join in the debate on Bill 215. Colleagues before me have gone into some detail about how red-light cameras work, that they are utilized in numerous countries, and there has been a great deal of discussion about the statistics involved in the incidence of running red lights and the consequences that may have occurred.

I wanted to take a slightly different approach and talk briefly about public perception and education of traffic safety and, in particular, red lights. Let me begin by saying that the implementation of a red-light camera program in this province is fundamentally linked to the safety of our province's citizens. It cannot be stressed enough that this is an issue of protecting human lives above everything else. We have heard the dollar figures associated with the cost of the cameras and their installation as well as the fines attributed to the violations. The numbers certainly warrant discussion and will no doubt receive the necessary attention. Madam Speaker, while I realize that the costs are a part of the program, I think it is just as important, if not more so, to increase the public's awareness of what these cameras are being used for and why they're being used.

Why are red-light cameras being used? What can using red-light cameras accomplish? The answer is the same for both questions, and that is safety. Madam Speaker, more than 1 million crashes occur annually at traffic signals. Failing to obey traffic signals is a large contributing factor in urban motor vehicle crashes. Red-light cameras can serve as a deterrent against running red lights and can help to catch those who choose to break the law. Certainly they can assist the police in doing their jobs more effectively. In many instances red-light cameras are being used to supplement police efforts at high-risk intersections where there are statistics illustrating a high incidence rate of motorists running red lights. It is difficult for the police to efficiently and adequately deal with these motorists who run red lights. There are dangers involved in the traditional enforcement methods. Those dangers include risking the lives of police officers, other motorists, the violator, and pedestrians.

In terms of implementing red-light camera programs, there are different approaches that can be taken. For example, there could be a 30-day warning period where red-light cameras would be in operation but no tickets issued. Following this method of implementation, signs advising motorists of the photo enforcement of traffic signal laws could be posted at the specific high-risk

intersections where the cameras are being used or even at locations as motorists enter the city.

This method of implementation was used in the city of Oxnard, California, with a total of 14 intersections included in the study. Nine of the camera sites were selected on the basis of histories of crashes involving red-light running. Three noncamera sites were used in Oxnard to see if the changes in red-light running observed at camera sites spilled over to other intersections. Two control sites were used in the city of Santa Barbara, California, located near Oxnard. The sites in Santa Barbara were selected to control for factors that might affect red-light violations; for example, weather and seasonal variability in travel patterns. Little or no effect was expected at these sites. The noncamera, camera, and control sites allowed safe and unobtrusive deployment of video cameras and human observers.

The result of this 30-day study showed that violations were lower at both the camera and noncamera sites. Reductions in red-light violations were 40 percent at camera sites and 50 percent at noncamera sites. Overall, the violation rate across the camera and noncamera sites was reduced by approximately 42 percent. There was a statistically significant difference between the reduction in violation rates at the camera and noncamera sites compared with the control sites. The overall violation rate at the control sites was at 7 per 10,000 vehicles recorded during the baseline period and 6.7 per 10,000 vehicles after three to four months.

This study demonstrates the effect of publicity, Madam Speaker. Changes in driver compliance with traffic lights was not limited to sites where there were cameras. It appears that the presence of cameras promotes a general readiness to stop for red lights.

Thank you.

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

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

##### **3:30 Teacher Remuneration System**

512. Ms Kryczka moved:

Be it resolved that the Legislative Assembly urge the government to support a review of the remuneration system for teachers with the objective that teachers be rewarded individually for surpassing standard performance expectations.

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

MS KRYCZKA: Thank you, Madam Speaker. I rise today to begin debate on Motion 512. There are a number of reasons I have chosen to bring this motion before this Assembly. Personally, I was employed for many years by the Calgary board of education during the late '60s and '70s. It was my first real job following university graduation, one I thoroughly enjoyed as guidance counselor and teacher, working with students at both junior and senior high school levels. I worked hard, was conscientious, accepted extracurricular responsibilities, and certainly appreciated the great annual salary increases after the fairly painless performance evaluations.

It was quite the job for a young adult with a young family who was married but who later on became a single parent. It provided job security, a good wage, and personal satisfaction. During

those years in the education system I became aware that not all teachers were as committed or as effective on the job as others, an awareness, though, which has also been reinforced in my subsequent careers with employees in the hotel industry and with support staff and lawyers in the legal industry, for example. I know I have not been alone in this awareness, Madam Speaker.

My primary purpose for bringing forth this motion is to encourage the introduction into Alberta's education system of a method to recognize and reward teachers for higher levels of performance and contributions to the education system and to the students they instruct. Employers in many industries and businesses today use a variety of systems to reward employees for work that is well done. Finding the right performance system that is fair, objective, and equitable and then making it work are key challenges for employers, unions, and employees considering such an approach.

Madam Speaker, in the private sector some schemes link pay to individual performance, while others are based on corporate performance. In order to work, these schemes require support and acceptance from all involved. I recognize that in a unionized environment this support is essential.

Madam Speaker, in Alberta I don't feel we have really taken a serious look at the value of implementing such an option within the education system. The remuneration of teachers in Alberta is currently determined by the teacher qualification service salary grid placement. There's also local collective bargaining between the Alberta Teachers' Association, teacher representatives, and their employing school board.

The teacher qualification service was established by the ATA in 1967 with an agreement between the Department of Education and the Alberta School Trustees' Association. Evaluation of teacher performance is based on a model set of evaluation policies, and together the Alberta Teachers' Association and local boards analyze and revise the evaluation policies on a regular basis. Each salary grid is determined collectively between the ATA teacher local and the employing school board. The current salary grid has two axes: one indicates the number of years of post-secondary education of an individual teacher; the other axis is based on the number of years of teaching experience. Progress on the grid is accomplished incrementally. The maximum teacher's salary provided by most collective agreements reflects a maximum of six years of postsecondary education and nine to 11 years of experience.

Madam Speaker, this government is committed to the education of the province's children, and I am in no way suggesting that our education system is failing its students. We have seen this commitment very recently with the Department of Education's move to enhance our education system.

The teacher growth, supervision, and evaluation policy released on February 26, 1998, by the Alberta Department of Education has created a provincial framework for the professional growth, supervision, and evaluation of teachers. It also helps ensure that Alberta's students will continue to receive quality classroom instruction. This policy follows the key directions outlined in the policy position paper, An Integrated Framework to Enhance the Quality of Teaching in Alberta, which was released in 1996.

Madam Speaker, I am encouraged by this step, but I also feel that we can do more. We need to look at further reaching improvements in the education system, ones that implement some incentives for our teachers, who are such an influential force in the lives of our children. I feel these incentives include an examination of rewards for individually surpassing standard

performance measures. There are a number of ways that distributing these awards can be accomplished. Merit pay in the broadest sense is a generic term for any device that adjusts or provides compensation to reward higher levels of performance. It comes, though, in many different forms, including merit-based salary schedules, bonuses, incentive pay, and differential staffing or master teacher plans.

Merit pay can be linked to regular single schedules. Teachers with high ratings advance up the scale more quickly. Or it can be administered as a separate merit pay schedule supplementing their regular salary. Participation by teachers can be either mandatory or voluntary. Higher pay for teaching effectiveness can be awarded on the basis of input criteria or teacher performance, output criteria or student performance, or a combination of both. Teacher performance may include classroom management skills, preparation of lessons, knowledge of subject matter, instructional techniques, management of school staff and public relations, professional ethics and professional growth.

In addition to superior teacher performance, extra pay may also be awarded for such factors as professional development, additional responsibilities, teaching at a high-priority location, contributions to the total school program, teaching subjects for which there is a teacher shortage, and even for outstanding teacher attendance. Incentive pay denotes such programs which reward teachers for helping the school district achieve certain goals or solve certain problems.

Madam Speaker, I recognize that implementing such a system requires much thought and consultation with all stakeholders: the union, the teachers, parents, and students. I believe that inherent in any change that may take place in the remuneration of teachers is a change in the current salary grid.

As the grid currently exists, the first 10 years of experience automatically grants all teachers an annual increase in pay. This increase starts at a maximum percent and appears to decrease in percent with years of experience. Madam Speaker, this does not illustrate a system that rewards its employees for their work and contribution. I do not understand why it is that this increase becomes less with more years of experience. This almost backwards system of annual increases does nothing to provide positive reinforcement to its better teachers. If I were a teacher, I would be filled with discouragement to see teachers who contributed less to their classrooms and to the school being paid the same as those who take on additional responsibilities.

To provide this Assembly with an example, let's look at a teacher with a four-year degree. That teacher will receive a 6.1 percent increase after his or her first year of teaching, an increase that I would have to say is quite substantial, but that increase does not get any higher percentagewise, Madam Speaker. In fact, it decreases annually to 3.9 percent after nine years of teaching. Once that teacher has reached the cap at 10 years of experience, the final grid increase does jump to 4.7 percent, which is equivalent to a maximum salary of \$51,161.

If we look at another example, a teacher with six years of education, or a master's degree, will receive a 5.4 percent increase after one year's experience. That increase moves annually down the scale to a low of 3.5 percent after 10 years experience, which is a maximum salary of \$55,125.

Madam Speaker, this grid has all teachers reach a cap in their salary after only 10 years. What happens after those first 10 years? What kinds of incentives are left to encourage teachers to strive to surpass the standard performance measures?

I find these automatic annual increases in the first 10 years to

be unrealistically high. What this automatic increase does is inhibit the teaching profession. In offering these annual increases, there is the building of an expectation that these increases will continue, but as I have just illustrated, this is simply not the case, Madam Speaker.

In the current system a teacher who enters the workforce with a four-year degree has his or her salary capped at \$51,161 after 10 years of teaching and at approximately only 33 years of age. The only opportunity for additional increases is to obtain additional education and/or through local bargaining. There is no recognition through compensation or incentive pay. There's no reward for excellence in teaching performance and commitment. This system effectively discourages true excellence and initiative. As a worst case scenario this type of system ends up forcing the best teachers to leave the system for careers that offer higher paying jobs and ones that recognize work ethics and contributions to a position and company.

3:40

On the other hand, I suppose that along with the current grid system comes job security for all levels of performance and commitment. Teachers who simply put in their time receive the same rewards as those who do give extra, and there are many teachers that give extra and participate in supervision of sports or other extracurricular activities.

Madam Speaker, we are living in an age where job security is a thing of the past. We see a generation that has more than one career, up to seven careers in a lifetime. It is no longer common for a person entering the workforce to stay in that position until retirement. A situation such as the educators of our children face is really quite unique as we enter the 21st century.

Madam Speaker, again, I value the education that my children have received and that my grandchildren are receiving as well as the education children will receive in the future. For these reasons I would like to propose a revised or reformed model of teacher compensation. I suggest that we increase the grid to span 20 years, as opposed to the current 10 years of experience. All teachers would receive an annual base increase for satisfactory or better performance. There would be a range of a 2 to 3 percent increase depending upon their years of education. For example, a teacher with a four-year degree would receive a 2.75 percent increase after the first year of experience and in each subsequent year, to cap at 20 years of experience with a maximum base salary of \$52,191. Using another example, a teacher with a six-year degree, or a master's degree, would receive a 3 percent increase after the first year of teaching and in each subsequent year, to reach a cap at 20 years of experience with a maximum salary of \$61,951.

This system would see all teachers capped at 20 years of experience, but the key point here, Madam Speaker – and I'm coming to it – is that this is only the base component. With a system such as I have just described, there's room for additional compensation. This compensation can come in the form of annual bonuses, merit pay, incentive pay, or even differential staffing or master teacher plans. Differential staffing or master teacher plans depend on an organizational hierarchy or career ladder to compensate teachers on the basis of experience and qualifications. In contrast to regular merit pay programs, these plans assign additional professional responsibilities at each level of advancement as well as increasing salaries.

Typically, responsibilities of master teachers include supervising new teachers, assisting peers, teacher evaluation, and curriculum development. With this proposal I would encourage individual

local school boards to develop additional appropriate responsibilities. Once selected for a position on the hierarchy, teachers are retained there only as long as they perform at a satisfactory level or better and continue to assume the additional responsibilities.

With the grid I've just proposed, these rewards or bonuses would range from zero to 8 percent for excellence in teaching and commitment. Which teachers receive these rewards would be determined by guidelines or criteria, as I've said, set by each local board. For an example of how it might actually operate, the overall annual percent for bonuses or merit pay in a particular year would be 3 percent of the salary budget of the local board. This percent would be determined annually by the local boards and administered individually by each school principal.

The following example will illustrate more clearly how this system would work. Take a teacher with a four-year degree after 20 years of experience whose base salary would be capped at \$52,191. But the key factor is the potential for this teacher to earn an annual bonus to a maximum of 8 percent or as set by the school principal. The reality of a system such as this is that teachers who are giving that extra contribution to their jobs are recognized for their work. They would be rewarded for surpassing the standard performance measures, as would be the case if they were working for a progressive private company.

Madam Speaker, the students would also directly benefit from this excellence in teaching. We must never forget that it is the students who are on the receiving end of a teacher's instruction. They are affected and influenced by what takes place in the classroom, and it is our responsibility to ensure they are receiving quality education. This proposed system would also send a message to those teachers who are not contributing at their full potential to their jobs. We do have to realize, however, that a system that implements a new grid and allows for bonuses in one form or another may see the annual percentage available for bonuses fluctuate, depending on the strength of the economy and the management capability of the local school boards. In spite of that, the message I am trying to get across is that this type of approach would be more reflective of Alberta's open market system.

In conclusion, Madam Speaker, I would strongly urge this government to consider forming a task force of key stakeholders to review, consult, and eventually look at reforming teacher remuneration in the province of Alberta. In doing this, I would also urge consideration of revising the present salary grid and developing a grid that represents present compensation realities, including a system that rewards excellent performance and commitment on an annual basis.

Thank you.

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

**DR. MASSEY:** Thank you, Madam Speaker. I'm pleased to respond to the motion from the Member for Calgary-West. It's interesting that the member would choose this session to introduce this motion, because it was exactly 100 years ago this month that the famous Victorian payment by results scheme was killed. I'm not sure the member was aware that she is celebrating that anniversary with her proposal today. That payment by results scheme was originated in 1862 in Victorian England. The essence of the system was that teachers were paid – they were to be examined by an inspector, and their grants were dependent upon the student performance in reading, writing, and arithmetic. A

grants by results scheme. It carried on, as I said, until 100 years ago today.

The demise of the system was what one might expect. How do you judge teaching? How do you accommodate the different kinds of students that teachers are faced to work with every day? How do you give teachers the flexibility to respond to a variety of student needs and still manage to fulfill the mandate of provincially prescribed programs? So it is ironic that this motion would be here on this anniversary.

Also – I'm not sure ironic is the word – I think it's somewhat surprising, because if you look at the state of teaching in this province and if you've had your ears open to any of the meetings of teachers as they've discussed negotiations and as they've discussed their life in the classrooms, the motion can't be considered anything but unfeeling.

Here are teachers faced with overcrowded classrooms. They're faced with a lack of resources. They're faced with searching for computers for instruction. They're faced with trying to accommodate the special-needs children that are being enrolled. They are still smarting from salary cutbacks. There's been a lack of support, and now they are going to be faced with a scheme from Calgary-West that will put on more pressure and add more paperwork and add more work to the life of those classroom teachers. I really wonder how wisely considered the motion was, and I wonder how many teachers were spoken to in consultation in the preparation of the motion.

**3:50**

I think one of the topics that the mover of the motion might have investigated, one of the questions that might have been asked is: are our teachers being adequately paid right now? If you look at the history of payment of teachers in our province, it's been a long and uphill struggle to try to get to the point where teachers were adequately paid, where teachers weren't taking gas-jockey jobs after school, where they didn't have to look forward to trying to acquire a summer job to support families. They've lost ground in the last number of years, in particular since the cutbacks of 1993.

The notion that teachers are adequately paid now is one that I think is being widely challenged. Who would we want better paid in our province than those who are working with our young people and young students? Where else do our values show than in the kind of resources we allocate to those classrooms and to the efforts of those teachers working with young people? Why would we not want not only well-paid teachers but our teachers in this province, one of the richest provinces in the country, to be among the best paid? I look at the history of the payment of teachers and the state of those payments now and ask: how does this proposal add to it? Of course it doesn't. It's assuming that teachers are adequately paid now, and I don't believe that to be the case.

I think the proposal from the Member for Calgary-West is rather interesting, and if she's read the *Times* educational supplement in the last few weeks, she'll find that there was a proposal there for merit pay that she might also consider. The proposal in the educational supplement would apply to elected officials, so we might have members of this Legislature being paid \$30,000 a year as a base salary, and then the merit pay, another \$19,000, could be awarded on the basis of merit annually by the electors by vote, by ballot. That would certainly have the same kind of effect that I think the motion from Calgary-West is intended to have on teaching. It would have the same kind of effect on members of this Legislature. It would certainly increase the interest in politics, I daresay.

There are a number of people that want to speak to the motion, Madam Speaker, but I really am alarmed that this kind of motion would be here at this time, because it does reflect a position that is so out of touch with classroom and teaching life in this province. Its potential for mischief, I think, is quite extensive. I'm sorry the motion is here, and I'm sorry that we have to respond to it, because with all the things in education that do deserve attention these days, this has to be one of the last.

Thanks very much, Madam Speaker.

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

**MR. LOUGHEED:** Thank you, Madam Speaker. In the beginning here I'd just like to comment that I'm pleased to see the president of the ATA, the provincial teachers' body, here with some of her staff members and welcome them to the Assembly.

I'd like, first of all, Madam Speaker, to speak about some personal recollections that I've observed during my time in the school system. The first thing that I would like to recall to you is an incident in a staff room quite a few years ago. One teacher came into the staff room quite pleased to comment to the fellow teachers that there were around 16 students in that particular class and that it looked like a great semester coming up, three or four classes – I don't know what number that individual had – about 16 students in a class. That teacher left the staff room, and a fellow teacher made the comment that, teaching the same subject to the same students, she had in fact 32 and 34 students in her class. The discussion centred around the intrinsic rewards that she would receive because she would have the respect of her peers and students and community. This was not a scheduling problem that caused this inequity in the number of students; the students chose one teacher over the other. This teacher received no monetary rewards for the extra load or her superior teaching.

Madam Speaker, it's been said that merit pay undermines teacher morale. However, this was a case where the absence of tangible rewards for superior work undermined the morale of this teacher. I would not accept some kind of argument that one happy teacher and one unhappy teacher averages out to two satisfied teachers. What's the message here? Is it better to be good but not exceptional so that you may avoid an increased teaching load?

Let me speak to another experience, and this is repeated in high schools throughout the province. As a scheduler in a high school I was involved in students' timetable changes. They would often come in the late August period, during preregistration, and seek to change their timetables to access the teachers they wished to have for their teachers. They were selecting teachers they felt would deliver to them the best education that they could receive. It didn't take too long, being in that situation, having students come by and ask to leave one class and enter another class, to get some kind of feeling that one teacher was preferred above the other and was in fact probably doing a superior job.

Elementary principals around the province report similar situations, where parents and students request one teacher over and above another one. These requests certainly can lead to inequities. There are scheduling problems resulting from that, and those are difficulties within the school. These comments, Madam Speaker, are not intended to promote the view that recognition of excellence in teaching is an easy task. Rather, it's a commonly held view that everyone knows who the good teachers are.

There are other examples, Madam Speaker, that I should comment on at this time. When students come through seeking to change timetables to access the teachers that they prefer, sometimes a student will come along saying, "I'd like to have that particular teacher," and it surprised me sometimes why they would say that, because 15 students prior to that student wanted to go to a different class. I'd inquire: how come? That student would say things like: that teacher teaches exactly the way that I learn, and I prefer him or her over and above other ones.

There are other examples, Madam Speaker, where students would prefer to pick an easy teacher, if that term could be used, for marking purposes: a good guy, a soft marker. Those are other examples that I've observed in my career in the classroom, where students would view it to their benefit to have a teacher who wouldn't mark as difficult as another teacher.

The previous comments demonstrate the difficulty of identifying what constitutes good teaching. However, I believe that support of Motion 512 will help to move forward the discussion and contribute to the work that can be done to identify and promote good teaching practices. If in the process some teachers are paid more, then I believe that is okay. Identification of exceptional teachers is not likely an easy task – and I'm not implying that it is – but the teaching profession is surely up to the challenge. If as a result teaching and learning improves or if Albertans gain an enhanced appreciation for the challenges faced by teachers and students in the classroom, then Motion 512 will have served Albertans well.

**4:00**

Nor, Madam Speaker, do I view merit pay as some kind of quick-fix scheme for ills that may affect a particular school district. In fact, the complexity of the problem of determining what are good teaching practices would require several years in preparation before a merit pay proposal should be advanced.

Also, Madam Speaker, the intention of Motion 512 is to urge the government to support a review of the remuneration system for teachers with the objective that teachers be rewarded individually for surpassing standard performance expectations.

There is no mention in this motion of disincentives or penalties applied to teachers that fail to meet standard performance expectations. It is my view that substandard teaching should be addressed by other mechanisms. That being the case, the intent of Motion 512 is not to save money. In fact, if the government chose to implement the intent of Motion 512, there would be increased remuneration for many teachers and therefore increased expenditures by the Department of Education.

It is my view, Madam Speaker, that such merit pay initiatives are worthy of consideration at this time. Alberta studies initiated in the '50s and '60s apparently indicated that merit pay schemes were a poor idea and would not lead to improved teaching and learning. However, these are not the '50s or the '60s. We have moved beyond that time in our thinking and teaching practices, and perhaps now is a good time to reconsider the fixed grid system. It was developed many years ago. Let's now consider what merit there may be in merit pay. Surely if teaching and learning is enhanced, the proposal should be developed.

Recently I attended a ceremony where teachers were being recognized for their outstanding contribution to the education of students in the Elk Island public school district. The upcoming discussion about Motion 512 was on my mind as I considered what recognition of excellence in teaching implies. The term can have two different concepts, depending on how the word "recognition" is defined. Recognition can have two meanings in these

situations. One meaning of recognition is: to identify. Another meaning is: to provide some reward for service performed. When the topic of merit pay for teachers is discussed, the two main concerns are the identification of the individuals who are providing excellent teaching and the level and type of remuneration they should receive.

I believe that although it is a difficult topic, the teaching profession and the students of this province deserve the consideration of any mechanism that would enhance teaching and learning and more appropriately reward those teachers who provide superior service. Some suggest that it will not be possible to find a solution to the question of merit pay for teachers, but I do not believe that that kind of rigid thinking serves Albertans. I do not wish to imply either that the identification of excellence in teaching will be easy to accomplish. I do believe there are many implications and differences in circumstances that must be considered before a satisfactory system of ranking teaching can be devised.

I would offer some examples of those difficulties. How does one evaluate the kind of job done in an inner-city school where the annual student turnover exceeds a hundred percent? Is student success the only measure of teaching excellence? Would the future success of students be a more valid measure of teaching excellence than current success would be? What measurement tools can be used to evaluate student success: standardized tests, teacher evaluation, self-assessment, or some other mechanism?

Consideration of recognition of excellence in teaching could also mean that the remuneration the teacher receives should be reviewed. It seems to me that the teachers who perform above the average should be rewarded for their efforts. The method used to determine the amount such a teacher should receive and the source of the extra remuneration should be worthy of intensive discussion among the stakeholders. Rewards for the teacher who performs above and beyond the call of duty include the satisfaction of a job well done, the respect of students, peers, and the community, and the knowledge that his or her contribution to society is significant and long lasting. But our society usually recognizes superior contribution by monetary means, so I believe that merit pay could be a mechanism to elevate the stature and prestige of the master teacher.

It will not be a simple task to determine an appropriate method for the introduction of merit pay for teachers, but I believe that the profession and the students are worth the effort. For that reason I urge the members of this Assembly to support this motion.

Thank you.

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

**MRS. SLOAN:** Thank you, Madam Speaker. It gives me great pleasure this afternoon to rise and address the motion before us. I would like to begin by pointing out several observations that I've made with respect to perhaps the lack of knowledge or ignorance with respect to the tenets of the motion proposed.

I think it demonstrates blatant ignorance that a member of this Assembly would rise in this House and suggest a process that directly undermines the collective bargaining rights of a group in this province. Wages and benefits are ratified. They are duly negotiated by an elected bargaining committee of the Alberta Teachers' Association and ratified by provincial votes of their membership. What you propose to do is disregard that process

completely and superimpose merit processes. While you do so, you will continue to stand in this House and say: we absolutely never interfere with the collective bargaining process as a government. The appropriate word perhaps might be: hypocritical.

I would also point out that perhaps if the hon. member wanted to be involved in the establishment of remuneration or benefits or some type of measures to actually reward teachers in this province, perhaps the member should have run for a position within the Alberta Teachers' Association. She may have found that organization more democratic than her own Progressive Conservative caucus and probably would have learned more about the principles of labour relations, negotiations, and collective bargaining than she has learned within her own caucus.

I think, Madam Speaker, that teachers in this province should receive merit pay for putting up with this government: for putting up with their blatant underfunding of our public education system, for putting up with the continual devaluing and disregarding of public education and its value in society, for putting up with the subliminal and blatant abuse that they have been forced to endure as teachers as their role in society and their qualifications are constantly and repetitively undermined by this government.

I would respectfully propose, Madam Speaker, that what we really need to address in this province is not substandard teaching; it is substandard governance. We have examples set by members of this government every day, inside and outside this Assembly, that promote discrimination, that cripple the public service, that undermine and promote an ideology of individualism, profit, and corporatization of all public programs, and that advance by their very example a society that is less tolerant, compassionate, and free. I say thank God for our public education system to instill some moral values, some values of societal justice in our children in this province to compensate for the examples the government sets.

#### 4:10

Speaking specifically to the first hon. member and her comments with respect to teachers, I would like to read specifically from a message from a teacher in this province that magnifies the reality of the environment in which she works. This teacher writes:

As a teacher I work very hard to provide my students with an education that will fit them for life in this country and Province and I see most of my colleagues doing the same. But it is an up hill battle. We do not have the resources available to schools in less isolated areas. We don't have trained counsellors pulled into the school the day after a murder, which many of the students have witnessed, or after several people from the community have drowned in the [nearby] lake.

As classroom teachers we are often the adults who spend the most time with these students, the ones who are left behind when parents are killed. The teachers are the ones who pick up the pieces, and try to help students go on with life, along with those strong community members who have survived countless tragedies . . .

As teachers we work with the students that come into our classrooms, we work hard because we want our students to succeed in life. Holding a \$ sign over our heads [or theirs] cannot make us produce students with better exam results. I can't take away the problems that make it more difficult for them to learn, I can't cure foetal alcohol syndrome.

I can hope and encourage and teach well.

As a member of the government I [would like] you to go and spend time with the children in the poorest most isolated parts of our province. Experience the isolation of not being able to go

to a town for weeks at a time, if at all. Live in a home with no running water, 1 television channel, no newspapers and no books. Perhaps then we can talk about what we all want most as politicians, parents and teachers. A better future for all Alberta students.

Our time would be much better served this afternoon, Madam Speaker, talking about those issues than the issues of merit pay.

For the record, the issue of merit pay

was discussed at length by the Royal Commission on Education, which was established by the Alberta legislature in December 1957 . . . The royal commission's report (often referred to as the Cameron Report) was filed in 1959. Interestingly, although the commission favored merit rating it also recommended that any such payment should be in addition to the automatic increases specified for each teacher. Its authors cautioned that "merit should be considered only in the proper required terms of the professional position." The ATA, the Alberta Federation of Home and School Federations, and Alberta School Trustees Association, all studied merit pay.

Further,

as Walter Worth stated in his address to a meeting at York University in June 1962, "Present indications are that merit pay is not the solution to the problem of stimulating and rewarding good teaching. It is but one possible solution whose feasibility and desirability largely depend upon local circumstances and conditions."

Further for the record, an

Australian study pointed to a fundamental flaw in the concept of merit pay - who decides who gets the extra money? How can it be supervised fairly? And, if it is narrowly linked to performance expectations, will it stifle the creativity that is the strength of our education system? The final and most important question is, will it improve our children's education?

I propose that it will not.

This government has a blatant record of undermining professionals and their associations in this province. It is not only the teachers . . . [interjections] That's good. Because I consider myself among them.

MRS. BLACK: That's why we get elected and you don't. That's why they support us and not you.

MRS. SLOAN: Well, I'm standing here. I'm quite happy with my support, thank you very much.

THE ACTING SPEAKER: Hon. members, Edmonton-Riverview has the floor and will be addressing the Assembly through the chair, please.

MRS. SLOAN: Thank you. I think when it comes to active professional representation, Madam Speaker, our respected opposition side of the House actually has stronger representation in terms of professional credentials than the government side of the House. So I'd just put that on the record as well.

Further arguments against merit pay. There is no agreement on what constitutes good teaching. Rewards are only effective when they're tied to focused goals. There is, further, no reliable measure of teacher efficiency. If efficiency is simply based on students' test scores, as this government would like to suggest, then any merit system linked to those measures would be indefensible and could not be justified logically, theoretically, or empirically. Such schemes simply undermine teacher morale and too often end up pitting teacher against teacher, another principle and process that this government seems to like to commonly adopt.

The implementation of a merit pay scheme will not provide a quick fix for any ills which might affect a particular jurisdiction or a particular school. The implementation of adequate public funding for our schools, however, would go a long way to addressing the problems that our students and our teachers face. Further, individual merit pay works for very few organizations today because most now emphasize teamwork and collegiality along with measures within the collective agreements.

Madam Speaker, I think I have sufficiently outlined my opposition to this motion. It is in my opinion a blatant waste of this Assembly's time, and it is intended to do nothing more than further undermine public education and our teachers in this province.

Thank you very much.

THE ACTING SPEAKER: In the remaining time, Edmonton-Strathcona.

DR. PANNU: Thank you, Madam Speaker. I listened very carefully and paid full attention to the remarks when the Member for Calgary-West, the person responsible for bringing this motion before the House, was speaking. I listened so that I could fully understand her arguments, justifications for the proposal that she has brought before the House and would like the House to support for further action.

The motion obviously seeks to replace the existing system of compensation and rewards for teachers with one that she has talked about today in this House. She didn't offer any arguments, provided no hard evidence, data which would show that the present system of compensation does not work and that it has not served the best interests of the students, the citizens of this province, and of those who carry out the work in the classrooms of this province; that is, the teachers.

If there isn't a problem, managers like to invent one so that they can keep themselves employed. It's a nice job-creation proposal. I didn't realize that the members of the caucus opposite are really interested in working to create jobs. I thought they wanted that work left to the private sector. Obviously, this proposal will create lucrative jobs for people who construct tests, who sell these tests to other experts who will then go and do certain measurements so that they can tighten the screws on teachers, as if the teachers haven't experienced enough pressures as yet under the surveillance of this government.

4:20

I want to report to the House that over this last weekend I held public hearings on education. Thirty presentations were made on the evening of Friday and over the working hours of Saturday from 9 to 5:30. I finished the hearings at 5:30 on Saturday in this city. Thirty presenters, as I said, appeared before me, and I listened to them. I called this particular exercise: voices for schools. I wanted to sit down there and hear the concerns of those who send their children to schools, those who sit on school councils, and those who work in the schools, the teachers themselves.

Twenty of the presenters were teachers. There were three school council members, one school board member, a couple of high school students, and two persons who represented a parent organization that works in co-operation with the schools outside of the school council framework. So there was a diverse group of presenters who came before me, and not a single presenter suggested that the present method of remunerating teachers was one of the problems that required the attention of this House.

They were deeply concerned about what has been happening in schools, primarily resulting from the severe underfunding policies of this government. They talked about resource learning centres disappearing from schools, parents having to raise moneys through casinos and bingos to buy textbooks for their children. Teachers talked about working 80 hours a week to survive in the classrooms.

I was impressed with their dedication, the passion with which they spoke about their caring for the students, the commitment that they showed in their determination to continue to do this in spite of the adverse working conditions that have been created in the schools by the policies of this government. They worried about the future of public education.

It seems to me that if this motion were to be . . .

THE ACTING SPEAKER: The hon. Member for Grande Prairie-Wapiti on a point of order.

#### Point of Order Relevance

MR. JACQUES: Yes. I'd just like to refer to Standing Order 23(b). We are speaking on a private member's motion, not a government motion, to begin with. It seems to me that the speaker, while I respect his intention, is moving way off the wording of the specific motion. My interpretation of Standing Orders is to speak to the motion before us and not points that are completely irrelevant to the motion before us.

Thank you.

DR. PANNU: Madam Speaker, I've been speaking to the motion. I have taken the motion seriously and am addressing every point that the motion raises. It so happens that the private member who has got the motion before us happens to sit on that side of the House, and that's the only mistake I might have made in saying that the hon. member belongs there. I'm speaking to the motion and will certainly limit my comments to the motion itself.

THE ACTING SPEAKER: Well, due to the fact that the time for the debating of this motion is almost up, it is unfortunate that we've had to deal with this point of order. I think the point can be made that this is a private member's motion, not government business. A private individual has brought forward a motion. They want to debate it in the House. It does not reflect government policy; it's an initiative of the private member. So if we can stay in the context of the motion, that would be appreciated.

Thank you.

DR. PANNU: Thank you, Madam Speaker. I never made the assumption that it's part of government policy. In fact, I'm hoping that the government will vote against it.

#### Debate Continued

DR. PANNU: The motion, Madam Speaker, is based on the assumption that there is a problem, that there's a problem with paying teachers and that the problem has to be addressed.

My argument is that there isn't a problem. I'm reporting to you from people who appeared before me, and I'm reporting to you that they do not see this as a problem. As a result, all I have to say is that the motion itself doesn't speak to a concrete and real problem. It's a fictitious problem that the motion has created in order for the mover to speak about it and to make proposals that would necessarily undermine a system of collective bargaining that

has been at the basis of determining the mode of remuneration for teachers. Therefore, this motion has to be voted against and defeated.

Thank you.

THE ACTING SPEAKER: I hesitate to interrupt the hon. Member for Edmonton-Strathcona, but under Standing Order 8(4) I must put all questions to conclude debate on the motion under consideration.

On the motion as proposed by the hon. Member for Calgary-West, all those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

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

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Gordon in the chair]

For the motion:

Amery	Hierath	O'Neill
Black	Hlady	Paszkowski
Broda	Jacques	Pham
Burgener	Johnson	Renner
Cao	Klapstein	Severtson
Cardinal	Kryczka	Smith
Day	Lougheed	Stelmach
Doerksen	Lund	Stevens
Fischer	Mar	Tarchuk
Friedel	Marz	Trynchy
Fritz	McFarland	West
Graham	Oberg	Yankowsky
Haley		

Against the motion:

Dickson	Massey	Paul
Jonson	Mitchell	Sapers
Laing	Nicol	Sloan
Langevin	Olsen	Soetaert
MacDonald	Pannu	White

Totals: For – 37 Against – 15

[Motion carried]

THE ACTING SPEAKER: Could the chair have the unanimous consent of the Assembly to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

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

THE ACTING SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Madam Speaker. It's a pleasure for me this afternoon to rise and acknowledge a number of guests

who have joined us in the members' gallery. They are here as representatives of various health profession colleges and associations. They've been working with me and a number of members of the staff, who are also here, from Alberta Health and Alberta Labour towards the introduction of and the initial debate on Bill 45, the Health Professions Act. I would ask all of them to rise and receive the acknowledgment of the Assembly.

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

**4:40 Bill 45**  
**Health Professions Act**

THE ACTING SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Madam Speaker. It's a pleasure for me to rise today to move second reading of Bill 45, the Health Professions Act, and to speak briefly to it.

Before I do, it's important to mention the work of the Health Workforce Rebalancing Committee, which my colleague the Hon. Murray Smith and I chaired. This committee, established in 1994 and made up of MLAs and public members, set out five principles to guide the change in the regulation of professional practice and the regulatory system for health professions in Alberta.

Firstly, the public must be protected from incompetent or unethical health professionals. The second principle: the health professional regulatory system should provide flexibility in the scope and roles of professional practice so that the health system operates with maximum effectiveness. The third principle: the health professional regulatory system should be transparent to the public. Information about its workings and purpose should be both credible and easily available to Albertans. The fourth principle: the regulatory process for health professions must be demonstrably fair in its application. The principles of natural justice must be observed throughout. [interjection]

THE ACTING SPEAKER: Hon. Member for Edmonton-McClung, the hon. Member for Medicine Hat has the floor. Please contain your remarks.

MR. RENNER: Thank you, Madam Speaker. I was doing my best to ignore the comments from the other side, and I'll continue to do so.

The principles of natural justice must be observed throughout, and decision-makers should be accountable for decisions they make. The final principle: the health regulatory system must support the efficient and effective delivery of health services.

With this in mind the Health Workforce Rebalancing Committee proposed the establishment of a single act to regulate health professions in Alberta. The Health Professions Act implementation steering committee, which I also chair, has been developing the legislative proposals for this act. We have worked in consultation with professions, provincial health authorities, educators, consumers, government departments, and other stakeholders. The consultation process has been extensive, involving public meetings, discussion papers, advisory committees, and focus groups.

I would like to acknowledge the work and contributions of the health professionals who individually and as representatives of their professions provided input into this legislation and the efforts of the staff of Alberta Labour and Alberta Health and other government departments that worked diligently on this legislation over the past four years.

The act will regulate 30 different health professions and will replace 15 separate professional statutes. Health professions will continue to be self-governing. I must emphasize that: health professions will continue to be self-governing. Professional self-governance has worked well for Albertans, and professions are doing a good job of protecting the public interest. However, expectations are changing, and the new legislation will give professions the tools to respond to these rising expectations through a more transparent and consistent process for registration, continuing competency, and professional conduct.

The act also provides for enhanced accountability and responsiveness, as reflected by the increased public representation, access to the Ombudsman for complaints about professional conduct, registration processes, and avenues for complaint resolution. A single act governing all regulated health professions will give us more flexibility to address cross-professional issues, such as overlapping scopes and interdisciplinary practice. It will also allow us to more quickly respond to the changes in regulatory processes.

I intend to review the basic provisions of the Health Professions Act, but before I do, I would like to discuss two major policy changes addressed in this bill. First, the Ombudsman will have a role in ensuring that regulatory colleges carry out their responsibilities fairly and appropriately. Albertans will be able to complain to the Ombudsman if they feel unsatisfied with a decision or action of a regulatory college in respect to registration, continuing competency, and professional conduct. A complaint to the Ombudsman may only be made after all avenues of review have been exhausted.

Secondly, we will be repealing those provisions in professional legislation that give certain professions the exclusive right to provide certain health services.

A schedule will be added to the Government Organization Act defining restricted activities, which may only be provided by persons authorized to do so in legislation. These restricted activities have been identified as posing significant risk and requiring a high level of professional competence to be safely performed. Activities that would be restricted include surgery, prescribing drugs, ordering and performing X rays, spinal manipulation, and labour and delivery, to name a few. Regulated health professionals will be authorized to perform these restricted activities within their regulations and in accordance with the standards and requirements of the profession.

Unlike exclusive scopes of practice, restricted activities clearly apply to all health service providers. They essentially define the specific services that can only be provided by regulated health professionals. Unregulated practitioners may only provide restricted activities if they have been specifically authorized by the minister to do so or if they are assisting a regulated professional who is directly – and I emphasize: directly – supervising them. Regulated health professionals will not be able to delegate their authority to perform restricted activities.

Under this act professions will continue to be self-governing. The role of regulatory colleges in serving the public interest will be clearly identified. The legislation will require that professions clearly separate regulatory and economic functions. A regulatory college will be established or continued for each regulated health profession. These will replace in some cases professional associations, societies, and committees. When members of the public see the word “college” and the name of a health profession, they will know that this is a regulatory body responsible for the conduct and competence of members of that profession. Each

profession will continue to have professional titles reserved in legislation. In addition to the term "registered" in association with the name of a health profession, it will be restricted to professions regulated under this act.

Each college will be governed by a council made up of members of the profession and at least 25 percent public members. Public members will also be required for hearings and appeals or reviews. We believe that public representation is essential in ensuring an open and accountable regulatory system. Public members will be appointed and paid by the government. We will also be establishing a health professions advisory board, which will advise the minister on matters identified by the minister. This board will be made up primarily of public members and not less than 25 percent regulated health practitioners. The board will not have any direct authority over any of the professions.

The act will contain criteria to be considered when reviewing applications for the regulation of new self-governing health professions. It will establish standard processes for initial registration or entry to practice and for renewal or registration of an ongoing practice. Specific requirements for each profession will be set out in regulations developed by the profession and approved by the government. Applications for registration will be required to meet the standard set out in the regulation either by meeting specific education and examination requirements or by satisfying the regulatory college that they have attained the required competencies.

Regulated health practitioners will be required to renew their registration on a regular basis. Decisions about initial registration and registration renewal will be subject to review within the college. Individuals will be able to complain to the Ombudsman if they believe the college acted unfairly.

All health practitioners who use protected titles or perform restricted activities will be required to register under this act. In addition, registration will be mandatory for health practitioners who meet the requirements for registration in a health profession, are practising within the profession, and are providing services to the public. This applies to the provision of health services, the teaching of the profession to students and practising members, and the supervision of personnel who provide professional services to the public.

This concept of mandatory registration is unique to Alberta. It means that no one may claim to have the qualifications and training of a regulated health professional without being subject to this act, its regulations, and the discipline of their peers. This does not mean, however, that individuals, regional health authorities, and other employers may not use unregulated service providers.

In the new Health Professions Act there will be an increased emphasis on professions maintaining and improving their competence. It will not be acceptable for a professional to meet the initial requirements for entry into practice and to continue practising without demonstrating that they are maintaining currency in the practice of that profession.

#### 4:50

Within five years each regulatory college must develop in regulation a continuing competency program for its members. Depending upon the profession, these programs will include a variety of components or approaches, such as mandatory continuing education, required practice competency assessments, recertification, and for those professions that practise independently, on-site practice visits. Some professions already have

programs in place to ensure that their members maintain and develop their knowledge and skills. One of the requirements for renewal of registration will be satisfactory completion of continuing competence requirements set out by the college.

The legislation places significant emphasis on provision for investigating complaints about regulated health practitioners and, where appropriate, taking disciplinary action. It is essential that these processes be objective, unbiased, and open to the public, balanced with the need to maintain confidentiality and administrative efficiency. Each college will be required to appoint a complaints director, who will be the public contact for complaints to a college. The complaints director may take a variety of actions ranging from dismissal of a complaint to complaint resolution to an investigation prior to a hearing. The complaints director will have the authority to initiate these processes without a formal complaint on the basis of other information, such as notification from a regulatory body in another province or a report from an employer indicating that a registered practitioner was dismissed for incompetence.

An important feature of this legislation is the provision for complaint resolution. Individuals with complaints and the professionals themselves have found that holding a disciplinary hearing is not always the most effective way to address consumer concerns. Through a complaint resolution process such as mediation, complainants and practitioners may meet confidentially in a less confrontational atmosphere to resolve differences to their mutual satisfaction and to the satisfaction of the college. To ensure that the public's interest is served, the college must participate in the process and ratify any decision made through the complaint resolution.

The role of the complainant will be clarified and enhanced. Complainants will be able to attend hearings even if closed to the public at large, although there will be provisions to exclude them in extreme cases such as child abuse or custody. Complainants will have a right to be informed of the progress of a complaint and its final resolution. Complainants will be able to request a review of a complaint dismissal and, once all internal avenues have been exhausted, such as complaint review hearings and reviews, may complain to the Ombudsman.

In addition to the complaints director, who prepares a case for a disciplinary hearing, each college will also have a hearing director, who will be responsible for scheduling the disciplinary hearing, ensuring that members of the hearing panel are without conflict, that a public member is available, and that the hearing is conducted in an objective and fair manner. If discipline results in suspension or cancellation of registration, that decision must be made public. Other disciplinary decisions may be released at the discretion of the college.

Once all avenues have been exhausted, both the complainant and the investigated person will be able to complain to the Ombudsman. The Ombudsman can investigate and make recommendations only. Investigated persons will be able, as they are now, to appeal disciplinary decisions to the courts. Once a matter is appealed to the court, it cannot be referred to the Ombudsman.

One of our main objectives, when we first started looking at health professions legislation, was to reduce barriers to interdisciplinary practice and improve choice and access to the health practitioners for consumers, employers, and communities. In this legislation there will be specific provisions to enable health practitioners to work in association with other regulated and nonregulated health service providers.

Currently the professional acts governing physicians, chiropractors, optometrists, and dentists contain provisions which allow registered members of these professions to establish professional corporations. The Health Professions Act will maintain these corporate structures.

To this point I've talked about provisions that apply to all regulated health professionals. There are 30 unique professions to be governed under this act, and the legislation must recognize and accommodate their differences. Each profession will have a separate schedule in the Health Professions Act. The schedule will establish the profession's regulatory college, list the titles that are reserved or protected for members of the profession, set out the profession's practice statement and any other requirements and responsibilities that are specific to that profession.

These schedules will come into force only when the profession has developed the necessary regulations to operate under this act. When a profession schedule is proclaimed under the act, all of the provisions of the act will apply. Regulations made by college councils will be developed in consultation with health professionals, provincial health authorities, educators, and other stakeholders and will require the approval of the Lieutenant Governor in Council.

As I conclude my remarks on this act, I would like to advise you that the legislation will not be proceeding further in this session. In the throne speech we committed to introducing this legislation, and it is important that we meet that commitment. We also at the same time acknowledge that professional associations still have legitimate concerns that need to be addressed. Also, we need to put this legislation into a more public forum to permit all stakeholders an opportunity to comment on its provisions. During the coming year we will continue to work with professions and other stakeholders to refine and improve this legislation so that it may be reintroduced in the spring session of 1999.

Madam Speaker, I look forward to the next 12 months of continued consultation and discussion with not only the health professions, the regulatory bodies, but with the regional health authorities and the public at large. I look forward to bringing some exciting, new legislation forward in the spring session in 1999.

With that, Madam Speaker, I would move that we adjourn debate on this bill at this time.

THE ACTING SPEAKER: Having heard the motion by the hon. Member for Medicine Hat, does the Assembly agree with the motion?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

MR. DICKSON: Point of order, Madam Speaker.

THE ACTING SPEAKER: The vote was called, hon. member. The hon. member moved that we adjourn debate. That is what we did. We've asked for the question.

MR. DICKSON: Madam Speaker, there was a representation that there would be some limited debate. This is no debate.

THE ACTING SPEAKER: The hon. member moved that we adjourn debate. That was moved by the hon. Member for Medicine Hat. It's not a debatable motion when someone moves we adjourn debate, hon. member.

MR. MITCHELL: The Deputy Government House Leader said we could have 10 minutes. She just said it.

MRS. BLACK: I did not.

THE ACTING SPEAKER: It is something you're going to have to work out between the two House leaders.

A motion was put before the House. I have to follow through with what was put before the House in the Assembly. So did we get those opposed?

Opposed?

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: It is carried.

head: **Government Bills and Orders**  
head: **Committee of the Whole**

[Mrs. Gordon in the chair]

**Bill 43**  
**Miscellaneous Statutes Amendment Act, 1998**

THE DEPUTY CHAIRMAN: Hon. Member for Calgary-Buffalo, are you standing?

MR. DICKSON: Madam Chairman, I wanted to speak to Bill 43, the Miscellaneous Statutes Amendment Act.

THE DEPUTY CHAIRMAN: Okay. Then you'll be recognized. The hon. Member for Calgary-Buffalo.

MR. DICKSON: I just wanted to make this observation. There's a remarkable contrast between a bill like Bill 43, miscellaneous statutes, where there's a high degree of co-operation – in fact, anything the opposition identifies as being problematic is withdrawn. We appreciate that degree of mutual respect and that high degree of co-operation. Contrast that with what we saw just moments ago on Bill 45, where we expected there was going to be at least limited debate.

MR. DAY: Point of order, Madam Chairman.

THE DEPUTY CHAIRMAN: The hon. Provincial Treasurer on a point of order. Please go through the chair, hon. member.

**Point of Order**  
**Relevance**

MR. DAY: Yes. Related to relevance, Madam Chairman. We have, I believe, Bill 43 before us for discussion. I'm anticipating discussion on that, not a sideways attempt to drag back discussion on some other matter.

I do acknowledge the co-operation that is gained when people work together on the Miscellaneous Statutes Amendment Act. I think it's a very positive channel to move items through that are deemed noncontroversial, and I would like to see the member limit his comments to that.

**5:00**

MR. DICKSON: To respond to the point of order, surely comparison and contrast is an absolutely essential element of any debate, and surely I ought to be entitled to talk about the process and the substance of the miscellaneous statutes bill and be able to

contrast that with what we saw a moment ago where there was a suggestion that there would be limited debate. That was what the Member for Medicine Hat said. He didn't have to say it. If he'd simply stood up and said: there will be no debate; I'm simply introducing a bill; I'm speaking to it and then adjourning debate. But he said, with a group of representatives of stakeholders and health groups, that there was going to be limited debate. In fact, he opened the door and would leave anybody watching this proceeding thinking that the opposition didn't care, the opposition didn't have concerns with Bill 45, the Health Professions Act. So that was the point I was attempting to make.

On the point of order I'm going to respectfully suggest that comparison and contrast is an effective and an appropriate and frequently used tool. I'd also make the observation that the minister raising it in fact never let me even develop the contrast. He was on his feet before I'd even started pointing out what I was going to juxtapose with.

THE DEPUTY CHAIRMAN: I really do believe that we need to carry on. We have before us Bill 43. We are in Committee of the Whole. I'm sure each and every one of you don't need me to go over the various stages of the bill again and talk to you about what happens in Committee of the Whole.

Could we please proceed forthwith.

Hon. Member for Calgary-Buffalo, are you intending to speak?

#### Debate Continued

MR. DICKSON: I just wanted to finish my comments on the miscellaneous statutes bill and once again acknowledge the tremendous co-operation that I and I know my colleagues have received on that particular bill from those officials in the Department of Justice. I think it's a model – I think I've made this observation before dealing with miscellaneous statutes – that we ought to look at and see what we can learn from in terms of there being ways of expediting legislation if there's some consultation with the opposition in advance, if there's a genuine willingness to compromise. It's a process and characteristics we see too rarely when other bills come forward, and Bill 45 would certainly be an example of that.

Thanks, Madam Chairman.

[The clauses of Bill 43 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

The hon. Deputy Government House Leader.

MRS. BLACK: Madam Chairman, I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

THE DEPUTY SPEAKER: The hon. Member for Lacombe-Stettler, please.

MRS. GORDON: Yes, Mr. Speaker, forthwith. The Committee of the Whole has had under consideration certain bills. The committee reports Bill 43.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

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

#### Bill 43 Miscellaneous Statutes Amendment Act, 1998

MRS. BLACK: Mr. Speaker, on behalf of the hon. Minister of Justice it gives me great pleasure to move third reading of Bill 43, the Miscellaneous Statutes Amendment Act, 1998.

[Motion carried; Bill 43 read a third time]

#### Bill 19 Protection against Family Violence Act

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

MRS. BURGNER: Thank you, Mr. Speaker. In the spirit of co-operation before this House I move third reading of Bill 19.

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

MS OLSEN: Thank you, Mr. Speaker. I just have a few closing comments to make on this bill.

AN HON. MEMBER: One minute.

MS OLSEN: I'll speak up to 20 if I indeed would like to do that.

The object of this bill meets the needs of victims of family violence at the time of domestic crisis. This will help protect family members from violence and in some instances will provide the assistance needed by some victims to escape an abusive relationship.

Canadian statistics collected by the Canadian Centre for Justice Statistics in 1996 show that police reported that 130,051 people in Canada were victims of homicide, sexual assaults, assaults, criminal harassments, and other violations against persons. Just under half of those reported victims were women. Of those female victims 33.3 percent were victims of spousal abuse, current or former spouse, and 11.2 percent were the victims of other family members. Of the male victims of violence 3.7 percent were victims of spousal abuse, current or former spouse, and 6.9 percent were victims of other family members.

In Alberta domestic violence is a serious social problem. In the first six months of 1997 police officers in Edmonton alone responded to over 2,400 family disputes, although we have no statistics on how many of those incidents involved actual violence. There have been reports that for the whole province in 1996 there were 4,172 incidents of family violence responded to by police agencies. These numbers do not – and I repeat “do not” – include the many victims who suffer in silence.

With those comments I would like to just move to the whole

issue of the implementation of this bill. We've been fortunate to work very closely with the hon. Member for Calgary-Currie to move this bill forward. She met with us on numerous occasions, and recognizing some of the difficulties that she had in moving it forward, we're very happy that it's where it's at today. However, in saying that, what we still don't know is the amount of money that is to be attached to the implementation of this bill. I understood from the Justice minister at one point that there would probably be very little or no money attached to this, which concerns me because we are going to have to specially train the justices of the peace who are going to be responsible for the emergency protection orders.

5:10

We have learned about and I think we've discussed in debate previously the issues that have come up in other jurisdictions in relation to this type of legislation. This type of legislation needs to be certainly monitored and evaluated. There needs to be a framework set out that is going to give this particular piece of legislation the appropriate evaluation, and certainly the appropriate resources and funding need to happen. I haven't spoken to the hon. Member for Calgary-Currie yet, but I would assume that there's going to be allocations of funding to training of police members, the JPs, the judges, social services employees, social workers, shelter workers on contract. There's a whole realm of people, a whole group of people that need to be adequately informed on this bill or it will not work.

The other aspect of it is that we must not lose sight of the fact that this bill is to work complementary to Criminal Code charges and that where it is necessary and where there is evidence, all police agencies ensure that the Criminal Code charges are applied and that this piece of legislation is working in conjunction with that.

With those comments, Mr. Speaker, I will take my seat. I appreciate the co-operation again of the Member for Calgary-Currie. Hopefully this bill will receive Royal Assent and then be proclaimed, hopefully sooner than later.

Thank you.

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

MS PAUL: Thank you, Mr. Speaker. I, too, would like to rise and make a few brief comments with respect to Bill 19. I would like to thank the hon. Member for Calgary-Currie for bringing this bill forward. It's unfortunately needed in the province of Alberta, and similar bills have already been put in place in other provinces across Canada.

I would also like to publicly thank the members of the Liberal caucus who co-ordinated and worked with the Member for Calgary-Currie, specifically the hon. Member for Edmonton-Centre and the hon. Member for Edmonton-Norwood. Unfortunately, Mr. Speaker, during the time of the debate on the domestic violence bill I was having a very hard time coping with the contents and doing any rational thinking with respect to the bill, obviously because of my personal situation. I did leave it in very good hands, and I would like to commend the work that has been done on both sides of the House.

I have been visited by numerous women in this province, Mr. Speaker, who are in the program that removes them from their own province and places them in a safe environment. They lose their identity; they lose their family name; they lose their homes; they have to be moved right out of town. It just placed for me the

importance of a bill such as this. I hope we do not stop at the passing of the bill and Royal Assent. There have to be funds provided for the implementation. It has to be worked with the police forces. There has to be co-operation with the spousal/family violence teams. I would really stress that we all co-operate and make sure that there is implementation and that the work is done.

When we speak of domestic violence, Mr. Speaker – I'm just going to read a report that came out of North Vancouver, because I was contacted by people in B.C., women in B.C. that are in abusive relationships, and they expressed their appreciation for coming out and talking about domestic violence.

Domestic violence is, in many ways, a hidden crime. Its victims – overwhelmingly women abused by a husband or live-in boyfriend – may endure years of verbal, emotional and physical abuse of which others outside their household may never be aware . . .

But what exactly is domestic violence? What characterizes an abusive relationship? For that matter, why is it that some men – regardless of culture, education, income, race, religion or age – victimize the women in their lives? Is there any such thing as successful treatment for abusive or violent males? And how do society, the law and the judicial system deal with both victims and their abusers?

I think, Mr. Speaker, that speaks for many of the issues involving domestic violence, whether it be a boyfriend, whether it be a spouse, whether it's elder abuse. Whether it's abuse of any sort, there have to be educational programs implemented as well.

It's very good for us in this province to pass this bill, and I hope that it does protect. If it protects one woman in this province, if one woman is saved because of this bill, then we've all done our work. We've done it all together. We should hold our heads proud. All the women who have contacted my office are aware of the bill, are aware of the excellent work that has been put into the implementation. They're aware of the bill that the Liberal Party brought to the House a few years ago and brought forward again in the last session.

We have to speak about domestic violence. If we don't speak about it, it's hidden in the closet. It has to be brought out. We are all in this together.

With these few comments, Mr. Speaker, at this time I would like to conclude my remarks. Thank you.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Currie, to close debate.

MRS. BURGNER: Thank you, Mr. Speaker. I appreciate the very thoughtful comments that have been shared, and I would like to clarify, as we close this discussion, some very important pieces of information which I think it behooves all members to take under advisement.

In the first place, there was a commitment with this bill that in addition to the thorough work on the legislation, there would be appropriate and adequate work done in the levels of government that are impacted by this. That includes the Justice department, Social Services, and their community supports. I want to give assurances, as I have before in this House, that an implementation strategy is being developed in order to effectively implement this piece of legislation.

The time lines that were mentioned are of importance, but haste would make waste in this case. There are a number of people who have to be properly educated. What I would like to advise

the members of is that, following Royal Assent of the bill, there will be a news release so that members of the community will understand that while the legislation has been passed, it is not in effect. We want to ensure that the concerns of the community are well understood but that we don't compromise the success of the implementation of the legislation. So I urge you all to pay attention to that when it is forthcoming.

Mention was made of evaluation. That is definitely part of the process, and in addition to that, the complementary activity with respect to the Criminal Code. Attention has been noted to that and will be paid.

I guess lastly the resources. Budget was mentioned, but in all fairness, Mr. Speaker, there is more to this than budget, and education and public awareness are key to the successful use of those dollars. I am very committed to the successful education of the community as well as finding the resources. In place currently is a strategic working team through the Office for the Prevention of Family Violence, chaired by Jane Holliday at this point.

My concluding comments would be these, Mr. Speaker. Again, thanks for the support of members of this House. I know that it's been an interesting discussion in each of your constituencies from different perspectives. We cannot lose sight of the families who have been compromised by this horrendous situation in our society and the children who are and have been lost because of the effects of violence.

Lastly, I think it's very important to realize that it is in many respects a private problem. One of the issues that I hope to see forthcoming is that those people who have to deal with this issue – whether as spouses or children, employers, relatives, people who are just concerned about their neighbours – will not only understand the opportunities and the responsibilities of acting on behalf of those who are victims but also that we create a better culture and awareness of what abuse means in all its forms.

It's been a privilege to bring this through caucus. I thank my colleagues for their commitment and the support of this House and ask for the question.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Currie has moved third reading of Bill 19, Protection against Family Violence Act. Does the Assembly agree to the motion for third reading?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? The motion is carried unanimously.

[Bill 19 read a third time]

5:20

#### Bill 34

#### Municipal Government Amendment Act, 1998

THE DEPUTY SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I move third reading of Bill 34, the Municipal Government Amendment Act, 1998.

DR. NICOL: Mr. Speaker, on behalf of our municipal affairs critic, he just wanted a couple of points put on the record this afternoon in the context of the regulations that are to come and the changes that are implied in terms of the taxation and the assess-

ment issues. He hopes that these will be done quickly and that they'll be done with good consultation from the communities. That's what he asked for us to put on the record as approval of this bill.

Thank you.

[Motion carried; Bill 34 read a third time]

#### Bill 25

#### Justice Statutes Amendment Act, 1998

MRS. BLACK: Mr. Speaker, again, it is my privilege to move on behalf of the Minister of Justice third reading of Bill 25, the Justice Statutes Amendment Act, 1998.

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

MS OLSEN: Thank you, Mr. Speaker. Well, Bill 25 has been an interesting bill to guide through this Legislature. We have well over 24 amendments to this particular bill. We have attempted to hoist it. We have attempted to do a number of things to improve this bill. This bill came before us without the appropriate consultation, without the knowledge of many members in the justice system, and quite frankly it is not the way to bring a bill through. However, we got to the end result, and we got to the point where amendments from the Official Opposition were put forward and amendments from the government side were put forward. Albeit it is not the best bill, there are still concerns with this bill, and those concerns certainly have been discussed in this House. I would hope that in the future we can look at some of those concerns and still strengthen this bill.

My biggest concern still outstanding, however . . .

#### Speaker's Ruling Third Reading Debate

THE DEPUTY SPEAKER: Sorry to interrupt the hon. member, but third reading does have a narrower perspective, and we deal with the bill as it is, not what it could have been, should have been, might have been. It's clearly outlined in *Erskine May*, pages 508 and 509. So, just cautionary, hon. member.

#### Debate Continued

MS OLSEN: Thank you, Mr. Speaker, and I'll take your advice on that.

I would like to conclude my comments by stating that the bill as it is now I guess is as good as it gets. We put a lot of effort into the bill, and given that, we need to proceed. I'm hoping that in the future we're not in this position again and we don't see this type of bill coming forward.

Thank you.

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

MR. DICKSON: Thanks very much, Mr. Speaker. A couple of observations I wanted to make in terms of Bill 25. I guess the first one is that the judiciary and the independence of the judiciary are simply elements of our community, of our province that are too important to be treated casually. As I think I'd indicated at one of the earlier readings of the bill, when we look at Bill 25, this may be a model of how not to pass legislation that addresses

issues like judicial independence, judicial compensation, and I mean that quite sincerely.

I think that if we look at the bill, the fact is that there was woefully inadequate consultation at the front end. There's no other basis to explain the massive, massive amendments that came in. I think what's important is what we can learn from a bill like Bill 25, not only in terms of the text that is the ultimate distillate but the process, because I'm anxious that when bills go through, this is a process. When we can identify that it didn't work very well, it would be foolish for members not to take what we can learn from that and take those lessons and apply them again.

Mr. Speaker, the other comment I wanted to make is that I don't think it's acceptable or it's optimal in 1998 that we rely so much on what I'll call sort of back channel communication. We've got somebody in the Justice department communicating with somebody in one of the courts, and there's an exchange of correspondence. That material never forms part of the record. You know, first-year law students learn that if a salesman makes a representation to you, if it's not recorded as part of the text of the contract, it's a worthless representation normally.

I think if there are representations made by the Department of Justice to any level of the court, it's not good enough for those things to be done in some sort of informal way. I'm not suggesting malevolence. I'm not suggesting anything like that, but I just think if the process were more transparent, we'd all be much better off, and I think there'd be a stronger sense of confidence. I think that if the court has concerns with a bill, I'd like to see those concerns made a sessional record. I'd like to see that correspondence tabled in a way so that Albertans can be appropriately informed and see what's there. I think those things are important.

Mr. Speaker, I won't belabour the point further, but I think Bill 25 has just been an awful model of how not to draft legislation. We just have to be able to do better, particularly in this area but in all areas of provincial government activity.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 25 read a third time]

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

