

Legislative Assembly of Alberta

Title: **Thursday, November 19, 1998** 1:30 p.m.
Date: 98/11/19
[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

Our Father, as we conclude for this week our work in the Assembly, we ask for Your strength and encouragement in our service of You through our service to others.

We thank You for Your abundant blessings to our province.

Amen.

Please be seated.

head: Introduction of Visitors

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

MR. WOLOSZYN: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you a member of the Manitoba Legislature and four members of his department. Seated in the Speaker's gallery today is the Hon. Frank Pitura, Minister of Government Services for the province of Manitoba. The minister is also responsible for Manitoba's Emergency Management Organization. Seated in your gallery with the hon. minister are Don Potter, Manitoba's recently appointed Deputy Minister of Government Services; Blake Lyall, special assistant to the minister; Hugh Swan, Manitoba's assistant deputy minister of property management; and Rod Higgins, the deputy minister's assistant. Accompanying our guests from Manitoba are my deputy minister, Dan Bader, and Judy Pope, his research assistant. The hon. Mr. Pitura and his staff are in our city to observe some of the restoration work which has taken place in the Legislature Building and to tour Alberta's Emergency Operations Centre. I'd like the members to extend to the hon. Mr. Pitura and his officials the warm welcome of the Legislative Assembly.

head: Presenting Petitions

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

MR. DICKSON: Thank you very much, Mr. Speaker. I have two petitions to present this afternoon. The first one is signed by 538 Albertans urging the Legislative Assembly "not to pass Bill 37, the Health Statutes Amendment Act, 1998."

The second petition is one signed by 69 constituents, sir, urging the Legislative Assembly "to recognize the disadvantaged position of renters in the current Calgary apartment market, and take steps to ensure that safe, affordable accommodation is available to every Albertan."

Thank you, sir.

head: Reading and Receiving Petitions

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

MS CARLSON: Thank you, Mr. Speaker. I would ask that the petition I presented on November 16 now be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MR. BONNER: Thank you, Mr. Speaker. I request that the petition presented on November 17 regarding the Disenfranchised Widows Action Group now be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly 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 SPEAKER: The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I ask that the petition I presented on November 16 now be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MRS. SLOAN: Thank you, Mr. Speaker. I would also ask that the petition I tabled on November 16 be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I would ask that the two petitions I presented on Monday please be read and received.

THE CLERK:

We, the undersigned citizens of Alberta, petition the Legislative Assembly to urge the Government to consult extensively with Albertans on the ramifications of not properly fixing the CPP, including the option of an Alberta managed, Mandatory Retirement Savings Plan should the federal government not commit to properly fixing the CPP well in advance of the next schedule review in 2001.

We the undersigned residents of Alberta petition the Legislative Assembly 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 SPEAKER: The hon. Member for Edmonton-Norwood.

MS OLSEN: Thank you, Mr. Speaker. I, too, would like the petition I tabled on November 16 to now be read.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MR. DICKSON: Thank you, Mr. Speaker. I'd ask that those petitions that I'd introduced earlier in the week be now read and received, please.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

We the undersigned residents of Alberta petition the Legislative Assembly to urge the Government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MS LEBOVICI: Thank you, Mr. Speaker. I, too, ask that the petitions I tabled earlier this week be read and received as well.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly 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.

We the undersigned residents of Alberta petition the Legislative Assembly to urge the government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

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

MS PAUL: Thank you, Mr. Speaker. I, too, would like the petitions that I submitted earlier this week to be read and received.

THE CLERK:

We the undersigned residents of Alberta petition the Legislative Assembly 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 to due remarriage.

We the undersigned residents of Alberta petition the Legislative Assembly to urge the government of Alberta not to pass Bill 37, the Health Statutes Amendment Act, 1998.

head: **Tabling Returns and Reports**

THE SPEAKER: I have been notified that there will be a very long list of tablings today. We'll begin first of all with the hon. Provincial Treasurer.

MR. DAY: Thank you, Mr. Speaker. There are a number of tablings today. First, pursuant to section 10 of the Government Accountability Act I'm tabling the annual report of the government of Alberta. That's for the fiscal year '97-98, from April 1, '97, to March 31, '98. This contains all the consolidated financial statements, highlighting the fact that the net debt will be at \$1.1

billion, that spending on programs was up by 7.6 percent, which may or may not make some people happy, that in fact the growth as we ended out the year '97 was pegged at a 7.2 percent increase, unprecedented in the country.

Also pursuant to section 14 of the Government Accountability Act I will now table the annual report of the ministry of Treasury.

Again pursuant to the requirements of section 14 of the Government Accountability Act and on behalf of the Premier I wish to table the Executive Council annual report.

Again as a requirement of section 14 of the Government Accountability Act I'm tabling annual reports on behalf of the following ministers and ministries, and I understand that I'm also required to read out those ministries: Advanced Education and Career Development, Agriculture, Food and Rural Development, Community Development, Economic Development, Education, Energy, Environmental Protection, Family and Social Services, Health, Intergovernmental and Aboriginal Affairs, Justice, Labour, Municipal Affairs, Public Works, Supply and Services, Science, Research and Information Technology, and Transportation and Utilities.

1:40

Mr. Speaker, these annual reports, it should be noted, actually replace volumes 2, 3, and 4 formerly of the public accounts, and together with the annual report of the government of Alberta, the ministry annual reports comprise the complete public accounts of the government of Alberta. This has never been duplicated anywhere in the country. We are the first province to do this, and that has been noted and congratulated by independent and outside auditing firms and agencies, and we feel very good about that.

I'd also like to table, as required by our legislation, the report of the Audit Committee. The Audit Committee is required by law to report on progress related to eliminating the net debt under the Balanced Budget and Debt Retirement Act. They report that Crown debt as at March 31, 1998, is \$1,089,000,000. The projected amount was \$5,400,000,000. Their estimation is that we are 9 years ahead on the scheduled debt retirement plan.

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I rise to table copies of 500 postcards from teachers and principals across the province received by the Alberta Liberal caucus. These teachers and principals are opposed to Bill 219.

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

MR. WHITE: Thank you, Mr. Speaker. I rise today to table five copies of a document by the Alberta Power Pool. It's entitled Voluntary Load Curtailment Program Summary.

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

MS CARLSON: Thank you, Mr. Speaker. I have three tablings today. They are all from the Bragg Creek Environmental Coalition. One is a letter to the Premier of the province, one is a letter to the Agricultural Lease Review Committee chair, and one is a copy of a petition signed by over 1,000 people in the area. All of these items are dealing with the concerns of Bragg Creek residents about the management of public land in the Bragg Creek area.

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

MRS. SLOAN: Thank you, Mr. Speaker. It gives me great

pleasure today to rise in the House and table the required number of copies of *Vulnerable Children in Alberta: Advantaged or Abandoned?* The report, compiled by the Official Opposition, offers an analysis not previously available of how the vulnerabilities of children in Alberta are increasing under the term of this government.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I have two tablings to make today. The first one is a news release by the student coalition to protest Bill 37, initiated by the University of Calgary New Democrats, and the second one is a news release made yesterday by a student coalition, initiated by University of Calgary New Democrats, a coalition in which campus Liberals and pre-med students have joined, and they have 600 students who are represented in the tabling that I'm making today.

THE SPEAKER: Hon. Member for Calgary-Buffalo, do you have a tabling today?

MR. DICKSON: No, I don't, sir.

THE SPEAKER: Is that everyone? Okay.

head: Introduction of Guests

THE SPEAKER: Once again we have a very long list of members who have indicated to me their desire to do an introduction today. We'll begin first of all with the Minister of Justice and Attorney General.

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. I would like to introduce to you and through to members of the Assembly Mr. Gus Buziak, who is not only a resident of Calgary-Shaw, but he was my campaign chairman and happens also to be married to my constituency president. Mr. Buziak is the good-looking, silver-haired gentleman who's standing up there, and I'd ask that he receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Deputy Speaker.

MR. TANNAS: Thank you, Mr. Speaker. I'm delighted today to introduce to you and through you to the members of the Assembly a constituent of Highwood, Mr. Lou Callahan. He's an award winning farmer who raises grain and cattle, and he's a former councillor of the MD of Foothills. I'd ask Lou to stand and receive the traditional warm welcome of the Assembly.

THE SPEAKER: The hon. Minister of Education.

MR. MAR: Mr. Speaker, thank you very much. In our galleries today are some very special young friends of mine that have come from a long way away. It's my pleasure to introduce them to you and through you to members of the Assembly and to wish them a great welcome to the province of Alberta. Dobra dosli. These are six students from Bosnia-Herzegovina. The six students names are Srdjan Marinovic, Davor Mulic, Amra Telacevic, Samra Hadzialagic, Davor Majstorovic, and Monika Kresic. With them today is their chaperone, Tanja Cengic. These students are attending Stratford Academic high school here in Edmonton for two weeks thanks to the vision and efforts of the Riverview Rotary Club, the Canadian army, the Edmonton public school

board, Stratford Academic high school, and they are staying with families in the city.

Mr. Speaker, we're all too aware of the troubles in Bosnia. These students come from different sociopolitical and religious backgrounds, and making this visit together is a tremendous statement of their hope for peace and the future of their country. We again wish them a very warm welcome to Alberta.

THE SPEAKER: The hon. Minister of Transportation and Utilities.

MR. PASZKOWSKI: Thank you, Mr. Speaker. I'm very pleased to have the opportunity to introduce an outstanding constituent from the city of Grande Prairie, a planner, a consultant, chairman of the Mistahia regional health authority. It's my pleasure to introduce to the House today, Mr. John Simpson.

THE SPEAKER: I was going to recognize the hon. Leader of the Official Opposition. You have an introduction?

MRS. MacBETH: Sorry, Mr. Speaker. Thank you very much. I am delighted today to introduce four adults and 53 students from the Ormsby elementary school who are visiting the Legislature today. The group leaders are Mrs. Nyitrai, Mrs. John, Mrs. Shaw and Mrs. Oikawa. I would ask them to please rise and receive a very warm welcome from the Legislature.

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

MRS. SLOAN: Thank you, Mr. Speaker. It gives me great pleasure to rise today and introduce to you and through you to members of the Assembly Professor Linda Trimble and members of her class from the Faculty of Political Science from the University of Alberta. I would ask them to rise and receive the warm welcome of this Assembly.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake.

MR. SEVERTSON: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to members of the Assembly 25 grade 6 students from the John Wilson elementary school along with their teacher, Linda Pedersen, and parents Stacie Wedell, Mr. McBride, and Deanna Peever. They're in the members' gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Little Bow.

MR. McFARLAND: Thank you, Mr. Speaker. It's indeed a pleasure for me to introduce to you and through you to members of this Assembly special guests in both the members' and public galleries. With us today are members of the county of Lethbridge No. 25: Reeve David Oseen, county administrator, Layne Johnson, staff member Duane Climenhaga and his wife Dora, new councillor John Willms and his wife Esther, new councillor Mark Osaka, new councillor Lorne Hickey, and a returning longtime councillor Hans Rutz. Would they please rise and receive the warm welcome of the Assembly.

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

1:50

MS BLAKEMAN: Thank you, Mr. Speaker. I have two groups to introduce today. A little later we will be joined by students from Grandin school, so for the record I would like to introduce

to you and through you to members of the Assembly 25 visitors from Grandin school, which is the only French immersion school in Edmonton-Centre. There are 23 students, and they are accompanied by their instructors, Madame Déchaine-Gagné and Madame Arsenaault, and by parent helper Ms Roxanne Miller. I don't believe they're in the gallery. So we can all wish them the best.

The second group of people I would like to introduce -- and this is a great honour for me -- is three theatre artists. Joining us in the public gallery are Don Bouzek of Ground Zero Productions -- this is a theatre company that works with labour unions and social justice -- Ben Henderson, who's the past artistic director of Theatre Network and the director of the smash hit by Marty Chan currently playing, and Mansel Robinson, who is a playwright from western Canada. Several of his plays have been produced here in Edmonton. He is currently working on a new play, Downsizing Democracy, which will be opening at Northern Light Theatre on December 3rd. I hope you'll join us. They have risen. Would you please accept the warm traditional welcome of the members.

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

MR. LOUGHEED: Thank you, Mr. Speaker. Joining us a little later will be a group from Bosco Homes accompanied by their instructors Miss Brochu, Mr. Hosler, and Miss Dunn. If we could offer them the warm welcome of the Assembly. Thank you.

THE SPEAKER: The hon. Minister of Education.

MR. MAR: Mr. Speaker, thank you. I think I've recovered my powers of concentration after my first introduction.

It's a pleasure, Mr. Speaker, to rise again to introduce some friends from far away. Teresa Vega is the science curriculum specialist from the Puerto Rico department of education, and Dr. Yolanda Ramos is business development manager for the Oracle Corporation and Bernie Lambert and Janet Mayfield from Oz New Media. Oz New Media is an Edmonton-based publisher of educational multimedia materials and resources. They've been working with Oracle Corporation to develop on-line curriculum materials for use in the Puerto Rican department of education. I certainly congratulate Oz New Media and the Oracle Corporation for this business alliance, and I wish for members to join me in welcoming these guests to the Legislative Assembly.

THE SPEAKER: The hon. Member for Bonnyville-Cold Lake.

MR. DUCHARME: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to the members of the Assembly, guests from the constituency of Bonnyville-Cold Lake. Seated in the members' gallery is the council and administration of the MD of Bonnyville. They are Reeve Romeo Lauzon, Deputy Reeve Yves Lasseur, Councillor Dan Sharun, Councillor Bob "Tiemman" Engleder, Councillor John Zaboschuk, administrator, Roy Doonanco, and public works superintendent, Stan Balian, and in the public gallery is Mrs. Irene Balian. I'd like them to rise and receive the traditional warm welcome of the Legislature.

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

MR. HAVELOCK: Yes, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly the parents of the Provincial Treasurer, who are sitting in the Speaker's gallery. I'd like them to rise and receive the warm welcome of the Assembly.

head: Ministerial Statements

THE SPEAKER: Hon. members, I have notice that there will be two ministerial statements today, and of course according to our Standing Orders there's an opportunity for a spokesman from the Official Opposition to participate if they so choose.

We'll begin first of all today with a statement by the hon. minister responsible for children's services.

National Child Day

MS CALAHASEN: Thank you, Mr. Speaker. Tomorrow, November 20, 1998, marks National Child Day. The government of Canada designated National Child Day in 1993, and the celebrations across the country are all because of the efforts of Our Kids' Foundation and Results Canada. I would like to commend all the communities, city halls, schools, and other groups who are organizing events this day to increase awareness and understanding of the factors that contribute to healthy child development. National Child Day is a day for children and about children. That's why I'm really pleased to make my first ministerial statement to kick off this day.

Children are a high priority for this government, and today I'm very proud to announce and table The Alberta Children's Initiative: An Agenda for Joint Action, the first of its kind in Alberta. Mr. Speaker, five ministries -- Community Development, Education, Family and Social Services, Justice, and Health -- were brought together by the Child and Family Services Secretariat under the able assistance of David Steeves, CEO and deputy clerk of Executive Council, with community representatives to create a new direction and partner in planning for children's services. Six ministers have signed off commitment and joint accountability for planning, collaboration, and co-ordination of service delivery for the successful achievement of the goals for Alberta's children and families.

This level of commitment and department involvement in delivering human services has not been seen in any part of Canada. The Premier asked for this kind of integration in his televised address. Over 13,000 Albertans, Mr. Speaker, have also been asking for it. We heard. We responded. This plan shows that we are serious about integration. We are working together at the government level.

Special thanks to community representatives, the deputy ministers, the Child and Family Services Secretariat, the ministers, and all my colleagues who believed it could be done. By allowing it to be released early, we want to be sure community groups and authorities can utilize it as they plan their budgets. This action plan takes us a step further in making sure that children and families in our province have access to well-planned, integrated services and programs tailored to meet their needs. Above all, it is designed to focus all partners on the needs of individual children and their families. It builds on what's already been done, and it sets us on a new path for the future.

In the end, Mr. Speaker, strong, healthy children and families are what matters. That's what the Alberta children's initiative will help keep our sights focused on. To the 13,000 people, to your children, and to your families, I thank you for all your hard work to make this a reality so all children can have a bright future in Alberta.

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

MRS. SLOAN: Thank you, Mr. Speaker. It is also an honour today to rise and acknowledge National Child Day. Tomorrow in Calgary a large rally is planned to acknowledge this event and

primarily to highlight Alberta's continued refusal to sign the United Nations declaration on the rights of a child.

The announcement today by the minister takes a step in the right direction, but it also raises perhaps more questions than it answers. The Child and Family Services Secretariat is not defined, nor is it indicated if it will have a budget, but it will have a CEO and some unnamed community representation.

Most regrettably, the role that the Children's Advocate will assume in this structure is not defined in this announcement. In fact, the advocate's office is not mentioned at all. Vulnerable Children in Alberta: Advantaged or Abandoned?, released and tabled today in this Assembly by the Official Opposition, provides evidence that the vulnerabilities of children under this government are increasing. This is compounded by the fact that for the last eight years this government has continually undermined the role and the scope of the Children's Advocate.

Making an announcement, to the minister, is a step to acknowledge the needs of children. Making a statement about integrating services of government is also a step, but it will take political will and a stronger commitment than has been evidenced by this government in the last eight years to actually build a brighter future for children in this province.

Thank you.

2:00

THE SPEAKER: Hon. members, there's always a high expectation that the chair would apply all the normal rules expected of decorum in the House, but for the next four or five or six minutes, as we proceed with the next ministerial statement and the response, be proud Albertans.

2001 World Track and Field Championships

MRS. McCLELLAN: Mr. Speaker, it is with tremendous pride and excitement that I rise today to congratulate the city of Edmonton on its successful bid to host the 2001 World Track and Field Championships. What a tremendous achievement for the capital city, for our province, and for our country. The World Track and Field Championships are the third largest international sporting event in the world. It will attract over 3,000 athletes from over 200 countries. Winning the right to host these games is an absolutely tremendous achievement.

Edmonton was up against some very worthy competitors for this prestigious international sporting event, and the city's success is even more satisfying because of the calibre of the competition. Participants in the World Track and Field Championships will learn what participants in many other international sporting events have learned, that Edmonton has world-class athletic facilities, great volunteers, and famous western warmth and hospitality.

The benefits of this event will extend far beyond the playing field. It will give us an opportunity to show the world Alberta's spectacular natural beauty, our diverse cultural richness, our healthy economy and clean environment, our safe cities, and our high standard of life. It will create a permanent legacy of facilities, services, and volunteers.

On behalf of all Albertans and this government I want to congratulate the bid committee co-chairs, Dr. Bob Steadward and Jack Agrios. Bob and Jack demonstrated extraordinary commitment, leadership, and hard work throughout the bid process. They couldn't have done it without the support of their committee members, and, Mr. Speaker, I would like to name them: Mayor Bill Smith, who is always a tremendous booster of Alberta's capital city, Ron Barnhart, Margaret Bateman, Linda Cochrane, Dennis Erker, Ken Fiske, Jim Hole, Wendy Kinsella, Rich

LeLacheur, Don Oiumet, Rolf Lund, Dale Schulha, Les Tutty, Susan Veres-Taylor, Gary Tomick, and Ed Zemrau.

I also want to acknowledge the key role played by our Premier. The Premier worked very hard and very effectively to promote the Edmonton bid in Alberta. He worked very hard on that bid both in Alberta and while in Monaco. Mr. Speaker, I've had a call from one of the chairs of that committee acknowledging that and indeed thanking all of us for our support. I will congratulate the Premier personally when he returns, but I do want to acknowledge publicly today the gratitude of this Assembly for his contributions.

I note with pride that our government was able to assist the bid both with financial resources and human resources. Financial assistance to the bid was provided through lottery revenues and by the Alberta Sport, Recreation, Parks and Wildlife Foundation, while human resource assistance was provided through the secondment of one of my ministry's sport development officers to the bid team on a full-time basis. As well, Mr. Speaker, federal Justice minister and Edmonton MP, Anne McLellan, has contributed dedication and resourcefulness to make this bid possible. She, too, deserves our thanks and congratulations.

I know that all members of this Assembly join me in thanking all of the outstanding Albertans who gave their time and their talents to give Edmonton yet another chance to shine on the world stage. I know that Edmontonians will do a wonderful job hosting this international event. This is a day in Alberta history that we will all remember with pride.

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

MRS. MacBETH: Thank you, Mr. Speaker. On behalf of the Alberta Official Opposition I would like to congratulate the World Track and Field Championships bid committee for their success in securing the 2001 games for the city of Edmonton. This is another success for Edmonton and for Alberta. Our thanks go to the members of the local bid committee for their tireless work and to the Premier for assisting them in the job.

This province has a proud history of hosting world-class events. We can now add the World Track and Field Championships to a list including the Swimming World Cup '98, the World Figure Skating Championships, the Commonwealth Games, the Universiade Games, and the Winter Olympics.

Edmonton was the overwhelming choice out of a distinguished group of cities. Paris, New Delhi, and Stanford, California, are bigger, but they could not match the quality of the Edmonton bid. This is a testament to the great facilities that we are blessed with and, more importantly, the unmatched volunteer spirit of Albertans. Events like the World Track and Field Championships do not succeed without thousands of dedicated volunteers, and I am confident that once again Edmonton will rise to the occasion and stage a fabulous event.

Our hopes are now with the Calgary bid committee to stage the Winter Olympics once again. Thank you.

head: **Oral Question Period**

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

Insured Health Services

MRS. MacBETH: Thank you, Mr. Speaker. This government has made a point of trying to define and redefine insured health care services. They appear to have an agenda to reduce the services provided to Albertans, having fought with the federal government on this issue. My questions are to the Minister of Health. How many more medical services will this government take off the Alberta health care insurance plan?

MR. JONSON: Mr. Speaker, first of all, I am not aware of and I do not think there have been any debates with the federal government with respect to reducing the number of services that are covered, so I don't think there should be that implication made.

The second thing is that there are no plans to reduce insured services that are covered, and in fact I think the really important thing is that if you go across this country and look at the scope of the coverage of our budget, our health programs in this province with respect to supporting programs for individuals, you would find that Alberta's coverage is the most extensive or nearly the most extensive of any province in this country.

MRS. MacBETH: Well, given that, Mr. Speaker, can the minister confirm whether his department is planning a totally different and separate list of procedures to be done in private hospitals, including procedures that are currently covered under health care?

MR. JONSON: Mr. Speaker, there is no such initiative as the hon. member has described. Perhaps she should clarify what she's referring to.

MRS. MacBETH: Well, Mr. Speaker, what I will clarify is: will the minister now admit that by setting this list up by regulations under an act, any medical service that is now covered can be deleted with absolutely no public consultation or notice to Albertans?

MR. JONSON: Well, Mr. Speaker, if the hon. leader would have gotten to the question, I could have answered it last time.

Mr. Speaker, this is a matter actually that was alluded to in the debate last evening, the whole issue of regulations. Yes, as we parliamentarians in this Assembly all realize, you develop legislation and there are regulations which flow from that. You have to have your legislation in place and know precisely what it is before you can in fact develop and finalize those regulations. Perhaps the really basic question here, which I will ask myself and then answer it because I think it will help the members across the way, is that, yes, there will be regulations developed as provided for in Bill 37 when passed. I am certainly committed to make that process an open one where the proposed regulations will be circulated and reviewed.

THE SPEAKER: The second Official Opposition main question. The hon. Member for Edmonton-Mill Woods.

2:10 Fetal Alcohol Syndrome

DR. MASSEY: Thank you, Mr. Speaker. The Minister of Family and Social Services is quoted as saying, "Fetal Alcohol Syndrome is 100% preventable and we need to work together to prevent it." My questions are to the Minister of Education. Why are children afflicted with fetal alcohol syndrome explicitly excluded from receiving funding under the early childhood services grants?

MR. MAR: Mr. Speaker, the issue of fetal alcohol syndrome is a serious one, and it is clear that an overall plan is required to make sure that the needs of these children as well as all children are met. My department has been working in co-operation with other departments of government pursuant to the children's initiative that was referred to earlier by the minister responsible for children's services.

It's true that children will come to our schools with a great variety of different needs, and some of those needs can be addressed by schools, but frankly some of the needs that some of

our children have go beyond the expertise or indeed beyond the responsibility of schools and teachers. But we are working, Mr. Speaker, in co-ordination with other agencies of government. Regional child and family service plans are being co-ordinated to help schools meet the needs of all these children, including those with fetal alcohol syndrome.

DR. MASSEY: Thank you. To the same minister: why, then, if they need that help, are these same children excluded under the severe disabilities grants?

MR. MAR: Mr. Speaker, as I indicated, some of these issues are beyond the responsibilities and beyond the expertise of teachers that are in our schools. Our teachers do an extraordinary job of teaching children, and they do an extraordinary job of meeting many needs of children. But to co-ordinate these efforts makes a great deal of sense. The education system alone cannot deal with all of these issues, so resources must come from a variety of different areas, and if it is not included in the description, as indicated by the hon. member, that help will come from other areas.

DR. MASSEY: Well, thanks, and again to the same minister. Given that 1,200 children in government care alone are afflicted with this syndrome, what's going to be done?

MR. MAR: Well, Mr. Speaker, I believe that the question has been asked and answered. The hon. minister responsible for children's services perhaps would like to supplement the answer, but it really focuses on the initiative that she tabled in the House today.

MS CALAHASEN: Mr. Speaker, may I supplement, please? The Alberta Children's Initiative: An Agenda for Joint Action identifies one of the issues of co-ordination. When we're talking about children with FAS, it means that we have to involve Health; we have to involve Education; we have to involve AADAC. There are a number of ministries that have to come together to be able to address this. It's a joint effort.

In fact, when you're talking about that, the key initiatives include such things as the FAS co-ordinating action committees, and they're within the boundaries of RHAs, which would deal with that specific. It's a very important one in terms of co-ordination. I think it's an important part to be able to bring forward to people to understand what it is that we're trying to do with this initiative.

THE SPEAKER: The third Official Opposition main question. The hon. Member for Edmonton-Riverview.

Children's Advocate

MRS. SLOAN: Thank you, Mr. Speaker. An intensive consultation in '97 confirmed widespread support for an independent Children's Advocate. My questions are for the minister without portfolio. Is it this government's intention to use the new children's services action plan to subvert or eliminate the role of the Children's Advocate?

MS CALAHASEN: Mr. Speaker, that's an excellent question. As a matter of fact, the Alberta children's initiative is to talk about how we can co-ordinate all our efforts at a community level as well as the government level. In fact, as we were working with the 13,000 people who have come forward to ask for this initiative, it was they who drove this and asked us to be able to see what we can do at a government level to ensure that co-

ordination occurs. Not once was it mentioned to be able to ensure that the Children's Advocate would be separate, but we were looking at how we can better co-ordinate services for children, and I think that's the very important primary outcome we're expecting from the families and children of this province.

MRS. SLOAN: Thank you, Madam Minister. If that's true, why have the quarterly reports of the Children's Advocate been discontinued?

MS CALAHASEN: Mr. Speaker, in fact we have been looking at how the Children's Advocate could play a part in what we've been doing. I think that the Minister of Family and Social Services has made some diligent reviews as to what we can do to carry out what his role will be. I see his role as being part and parcel of all the co-ordinated and integrated efforts that we're trying to carry on in the children's initiative, and I continue to encourage that we work with that same concept with the Children's Advocate and the same idea of an integrated approach.

MRS. SLOAN: Thank you, Mr. Speaker. Why is it that when it comes to money, your government has the resources and completes quarterly reports for budget updates, but when it comes to children, you're moving in the opposite direction by abandoning quarterly reports of the Children's Advocate's office?

MS CALAHASEN: Well, Mr. Speaker, I think the biggest issue is the fact that we're looking at vulnerable children and what it is that we have to do for those vulnerable children. When we talk about vulnerable children, it means that we have to involve the community and the departments who have been involved with these children. What we have to do and what we've heard from the 13,000 Albertans who've come to the table is look at what we call an integrated initiative which would make sure that we have joint planning, joint co-ordination, and joint collaboration in everything that has to come forward. I think that's the key in terms of making sure that we address the issue of what people have been asking for. I think that's the direction we are going to go in, because, in fact, government goals are people's goals.

THE SPEAKER: The hon. leader of the NDP opposition, followed by the hon. Member for Olds-Didsbury-Three Hills.

Treasury Branches

MS BARRETT: Mr. Speaker, less than two years ago the Minister of Energy spoke to a group of people in Toronto and bragged about how when he was Municipal Affairs minister, he oversaw the loss of more than \$2 billion because the government wanted a hasty sell-off of our public assets. Just yesterday the Provincial Treasurer waffled on the question of the future of the Treasury Branches. My question to him today is this: why does this government want to imperil the financial security of a \$9 billion asset that has finally turned the corner despite political interventions and not just announce that the Treasury Branches will be able to maintain their role as a publicly owned entity to fulfill their current three-year business plan?

MR. DAY: Mr. Speaker, we've been quite consistent about the fact that the Treasury Branches have a great future. There's no doubt about that, and their performance shows it very clearly.

MS BARRETT: Well, Mr. Speaker, if you've got banks hanging around licking their chops at the thought of getting at that public

asset, without the government's commitment to maintaining it as a public entity the value of that asset is inevitably going to drop. Why doesn't the government take the measures necessary to keep the value of the asset up?

MR. DAY: Mr. Speaker, the record is very clear. That asset continues to increase in value. I don't know why the member opposite would suggest that anything but that is happening. That's the type of language that can put some kind of doubt into the hearts and minds of the people who deal there. This asset is increasing in value, and it is because of direct government action in 1995, after close to 60 years, establishing a board of directors, requiring quarterly reports and annual reports and audited statements and then further to that in the legislation in 1997 putting that institution on, in relative terms, equal grounds with other financial institutions. Since doing that and only since doing that has that asset increased in value. And I believe it will continue to do so.

MS BARRETT: Mr. Speaker, to allay the concerns of people in smaller communities where the Treasury Branch is the only financial institution, will the Provincial Treasurer conduct himself in this open and transparent fashion that the government says it always does and provide all members of the Assembly with documents that were in front of the government caucus yesterday, so all Albertans will know what's really under consideration?

MR. DAY: Mr. Speaker, it should be noted the only people who are calling for a quick fire sale without public consultation of ATB are the Liberals. They're the only ones on record doing that. Now here comes a point of order.

2:20

MR. SAPERS: Point of order.

MR. DAY: Okay. Pictures of Pavlov's dog come to mind.

Mr. Speaker, the other thing that I wanted to make clear: in terms of openness and in terms of this government and this caucus being open, I'll tell you how open we are. We had a caucus discussion yesterday on this with documents; the very next day the media reported it all in its entirety. Now that's openness.

THE SPEAKER: And to Mom and Dad Day: that's your boy. Look; if I've violated anything by that comment, I apologize to all. Okay?

The hon. Member for Olds-Didsbury-Three Hills, followed by the hon. Member for Edmonton-Glenora.

Electric Power Supply

MR. MARZ: Thank you, Mr. Speaker. Yesterday the Minister of Energy announced measures to increase the winter power supply. Could the minister tell me: who all is involved in these arrangements, and what's the government's role?

DR. WEST: Mr. Speaker, I think there's been some confusion as to whether these are government initiatives or initiatives outside of government, and I want to clarify that here today. All the arrangements that were co-ordinated through a task force headed by the EUB are outside of government. One of the arrangements was with the transmission administrator, who is responsible for the co-ordination of our system to ensure that power runs to each and every home every day. They made the arrangements with the B.C. government, who owns the power system in British Columbia, to ensure that we could get increased power from British

Columbia. They also made the arrangements with the Saskatchewan government to ensure that our tie with Saskatchewan would give us more power.

The other misconception was that we are buying power from Montana. That wasn't true. Montana is part of the western coordinating council. We're tied into the northwestern United States on the power grid, and they allowed us to use our reserve, some 200 megawatts, and they would cover it off in the northwestern part of the United States because they have surpluses there. So, indeed, that arrangement was made through the transmission administrator and the Power Pool here.

The others involved are the utilities, the people who generate on a daily basis. Within their system they have more flexibility than we had found before, and they have assured us that they can use, especially one, TransAlta, another 100 megawatts out of their system.

The last people who are involved are what we call the industrial people, who at any given call, on any given day could shut down certain parts of their operations and let the power they use go into the pool. That's called curtailable load. Of course they have agreed through agreements that we put that they would get paid for doing that, that they would shed certain amounts of power, and they gave us another 111 megawatts in that type of system.

Overall, as we looked at all of the players in this, they added what will in the end look at about an 18 percent surplus within the grid that wasn't identified before.

MR. MARZ: My first supplementary, Mr. Speaker, to the same minister: could the minister tell me how my constituents are going to be impacted by this in terms of increased costs?

DR. WEST: Mr. Speaker, this is another question that comes up all the time: am I a residential homeowner in the province of Alberta going to pay higher rates because of the industrials who are getting paid to shed these loads, this curtailable load I talked about? They're getting paid, so I'm going to pay more while they make money off us? We've been buying power shed by industrials for many years. It equated to about 1 percent of the cost of your power bill on average over a year's basis, and with the proposals that have come forward and the cost of those, you will not see a significant rise in your electrical bill because of this. It is over a year's period, and it doesn't mean that because we've made these agreements, we'll necessarily have to use it. Therefore it's on demand, and it will add no more than the 1 percent that's traditionally been on your power bill for many, many years.

MR. MARZ: Could the minister further explain, then, what the next steps will be in this process?

DR. WEST: Following the events of October 25, Mr. Speaker, we put in certain task groups to look at the problems with the grid in the province of Alberta, and of course, yesterday was the first report of how we had dealt with the groups that I talked about.

Going forward now, there's no doubt we want new power production in the province of Alberta. So the next step that I've challenged the task groups with is to find a way to break down the artificial barriers that the new power generators say they've had. One of the individuals, the head of it, Guido Bachmann, has pointed out that there are certain fees and standby charges that have caused it to be uneconomical for new power producers to enter the grid. It's one of the task force's next tasks to do that. Within 10 days I have charged all of the players involved in this to come back with the regulations and change in policy that will allow as many of the new gas-fired generators, whether they be

wind power producers or any other independent power producers of any kind, to access our grid within a short time frame.

The other thing we're doing is commissioning as many new power producers as we can. Tomorrow, for example, we're doing the Primrose cogeneration project at Cold Lake, and it will now put 65 megawatts into the system as of tomorrow. Coming onstream by the first of the year are 187 megawatts, which will certainly enhance the security of supply further.

The other thing we're going to do is engage Albertans in a full discussion. I think coming out of this, the media and others have tried to say: "Well, is it okay now that we can just use power indiscriminately, we can put our Christmas lights back on, and we can plug our car in at 3 in the afternoon and let it run forever, and let the air conditioner run while I go to the lake on the weekend so my house is cool when I get home? Can we do all these sloppy things that we've always done?" That's a mismeasure to send to Albertans. Even though we've got security of supply and we can manage the power in the province of Alberta, wouldn't it be better if Albertans talked to one another, with their power companies, with the distributors and got a better practice and use of the power in the province? So I say: leave your Christmas lights on, but don't leave them on all night.

THE SPEAKER: Let's go on to the hon. Member for Edmonton-Glenora, followed by the hon. Member for Innisfail-Sylvan Lake.

West Edmonton Mall Refinancing

MR. SAPERS: Thanks, Mr. Speaker. Mr. and Mrs. Day. The Provincial Treasurer has said that the \$350 million increase in the liabilities of the Alberta Treasury Branches reported back in 1995 didn't raise any alarm bells for him. Now, that's hard to believe, given that the Treasurer must have known about the Premier's February 22, 1994, memo, which he says was well known and well publicized, which called for the Alberta Treasury Branches' involvement in the refinancing of West Edmonton Mall. So my question for the Provincial Treasurer this afternoon is: was the \$350 million increase in Alberta Treasury Branches' loan guarantees the Alberta solution outlined in the Premier's February 22, 1994, memo?

MR. DAY: Mr. Speaker, all elements to do with that particular arrangement are being looked at in a number of ways, specifically upon request by myself to the Auditor General, related to all circumstances to do with this loan. We look forward to all of that information coming out.

MR. SAPERS: Mr. Treasurer, just when did the cabinet, of which you have been a part since 1992, approve the loan guarantee issued by the Alberta Treasury Branches to refinance West Edmonton Mall?

MR. DAY: Mr. Speaker, again as I said on the first question, all of the elements regarding this particular deal are coming out. I'm wondering with the questions that I'm hearing: is the member suggesting that he has changed his position since his August 10 letter to me?

MR. SAPERS: I thought we asked the questions, Mr. Speaker. No answer.

THE SPEAKER: The hon. Member for Innisfail-Sylvan Lake, followed by the hon. Member for Edmonton-Gold Bar.

Poplar Ridge School

MR. SEVERTSON: Thank you, Mr. Speaker. Poplar Ridge school is in my constituency, and currently it operates at 120 percent of capacity. The school board has applied for four additional portable units to provide that extra space. However, the request has been turned down by the School Buildings Board. Instead, the School Buildings Board suggests that the students be bused to Penhold, where there is school space available. I have received a number of calls and letters from parents requesting that I urge the Minister of Education to provide these portables. To the Minister of Education: why won't the School Buildings Board approve the four additional portables to this crowded school?

2:30

MR. MAR: Well, Mr. Speaker, as I indicated in one of my responses I believe in this House yesterday, the School Buildings Board is an arm's-length group that makes decisions about new school construction and modernization. Before the School Buildings Board approves new space, the local school jurisdiction must consider all of the possible alternatives, which includes the possibility of using available space in nearby schools. In this case the school in Penhold, where there was space available, is 19 kilometres away, and this is a reasonable distance to bus students. The school board does have a responsibility to use existing school space before adding space onto Poplar Ridge school.

MR. SEVERTSON: Supplementary to the same minister: does the minister have any idea if the government is going to change this policy of busing kids out of their communities to an entirely different community?

MR. MAR: Well, Mr. Speaker, busing is an issue and the hon. member has received correspondence from many of his constituents, and many of them, I think, have taken the opportunity to write me as well. On the subject of busing, where busing is a reasonable distance, then it is appropriate for existing facilities to be used. We'll continue to allow schools to receive funds for rural transportation, and that will continue to be the process. It's not a reasonable expectation that each and every community where numbers do not warrant should have their own school, and busing in certain circumstances is most appropriate.

THE SPEAKER: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Calgary-East.

Pine Shake Roofing

MR. MacDONALD: Thank you, Mr. Speaker. The authorization and promotion of the untreated pine shake as a roofing material by this government is one of the largest cases of marketplace negligence in the history of this province. My questions today are to the Minister of Economic Development. When your department found out in fiscal year 1993-94 that untreated pine shakes were a nondurable, inferior roofing product, why was this information not shared with the Department of Labour?

MR. HAVELOCK: Mr. Speaker, today I am acting in place of the hon. Minister of Labour, so I will certainly take that question under notice.

THE SPEAKER: The question was directed to the Minister of Economic Development, who is in the House.

MR. HAVELOCK: Well, I appreciate that, Mr. Speaker.

However, isn't it within the discretion of government that whoever wishes to answer a question may?

THE SPEAKER: That's true. That's true. You got your answer.

MR. MacDONALD: The question is to the Minister of Justice. Do you find it unusual -- the acting Minister of Justice, excuse me -- that the Department of Labour has to get from your department authorization for press releases regarding pine shakes as a roofing material because they're afraid of the liability from the province's homeowners?

MR. HAVELOCK: Well, despite his assertion, Mr. Speaker, I actually am the Minister of Justice. I'm not the acting Minister of Justice.

In any event, departments quite often seek legal advice from the Justice department regarding issues where they feel there may or may not be some liability or exposure. I can't tell the hon. member whether that particular advice was sought with respect to a particular press release. However, we give advice to all government departments on a continuous basis.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is to the Minister of Economic Development. How much money did the Department of Economic Development spend to test and promote pine shakes between 1993-94 and the present time?

MRS. NELSON: Mr. Speaker, first of all, I think that's better suited under a motion for a return for specific information, but let me give some information on Economic Development's involvement in the question on pine shakes. Economic Development does not get involved in warranting or guaranteeing products. What I want to make abundantly clear is that there was financial assistance given by Alberta Economic Development to help the industry access U.S. markets and look for acceptance by U.S. markets of products that were developed within the province of Alberta.

Insofar as acceptance of the product through building codes, that does not fall under the Ministry of Economic Development. In fact, it falls under the Ministry of Labour. There is a co-operative relationship between the two ministries, and they do work together. But insofar as Economic Development getting involved, we did participate with some background information and some testing and some Building Code acceptance in other markets and in the Canadian market. Aside from that, we do not issue warranties, and we do not issue guarantees through Economic Development.

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

Children's Services

MR. AMERY: Thank you, Mr. Speaker. My question today is for the hon. minister responsible for children's services. The Calgary Rockyview child and family services authority took responsibility for delivering services in April of this year. They have been working hard at integrating services at the local level, and they have asked the government to live up to its commitment and integrate at all levels. To the minister: how will this document that you have tabled today called The Alberta Children's Initiative: An Agenda for Joint Action enable integration?

MS CALAHASEN: Mr. Speaker, first of all, I guess we all know that putting together a plan doesn't necessarily change anything. I think it's really important that you have to make the plans a

reality. I think we have to look at how this will help lead to integrating services and integrating planning. I believe that first it puts into place the four common goals for everyone, and those four goals are on page 6 of the Alberta Children's Initiative: that children will be cared for, that children will be safe, that children will be successful at learning, and they'll be healthy.

I think that secondly it lays out a number of detailed strategies and actions that will help integrate planning both at the provincial and the community level. Third, Mr. Speaker, a very important point: community representatives worked with us to be able to create this document, and it's very important when we're talking about what it means for integrated planning at the community level.

So that's the way I see some of this happening in terms of making this a reality.

MR. AMERY: Thank you, Mr. Speaker. To the same minister: given that there aren't any dollar figures in this framework, how much will the strategies listed in this document cost, and who will cover those costs?

MS CALAHASEN: Mr. Speaker, there are no dollar figures listed in this plan that will be associated with those strategies. There are key ministries that will be championing the various initiatives to go through the budgeting process, and I think that's a very important part. That's where we'll need all the colleagues to be able to support this plan as we move through it. I think all the costs will then be absorbed by those ministers who will champion those initiatives.

MR. AMERY: Thank you, Mr. Speaker. Does this plan duplicate the planning that has been done and is being done by the new child and family services authorities?

MS CALAHASEN: Mr. Speaker, this plan actually builds on the planning that's already been done. It's very important that child and family services authorities continue to build their plans at the local level so that they can continue to serve the people and the children of their area. What we're trying to do is make sure that this is an overarching umbrella which will look at the various initiatives within the various departments to come together in an integrated way so that we can see even further integration at all levels within government and community. This is a very important part when we're talking about looking at a strategic framework.

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

2:40 Video Lottery Terminals

MR. WICKMAN: Thank you, Mr. Speaker. After the recent VLT plebiscites the Premier acknowledged the need for a review of VLT operations throughout the province. Recently the minister responsible for lotteries met in Calgary with various groups that are pro VLT and also representatives from those groups that were promoting plebiscites on the VLT issue. My questions are to the minister responsible for lotteries. Was the meeting in Calgary called at the direction of the Premier as part of his commitment to review the status of VLTs?

MRS. NELSON: Thank you for the question, hon. member. Mr. Speaker, I'm pleased to be able to report that as a follow-up to the plebiscite questions that were asked concurrent with the municipal elections, I was able to make contact with the people from the yes side and from the no side. I asked them to come and meet with me to talk about messages, et cetera, that they had heard during

the process and to ask them to come and work with me on the next steps, to talk about some of the issues or common themes that they had identified. I'm able to report that I had meetings in Calgary and in Edmonton and that both sides have agreed to come to the table and not only work with me but work together. I think that's a quantum step forward as we look at reviewing gaming policy not only in the short term but in the long term.

In addition to that, the hon. Minister of Community Development and I have accepted one of the key recommendations from the gaming summit on the establishment of further research for gaming, and we have built into our business plans the concept of a research institute on gaming. That would be contracted out and work in co-operation with AADAC, the community lottery boards, Community Development, and AGLC. The research, we believe, in the longer term is fundamentally important so that we always have an idea of where we're going. These groups are very supportive of that concept and have agreed to come to the table to work with us, and I'm very pleased with that move.

MR. WICKMAN: Mr. Speaker, my second question is again to the minister responsible for lotteries. In view of the fact that over a quarter million people, Albertans, voted to remove machines from hotels and bars in Alberta, what immediate steps might we expect the minister to take to modify the VLT operations, whatever, to reduce the impact they have on these people and to try and realize that over a quarter million people do have a problem with the VLTs in the bars?

MRS. NELSON: Well, Mr. Speaker, I think one of the most important steps that has occurred following the vote was to call the players together and sit down and dialogue with them and get their ideas. They are coming back. Actually, both sides worked very hard through their campaigns and identified issues that they felt were common themes. Clearly, with the vote going the way it did, there are some issues that are going to have to be dealt with, but I will not promote an ad hoc position of moving without the support and the consultation of the groups I mentioned earlier: AADAC, Community Development, the community lottery boards, my own group of AGLC, plus the people from the yes and no sides. I think they can be a very valuable factor in how we move forward.

I've asked them to come back. We're trying to orchestrate a meeting within the next two weeks with the two sides meeting together. We've met separately, and now they've both agreed to work together. They are coming to the table, and I'm looking forward to their suggestions. I've heard some of them, but I'd like to hear them come from both sides. So once I have that meeting, I'll be able to report to you on those findings.

In the meantime, the Minister of Community Development and I are moving forward with one of the recommendations from the gaming summit to set up the research program. Again, that will involve very much the people from AADAC and Community Development and AGLC.

MR. WICKMAN: Mr. Speaker, my final question to the minister responsible for lotteries: in view of the fact that the council of Wood Buffalo requested the removal of VLTs 18 months ago, will the minister now make a commitment to remove those machines and abide by the wishes of that municipality?

MRS. NELSON: Mr. Speaker, I'm not able to make that commitment today for the fact that the municipality of Wood Buffalo, as the hon. member knows, applied to the Supreme Court for a ruling, and the Supreme Court would not hear the ruling. That was in October, I believe. Subsequent to that, the operators

in the municipal district of Wood Buffalo applied to the court for an injunction to stop the removal of the machines, and the court heard their request for an injunction and in fact granted that injunction but postponed their hearing -- it was supposed to be heard on November 10 -- until the end of January or the first part of February. Furthermore, the judge said that the status quo had to stay in place, so the Liquor and Gaming Commission are unable to take action on those VLTs because they must follow the ruling from the court.

Speaker's Ruling Recognizing Members in Oral Question Period

THE SPEAKER: Hon. members, in the list of questions that I have before me, we have some rules. In most parliaments members gain the attention of the Speaker to have their places put on the question list. In ours we have an agreement that was made several years ago by the House leaders, and it says that "the Speaker shall allocate questions between Government and Opposition Members." We now come to the point in the allocations that I have where the next person that one might be able to ordinarily recognize is a person who has already raised a question today on the government side.

The leaders' agreement further states:

Members not recognized one day shall not be given priority for a subsequent day, except that the Speaker, in his discretion, will try to recognize Members who have not asked a question for some time.

So I look at my list of all the people who have not asked a question for some time, and I now recognize the hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Olds-Didsbury-Three Hills.

Senate Reform

MS LEIBOVICI: Thank you, Mr. Speaker. It's a pleasure to be able to get up here this afternoon. Given that this government has spent a fair amount of time and a fair amount of taxpayers' money promoting Senate reform, I'd like the minister of intergovernmental affairs to please tell the Assembly what the government's plans are now for Senate reform.

MR. HANCOCK: Thank you. Mr. Speaker, I'm not sure whether your remarks related to people asking questions or people getting to answer questions in this House on an infrequent basis.

THE SPEAKER: Hon. minister, this is called question period, not answer period, so you be the judge.

MR. HANCOCK: Thank you. With that admonition, then, I will respond.

Thank you for the question. I think it's a very important question. As you know, Mr. Speaker, this government puts a high priority on Canadian federalism and this country working as well as it possibly can, and one of the things that we've strived for is to attain a triple E Senate in this country. We have few mechanisms to get that topic on the national agenda, and one of those mechanisms was indeed having a Senate election this fall to elect Senators-in-waiting. In fact, we now have through that process two fine people, Ted Morton and Bert Brown, who are in the process of watching what the Senate is doing and making comment on what the Senate is doing and raising the profile of Senate reform.

We will continue with our strategy of raising the issue at the national level, encouraging other provinces to consider the issue of Senate reform an important one, and talking with the national government to keep the Prime Minister's commitment which he made as a result of us having a Senate nominee election this fall,

the commitment that was made by the Prime Minister that he believes in a triple E Senate and wants to get on with Senate reform. So we'll be asking the Prime Minister to keep that commitment and to do it soon.

MS LEIBOVICI: Can the minister then explain why this government is relying on Senator Roche's efforts to push forward Senate reform as opposed to the Premier himself pushing that agenda forward?

MR. HANCOCK: Mr. Speaker, that would not be an accurate representation of the situation as it exists. Senator Roche has indeed agreed to carry forward the Senate reform process. As a result of his appointment to the Senate, I believe that he received significant input from Albertans indicating to him that they wanted an elected Senate and that he, as a result of that input from Albertans to him regarding his appointment, has taken it upon himself to get involved in the Senate reform process. We certainly appreciate him realizing that that is an important objective of Albertans and getting on that bandwagon.

He's not replacing the efforts of the Alberta government or of our Premier. Our Premier wrote to the Prime Minister immediately following the Senate nominee election on October 19, asked that he appoint the two Senate nominees elected as soon as possible, as soon as there's a vacancy available, and we will be continuing our process of keeping this on the national agenda.

2:50

MS LEIBOVICI: Can the minister then explain: besides writing a letter, what else is the Premier planning to do? What's the point-by-point plan that the Premier has for the next year in terms of pushing the agenda of Senate reform forward? Can you be more specific, please?

MR. HANCOCK: The process of reform of national institutions in this country isn't something that happens on a day-to-day basis. It does happen over a much longer term period than that. Unfortunately, while I would like to have the opportunity, as the hon. member opposite would like obviously the opportunity, to get Senate reform on a day-to-day agenda over the next six months, that's unlikely to happen. However, we have ongoing discussions. I talk with my counterpart nationally, the federal Intergovernmental Affairs minister, Stéphane Dion, and encourage him to take into account the issue of Senate reform and the importance it has for Albertans.

We are developing a strategy to keep this on the table and as a high profile item. We will be continually reminding the national government at every opportunity and at every meeting that Senate reform is a high priority for Albertans, and until we get our Senate nominees appointed to the Senate or until there is meaningful reform to bring in a true triple E Senate, this will remain at the top of Alberta's agenda.

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

Medical Savings Accounts

MR. MARZ: Thank you, Mr. Speaker, for your consideration, allowing me a second question.

We in the province of Alberta are fortunate to have a surplus budget, which has enabled us to reinvest \$750 million in the last three years into our health care system, a 20 percent increase. Currently the federal Liberal government is also boasting a

surplus, but it's cut health care transfer payments to Alberta from \$761 million to \$440 million in that same time frame. A recent study of health care in the province of British Columbia by the Fraser Institute has pointed out that problems in that province's health care system are also compounded by the federal Liberal government spending cuts, despite a 40 percent increase in the health care system by that province. Their report also recommended the implementation of medical savings accounts.

THE SPEAKER: Hon. member, this is a question, not a ministerial statement, not anything else. So, please, proceed to the question.

MR. MARZ: Okay. I'll get to the question. The question is, Mr. Speaker, to the Minister of Health. Medical savings accounts have been recommended as a means of making the system more accountable and cost-effective. Pilot projects in the States have shown a 40 percent saving in one year. Would the minister commit to a voluntary three- to five-year pilot project involving the concept of MSAs, or medical savings accounts, in this province?

MR. JONSON: Mr. Speaker, I am aware of the concept of medical savings accounts and also the article referred to by the member done by the Fraser Institute. I think that we would be certainly willing to look at material that might be available of a factual nature and discuss that with our federal counterparts, because I think that given the overall tax structure and constitutional structure in Canada, it would be important to involve the federal government in any kind of assessment.

The one thing I would like to say in general answer to the question is that our priority in discussions with the federal government will be the representation we've made, which will continue, in terms of receiving the restoration of the traditional percentage of federal support for our overall health care system. I would not put that at a lower priority relative to the medical savings plans. The medical savings plans require an ability to provide a tax credit, and of course the federal government is the primary administrator and collector of income tax in this country.

MR. MARZ: My second question is to the same minister. Would such a program as medical savings accounts be compatible or in accordance with the Canada Health Act?

MR. JONSON: Mr. Speaker, I think I should start out by saying that I don't know for sure. To be able to answer the question, we would have to discern or define very, very clearly what it is that the medical savings accounts could be applied to when in fact they were spent, or used, by the individual. I would expect that at this particular point in time there might be certain treatments, perhaps costs for drugs beyond the approved plan. There might be a range of services that might be applicable to medical savings accounts, but it would be something that would have to be very, very carefully examined so that we do not in any way undermine the overall public health care system.

MR. MARZ: Thank you. My last question: could the minister tell me if you could implement the concept of medical savings accounts, utilizing or adapting the current Alberta health care premium system to that?

MR. JONSON: In the fairly brief or cursory review that we've done of medical savings plans, we have looked at the whole area of health care premiums to see whether some type of an incentive could be built in through different rates for people who practise certain preventative measures and have a lower utilization of the

health care system. That always brings up, Mr. Speaker, the issue of those people who are ill through circumstances beyond their control or injured. It would not work in those particular cases. Various people have brought forward the idea that there should be some incentive in the health care system to practise a healthy lifestyle and prevent accident and injury, and we've had, I guess I would say, some serious but not in-depth looks at that particular issue.

THE SPEAKER: Hon. members, we'll proceed with the members' statements in 30 seconds from now, and we'll proceed in this order: the hon. Member for Edmonton-Mill Creek, then the hon. Member for Edmonton-Calder, followed by the hon. Member for St. Albert.

Might we just revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests
(*reversion*)

THE SPEAKER: Hon. Member for Edmonton-Calder, is your guest still here?

MR. WHITE: Yes, Mr. Speaker, and thank you very kindly.

There's a gentleman in the gallery today, and when I was a young engineer starting out in the business, I came upon a site on which he was the general contractor. We had nothing but a good relationship from that day to this. He went on to become one of the presidents of the Chamber of Commerce of this fine city of Edmonton. He retired from his business practice. He then was elected to the city of Edmonton's council, where we sat as colleagues for a number of years, and he's retired from that into a pleasant life of a new marriage. Oh, there is one thing that is not so good on his record. He is still a darn Tory. Bruce Campbell, would you please stand up and be welcomed by this fine Assembly.

head: Members' Statements

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

Standing Policy Committees

MR. ZWOZDESKY: Thank you. Mr. Speaker, during my five and a half years of service as an MLA one of the most frequent issues I've been asked about is the process of governance. Having experienced it now from both sides of the House, I want to comment on it.

As I've come to know it, I must acknowledge at the outset that the overall process from the government side is different, but it is very thorough, comprehensive, forthright, and honest. There's an enormous amount of work and effort that all MLAs undertake in arriving at the best decisions possible in creating and/or maintaining the direction of government as mandated by the citizens of this province and in presenting legislation that promotes, protects, and serves the interests of all Albertans. This process is complex and ever evolving and constantly seeks input from the grassroots level.

3:00

One of the most important steps in this process is the SPC, or standing policy committee. There are seven SPC bodies -- I'm on one of them -- that hear submissions from individuals, groups, and organizations on any subject of their choice. These presentations are question-and-answer sessions that thoroughly explore every issue presented by Albertans and, in my view, constitute the most critical part of the new decision-making

process that was first introduced by the Premier back in 1992. I didn't realize that until I did some of my own personal research, and in doing so, I was pleasantly surprised to find that this SPC process also downsized the number of government committees from 26 to seven. Good streamlining there.

Albertans participate in this process through their local MLA and/or by simply phoning in or writing to us and requesting that their issue be heard. Subcommittees, task forces, advisory bodies, and other ad hoc mechanisms are frequently created to delve even more deeply into those matters that require them. Thereafter, positions and recommendations are made to relevant departments, to the agenda and priorities committee, to the Treasury Board committee, to cabinet, and ultimately decided upon by the full government caucus.

Opposition members are also an important part of the process and frequently attend SPC meetings to hear the presentations. Of course, inasmuch as opposition caucuses require portions of their meetings to be private, so too are certain portions of SPC meetings held in private, typically after all public presentations have been made, because the presenters sometimes request confidentiality regarding certain aspects of their issue.

The bottom line is that this process is thorough and rivals any other government process . . . [some applause]

MR. WHITE: You're cutting into my time, folks. You can start my time now.

THE SPEAKER: I've already recognized you, hon. member.

Electric Power Supply

MR. WHITE: Yesterday the Minister of Energy boldly proclaimed that with his new 400-megawatt power arrangement no Albertan should be afraid to turn their Christmas lights on. Sir, this is giving the public a false sense of security, and you know it. Now, I cannot in this House accuse you of misleading the public, so I won't, but I can suggest that you are wildly optimistic about the ability of the Alberta power supply to supply the demand. While the minister talks about 111 megawatts of new curtailable load, his own Power Pool Council says, and I quote: 21 megawatts of new curtailable load. Just who is telling the truth here? This member prefers to believe the power pool experts, sir.

The real problem here is not how much power can be taken away by shutting down industry; it is that this province simply needs more power generation. There has been no new power-generation capacity in this province since 1994, when this government started the deregulation of power sources. Yet with all the natural resources in this province, your government has allowed the power supply to remain dormant while the demand has increased to the point where you have to shut down industry in order to avoid blackouts.

In the eyes of the world, sir, every Albertan is embarrassed by this simple fact. The truth is that the electricity deregulation has been so mismanaged in this province that the minister's only solution is to purchase power from that totally regulated market, from B.C. Sir, you have been beaten by a regulated socialist government.

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

Sturgeon Community Hospital and Health Centre

MRS. O'NEILL: Thank you, Mr. Speaker. I want to speak about the strength of health care services available within the Capital health authority and, in particular, the expanded range of quality

services offered at the Sturgeon community hospital and health centre in my constituency, as they have been put in place during the past year. Capital health serves not only St. Albert but all of northern Alberta for serious, acute care; i.e., trauma needs. Consequently, we who live in St. Albert have at our doorstep an excellent health care facility with recently expanded capabilities.

In August of this year Capital health signed a memorandum of understanding with the Canadian forces to provide health care services to military personnel. This military deal, as we call it, means enhanced services at the Sturgeon hospital, not only to meet the needs of the military but also to serve the needs of the community at large. Our Sturgeon community hospital and health centre with this agreement will provide a full range of inpatient and outpatient services including medicine, surgery, labour and delivery, and diagnostic services for military and community members. In addition to that good news, I am pleased to report that the Sturgeon hospital is currently taking on more high-level surgery from the Royal Alexandra hospital to ease the pressure there and to bring more onsite services within St. Albert's Sturgeon hospital.

At this point I wish to pay tribute to those who administer the Sturgeon hospital. I have heard and I truly believe that it is one of the best run hospitals in our system, and my constituents who are both staff and patients have told me of the quality and range of services available there. Our community is very pleased with what they see happening at the Sturgeon hospital, in spite of false political rumblings of disbelief visited on the shoulders of our local presses. They have expanded their services, enhanced their facilities, and are ever accommodating the growing demands and needs in health care, as they have done specifically over the past year.

THE SPEAKER: Before proceeding with Orders of the Day, the hon. Member for Edmonton-Glenora on a point of order.

MR. SAPERS: Thanks, Mr. Speaker.

THE SPEAKER: I'm sorry. Okay; we'll proceed with this and go to Projected Government Business.

MR. SAPERS: We could do it the other way.

THE SPEAKER: Yeah, we'll go with the hon. Government House Leader.

Projected Government Business.

MR. HAVELOCK: The business . . .

MR. SAPERS: Well, could I ask him first?

THE SPEAKER: Yes.

MR. SAPERS: Good. Sit down.

THE SPEAKER: Now, please. Come on.

MR. SAPERS: Well, I just wanted to get clear what you wanted to do, Mr. Speaker. I'm sorry.

head: Projected Government Business

MR. SAPERS: Pursuant to Standing Orders, would the Government House Leader please inform the Assembly as to what the intended government business is for next week.

MR. HAVELOCK: Mr. Speaker, as has been our past practice, this side of the House will continue to consult with the opposition on a daily basis to identify what business will come before the Assembly. With that in mind, the business of the Assembly for the week of November 23 to November 26 will be: on Monday, November 23, we'll deal with Government Bills and Orders, second reading of bills 48 and 42; then we'll go into Committee of the Whole as per the Order Paper. In the evening, Committee of the Whole, Bill 2, and as per the Order Paper.

On November 24 at 4:30, the Provincial Treasurer's supplementary supply estimates will be tabled. Then we'll deal with government motions 35, 36, 37, and 38 relating to supplementary supply; then if time permits, second reading and Committee of the Whole as per the Order Paper. That evening we will again deal in Committee of the Whole with Bill 2 and as per the Order Paper.

On November 25, Mr. Speaker, 8 p.m., we will be in Committee of Supply, day one of the general revenue fund and, time permitting, Committee of the Whole, third reading as per the Order Paper.

On November 26 in the afternoon: Committee of Supply, day one of the lottery fund. We will then revert to Introduction of Bills; Bill 49, the Appropriation (Supplementary Supply) Act, will be presented by the Provincial Treasurer, and if time permits, third reading in Committee of the Whole as per the Order Paper.

THE SPEAKER: Okay. Now, before proceeding to Orders of the Day, on a point of order, the hon. Member for Edmonton-Glenora.

Point of Order Clarification

MR. SAPERS: Thanks, Mr. Speaker. I really wasn't sure before.

Mr. Speaker, I do rise under Standing Order 23, two subsections, (h) and (l). The issue came up in a question put by the leader of the third party and answered by the Provincial Treasurer. In a way, it's a similar point of order to one that was raised yesterday in which the Provincial Treasurer made allegations and introduced a "matter in debate which offends the practices and precedents of the Assembly"; that is, providing statements that simply have no basis in fact. He made some reference to a call for a fire sale on the Alberta Treasury Branches; I can't think of anybody that's ever done that.

However, I can inform the Assembly -- and would ask the Provincial Treasurer to consider this so that when he has an opportunity, he can withdraw his remarks -- that the Provincial Treasurer engaged the firm of CIBC Wood Gundy to, in his own words, evaluate the ATB, including privatization options. We have the president and CEO of the ATB on October 25 speculating about the selling of the Alberta Treasury Branches. We have the Premier talking on April 30 about the sale of the Alberta Treasury Branches, and most significantly, Mr. Speaker, and what really caught my attention: the Treasurer mentioned that it was really only the Official Opposition that were thinking about selling Alberta Treasury Branches.

I would remind the Treasurer of a memo that he received from his very own deputy minister on May 7, 1997. The subject of the memo was: proposed legislation changes for Alberta Treasury Branches. The memo concludes by saying: the amendments would also provide a framework and a restructuring process that would prepare the ATB as a going concern for competition and regulation as a private-sector institution. So a pretty impressive track record on the part of this government in speculating about the pending sale of the Alberta Treasury Branches, standing in stark contradiction to the answer of the Provincial Treasurer. So I hope the Provincial Treasurer will learn from the mistake that he's now made twice, two days running, in this House, will get

his story straight, and will continue to always provide only the most accurate information to the Assembly when he's providing an answer in question period.

3:10

THE SPEAKER: I'm quite prepared to rule this out of order. Do you want to say something?

MR. HAVELOCK: Mr. Speaker, I would like to make one point, and I'm not clear whether you have the authority to do so. In the future during a point of order argument which is quite clearly not a point of order but rather clarification or simply trying to put forward a position, I'd encourage you to perhaps interrupt that point of order and rule, as opposed to having us listen to two, three, four minutes on something that clearly falls outside the Standing Orders and is quite clearly, again, an abuse of the process of trying to put a point across, which they could otherwise not do.

THE SPEAKER: Well, actually, the chair was proceeding to come to that conclusion, hon. Government House Leader, and could have said it two months ago.

The difficulty one has with all of this is that one has to listen to the argument before one can find the final conclusion. I just want to cite two things, hon. members. First of all, *Beauchesne* 494 says: "On rare occasions this may result in the House having to accept two contradictory accounts of the same incident." That's always the dilemma.

The second thing is under Standing Order 23(h): "makes allegations against another member." It is actually correct; the Provincial Treasurer in the response in question period today referred to the Liberals calling for the fire sale of ATB. He didn't refer to a member calling for the fire sale of ATB, which would have really fit in under 23(h). He said: the Liberals. Fortunately we don't seem to have too many of these, and I appreciate that in the last three days there's been a great reduction in terms of what we saw happen on Monday in terms of points of order and the like.

Anyway, we've now made the point once again, and of course this is three days ahead of time for everybody to take *Beauchesne* home, to take Standing Orders home just to review.

head: **Orders of the Day**

head: **Government Bills and Orders**

head: **Second Reading**

Bill 48

Election Amendment Act, 1998

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

MR. McFARLAND: Thank you, Mr. Speaker. It is a pleasure to speak in support of Bill 48, the Election Amendment Act. On September 25 of this year the Minister of Justice asked the Member for Calgary-Cross, the Member for Clover Bar-Fort Saskatchewan, and myself to consult with Albertans and to make recommendations regarding the issue of inmates voting in Alberta. I was pleased to chair this committee and to have the opportunity to work with my colleagues and a tremendous staff from the Justice department. If I could, I'd like to particularly point out Nolan Steed, Tanya Stewart, Andy Michaelson, and of course the staff from the minister's office.

The Minister of Justice asked us to determine the views of Albertans on inmates voting in provincial elections and to recommend amendments to the inmate voting provisions in the Alberta Election Act. We were keenly aware that any proposal

which denies a person the right to vote for a Member of the Legislative Assembly engages the Canadian Charter of Rights and Freedoms. The committee sought advice from legal counsel on the Canadian constitutional standard and the constitutionality of the alternatives open to the committee.

Albertans hold strong views on the wisdom of allowing inmates to vote. Mr. Speaker, the Angus Reid poll we commissioned showed that approximately 80 percent of Albertans are opposed to allowing inmates the right to vote. I repeat: four out of five Albertans do not believe that inmate voting is in the public interest. I'm not surprised by the results of the poll. My constituents strongly object to inmates voting, and I know that I'm not the only Member of this Legislative Assembly who has heard the strong and clear voice of Albertans throughout their ridings. Albertans almost without exception believe that inmates should not be allowed to vote. This is not because they wish to show contempt for inmates or wish to impose further punishment on inmates. Instead, they oppose inmate voting because they believe that a ban on inmate voting will increase respect for the law and highlight the significance of participating in the voting process.

Albertans are not uninformed on this issue either. According to the same Angus Reid poll, 86 percent of Albertans know that the Canadian Charter of Rights and Freedoms guarantees the right of Canadian citizens to vote in elections of federal Members of Parliament and provincial Members of the Legislative Assembly. A Legislature alone cannot deprive a citizen of the right to vote in an election of a Member of this Legislative Assembly just because almost everyone in the community thinks that this is a good idea. The Constitution of Canada recognizes that the right to vote is one of the most important rights Canadian citizens have. The Charter insists that the right to vote be universal unless compelling reasons support taking away the right to vote of a citizen.

Mr. Speaker, the government of Alberta has decided to deny the vote to inmates serving sentences greater than 10 days' imprisonment. Most Albertans support this judgment call. We wish to promote responsible citizenship. This bill accomplishes that objective by promoting two fundamental principles which characterize free and democratic nations. The first principle the voting ban supports is the supremacy of the rule of law in a free and democratic nation. The rule of law is important to Albertans and Canadians because we prefer to live in a community where members may freely pursue personal happiness without fear that others will harm us or our families. Unless almost all of us who reside in the community are prepared to abide by that code of conduct which respects the right of all residents to pursue happiness, the state of happiness will be unattainable.

The government of Alberta also believes that the inmate disenfranchisement rule, which it has selected, promotes another fundamental principle alive in a democratic state. The rule tells citizens that it is important to participate in the electoral process. The amendments incorporated in the Election Amendment Act unequivocally proclaim that citizens of a state governed by a parliamentary system have important obligations as well as rights. It is, in the opinion of this government, desirable to introduce legislative measures which inform citizens that it is important to participate in the electoral process and that the well-being of a democracy is in part a function of the continued interest on the part of the citizen in its electoral proceedings. The integrity of the electoral system, in other words, must be preserved.

This Election Amendment Act is designed to promote the supremacy of the rule of law, and along with it is recognition for Albertans of the importance of the electorate participating in the democratic process. Mr. Speaker, the government of Alberta is proposing these amendments to the Alberta Election Act in the

belief that they will promote an increased awareness of the importance of obedience to the law among Albertans and will encourage Albertans to participate in the electoral process. Surely no member of this Assembly will contest the proposition that a society whose members respect the rule of law and participate in the electoral process is one in which citizens are most likely to attain personal fulfillment and happiness. Everyone recognizes that Alberta will be a better place if more citizens respect the rule of law and do participate in the electoral process.

I do not need to cite crime statistics to support the first point; it is self-evident. The second point is also easily explainable. In the last four general elections voter turnout has fluctuated between 47 and 60 percent. Measures designed to encourage eligible voters to vote are in the best interests of all.

Before concluding my remarks on the legislative purpose, I want to state in unequivocal terms what objectives the government of Alberta is not pursuing in the Election Amendment Act. The decision to disenfranchise inmates serving sentences in excess of 10 days was not made for the purpose of punishing inmates.

3:20

Mr. Speaker, I now wish to explain the relationship between the legislative means the government of Alberta has selected and the legislative purposes, which I've already explained to you. A declaration by the Legislative Assembly of Alberta that those who are serving a sentence of imprisonment on polling day, with a few exceptions, are ineligible to vote in elections under the Election Act sends an unequivocal message to the community that the rule of law is a primary principle by which all Albertans live and that in a parliamentary system of government an electorate aware of the importance of participating in the electoral process is an indispensable feature.

I agree, as do my colleagues, with the assessment of Justice Wetston, a federal court judge considering the constitutionality of the federal inmate voting ban, when he said in his 1995 case: I find the morally educative function of the law to be compelling. The government of Alberta is convinced that its decision to disenfranchise inmates serving sentences in excess of 10 days rationally promotes the attainment of its legislative purposes.

During our work the committee was exposed to a variety of legislative solutions to the inmate voting controversy. I can safely say without fear of contradiction that there is a great diversity in the legislative response to the wisdom of inmate voting throughout the world. Some jurisdictions deprive all inmates serving a sentence of imprisonment of the right to vote. This is the law in the United Kingdom, Japan, some American states, some Canadian provinces, and Tasmania. Some jurisdictions single out inmates by reference to the term of imprisonment, the nature of the offence, or both. Still others leave the decision to sentencing courts, and some do not disenfranchise inmates.

The government has decided to disenfranchise inmates serving a sentence of imprisonment of more than 10 days, other than those in jail solely on the account of failure to pay a fine. This puts Alberta in the middle part of the legislative spectrum of options that are in common-law jurisdictions throughout the world.

In Australia, like Canada, it is the federal state. The federal voting rule is set out in the Commonwealth Electoral Act of 1918. It denies federal franchise to those persons serving a sentence of five years or longer for an offence against the law of the Commonwealth or of the state or territory. The Northern Territory, Queensland, and Victoria utilize the current federal standard. The law in New South Wales, Tasmania, and Western Australia is more restrictive than the federal law. In New South Wales a person cannot vote if serving a sentence of 12 months or greater

for commission of a crime. The rule is almost identical in Western Australia with one exception: a person who's been convicted of treason cannot vote. Tasmania has the harshest rule. In Tasmania no person imprisoned under conviction may vote, period. South Australia allows inmates to vote. It is readily apparent that the public opinion in Australia is not uniform. The commission in the Commonwealth of Australia had this in mind when they said: we're not saying that such persons should be disqualified, merely that we think Legislatures should have the power to disqualify on this ground if they think fit.

A bill introduced in the Australian Senate on May 14, 1998, proposed that the five-year cutoff be eliminated from federal law. The effect of this would be that all serving inmates would be unable to vote in future Australian federal elections. This bill did not become law because it was not passed before the recent Australian general election took place, but I understand that it is the intention of the governing party to reintroduce a bill in substantially the same form as it was before.

A review of the statistics published by Statistics Canada suggests that the 10-day cutoff would allow approximately 20 percent of inmates in Alberta correctional institutions the right to vote. A higher cutoff date will significantly increase the number of inmates who have the right. If, for example, inmates sentenced to a term of imprisonment of less than 31 days were eligible to vote, this would give the vote to 48 percent of sentenced admissions to Alberta correctional institutions. Allowing half of provincial inmates the right to vote would make it impossible for us to say with a straight face that inmate disenfranchisement is intended to deliver an important message.

A 10-year cutoff was recommended by the Royal Commission on Electoral Reform and Party Financing in its 1991 report entitled *Reforming Electoral Democracy*. The royal commission was of the view that without minimizing the gravity of the offences committed by a number of prisoners, allowing some prisoners to vote would not undermine public confidence in the value of the vote or threaten the interest of other citizens. It was the opinion of the committee that a 10-year cutoff is a completely inappropriate measure by which to send a serious statement of the importance of the vote in a free and democratic society or the significance of voluntary compliance with the rule of law. I am pleased that the government of Alberta shares this committee's view. A negligible percentage of the annual admissions to federal and provincial correctional facilities would be affected by the model suggested by this royal commission. It would hardly be worth the effort.

The committee was aware of the model which bestows on the sentencing court the jurisdiction to disenfranchise an offender as part of the sentence. This model has two flaws. First, it does not stipulate the standard that a sentencing court must utilize. Will sentencing courts deny the vote only to inmates who are clearly indecent and immoral -- the test some judges have suggested -- or will some other more objective and comprehensive standard find favour with the courts?

Second, the government of Alberta is satisfied that it and not a court should decide which offenders are denied the vote. This is an issue which affects the entire community and needs to be resolved by the elected representatives of the people. The role of legislators and judges, while complementary, is fundamentally different. This is in part attributable to the different procedures each branch follows in discharging its duties. Legislators cannot discharge their duties as such unless they take time to maintain contact with their constituents. This means that if the resolution of an issue which confronts both the legislator and a judge involves an understanding of what the ordinary person is thinking, an elected representative is in a better position than a judge to

make the call. Legislators are in a position to compile useful information to which judges may not have access. I have found it comforting to know that my constituents think and know that my colleagues on the committee felt the same way.

With respect to the 10-day cutoff, Mr. Speaker, the committee believes that two persons sentenced on the same day for the same short imprisonment should not have different voting opportunities just because one of them was uninformed and unaware of the existence of advance polls. The 10-day cutoff will ensure that this will not happen. Similar reasoning also justifies our decision to allow fine defaulters to vote. An individual who has the resources or access to the resources of others or is able to participate in the fine-option program currently available will in most cases not be in jail on polling day and will be entitled to vote. The government of Alberta wishes to accord similar treatment to those who pay their fines and those who serve time in prison on account of fine default.

The Constitution of Canada does not allow legislators to pass laws which deprive citizens of the right to vote for a Member of the Legislative Assembly unless the beneficial effect of disenfranchisement in the community is greater than the impact of disenfranchisement on inmates who are not allowed to vote. It has been brought to our attention that we must carefully consider the rights of those persons who are affected by our decision. In order to conduct this review, it is important to identify those whose interests are at stake. The government does not see this as a contest between the government and inmates who are serving sentences in excess of 10 days' imprisonment. Rather, the balance is between citizens who are not serving sentences of imprisonment in excess of 10 days on voting day and inmates who are serving sentences in excess of 10 days.

3:30

There are competing interests, because the decision to increase the number of eligible voters diminishes the impact of every other citizen's vote. The government does not underestimate the detriment that disenfranchisement represents to those inmates who will be deprived of the right under the Election Amendment Act. The committee and the government both accept that the right to vote is of great importance to Albertans. Some have argued that giving inmates the right to vote may encourage them to become more responsible citizens. Even if those who support inmate voting could substantiate this claim, it would not cause the government of Alberta to change its mind.

[The Deputy Speaker in the chair]

With respect to the last recommendation there are eight different considerations, Mr. Speaker. The first is that the decision we have made does not deprive all inmates who are serving sentences of more than 10 days of the right to vote. It only affects those who are in jail on polling day. Second, the disqualification ends the day the prisoner stops sleeping in jail at night for any reason. Third, the exclusion of fine defaulters means that a large number of inmates will be allowed to vote. Fourth, in 1996-97 the median sentence length on admissions to Alberta correctional institutions was 30 days. Fifth, unlike the law in many American states Bill 48 allows inmates to vote upon release without the need to secure a pardon. Sixth, 11 percent of sentenced admissions to Alberta correctional institutions in '96-97 were for intermittent sentences. This segment of the inmate population will be able to vote. Seventh, inmates in Alberta have not had the right to vote in any of the 24 previous provincial general elections since 1905. Finally, imprisonment is a sanction reserved for the worst offenders.

Mr. Speaker, I urge all our colleagues here to support second

reading of Bill 48, and I thank you for the opportunity for the lengthy time that I've taken here today.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Highlands appeared to be a little faster on the draw, followed by Edmonton-Norwood.

Edmonton-Highlands.

MS BARRETT: Thank you, Mr. Speaker. To the Member for Edmonton-Norwood: I assure her that on this occasion my comments will conform to my height.

Provisionally I need to speak against this bill. [interjections] Oh, but I should tell members of the Assembly that I will be consulting New Democratic Party members this weekend at our annual convention to see how they feel about this bill. If the party says to support it, I will.

However, right now I just have a couple of preliminary comments to make. It just seems so very arbitrary to take away one right from people who may have done wrong out of circumstances they didn't control -- yes, they obviously knew the difference between right and wrong, or for the most part that is true -- with convictions that result in jail sentences. But I think one has to ask reasonably: how far does a government go? Do we, then, take away their social security cards? Do we start assuming that justice must be administered in the fashion that it is in some countries, in the Middle East for example, where stealing a loaf of bread can result in the chopping off of your hand? You knew where I was headed on that, Mr. Speaker.

I think we must appreciate that we are a society; we are not just individuals existing by ourselves. We exist in groups because throughout history we have discovered that it is much more efficient to do so. In so doing, we have discovered the merits of civility, those merits being ultimately that we respect one another and we are our brothers' keepers. Being not an advocate of capital punishment, I can never assume that a conviction is 100 percent certain. If I'm not mistaken, just in Chicago on Tuesday there was a convention being held in which a number of former death row prisoners congregated with a number of other activists and politicians to try to overturn the capital punishment provisions of several states because they can demonstrate so clearly that they were wrongfully convicted. That is just step number one in the argument for maintaining civility in our penal system. It is clear that once one is incarcerated, having a passport does one no good at all, unless you escape, I suppose.

One has to ask, you know: just how many people is the government prepared to take rights away from, and how imperative is that in 1998, particularly in Alberta, where this city, for example, is just beginning to recover from the worst economic smashing any government has ever imposed upon one city in Canada in modern years? Why wouldn't we be diverting our attention instead to economic rebuilding, filling in the cracks that were left by massive and unthoughtful budgetary cuts to programs that serve people? That again brings me back to the purpose of society. It is not just efficiency; it boils down to collective values.

My sense of our collective values, not in this Legislature certainly but in my day-to-day life out in the real world, is that people generally respect people, respect each other, including strangers, and people generally have a pretty forgiving nature when it comes to having messed up and broken a serious law. Remember that some crimes are very serious and some are very minor, and there's a whole range in between. This bill doesn't discriminate between the nature of the crimes for which one is serving time in prison.

So with that, as I say, I will conclude my remarks by saying

that at this point I believe I will be voting against the bill, but I'm going to do the democratic thing this weekend and consult our party members.

Thank you, Mr. Speaker.

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

MS OLSEN: Thank you, Mr. Speaker. I guess I'm pleased -- or not pleased -- to speak to this bill today. I believe that there are many times when people in our province have stated that they do not support the inmates in any institution voting. There is some validity to the notion of restricting prisoners' rights to vote. However, I'm not sure that this bill addresses that in many ways in the appropriate manner.

I would first like to look at the issue of some of the leaders in the world who have been imprisoned. For one, Nelson Mandela, who was a human rights activist who was promoting democracy, would not have had the right to vote. Louis Riel -- this is Métis Week -- who was promoting the rights of the Métis Nation in this country, ended up in jail. He's since been given a pardon by the federal government. Let's also not forget Donald Marshall, David Milgaard, Guy Paul Morin, who were convicted offenders who were released because other evidence, DNA evidence in these instances, was able to show that they were not in fact responsible for the homicides they were convicted of.

Now, I want to point that out in this argument because we do have to look at all citizens in this country, in this province as just that, as citizens. Section 3 of the Charter states that all citizens should have the right to vote and can't be denied that right. That has to be weighed against, in a reasonable way I suspect, the whole notion of the public's demand to see justice done by denying some certain privileges and rights that law-abiding citizens have.

Given that, I look at the notion of: how can we satisfy that, and how can we balance that? I'm not sure that looking at time in relation to the crime is the best way to do that. I think what we have to look at is the crime, the criminal activity, how severe it was. If you look at the Criminal Code and you look in the back, you will see a grid for sentencing options. Where most offenders serving in our institutions are found guilty of offences under this particular act or, say, the Narcotic Control Act, the Young Offenders Act, all of those kinds of offences are outlined in here in this particular book. In here is a grid for types of sentencing. You can get an automatic discharge. You can get a suspended sentence, a fine alone, fine and probation, prison, prison and probation, prison and fine, probation, intermittent sentences, victim fine surcharge, conditional sentencing. There is a horrendous number of sentencing options that a judge has.

3:40

Now, in this piece of legislation we're talking about provincial inmates. We are talking about inmates, then, that are put in an institution for two years less a day. Let's talk about convictions and different crimes. An individual can be convicted of, let's say, criminal harassment; okay? That individual could be released on a conditional sentence, according to the sentencing guidelines in this Criminal Code. On the same day, however, another offender could be convicted of criminal harassment and be sentenced to an institution. They could both be given, say, 12 months. They're both given 12 months. One is sentenced and is an inmate, but he's serving his sentence in the community, which means he has a right to vote. The other person is sentenced to an institution, which means he doesn't have the right to vote.

Now, my position and the position of this caucus has been that

we should be leaving that decision to a judge. Let's focus on the crime and the type of crime because that's what the citizens of this province look at. What kind of crime was it? There are many instances -- impaired driving is one of them -- where you can get intermittent sentencing. You can get sentencing that you're only serving on weekends. You can get a fine and intermittent sentencing; again, you're an inmate. But for many, many people, unless the Crown second-offences an individual, it's considered their first offence, so in the courts they often will proceed on, say, a basic impaired driving charge summarily. So the least particular sentencing option is what would come out of that. An indictable offence is considered more serious; a summary conviction offence is considered less serious.

Therefore, what happens is you have a lot of inequity with these different types of crimes and these different types of sentences. So why don't we leave it to a judge? Why don't we amend the provincial court procedures act and allow the judge, upon sentencing, to make that decision, focusing on the crime, because it really is the crime that they're there for. With the inequities in sentencing, it doesn't allow at all for any discretion. This province uses conditional sentencing. This province uses this system a lot, and most of it is for a cost-saving reason. In fact, we have that house arrest program. In the house arrest program people are sentenced to their home. They get to vote. They're not in Fort Saskatchewan; they're not in Lethbridge; they're not in Peace River. So that's an inequity that concerns me to a great degree.

I look at the 10-day option here. The report provided by the committee talks about Justice Côté suggesting that 10 days might be an appropriate limit. Well, in Justice Côté's decision and the rationale behind it, on page 653, paragraph 36, he states that "there is another reason to exempt prison under (say) 10 days, unlike the present s. 41(d)." Now, that indicates to me that that is a hypothetical number that was used by Justice Côté and that in fact to say that we're adopting what he suggested is the appropriate limit was purely hypothetical in his discussion. He could have said 20 days. He could have said 15 days. He could have said three days. But he said: "(say) 10 days."

That creates a little bit of a problem when you look at the whole issue of imprisonment. You get very few offenders, and in fact I think in the report it said 27 percent maybe or 26 percent, only that many prisoners. I don't know if the hon. member can maybe answer that for me at some point. In fact I think in September they had 51 prisoners in for 10 days or less, something like that. That out of the whole number of inmates in an institution is not that great, and I'm wondering if in fact that might almost not be considered an infringement by virtue of not having that many prisoners, by cutting so many people out of the ability to vote through these guidelines. Maybe in fact that's almost tantamount to a ban in itself by using 10 days.

I'm wondering if the minister or if the mover of this bill could table for us all the legal opinions that they have, provide for this Assembly the legal opinions that support this particular piece of legislation. My concern in this Assembly is that the Department of Justice is an intervenor in a federal case right now, and that case has gone to the federal Court of Appeal. If they lose at the federal Court of Appeal, that case will likely be challenged to the Supreme Court of Canada. *Sauvé II* is the case. I'm just wondering if the Minister of Justice would table for us the opinions so we can feel more comfortable with the research done on supporting the fact that this in fact will not violate anybody's rights and freedoms and that in fact it doesn't violate the Charter or the Constitution. That would be helpful for us in making a decision as to where we're going to go here.

Again, I guess I would just like to reiterate that I think it would

improve the bill to see judges make the decision and allow that latitude based on their knowledge of an offence and an offender at the time. I think that's a more realistic way, because Albertans would then know what the offence is: 10 days or 20 days or even three months for an assault which could be serious in nature. A judge may say, "This is such a serious assault, we don't want you to vote for the next two elections," or maybe "We just don't want you to vote in the next one election," or maybe "we're just going to let you vote."

The other thing is that right now because of the federal Court of Appeal intervenor status that the Department of Justice has and because we don't have an election for probably another two years, it would be great to see that decision settled. I'm a little concerned that if this goes ahead, we're going to end up with another court challenge on this, that this is going to open the doors, or that we're going to find out it's not valid law down the road when we get to when the provincial government has intervenor status at the federal level on the *Sauvé* matter. So I'm wondering if we're not just jumping the gun here and if we might be making better law, equitable law, fairer law after that decision comes out.

I will be submitting an amendment to this particular bill. I am interested, however, in listening to the entire debate, and I hope it's more than just the sponsor of the bill. I hope the Justice minister and other members across the way are going to speak, because I'd like the information that they have, and I'd like to be able to look at the debate in order to feel comfortable making a decision on this bill. Sometimes we only get little bits and pieces.

3:50

The other thing that concerns me is that the report refers to the U.K. and that the U.K. has a blanket voting ban, but the United Kingdom does not have a charter of rights and freedoms. So that's the difference there.

Also, the sponsoring member acknowledged that in Australia there were some inconsistencies across that particular country in how the voting bans for inmates were set up. I'm just wondering if he could table for us -- so we'd have that information too -- the research data for there that he used so we could maybe read that, or if he could send it over to me, that would be helpful too.

I guess at this point that's all I would have to say. I think what we're looking for is more information. I think some of my colleagues have much more knowledge, certainly on sentence calculation. There's another issue. Was that taken into account in determining the 10-day limit? You may get a 30 day in default status, but if you go in to serve time as a default inmate, then sometimes you only serve one or two days, and in many instances you might serve overnight. So is it the actual days in jail, or is it the sentence? That has another huge implication. If it's the actual sentence as opposed to the calculated sentence, that will impact, indeed, how many inmates will actually benefit from being able to vote.

Those are just some of the questions I have right now. I think some of my other colleagues will have some questions, and hopefully the hon. member can provide us with that information.

Thank you.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Centre. [interjection] The hon. Member for Medicine Hat if we're going back and forth.

MR. RENNERT: Thank you, Mr. Speaker. I apologize for not catching your eye in advance. I really should have done that.

Mr. Speaker, I'm pleased to rise and speak to this bill, and at the outset I would like to congratulate the Member for Little Bow

because I think he and his committee have accomplished in a relatively short period of time a good compilation of a very sensitive issue in the minds of Albertans.

I know that in many cases when we have court decisions that impact upon existing legislation, there's always a wide variety of responses from the public to those decisions. In this particular decision I think it's fair to say that I received and I'm sure all members have received a good deal of input in a number of calls and letters from Albertans indicating that they fundamentally and philosophically object to the issue or the concept of prisoners voting. The widely held view that I have been hearing is that someone who does not have respect for the law and finds himself confined and sentenced to a term of imprisonment should not then have the ability to have input into electing officials who in fact pass the laws that the individual has shown a disrespect for. So philosophically and fundamentally, people who have talked to me have indicated that they felt that something needed to be done about the decision of the Supreme Court.

At the same time, as we've had discussions and as I've pointed out to them some of the arguments that were put forward in the decision of the Court of Appeal, the blanket prohibition that exists under the Alberta Election Act right now in some cases really doesn't make sense, and I think the recommendations that we had coming from the Member for Little Bow and his committee and incorporated into this legislation do make some sense.

Individuals who have been convicted but not yet sentenced: I think that's logical. That's a logical way of dealing with this particular case. Inmates who are in custody for failure to pay fines: I don't think someone should necessarily be disenfranchised from his or her right to democracy simply because of an inability to pay fines. I think probably most importantly there are a number of people who are confined but have not yet been convicted. They're in a remand capacity. If we fundamentally believe in the concept that someone is innocent until proven guilty, there's another group of individuals who should not be disenfranchised.

The bill also goes on to say inmates serving sentences of 10 days or less, and it's very clear that it's a sentence of 10 days or less. It's not time served. It's not the number of days that are actually served. It's the sentence. That clearly designates between offences that are relatively minor in nature and more serious offences, because it deals with the sentence.

[Mr. Herard in the chair]

So the principle of this bill I think is extremely sound. It's something I have been hearing from my constituents that they very strongly want this Legislature to deal with. I think we've got a reasonable proposal before us, reasonable in that it reflects the decision of the Court of Appeal in pointing out the disparities in our existing legislation, but it also very clearly reflects the broad-based opinions of Albertans. I'm not saying that this is a unanimous decision of Albertans. No decisions that we are asked to make are usually backed by unanimous support of the electorate. But certainly from my experience and from the experience that I've been able to gain through reading the report of the committee, this does seem to meet the vast majority of Albertans' wishes with respect to prisoner voting.

Mr. Speaker, I would encourage all members to support this bill, particularly as we discuss it at the point of discussing principles of the bill. The constituents that I represent in Medicine Hat have made it very clear to me that the vast majority of them support the principle of this bill, and I, too, will be supporting the principle of this bill.

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

THE ACTING SPEAKER: The hon. Member for Medicine Hat has moved that we adjourn debate on Bill 48. All those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

4:00

Bill 42

Professional Statutes Amendment Act, 1998

THE ACTING SPEAKER: The hon. Member for Calgary-North Hill.

MR. MAGNUS: Thank you, Mr. Speaker. I'm pleased today to rise to move second reading of Bill 42, the Professional Statutes Amendment Act, 1998, and to speak briefly to it.

The amendments contained in this act deal with three aspects of professional regulation: the role of the Universities Co-ordinating Council, also referred to as the UCC, the mandatory registration of social workers, and exemptions from requirements for municipal licensing. I will speak to each in turn.

The first one, the Universities Act with respect to the Universities Co-ordinating Council, who's been responsible for setting or approving educational standards and assessing applicants against those standards for a number of professions. The role of the UCC is changing, and in the future it will no longer have responsibilities for professional registration. Standards for entry into regulated professions will be set in the legislation governing each profession. The professions themselves will be responsible for assessing applications against those standards. Also, if an applicant believes that the application was not properly assessed or was unfairly assessed, he or she would have access to an external review process.

Implementing this change will take time and will require amendments to professional legislation. For the health professions this change will be addressed through the Health Professions Act, which was introduced earlier in this session and is to be reintroduced in the spring of 1999. Other professions will be addressed as their legislation is reviewed, Mr. Speaker.

In the interim the Universities Act is being amended to permit the UCC to delegate its assessment functions to professional associations. The amendment also establishes the UCC for the interim as the external review or appeal body for applicants who feel an assessment was done improperly or unfairly.

The second one, Mr. Speaker, is the Social Work Profession Act, and it will be amended to make registration mandatory for individuals who meet the requirements for registration and are also providing or supervising the provision of social work services either directly or in a clinical setting. Social work services are services that fall within the definition of social work as it is set out in the act. It's important to note that the two requirements for mandatory registration, being qualified and providing services, are linked. Both requirements have to be present for registration to be required. Other individuals who are not trained as social workers will still be able to provide services in this areas, and service providers and consumers will continue to be able to employ them.

This amendment will also give the minister of social services the authority to exempt categories of individuals from the application of mandatory registration. We've heard the concerns

expressed by representatives of several child and family services authorities, and therefore it should be noted that requirements for mandatory registration will not apply to individuals providing service in accordance with the Child and Family Services Authorities Act unless the Minister of Family and Social Services specifically authorizes it. This will give the department and the authorities the needed flexibility to implement this provision.

Under the third segment of this bill, Mr. Speaker, the third group of amendments in the act deal with exemptions to requirements for municipal licensing. Several but not all professional statutes have provisions exempting members of a profession from any requirement by the municipality to obtain a licence to practise the profession within the municipality. In the interests of consistency and fairness we believe this exemption should be available to all professions. In the health area the exemption will be addressed through the new Health Professions Act.

The current bill will provide for an exemption from municipal licensing for the professions outside the health arena. These include agrologists, architects, engineers, geologists, geophysicists, land surveyors, vets, and the professions included within the Professional and Occupational Associations Registration Act.

The exemption will not prevent municipalities from requiring professionals to pay businesses taxes or any other similar fees. What it will mean is that professionals who meet a provincial regulatory standard and are registered with their professional association will not be required to register with the municipality in order to practise their profession.

Mr. Speaker, that concludes my introductory remarks on Bill 42, and I look forward to listening to views of other members of the Assembly on this bill. Thank you.

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

MR. MacDONALD: Thank you, Mr. Speaker. It's a pleasure to rise this afternoon and give comments on Bill 42. However, before I start, I would like to congratulate the hon. Member for Calgary-North Hill for bringing this legislation forward and also for the consultation process which I understand he initiated before this legislation was written.

I do, however, have some concerns about this legislation. He spoke earlier about how its purpose is to amend eight different acts. Included in this is the Social Work Profession Act. We all know about the bills that are referred to in *Beauchesne* section 634, the omnibus bills, and we have to be very, very careful about this, Mr. Speaker.

Now, we know that this bill is going to amend the Social Work Profession Act, and I do not understand why this change is included in this legislation. I'm sure the hon. Member for Calgary-North Hill has referred to section 634 of *Beauchesne*, but I cannot see how the amendment to this act or to the Universities Act relates to the other amendments that he has put forward. The proposed change to the Social Work Profession Act differs significantly from other sections that deal primarily with municipalities and licensing requirements.

My colleague from Edmonton-Riverview is going to have a few things to say a little later on regarding the issue that the aboriginal community -- and the aboriginal community has been leery of mandatory registration regarding social workers since they first became aware of the government's intent to introduce this legislation. But my colleague will talk about this in a few minutes.

Mr. Speaker, if the hon. member would explain to this House in due time the idea of licensing. I see this as a major problem. This legislation has failed to define the term "licence." We are

assuming that in this legislation it means the licence to practise the profession, much like the term "licence" is used in the enabling legislation for these professions. It is a licence to call yourself a professional agronomist, architect, et cetera. If "licence" is to be interpreted to mean a business licence, the issue becomes much more complicated. A profession should be required to purchase a business licence to set up their practice in any given municipality, and I would be very grateful if the hon. Member for Calgary-North Hill could clarify this. I would appreciate hearing his comments regarding this.

Now, I'm looking across the way, and I see many, many different professions in the ranks of the government. I see a veterinarian for instance. If a veterinarian is to go from municipality to municipality in the due course of his or her practice, how is this legislation going to affect the daily life not only of the veterinarian but of the municipalities that he visits? Is this going to make life better? The course of doing business for the veterinarian: is this going to be easier with this legislation? I'm sure the Member for Calgary-North Hill will answer this question for us.

The consultation process is another issue that we have to talk about. The Member for Calgary-North Hill was very, very busy this summer with his chairmanship of the traveling justice hearings, and I'm sure he had time to consult with the social workers and I'm sure he had time to consult with the First Nations' people.

Before I take my seat, Mr. Speaker, I would like to remind members of this House that sometimes in this job party politics can be quite confrontational, but in this circumstance I think we should tip our hats to a couple of ministers of the Crown, one in particular being the Minister of Labour and also the minister of social services.

MRS. SOETAERT: We are?

MR. MacDONALD: Yes. We are going to tip our hats to them because they were very instrumental, from what I can understand from this letter from the Alberta association of registered social workers re mandatory professional regulation, in the consultation process that was put out by the hon. Member for Calgary-North Hill. To those two gentlemen, in due time I would like to congratulate them on their good work on this legislation.

Thank you, Mr. Speaker, and I cede the floor to my colleague from Edmonton-Riverview.

4:10

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased to rise this afternoon to contribute to the debate on Bill 42, the Professional Statutes Amendment Act, 1998. I would concur with my colleague to a degree with respect to the preparation and consultation in regards to this bill. Obviously it brings changes to a number of professions in the province: the association of architects, land surveyors, veterinarians, and purchasing management, to name four, in addition to the social workers' profession. I would say that the government has achieved probably about 75 percent support, maybe 80 percent, of those professional groups. But I'm really wondering what the Veterinary Medical Association had to say about these amendments and whether they are in fact endorsing the proposed amendments as they have been suggested by government. I'm wondering if the hon. minister might be in a position, as a member of that association, to comment on that at some point during the debate.

The hon. Member for Edmonton-Gold Bar raised the issue of

licensing, and I think that question is a very good question. The term "licence" in this bill is not defined, so we are left to wonder: is it a business licence we're speaking of, or is it a professional licence? They are two very different things. It may even mean that this government is saying that these professionals should have both. I would ask the hon. member: is that the intent? Will veterinarians, will surveyors, will architects require both? I would expect that in fact many of them have business licences, but I think that if I understand the intent of this bill, they're saying that they will have to have licences in every municipality they operate in. I think that's different than the way it is now, so therefore I guess I'm wondering: are the surveyors going to carry that around in their survey packs or in their trucks, that they actually have business licences to work when they cross municipal lines? I'm raising these sincerely, because there would obviously be some bureaucratic gaps and confusions if in fact that licence portion is not clear and is not applied appropriately.

Before I move on, also with respect to licensing I'm wondering whether or not in the consultation the hon. member spoke about or explored whether or not this would lead to a higher fee charged by these professional groups because of the municipal licensing requirement. Obviously it's going to increase the expenses they have to pay, and I think municipalities are well aware that licensing is probably going to lead to higher prices. But they themselves are under intense pressure to find new sources of revenue because of primarily the reductions in the provincial funding.

The other area proposed for amendment is with respect to the Social Work Profession Act. I would also join in applauding government for finally, after many, many years, providing the mandatory licensure requirement for social workers. However, it comes at a somewhat curious time. When we have an enormous omnibus legislation coming forward in relation to the Health Professions Act, which is coming I believe in the spring, it seems odd to me that somehow this wouldn't have been incorporated in a broader sense in that bill. I don't know why that's the case. I know that the Alberta Association of Social Workers has wanted this for some time. They're pleased to have it incorporated, and I'm certainly not suggesting that the licensure should be delayed.

I do wonder why the government was not somewhat more organized in bringing this registration provision in in a more, I guess, complete fashion. The bill as it reads now speaks about social work meaning an activity that

- (i) enhances or restores the social functioning of individuals, families, groups, organizations and communities by improving the developmental, problem solving and coping capacities of individuals and systems,
- (ii) promotes effective and humane systems that provide resources, opportunities and services to individuals,
- (iii) links individuals to systems described in subclause (ii), and
- (iv) contributes to the development and improvement of social policy.

I'm assuming, hon. member across the way, that there was complete endorsement of this by the Association of Social Workers. I would be curious to know what research was done in other jurisdictions about the scope of practice of social work and whether or not this is in alignment with other jurisdictions, Mr. Speaker. We may return to this debate at some point in the future, but I'll give the hon. member the opportunity and the clue that if perhaps he doesn't provide the information, it might be something that I will bring forward.

Another aspect of the registration component proposed is that it is being made a requirement in section 9.1(1)(b) that an individual who "supervises an individual who provides a service in accordance with clause (a)" -- and that service is a service that falls within the definition of social work -- must be regis-

tered. I find that really in contradiction to where we're going in some other aspects of our professional disciplines, and I will speak from the perspective of my profession of nursing.

This government has made a concerted effort to eliminate the supervisory component of the nursing profession. The directors, managers, many positions have been eliminated, not replaced. Many have been replaced with dietitians and other professional groups who really do not understand the scope of practice of nursing and therefore are in a bit of a compromise position to supervise, Mr. Speaker. But in this one it's interesting. In this proposed amendment we see that in fact persons supervising social workers must be registered social workers. I think that's an excellent precedent to set. I support it. I think it should be more broadly applied to the other professional disciplines providing human services.

The final aspect of the amendments proposed that I will speak to is in relation to how the Minister of Family and Social Services can exempt "any category of individuals from the operation of section 9.1." Now, I guess there's a variety of questions that could be raised with that exemption. I understand the history behind it, and perhaps let me talk about that first.

I am aware -- it's broadly known -- that the aboriginal community in Alberta has been leery of mandatory registration. Through discussions those fears and concerns have been clearly articulated to the minister responsible for children's services and the minister responsible for family and social services. I think those fears are rooted in the fact that they're not sure how this fits with the redesign of children's services that is currently under way. The responsibility for services of children and families is in a transition stage. It has not fully been handed over to the regional authorities. The Minister of Family and Social Services has made a deal with the Alberta Union of Provincial Employees to second child welfare workers to the regional authorities.

4:20

One of the pillars of the redesign is the involvement of the aboriginal community and a move towards having an aboriginal community services provision to their community. In a general sense the aboriginal community asserts that the child welfare system has failed them, resulting in a disproportionate number of apprehensions of aboriginal children and placements outside their communities. In this respect the secondment of child welfare staff to the regions is not seen as a benefit to the redesign process, but instead it seems, at least to the aboriginal community, to be motivated by other interests. If I understand the government's rationale, this exemption is included in this act to address those concerns. However, they unfortunately have not been descriptive about on what conditions, with what guidelines, or with what standards the Minister of Family and Social Services may exempt a category of individuals.

A further whole area of questions that I would raise with respect to that is: if we have an integrated plan and approach now to children's services and social workers do already work in aspects of the health, justice, and education systems, why is this being restricted only to the Minister of Family and Social Services? He does not have a monopoly over the domain of social work in this province, and I think it's a tremendous oversight to say that that minister in the context of his ministry should have the ability to make the decisions on who's exempted from licensure. I want to restate that I recognize why it's being included in the context of child welfare and the concerns of the aboriginal communities, but in the broader sense and in the broader definition and in the broader scope of the practice of social workers, I'm not sure that that exemption is entirely futuristic. I think it's being identified

based on what we know and the concerns we're aware of today.

The last section, 9.3, provides that

section 9.1 does not apply to an individual who provides child and family services in accordance with the Child and Family Services Authorities Act unless the Minister of Family and Social Services by order indicates otherwise,

section 9.1 being the section that speaks about the registrar and the requirements for licensure. Again it's very narrow. We're narrowing it to one act and one minister, and I'm not sure if the hon. member or the government has really considered it.

I am supportive of the profession of social workers. I am supportive of mandatory licensure for that professional group, but I'm not sure that the decision about who licensure applies to and what groups will be exempted should be entirely in the hands of the minister of social services.

The other thing that it raises: the minister responsible for the plan for the integration of children's services, what role does she play in that regard, or the Minister of Health or the Minister of Education or the Minister of Justice for that matter?

I am looking forward to further debate on this bill, Mr. Speaker. At this stage that concludes my remarks on the amendments. I hope the hon. member will take up the challenge I've raised with respect to additional information. With that, I thank you for the opportunity to make those remarks.

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. HANCOCK: Mr. Speaker, at this point I would move that we adjourn consideration of Bill 42.

THE ACTING SPEAKER: The hon. Deputy Government House Leader has moved that we adjourn Bill 42. All those in favour of that motion, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed? Carried.

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

[Mr. Herard in the chair]

THE ACTING CHAIRMAN: Hon. members, I'd bring the committee to order, please.

Bill 47
Protection from Second-hand Smoke in
Public Buildings Amendment Act, 1998

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

MRS. SOETAERT: If I may, not right now. Thank you, Mr. Chairman.

THE ACTING CHAIRMAN: All right. The hon. Member for Edmonton-Centre.

MS BLAKEMAN: Thank you very much. I appreciate the support of my colleagues.

I'd like to speak on this bill both with comments from the public and personally as a smoker. It's interesting that even before I was elected, I heard discussion around smoking, smoking

in provincially owned buildings and offices and smoking in the Legislature. Certainly I heard expressed more than once a feeling that there was hypocrisy involved when smoking was banned in provincial offices and allowed anywhere or almost anywhere in the Legislature Building itself.

I respect the intent of this bill. Even as a smoker I can appreciate both the decorum that is necessary and the desire of nonsmokers not to be around smokers. [interjections] But my colleagues still like me anyway.

I think what's important about this is that there be consistency in the application. I appreciate that there are programs that exist or may well be available through a health care plan that cover MLAs and staff in this building to encourage people to quit smoking. But I don't think it's likely that many people that are in here or the staff in the building are likely to quit smoking at this point in their lives, although I'm certainly in favour of programs that discourage youth from starting in the first place.

4:30

Smoking is still a legal activity, and I think people need to be treated with respect in an attempt to find a balance for the different points of view and different requirements. So I'm very much in favour of designated smoking areas, and I would like to see them in this Legislature Building. I would like to see them in a way that would make them usable as well, because I think mistakes have been made in the past where smoking areas are made so inaccessible to people, I suppose in the hopes that they'll just quit because it's so hard to get there. Guess what? People don't quit. They'll go outside of the building. I don't really think we want to see a whole bunch of MLAs hanging around the front of the building, so I would encourage under the auspices of this bill that a designated smoking area be available for MLAs. Make it accessible to the Chamber, make it easy to get there, and I think it would be used. That should be for all MLAs.

I'm hoping that while we're in Committee of the Whole there will be some amendments brought forward, because there are a few things in the various versions that I've seen or the various discussions that I've heard about around this bill. Some things have come into the bill and been included with it and have also disappeared from the bill. I'm a little concerned that the requirement for employers to ensure that people do not smoke except in the designated smoking areas seems to have disappeared out of this current version of the bill. That's putting all the onus on the individual. I think that if we're going to be responsible about this, there should be some onus on the employer to make sure that this is doable. I'd be interested in seeing an amendment that brought that back in again.

As part of the same thing, it removes the fines to the employers that were available, that could be sanctioned against the employers for failing to ensure that smoking only happened in designated smoking areas. The other thing that is missing from this bill and which I hope I will see in an amendment . . .

MRS. SOETAERT: Yes. In fact, you will see an amendment.

MS BLAKEMAN: Good. Excellent. It sounds like there will be an amendment on this.

MRS. SOETAERT: We have a couple.

MS BLAKEMAN: Excellent.

. . . is removing the protection of employees who report contraventions of the act. In other words, there was a whistleblower section in the bill that has been removed or in this version

of the bill is not appearing. I would really like to see that put back in again. I don't think we want to be putting people in a position where if they're reporting something going on that is supposed to be illegal or an illegal activity, they would fear sanctions in their jobs or they would be harassed by their colleagues. I think that encourages and it sets up this bill to be what it should be.

So evidently there will be an amendment on this, and I can conclude my remarks with that -- I might be able to speak again later to that actual amendment -- because those are the comments that I wished to bring up. I'd like to see this balanced, I'd like to see it fair, and I'd like to see people treated with respect, both the people who choose not to smoke and don't wish to be exposed to it and also those people who do smoke. We're grown up. We can manage to do this in a fair and equitable way.

With that, thank you, Mr. Chairman, and I can conclude my remarks.

THE ACTING CHAIRMAN: The hon. Member for Edmonton-Riverview.

MRS. SLOAN: Thank you, Mr. Chairman. I'm pleased to follow my colleague from Edmonton-Centre to rise with respect to the amendments proposed to Bill 47. I just cannot resist a comment. If I read this correctly, this original act was passed in '97 and we're bringing it back for an amendment in '98. To me, somehow that has got to signify poor lawmaking. We didn't do our homework in the first place, obviously, if less than 12 months ago this bill was brought forward and, all of a sudden, now here we are in '98 and we are amending it. Correct me if I'm wrong, but I'm just drawing that out.

Then it also seems so odd to me that really most of the amendments are to remove sections of the act, particularly ones that might allow for some degree of public service employee protection. Being a member of the public service myself at one time, that doesn't completely surprise me. This government has never had the backbone, particularly, to bring in whistle-blowers' protection. It seems so odd to me that they would put it in the act, less than 12 months later they would decide that they have to take it out, and we would be back here debating the amendments again.

The whole premise of the amendments to the bill in fact really appear to reduce requirements and implications for employers with respect to the regulation of smoking in public facilities. I guess that causes me to question, in fact, how committed this government is to acting as a leader in a public health sense. When it comes down to actually implementing and requiring employers to carry out those provisions, they don't appear to have the political fortitude to do that.

[Mr. Tannas in the chair]

I think the public building section as well -- if I may just jump to section 2. Actually, before I do that, Mr. Chairman, I think I'll talk a little bit about the designated smoking room. Originally what it said in the act was that a designated smoking room was "an enclosed room that is designated for smoking under section 2(2)." Now we are proposing that the smoking room be an "enclosed room that is designated as a smoking room under section 3(2)." I guess what I'm wondering is: are we changing 2(2), or has 2(2) become 3(2)? I'm not really sure, and that doesn't appear to be clear. That lends to my argument about poor lawmaking, because your background, your rationale for these changes, given the fact that we just stood in this House 12 months ago and passed this act -- perhaps if we did our homework a little bit more thoroughly, we wouldn't have to go through this twice.

The area that defines public buildings under section 2, the new section breaks that down. It says specifically that it must be a building or structure that is "owned by the Crown," "leased to the Crown," or "owned by a Provincial corporation." I guess I'm just wanting to check to see if the government has done its homework to determine whether or not that definition of public building actually fits with the variety of delivery arrangements we seem to be moving to in Family and Social Services and in Health through a regionalized system. I am not completely aware of whether or not those definitions do in fact fit. It also seems to me that it will lead to a lot of inconsistencies, because certainly the Department of Family and Social Services is moving more and more to privatizing and contracting out services, where public servants are required to be assigned to monitor or supervise children. So we in fact will have public servants who work in designated public buildings that will be afforded protection from secondhand smoke, but those public servants that are required by this government to work or supervise in a privatized setting will not. Once again, I think it would speak certainly to an inconsistency and a double standard.

The area mentioned previously by the Member for Edmonton-Centre in the old act, that being the 1997 version of the act, was section 9. Mr. Chairman, I would like to move an amendment on behalf of the Member for Edmonton-Calder that Bill 47 be amended in section 5 by adding the following after the proposed section 9. I will provide the necessary copies for distribution. [interjection] The original amendment? Yes, we have it.

4:40

THE CHAIRMAN: Hon. Member for Edmonton-Riverview, I think you may now move the amendment. I will call this amendment, for members of the committee, A1 on Bill 47. You may proceed.

MRS. SLOAN: Thank you, Mr. Chairman. I'll proceed to move then, on behalf of the Member for Edmonton-Calder, that Bill 47 be amended in section 5 by adding the following after the proposed section 9: "9.1(1) No person shall be (a) dismissed, suspended . . ." Actually, I'm really sorry that the hon. minister won't have the privilege of hearing this short educational on whistle-blowers' protection, because I thought I was making some progress in this regard. But I'll proceed to read this amendment.

9.1(1) No person shall be

- (a) dismissed, suspended, disciplined or threatened to be dismissed, suspended or disciplined from their employment,
- (b) subject to any penalty in the course of their employment, or
- (c) intimidated or coerced in the course of their employment,

for the sole reason that the person, acting in good faith, has reported or proposes to report a contravention or possible contravention of this Act.

(2) A person who contravenes subsection (1) is guilty of an offence and liable upon conviction to a fine not exceeding \$5,000.

That, Mr. Chairman, just for the reference of the hon. members in the Assembly, is the exact wording in section 9 that was in the 1997 version of this act.

The rationale for providing this amendment is self-explanatory, but given that we're debating it in the Alberta Legislature, perhaps I should elaborate in more detail. The record of this government has been quite contrary to whistle-blowers' protection, which in many respects seems to contradict their desire to be more efficient, to be leaders, to be supportive of productive employees. We do not have a provincial whistle-blowers' protection act, and in many of our acts with respect to other disciplines we do not have that component.

That leads to a lot of inefficiencies, and while some may see a violation with respect to smoking as being a somewhat trivial one, I think it's the principle and precedent that we are trying to establish with this amendment. The implication in a nutshell is basically that we do not believe that a person who reports a violation should be subjected in any way, overt or subliminal, to harassment, suspension, discipline, or threats in their employment. Without this aspect in the bill, there is nothing to protect that from occurring, and it does occur in every ministry this government presides over in this province.

With the introduction of that amendment, Mr. Chairman, I would look forward to the remaining debate on the amendment as proposed. Thank you for the opportunity to make these comments this afternoon.

THE CHAIRMAN: The hon. Minister of Public Works, Supply and Services on amendment A1.

MR. WOLOSZYN: Thank you very much, Mr. Chairman. Although I am not present in the House, it doesn't mean that I'm not aware of what's happening in the House. I heard the comments of the member who is proposing this amendment on behalf of an absent member wishing that the minister responsible were here to respond to it. Since I happen to be the minister responsible for Bill 47, I would say to the House that I ask their support in defeating this amendment, simply because it's frivolous, it's silly, and it does not do anything to enhance the intent of the bill. The bill is on the protection from secondhand smoke in public buildings, a very good bill that came back after review by all three parties and was supported. This is just wasting the time of the House, and I would suggest to my colleagues that we dispense with this subamendment as quickly as possible.

THE CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert on the amendment.

MRS. SOETAERT: Mr. Chairman, thank you so much. You know, I wasn't going to comment, but then when my dear colleague from Stony Plain leaped so graciously to his feet, I had to comment. [interjections] They're not agreeing with me on that one, and here I am defending your leaping ability. You can tell it's Thursday afternoon after a great week in the Leg.

You know, Mr. Chairman, we've supported the idea, the basic concept of this bill after it was redone and reworked, but this is a good amendment. I know that the Member for Medicine Hat is going to speak to this later because once upon a time, a long time ago when he was a new MLA in here, I think he believed in whistle-blower protection. I think he did. In fact, I know he did. So I am anxiously awaiting his support of this amendment, because it's just a little bit -- I don't mean to provoke him to his feet on a point of order, and I'm sure he'll speak later.

This is just a small bit of whistle-blower protection in one little act. Virtually what it is is that there are people maybe even in this Leg. who want to sneak around and not get caught and are worried about that, but if there are designated areas in which people can smoke, this shouldn't be a problem. But, you know, if somebody is going to report that somebody is smoking, they shouldn't be punished for that, and this would just protect them from that. It's a very simple amendment. I don't see why anybody would speak against it, certainly not the minister responsible for public works. In fact, I bet by the end of my eloquent speech he'll have changed his mind. [interjections] You think so too? Like, the minister is waffling right now. The leaping waffler.

I think this is a solid amendment. It prevents people from being

intimidated, coerced, and that way they do feel free to . . . [interjection] Nobody should be intimidated or coerced ever, ever. And so it behooves us as legislators -- that's pretty good language, eh? I realize not everyone understands that. So it's incumbent upon all of us -- or let's try another way. It's our responsibility, our duty to put something in to protect those who actually do report those who've been breaking the law. It's a simple amendment. I encourage all members to support it. I bet by now even the Minister of Energy wants to support this amendment, along with the Minister of Education, because when I speak, I know the Minister of Education just loves it, and he listens intently because he knows I'm sincere about what I have to say.

So thank you, Mr. Chairman, for these precious moments on a Thursday afternoon.

4:50

THE CHAIRMAN: The hon. Member for Medicine Hat.

MR. RENNER: Thanks, Mr. Chairman. I'm well aware of the fact that the proceedings in this House are recorded in *Hansard* and that any time someone says something or commits or expresses some thoughts in this House, they're in writing and they're there for the permanent record, and at any time someone can delve back into those records and find out that an individual has indeed said something. But today was the first time I found out that not only our spoken word is a matter of public record, but the member has indicated that she even knows what I'm thinking, let alone what I have spoken.

The member indicated that she was sure, that she knew I supported the whistle-blower legislation. Actually, I think, Mr. Chairman, it is a matter of public record that we have debated whistle-blower legislation in this House before, and if the member will check the public record, I think she will find that I did not support the legislation at that time. I still do not support the legislation.

Mr. Chairman, with that, I would move that we adjourn debate on this bill.

THE CHAIRMAN: The hon. Member for Medicine has moved that we adjourn debate in committee on Bill 47. All those in support of this motion?

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Thank you. And those opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Just a change of words here. We were in fact adjourning debate on the amendment A1 and therefore on the debate.

Hon. Deputy Government House Leader, do you wish to move that when the committee rises and reports . . .

MR. HANCOCK: Mr. Chairman, I would move that when the committee rises and reports, we report progress on Bill 47.

[Motion carried]

Bill 21
Alberta Health Care Insurance
Amendment Act, 1998

THE CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to this bill? I'd call on the Minister of Health.

MR. JONSON: Thank you, Mr. Chairman. Now, this afternoon I welcome the opportunity to continue debate on Bill 21, the Health Care Insurance Amendment Act, here in committee. This is an important piece of legislation as it clearly sets out the requirements and process for any physician seeking to opt out of the publicly funded health system. As well, this bill provides protections that will ensure that Albertans are not being charged a fee with relation to insured services and prohibits a physician from receiving the payment of benefits for services when an additional fee is charged.

Mr. Chairman, I have filed with the table officers a few proposed amendments. I would ask that they be distributed, and I would like to make some overall comments with respect to them as I move them in committee.

When Bill 21 was originally introduced last spring, much debate occurred at that time about the intention and process outlined in its original construction. Much of this discussion centred on the Minister of Health's ability to refuse a physician's application to opt out of the plan. This approval process did not sit well with the physicians. Mr. Chairman, at the end of the spring session our government indicated to physicians and all other Albertans that we were open to further consultation on this piece of legislation. The Alberta Medical Association and the College of Physicians and Surgeons were consulted at some length, and consensus was reached with respect to concepts for proposed amendments to this bill.

Mr. Chairman, one of the key government House amendments to this bill therefore will remove the minister's ability to refuse an application by a physician to opt out of the public health system. Physicians will now be able to opt out of the Alberta health care insurance plan by providing the Minister of Health 180 days' notice of their intention to opt out of the system. These amendments address the concerns raised by physicians that there should be no ability for the minister to prevent them from opting out. The 180-day period will be sufficient time to allow the College of Physicians and Surgeons, where the overall responsibility for this decision has been shifted, to determine whether a job action is ongoing, and it will also be sufficient notice for the minister to take steps to ensure that physician services for Albertans are available throughout the province.

Mr. Chairman, it is our government's responsibility to provide health services, including medically necessary physician services, for all Albertans. If a group of specialists or a number of general practitioners in a certain geographic area decide to opt out of the public health system, our government must be able to respond. Now, just to put this in perspective, currently in Alberta there is only one opted-out physician out of over 4,680 physicians practising in Alberta. I think this fact alone is proof that physicians seem to be committed to working within our public health care system and are satisfied with it.

However, Mr. Chairman, the amendments to this legislation will provide protection for Albertans by ensuring the availability of medically necessary physician services throughout our province. With the 180-day period we can work with the physician groups, existing physician programs, or recruit new physicians to ensure that there is sufficient coverage and access to these physician services. This bill in no way prevents physicians from leaving the public health system, but at the same time it allows the government the opportunity to plan and effectively deal with this choice.

Another part of the proposed amendment dealing with the 180-day notice is that physicians must place a notice of their intention to leave the public system in their professional offices as well as in the local newspapers. Albertans deserve to know that their physician may be opting out. The relationship and level of trust that individuals have with their physicians is very, very important.

Physicians see us when we are sick, vulnerable, or in need of help in some way. We trust our children's health to these health care professionals. We trust their advice, their opinions, and are oftentimes very reassured with their kind words of comfort. By letting their patients know that they may be opting out of the public health system, this advance notice will give people the opportunity to make some very important decisions. The point is, Mr. Chairman, the amended legislation gives Albertans the opportunity to make these decisions.

Two other key provisions in the bill remain unchanged. Physicians who opt out of the plan may automatically opt back into the public system after being opted out for one year, and physicians who have not been opted out for one year may apply to the minister to opt back into the plan before the one-year period is up.

5:00

Another source of protection for Albertans, Mr. Chairman, in this bill relates to the charging of fees. This bill clearly prohibits the charging of additional fees for insured services where a benefit is payable by the minister. Essentially, the provisions included in this bill are another example of our government's ongoing commitment to the principles of the Canada Health Act and to a quality public health care system.

Mr. Chairman, our government remains steadfast in the belief that providing preferential treatment to patients purchasing optional benefits is totally unacceptable. We have implemented practices according to this belief since the spring of 1996 with respect to private facility fees. We will continue to protect Albertans from being charged for insured services.

Mr. Chairman, Bill 21 clearly states that it is an offence for any person to try and extra bill Albertans, not just physicians. This is an added source of protection that we believe Albertans will appreciate. The importance of Bill 21 is that it protects this belief and penalizes those individuals who may wish to incorrectly charge Albertans for medical services which are covered within our public health care system.

Finally, Mr. Chairman, I want to conclude by saying that Bill 21 is another example of our government's commitment to a quality public health care system since it will help ensure continued access to medically necessary physician services for all Albertans.

Thank you, Mr. Chairman. As I indicated before, I move this amendment before the Assembly.

THE CHAIRMAN: Okay. Thank you, hon. minister. For the benefit of the committee I would note that this is amendment A1.

Before recognizing the hon. Member for Edmonton-Riverview, I have a little bit of housekeeping to bring up to members. This weekend Alberta will be host to a Commonwealth Parliamentary Association seminar, which will be held here in the Chamber. It would be helpful if you would be able to tidy up your desks -- I'm probably the worst offender in this -- so that our visitors from all across Canada and the Territories will be able to use them.

MRS. SOETAERT: Mr. Chairman, are they going to be locked?

THE CHAIRMAN: Yes. They will be locked. Oh, yes. So with that in mind, you may wish to tidy up that of your neighbors as well, being good citizens all.

I'll call on the hon. Member for Edmonton-Riverview on amendment A1.

MRS. SLOAN: Thank you, Mr. Chairman. I'm pleased to rise to begin debate on the amendments proposed to Bill 21 this afternoon. It's unfortunate, given the substantive nature of the amendments,

as the minister referred to them in his remarks, that the opposition is not afforded the opportunity to see the amendments until just before we're debating them. In a reasonable sense . . .

THE CHAIRMAN: Hon. member, we're having difficulty hearing you. Is that an object blocking you at the mike? We're anxious to hear you.

MRS. SLOAN: My apologies.

I was indicating that it's unfortunate, given the substantive nature of the amendments, as the minister referred to them, that the opposition is not afforded the opportunity to see them before we must stand in the House, Mr. Chairman, and debate them. I mean, certainly it could have been that the minister was not able to complete them until just prior to coming in this afternoon. However, I am aware that a press release was prepared and released on the 13th of November, six days ago, about these very amendments. So I guess the commitment and sincerity is perhaps not always extended to the extent that it could be, and that's unfortunate.

The minister, in his opening remarks, made some comments which I would like to respond to. He indicated that only one physician currently in Alberta has opted out. I would caution him with respect to making those remarks in a context that appears to infer that the public should not be concerned that this type of provision will be widely utilized.

However, I am more than aware that there are many physicians in this province that are extremely disillusioned by this government's mismanagement of health care. To suggest that they will continue to work in the deplorable conditions this government has created and not consider an opting-out provision I think is being somewhat naive. In a general sense I would agree that the physicians in this province are doing an extraordinary job. The majority of them are committed philosophically and ethically to a public system, and it is regretful that we do not embody enough respect in this province to support such health care workers.

The minister also spoke about providing the legislation to protect Albertans. He suggested that this was going to allow the government to prevent physicians from charging fees to Albertans, that extra billing would be an offence and therefore practitioners that were extra billing would be penalized. I guess I'm wondering this afternoon if that means that this government is proceeding with legal action against Dr. Howard Gimbel. It was certainly brought to the attention of the public and this ministry -- this was done by the Consumers' Association of Canada on the 16th of November -- that there is extra billing occurring in this province. The question is: does this government define extra billing as physicians, surgeons charging patients extra, as in the case of the eye surgeons up to \$750 per eye, for enhanced implants, lenses, and related supplies?

What the Consumers' Association pointed out is that this is happening. They conducted a provincewide survey of cataract surgeons' offices, private surgery clinics in June of this very year in order to determine the range and extent of charges that are being applied to patients for enhanced eye supplies and implants. I've already cited what they found during that survey. They said in their release to the public on Monday that claims made by some offices and clinics about the lenses included that there were no stitches, less infection, less trauma, et cetera, promoting them as being somehow safer to the public.

This seems to fall within what the minister would be calling extra billing, but I haven't heard that the government has responded to these findings. Somehow, what I expect them to say is: well, that's really not extra billing; it's political. What we're seeing in this government, Mr. Chairman, is political hairsplitting.

They will allow physicians to go about providing services and charging patients extra, but they won't call that extra billing.

If it is not already clear, I'm wary of this bill. I think we should be, given the fact that the amendments are introduced at the very last moment. Also, we should be wary when it is combined with the implications of Bill 37. The two bills together, both Bill 21, amendments included, and Bill 37, essentially facilitate the construction of a private, for-profit health care system in this province. This bill is dealing with the ability of health professionals, specifically physicians, to opt out and set up private practice in a for-profit manner. Of course the amendments are not explicit in saying that, nor did the minister in his opening remarks make those explicit comments, but the overt implication of this bill and the changes is that that is what will occur.

5:10

I wanted to refer back to the press release that came out before these amendments, and that press release said that the government had constructed their amendments through consultation with physicians' groups. I guess I'm wondering what in fact that means. I mean, physicians are organized in this province in two capacities. They have a college, yes, and they also have an association, the Alberta Medical Association, that is responsible to represent them. While the minister in the press release said that

the College of Physicians and Surgeons will carry out their mandate of ensuring appropriate physician behaviour and maintaining appropriate access to publicly funded physician services,

he doesn't say what the role of the College of Physicians and Surgeons is with respect to ensuring appropriate physician behaviour and maintaining appropriate access to privately funded physician services, which is what these amendments are facilitating.

Just to relate back to the comment, as well, about "consultation with physician group representatives," that doesn't appear to include the College of Physicians and Surgeons or the Alberta Medical Association, and I question why the minister, without the endorsement of those groups, would bring these amendments forward to this Assembly this afternoon.

There is an agenda, I think, that is very clear to the members of the opposition and the members of the public that this government is committed to doing something that Albertans very much, Mr. Chairman, are opposed to, and that is facilitating a private system.

One of the other aspects I wanted to ask the minister about is: in his own Provincial Health Council report to the Legislature, the 1998 annual report, one of the recommendations they made on page 17 of their report was that he explicitly

direct Alberta Health to work with the health authorities and professional bodies to identify barriers to further integration in health services delivery and endeavour to remove these barriers.

They suggested that this work should undertake to remove legislation, policy, contractual barriers, and clarify professional accountabilities. This bill and these amendments appear to me, Mr. Chairman, to do the exact opposite. What we are creating is an additional act which will require the creation of additional policy which will allow and require the creation of additional contracts. It explicitly is going to require additional clarification of the accountabilities of professionals acting in the private system, and that does not appear to be aligned with what the Provincial Health Council asked the minister to do in October of this year, which is really less than a month ago.

I also would ask, having some knowledge of negotiated agreements that exist between the Alberta Medical Association and Alberta Health, why the minister would not be making provisions for such things incorporated in such an agreement? It seems to me that when we have the college addressing licensure, discipline, regulation, we have the Alberta Medical Association addressing

those aspects of responsibilities with respect to the work environment and remuneration of physicians, why would this not be incorporated in a component of that agreement? There's no explanation, Mr. Chairman, as to why that is the case.

Also, taking it primarily from the press release but now also seeing copies of the amendments as proposed, we really have to ask: why 180 days for published notice? That's an interesting period of time, and I'd like to know how the minister determined that was the amount of notice required. Given that physicians would not, by opting out, be employed by the Minister of Health, is it in fact fair that they have to give the minister 180 days' notice? We're talking about basically six months, which seems to me to be quite long.

We would also ask the minister, if he would be so willing, to provide information as to whether or not a provision exists that would allow a physician to opt back in after a period of time, particularly, say, in circumstances where it was to serve a remote community, if there was for some reason a shortage of doctors. What would happen if, let's say, we had a disaster of some magnitude where we required . . .

Chairman's Ruling Decorum

THE CHAIRMAN: Sorry to interrupt the hon. member. A number of people are becoming less and less thoughtful of where it is they're at. You're in the Chamber. If you want to carry on some lively debate or exchange jokes and other information, then please do so out in the lounges. It is getting exceedingly difficult, even though it is a very, very late hour, to hear the hon. member. Hopefully, people could avail themselves of the opportunity to move or to listen.

Edmonton-Riverview.

Debate Continued

MRS. SLOAN: Thank you, Mr. Chairman. I am very close to concluding. Thank you for those remarks.

The last point that I wanted to make was: if there was a disaster in this province and we required the services of physicians in addition to those practising in the public system, given the period he's identified, how would he facilitate in an emergency circumstance, physicians practising and providing disaster services in public hospitals? Perhaps that scenario is a remote one. Some might suggest that it is, but I certainly think we've experienced in this province a cyclical shortage of doctors, and I would like to know if the minister's given that any consideration and what response he would have to those questions.

With that, Mr. Chairman, I move we adjourn debate on this amendment to Bill 21 and that the committee rise and report.

THE CHAIRMAN: The hon. Member for Edmonton-Riverview has moved that we adjourn debate on the amendment on Bill 21 and that when the committee rises and reports, the report will be made. All those in support of this motion, please say aye.

HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no. Carried.
The hon. Deputy Government House Leader.

MR. HANCOCK: Thank you, Mr. Chairman. I would move that we now rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

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

MRS. LAING: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports progress on the following bills: Bill 47 and Bill 21. I wish to table copies of all the amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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: **Second Reading**
(continued)

5:20

Bill 42
Professional Statutes Amendment Act, 1998

[Adjourned debate November 19: Mrs. Sloan]

THE DEPUTY SPEAKER: The hon. Member for Calgary-North Hill to close debate.

MR. MAGNUS: Mr. Speaker, question.

[Motion carried; Bill 42 read a second time]

[At 5:21 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

