

## Legislative Assembly of Alberta

Title: **Tuesday, December 8, 1998** 1:30 p.m.

Date: 98/12/08

[The Speaker in the chair]

### head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

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

Amen.

Please be seated.

### head: Reading and Receiving Petitions

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

MR. DICKSON: Thank you, Mr. Speaker. I'd ask that the petitions that I introduced the other day be now read and received, please.

THE CLERK ASSISTANT:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to designate the Grand Theatre/Lougheed Building in Calgary, in recognition of its tremendous historical value and importance to the people and province of Alberta.

We, the undersigned residents of Alberta petition the Legislative Assembly to urge the Government to designate as a historic resource the St. Martin de Porres School, commonly known as the Old St. Mary's Girls' School, built in 1909, located at 1916 -- 2nd Street, S.W., Calgary, Alberta.

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: Notices of Motions

MRS. NELSON: Mr. Speaker, pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I'll move that written questions and motions for returns appearing on the Order Paper stand and retain their places.

### head: Tabling Returns and Reports

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'm pleased to table today with the Assembly answers to written questions 41 and 42 and motions for returns 43, 44, and 53.

MRS. McCLELLAN: Mr. Speaker, I'm pleased to file with the Assembly today copies of letters I sent to the recipients of awards presented yesterday at the investiture ceremony of the Alberta and Northwest Territories branch of the Life Saving Society. I was pleased to congratulate these recipients on behalf of this Legislative Assembly. They were presented for long service to the Life Saving Society but also to a number of people who demonstrated personal bravery during a water rescue in Alberta. A particularly moving presentation was to a young lady, a five year old named Kayla Hernandez from the Wainwright area. She provided heroic efforts to save a young life. That was particularly moving.

MR. JONSON: Mr. Speaker, I'm pleased to table with the Assembly five copies of the Department of Health's response to Motion for a Return 52.

Thank you, Mr. Speaker.

MRS. NELSON: Mr. Speaker, I'm pleased to table five copies of the annual report of the Alberta Gaming and Liquor Commission for the period ended March 31, 1998.

In addition, I'm also pleased to file five copies of Charitable Gaming in Alberta: 1997-98 in Review.

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

MR. SAPERS: Thank you, Mr. Speaker. Today I have to table a package of correspondence exchanged between myself, the Treasurer, and the former Treasury critic for the Official Opposition, all relating to the provincial government's involvement in Centennial Food. The pattern of correspondence shows a flip-flopping on the question of whether or not the Treasurer will disclose interest calculations for Centennial Food. Some days he says he won't show it; some days he says he will. I won't comment on the difference in signatures.

Thank you.

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

MR. DICKSON: Thank you, Mr. Speaker. I have a single tabling today. It's copies of correspondence from a constituent to the MLA for Little Bow, the Provincial Treasurer, the Minister of Energy, the Premier, and the Minister of Justice. The correspondent indicates a concern with potential contempt of law in refusal to register firearms in compliance with duly passed federal legislation.

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

MR. WHITE: Thank you, Mr. Speaker. I rise today to table a copy of a very informative article in *Canadian Business*. It's titled Bright Lights, Big Mistake. It's subtitle is Let the Eastern Bastards Freeze in the Dark.

### Speaker's Ruling Tabling Documents

THE SPEAKER: Hon. members, there's a tradition in here that basically we don't spend our time in question period quoting newspapers and saying: is this story correct? If we get into the question of tabling newspaper articles or those kinds of articles in this Assembly, heaven help us as to where we will end up.

### head: Introduction of Guests

MR. TRYNCHY: Mr. Speaker, I'm honoured on your behalf to introduce a class of 19 grade 6 students from Dapp, Alberta, which is in the constituency of Barrhead-Westlock. They are accompanied by their teacher, Mrs. Julie Smith, along with parents Mrs. Karen Hollingsworth, Mrs. Elaine Latawiec, and Mrs. Shauna Blain as well as their bus driver, Mr. Stuart Grierson. They are seated in the members' gallery, and I would ask them to rise and receive a warm welcome from the Assembly.

### head: Oral Question Period

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

### Limiting Debate

MRS. MacBETH: Thank you, Mr. Speaker. Contrary to what the Premier said earlier, last night his government moved to limit debate on Bill 21. When the Premier said that he would not use closure on Bill 21, what exactly did he mean?

MR. KLEIN: Mr. Speaker, it means precisely that, that we wouldn't invoke closure.

MRS. MacBETH: Closure by any other name, Mr. Speaker.

Given that Albertans disagree with limiting debate on health care in this Legislature, why does the Premier insist on such a heavy-handed approach?

MR. KLEIN: Well, Mr. Speaker, I'm not insisting on anything. I'll have the hon. House leader supplement my answer. He's obviously familiar with the intricacies of the House and House rules. Obviously the hon. leader of the Liberal opposition is not. So I'll have the hon. House leader explain.

MR. HAVELOCK: Yes. Thank you, Mr. Premier. As the hon. opposition leader is well aware, that Bill went through first reading, second reading, Committee of the Whole, and we're approximately halfway through listening to the opposition discuss the bill at third reading. We used a provision in the Standing Orders which allowed for the question to be put. We have had, I think, excluding last night, approximately 5 and a half hours' debate on the bill, which is a rather extensive period of time. It's allowed for in the procedures. We did not use closure. In fact, had we used closure, then we would have been able to limit the debate much more significantly, but we felt that having the question put and allowing the opposition, each of them, to speak for 20 more minutes of third reading on the bill was the appropriate thing to do.

MRS. MacBETH: Well, Mr. Speaker, given that Bill 37 has been deferred for further study, why not do the same for the companion, Bill 21?

MR. KLEIN: Mr. Speaker, we're halfway through third reading on Bill 21, and I don't think that Bill 37 reached that particular stage. It was deferred so that we could have a blue-ribbon panel study the bill relative to its consequences and its intent, which I believe to be to protect the public health care system.

**1:40**

MR. HAVELOCK: Mr. Speaker, one of the reasons for debate in this House is to allow the opposition and actually government members to express their views on certain bills. The rules are in place, however, to prevent needless filibustering, and that is what this opposition has been doing this session.

MR. SAPERS: Point of order.

MR. HAVELOCK: They're also there to preclude useless points of order, Mr. Speaker, despite the fact that they continue to stand up on them.

The rules are in place to allow a government to accomplish its agenda on behalf of the people that elected them to run the province on their behalf, and that's what we're doing. [interjections]

THE SPEAKER: The second main question. The Leader of the Official Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. Well, that got them going.

### School Closures

MRS. MacBETH: Mr. Speaker, our schools are the heart of rural and urban Alberta. To quote a senior school board planner: in many cases a school is a pivotal, central part of a neighbourhood; we're not interested in destroying neighbourhoods. End quote. Unfortunately, the present school buildings policy is doing just that. My question is to the Premier. Is the government considering changes in school building policy to stop pitting community against community?

MR. KLEIN: Mr. Speaker, it's neither the intention of this government nor the intention of the hon. Minister of Education to pit community against community. Our commitment is to provide good, equal education for all students in this province.

Relative to the details of the policy, I'll have the hon. minister supplement.

MR. MAR: Well, Mr. Speaker, it's our policy to ensure the dollars that go into capital facilities, whether they're in urban areas or in rural areas, are utilized properly. It is true that because of the changing demographics of where people live in certain cases, again whether in the city or in rural settings, there are sometimes situations where schools are underutilized. It's not necessarily a case of closure of a school. It may be a case of consolidation of more than one school.

The Calgary board of education, as an example, has gone through a process of surveying its own space needs. They find that there are schools where they are seriously underutilized, schools that are rated for 250 students with 75 or 80 students in them. We can go down to any major urban centre. We can perhaps go down Centre Street in Calgary as an example, and you will find that there are many schools in that area and some of them may not be utilized to full capacity. It only makes sense to take two facilities and consolidate them into one so that you get one school facility that is better served, better utilized, and costs less, rather than have two that are underutilized.

MRS. MacBETH: Well, Mr. Speaker, why are school boards being forced to close facilities? Is it in order to make way for private and charter schools?

MR. KLEIN: Mr. Speaker, the schools boards are not being forced to close facilities. The hon. Minister of Education explained that the demographics change. This is nothing new. I recall that when I was the mayor of Calgary, the school board was going through exactly the same thing at that particular time, and that comes about as a result of growth, of different dynamics. The elementary school that I went to was right on the edge of the city. Now it's an inner-city school, and it's probably one of those schools that is underutilized. So I would suspect that it's up to school boards to come up with innovative and imaginative ways to bring people back to these schools that are being underutilized.

MRS. MacBETH: Well, Mr. Speaker, given that roads or parks or community leagues aren't closed before new ones are built, why must older communities sacrifice their schools before new facilities can be built?

MR. KLEIN: Mr. Speaker, no one is being forced to sacrifice

anything. The world changes. The dynamics change. The demographics change.

Relative to the policy, again I'll have the hon. minister respond.

MR. MAR: Mr. Speaker, just a quick quotation: there are schools in the system where the students are just not there; if they have to travel a bit further, that's better than using money to build new schools. That's the Leader of the Opposition. Those are the words of the Leader of the Opposition.

Mr. Speaker, in looking at where capital is built, it makes the most sense to build schools where students are. When you look at the utilization rates of some of the school boards in the province of Alberta -- in Calgary, as an example, the utilization rate of schools is less than 90 percent, and in Edmonton public the utilization rate of schools is less than 80 percent. So it's very difficult to justify building new schools in places where there already is excess capacity. If transportation is one of the ways that we deal with it, that is a more cost-effective way of dealing with the issue of finding space for students than building new facilities.

#### **West Edmonton Mall Refinancing**

MR. SAPERS: Mr. Speaker, on February 22, 1994, the Premier decided that a \$75 million private-sector deal between ATB and Gentra to refinance West Edmonton Mall just wasn't any good and instead pushed for a government-managed, \$418 million made-in-Alberta Treasury Branch solution. My questions today are for the Premier. What studies or valuation reports did the government rely on to conclude that the Gentra private-sector deal to refinance West Edmonton Mall should not go forward?

MR. KLEIN: Mr. Speaker, there were a lot of things taken into consideration at that time, including the letter to me from the hon. Member for Edmonton-Meadowlark urging us to do what we possibly could to make sure that the mall was protected. Everything that I have relative to this particular situation has been turned over to the Auditor General, and we await his report with great anticipation.

MR. SAPERS: Would the Premier explain the 19 pages of documents that are being withheld by Alberta Treasury and whether these documents are in fact evaluations of the Gentra and ATB deal to refinance West Edmonton Mall?

MR. KLEIN: Mr. Speaker, I have no knowledge as to the 19 pages to which the hon. member refers, but I will have the hon. Treasurer respond if he has any additional information he might want to offer.

MR. DAY: Mr. Speaker, that request did not come to the Premier, so he would not have knowledge of it.

There was a request that was made, and in the response that was back, it was very clear to the member that the judgment was that there were certain elements of commercial lending information there that in fact should not be public. There is a process, actually, to appeal that should the member decide to follow it, and I would invite him to do so. As a matter of fact I think he already has, if I'm not wrong.

MR. SAPERS: And in those documents, Mr. Speaker, it's clear that we have another question. If the Alberta Treasury Branch was at arm's length in this deal, as the Treasurer and the Premier have claimed, then why does the Alberta Treasury Branch itself describe the \$353 million Toronto-Dominion Bank loan to West Edmonton Mall as being, and I quote: guaranteed by the government of Alberta.

MR. KLEIN: Well, Mr. Speaker, the simple fact is that the Alberta government, the people of Alberta do own the Alberta Treasury Branch. It's as simple as that.

THE SPEAKER: The leader of the NDP opposition.

#### **Workers' Compensation Board**

MS BARRETT: Thank you, Mr. Speaker. About a month ago the New Democrats blew the whistle on overbilling of the Workers' Compensation Board by Columbia Healthcare Inc., a Calgary-based rehab company with close ties to the HRG wannabe private hospital. The Worker's Comp was forced to admit that Columbia overbilled by \$435,000 in 1997 alone. They also admitted that they settled that account for less than half of the full amount owing and in conversation did not rule out the possibility that similar overbilling may have occurred in previous years as well. My question to the Minister of Labour, who has finally agreed to look into this: why didn't the minister hand this over, as we've requested, to the Auditor General to do a comprehensive review of the several years of billing practices between Columbia and Workers' Comp instead of just to the Workers' Comp chairperson?

1:50

MR. SMITH: Mr. Speaker, the Auditor General has performed his annual audit at the Workers' Compensation Board. He's filed the statements that reflect the accuracy of the books. He's entirely satisfied, and it's public knowledge.

MS BARRETT: Mr. Speaker, it was not public knowledge until we released it that they were billing for lunch hours, for no-shows, and duplicate billings.

My question to the Labour minister then: if he's so confident, why won't he release the Columbia billing audit report prepared last July? Let him release it. Prove it.

MR. SMITH: Mr. Speaker, I have no such report in my possession. The hon. member knows full well that there is a process called freedom of information and protection of privacy, which she can access. The Workers' Compensation Board is subject to that act, and the Department of Labour is responsible for the act. I would encourage her to work with board members at the Workers' Compensation Board.

MS BARRETT: Mr. Speaker, maybe the Labour minister will answer this: who is he trying to protect by refusing to hand this entire matter over to the Auditor General for a comprehensive five-year review to see how much this company was milking the Workers' Comp for?

MR. SMITH: The question, Mr. Speaker, is one that the Auditor General has dealt with. The board has responded, and in fact when they go through all the examination, it indicates that they also have had billing variances into the \$6 million a year that they pay the public health care system.

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

#### **National Social Union**

MR. ZWOZDESKY: Thank you. Mr. Speaker, last night in Edmonton the Prime Minister indicated that the federal government must have control over social programs in Canada. In some cases

this has resulted in some unilateral decision-making in the past, and discussions are going on right now about the social union which are causing all governments at all levels to re-examine their positions. My questions are to the hon. Premier. Which specific social programs does the federal government have constitutional authority over and constitutional authority to specifically deliver?

MR. SAPERS: He's asking for a legal opinion, Mr. Speaker.

MR. KLEIN: No, it's not asking for a legal opinion, Mr. Speaker. It's asking for information that's contained in the Constitution Act of 1982. Quite clearly if you read sections 91 and 92 of the Constitution Act, you will find that there is a clear explanation and a clear description of provincial jurisdiction and provincial responsibility. With respect to social union talks all we want to do is to have the federal government reaffirm its commitment to the articles of the Constitution.

MR. ZWOZDESKY: Mr. Premier, since Albertans have some specific concerns related to the direction of health care, will the Premier please explain how the proposed new social union will specifically affect our health care system?

MR. KLEIN: Mr. Speaker, as it stands, we just finished a conference call with all the Premiers, chaired by Premier Romanow of Saskatchewan. We have decided as Premiers -- and I can announce this now -- that our number one focus should be on health care and the restoration of health care funding through the Canada health and social transfer program. In that regard we have agreed to ask for a first ministers' meeting mid-January to press the federal government pre federal budget to restore to the best of their ability appropriate funding through the Canada health and social transfer specifically for health care.

Mr. Speaker, it should be noted that when you go back to the days of Lester Pearson, it was to be a 50-50 deal. A 50-50 deal. Well, Mr. Speaker, what it is today is 86 percent the province and 14 percent the federal government with the federal government becoming more and more and more involved in how those services are to be delivered. It's not fair.

MR. ZWOZDESKY: Mr. Speaker, given the fact that the forthcoming federal budget will impact social programs and, in fact, may establish some new programs in areas of provincial jurisdiction, can the Premier please tell us what Alberta's position is with regard to not just health care but social programs in general?

MR. KLEIN: Well, our position is that if the federal government is to become involved in any programs that are clearly the constitutional authority or responsibility of the province, there must be full and absolute consensus amongst the provinces before the federal government becomes involved in those programs.

THE SPEAKER: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Calgary-Fort.

#### **Assured Income for the Severely Handicapped**

MRS. SLOAN: Thank you, Mr. Speaker. My questions are to the Minister of Family and Social Services with respect to the announced AISH review. Why are AISH consultations being designed to market predetermined changes rather than inviting true input?

DR. OBERG: Mr. Speaker, the AISH review will take place in January. What we are looking at is a program that has been around for roughly 20 years. The ideas, the attitudes of the people of Alberta toward the disabled 20 years ago were much different than they are today. Today what we want to concentrate on are the abilities of the disabled community as opposed to the disabilities.

Mr. Speaker, the consultations will take place in January. The consultations are designed to talk to the people who are disabled to find out their concerns, find out their issues, perhaps put forward some solutions, but more importantly consultations are there to listen, to see what the people want.

MRS. SLOAN: Thank you. Is it true that the Premier's Council on the Status of Persons with Disabilities has refused to participate in any form in this review?

DR. OBERG: No.

MRS. SLOAN: Thank you. Will a revision in asset testing and eligibility be included as part of the changes to AISH and assured support?

DR. OBERG: Mr. Speaker, asset testing is a very important part of AISH. As we look around at the people on the AISH payroll, so to speak, there are some people, for example, that have over a million dollars in assets that are presently on AISH. We are looking at all aspects of AISH, and, yes, that does include asset testing.

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

#### **Housing Authorities**

MR. CAO: Thank you, Mr. Speaker. Last summer the city of Calgary supported a proposal that consolidated three housing authorities: the Calgary Housing Authority, Calhome Properties Ltd., and especially the Metropolitan Calgary Foundation, that provides special housing and care for seniors. The proposal did not have the support of all the housing authorities or foundations and caused concern among social housing clients that the merger would have a negative impact on them. Reflecting the concern from my constituents who are clients of the Metropolitan Calgary Foundation, my question is to the Minister of Municipal Affairs. What steps is the minister taking to ensure that the interests of the clients are being considered as part of the proposal to merge the three housing management bodies?

MS EVANS: Mr. Speaker, Jim O'Dea, who is presently the chair of the British Columbia Housing Management Commission, which is in charge of all the publicly funded housing in British Columbia, is presently reviewing the issues that arose because of the action taken by the city of Calgary to consolidate all three management bodies. In the early fall I met with all three bodies, and all three did express some questions, asked whether or not we were looking at their efficiencies. Under the terms of the Alberta Housing Act we are asking Mr. O'Dea to examine the framework, to examine the issues that result, and I have written to each of the principals in the housing bodies and assured them that I will consider his review before making any decision.

MR. CAO: Thank you. My first supplemental is also to the minister. When will the minister make the decision on whether or not the proposed consolidation will proceed?

2:00

MS EVANS: Mr. Speaker, I expect the recommendations from Mr. Jim O'Dea by the end of December. He has been in discussion with all three management bodies as well as the city and department officials, and he assured me just last week that he will be able to comply with those time lines.

MR. CAO: Well, thank you. My last question, also to the minister: given that there are 149 housing management bodies across the province, does the minister intend to push for further consolidation?

MS EVANS: Mr. Speaker, I think our most important responsibility in this government is to assure that wherever possible the people, the residents, the seniors, or people in public housing are cared for in the best way possible. We do not force consolidations. We do not intend to do that. We intend to work even more closely with our partners, the communities and the management bodies, to effect the very best possible decision so that there are ways of creating efficiencies, but they do not compromise the residents in lodges, the residents in public housing. I think that with the partnerships we're creating with the new housing strategies, we'll be able to assure the people of Alberta that we're doing just that.

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

#### **Workers' Compensation Board** (continued)

MR. BONNER: Thank you, Mr. Speaker. This government is creating a market for private health care. The Workers' Compensation Board is now paying private facilities up to four and one-half times the standard fee in Canada in order for their clients to receive preferential treatment. To the Minister of Labour: why has this government made it fair play for the WCB to buy preferential health care treatment at a greater cost?

MR. SMITH: Well, Mr. Speaker, the WCB today is continuing as it has from its original mandate. It's focusing on the return to work of the injured worker, and it's doing so in a fashion where workers are returning to the workplace quicker than they were before. They've struck a deal with hospitals in the public health care system, which it pays well over \$6 million a year to. It's the primary user of WCB services. They work hard in that area. Also, the WCB is committed to the worker first, and it's committed to returning that worker to the workplace. They have found that by working with some of the private-sector providers throughout Alberta, they can fulfill their mandate of getting the worker back to work in as good or better condition than prior to the injury.

MR. BONNER: Thank you, Mr. Speaker. Why does this government consider the health of an Albertan hurt at work more important than one hurt at home, more important than an injured farmer, a small business person, or other Albertan not covered by WCB?

MR. SMITH: Mr. Speaker, the Workers' Compensation Board is founded on the Meredith principle. The Meredith principle states that in return for medical and rehabilitative services and a no-fault condition in the workplace, the worker will be cared for in an expeditious manner and the best practices manner possible. The WCB is doing that today. In return for that the worker forgoes his right to sue the employer.

I think we've seen comments from the medical community, the orthopedic surgeons who work on this. They have indicated that it does not jeopardize the normal patient load. It does not create any sort of queue jumping that fits in with the normal perspective of the public health care system. Mr. Speaker, I think it's a deal that benefits the employer, the employee, and the ability to maintain a high degree of productivity in this province.

MR. BONNER: Thank you, Mr. Speaker. Couldn't the additional money being paid by the WCB fund more hospital beds in the public health care system and reduce the waiting list for all residents of Alberta?

MR. SMITH: It could; it could not, Mr. Speaker. Perhaps the member would like to bring forth that suggestion in a private member's bill or a motion that would be debated openly on the floor of the Legislature.

THE SPEAKER: The hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Calder.

#### **Children's Services**

MR. SHARIFF: Thank you, Mr. Speaker. It is my understanding that there are over 560 agencies providing services to children in the city of Calgary. My question is to the Minister of Family and Social Services. Given the high number of agencies providing services to children in Calgary, are there any duplications of services, and are these services being delivered efficiently?

DR. OBERG: Mr. Speaker, I'd love to be able to stand up here and say that there were absolutely no issues about duplication, that everything was being delivered as efficiently as possible, but one of the challenges of the child and family services authority is to attempt to co-ordinate these 560 agencies. There are agencies that are out there that are funded by Health, by Education, by Social Services, and probably even by Justice. The task and the challenge that is afforded the child and family services authorities is that they must take a look into these agencies and find out where there is duplication. I'm satisfied that they're doing a good job. But it's a big job. It's a huge job. Five hundred and sixty agencies is a lot, but I'm certainly confident that they'll be able to do it.

MR. SHARIFF: Will the minister assure the House that he will do whatever is possible within his means to check that duplication does not exist?

DR. OBERG: Mr. Speaker, I don't think anyone in this House wants to see duplication in services that are delivered. That simply means there's a waste of taxpayers' dollars. I will do everything in my power by talking to the child and family services authorities in Calgary and all over the province and insisting that they look at the contracts, insisting that they take a close look at what is being delivered. Again, I'm confident that they can do it. My department will do all it possibly can to help them weed out the duplication, because quite frankly duplication leads to poor usage of taxpayers' dollars in Alberta.

MR. SHARIFF: Mr. Speaker, my final supplemental to the same minister: can the minister apprise this House of the impact the authorities have had since their inception?

DR. OBERG: Thanks, Mr. Speaker. I truly believe that the

Rockyview authority has had a tremendous impact. They've been up and functioning since February. I think they've been doing a fabulous job. They've had some issues to deal with. Quite frankly, they have been the leader as we transfer into the child and family services authorities. By being the first one that's up and running, they are leading the path for the rest. Our department has been working very closely with them. The Calgary Rockyview child and family services authority has done a tremendous amount in the past year.

THE SPEAKER: The hon. Member for Edmonton-Calder, followed by the hon. Member for Calgary-Lougheed.

### Electric Power Supply

MR. WHITE: Thank you, Mr. Speaker. This perhaps being the last day of this particular session, I'd like to direct my questions to the minister responsible for electrical deregulation. In October of this year the Premier guaranteed that there'd be no further power blackouts. Not once from that time to this has this government admitted that the real problem here and the real truth of the matter is that it has a supply problem resulting from perhaps as many as four years of no significant new generation capacity in this province. My questions are these. Why, sir, does the Drazen Consulting Group in its September 24 report say that there's a physical insufficiency of power in this province?

DR. WEST: Since that report, Mr. Speaker, they have again studied the system and have provided us with the confidence of 400 more megawatts in the system. [interjections]

MR. WHITE: Mr. Speaker, I've been coached to not call him a liar, so I wouldn't think of doing that, sir.

But, sir, in another matter . . .

THE SPEAKER: Hon. member, you were recognized. Proceed with your question.

MR. WHITE: I shall, sir. To the same minister: why, sir, does a report of October 9 of your department, the Department of Energy, say that the electricity supply and demand situation is of concern for the next two years?

2:10

DR. WEST: Mr. Speaker, we never denied that as we go through deregulation and into the future, supply is not a concern at any one time, but since that report on October 9 -- and remember we had the effect of October 25 -- we've called a task force into play. We've had a group discussion on this between the utilities, the transmission administrator, the power pool, the Department of Energy, the consumers, the independent power producers, the power consumers group, and industry, and we have come to a conclusion that we can manage the power supply in the province of Alberta. Indeed, there are 2,000-plus megawatts that are coming on even as I speak that will rectify us into a surplus position by the year 2000.

MR. WHITE: Thank you for that answer, as it was delivered earlier, sir.

Why does this government not believe that bastion of free enterprise, the socialist-free zone of Wall Street, New York, saying that this government's electricity deregulation policy has lengthened Alberta nights?

DR. WEST: Mr. Speaker, I have no absolutely no idea.

THE SPEAKER: There have been several admonitions with respect to quoting from various publications, newspapers and asking for the authenticity associated with it. Surely we've gone beyond that.

The hon. Member for Calgary-Lougheed, followed by the hon. Member for Edmonton-Norwood.

### Lougheed Building

MS GRAHAM: Mr. Speaker, in 1912 Senator James Lougheed built one of the first multipurpose buildings in downtown Calgary. This building contained not only offices but apartments and Calgary's first vaudeville stage. In fact this building is still in use today. There's concern right now amongst a lot of Calgarians and various historical groups about the future of this building known as the Lougheed Building and the Grand Theatre, and that is because there are apparently plans on the table to demolish the Lougheed Building and replace it with a 22-storey office tower. My questions are for the Minister of Community Development. I'm wondering if the minister could advise the Assembly as to what options are available to preserve historic buildings such as our Lougheed Building?

MRS. McCLELLAN: Mr. Speaker, there are actually two options for extending provincial legislation for the protection of an historic resource. The first is a provincial designation, which is the highest level of designation that a building can receive. Under this designation the building's owners cannot do any improvements, any renovations, any change to the site without the minister's written permission. This designation is given to buildings or sites that have a very significant overall provincial historic significance.

Sites that have a regional or municipal significance can also be designated as an historic resource. However, under that option the owner of the building must provide the minister, in this case, with their intent to change and give 90-days' notice for that. So those are the two options available.

MS GRAHAM: Thank you, Mr. Speaker. I am wondering if the hon. minister could in fact advise the Assembly which of these options is being considered for the Lougheed Building, if at all.

MRS. McCLELLAN: Well, Mr. Speaker, an historic resources impact assessment has been undertaken on the Lougheed Building, and that work has been completed. What that work does is determine whether a site does meet the criteria for a provincial designation. This looks at the historical significance, the architectural significance of the building, and what any changes might do to impact that. I can tell the hon. member that this assessment in fact has occurred; it is completed. At this time we are reviewing that impact assessment plan.

MS GRAHAM: Mr. Speaker, if I might in my final question: could the minister, then, advise if there are any time lines in place in respect to the review that your department is now undertaking?

MRS. McCLELLAN: Mr. Speaker, the process is that when we do the historic impact assessment, we work with the stakeholders. That would be the building's owners, people often in a preservation society, and other people including, usually in Calgary, the city of Calgary, because of course this is of importance to them as well. We look at it, and we talk about what the options are. Can this building be preserved and incorporated into the owner's

project? That is being looked at now, and that discussion is occurring. I would expect that the decision on that would be made quite soon. It is certainly that the people in Calgary are very interested in this, in the Lougheed Building, the Grand Theatre.

St. Mary's school is another area of interest that has been raised. However, in the case of St. Mary's school I should say that there has not been a suggestion of it being changed or the use of it being changed. That is not on the table at this time.

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

### Aboriginal Police Services

MS OLSEN: Thank you, Mr. Speaker. The Cardinal report is an indictment of this government's incompetence with First Nations policing. To the Minister of Justice: when will the minister amend the Police Act to give First Nations services full police officer status?

MR. HAVELOCK: Well, Mr. Speaker, that's one of the issues we'll be looking at in conjunction with the recommendations in the report put together by the Member for Athabasca-Wabasca, and I've directed the department to come forward with recommendations based on that report as quickly as possible. As I've also indicated in the House before, we'll work very closely with the First Nations police services to ensure that whatever changes we make have their full support and are workable and effective.

MS OLSEN: Thank you. My second question is to the same minister. Why doesn't this government contract out First Nations police training to existing police academies so that every community has officers trained to the same high standards?

MR. HAVELOCK: Well, Mr. Speaker, that's actually not a bad idea, and we'll certainly take a look at that. Our goal is to ensure that aboriginal police officers have the level of training that will allow them to conduct their duties safely, efficiently, and responsibly. So we'll certainly take that into consideration.

THE SPEAKER: The hon. Member for St. Albert, followed by the hon. Member for Castle Downs.

### Capital Region Governance

MRS. O'NEILL: Thank you, Mr. Speaker. The Alberta capital region is characterized by communities that are proud of their individual identities and their respective economic strengths. They understand the importance of working together. There are already numerous examples of intermunicipal agreements and co-operative efforts among the 20 municipalities of the Alberta capital region. My question is to the Minister of Municipal Affairs. When you speak, Madam Minister, about addressing governance in the region and assisting in preparing the region to compete in the future, are you speaking about having one regional government?

MS EVANS: Mr. Speaker, I think it's important to distinguish between the terms "governance" and "government." Governance really implies the way we work, how we work together, how we spend money, what kinds of structures and what kinds of systems have evolved in order to do the job of providing services in the region. When I speak about the regional governance review with the chief elected officers, we talk about the patterns that have evolved, some by accident and some through planning. Commis-

sions have been formed, and from the time when this capital region first started to grow and blossom, there have been numerous ways we have found to work together. Quite simply put, we are talking about governance in the longer term, the framework for governance, and the framework for delivering services to the people of this region in the future.

MRS. O'NEILL: Mr. Speaker, the minister announced today that she has appointed Mr. Lou Hyndman to facilitate the capital region review. To the minister: what role will Mr. Hyndman play in the review and in reference to the capital region forum, an alliance that is already in existence?

2:20

MS EVANS: Mr. Speaker, some months ago when I spoke with the chief elected officials of the region, we talked about the needs we would have in studying the region, the needs we would have in securing that we were not just replotting old ground but looking at data so that we could change collectively, so that our province could change in fact in the way that we deliver services with municipalities. I anticipate that Mr. Hyndman, who will come with me to the capital region alliance tomorrow to be introduced and to discuss the initiatives of the alliance, will work with the chief elected officers, the administrators, and myself, not only in gathering the data but in fact assuring that the team of players all feel comfortable, the fact that we are looking 30 to 50 years from now. When this region grows -- and I assume it will -- perhaps to a million and a half or two million people, we want to look at how we can work together and how 20, if they choose to exist in the same fashion they are today, can co-operate in their functional delivery system.

MRS. O'NEILL: Thank you. My second supplementary is also to the same minister. Have either the minister or her department reached a preconceived idea of the end result of the capital region project, and why are you doing it if you have?

MS EVANS: Well, Mr. Speaker, I think there are three important things to note. When we talked about terms of reference for the region, they were not ideas imposed in fact from myself or department officials. In fact the ideas came from the chief elected officers themselves. They proposed them; they discussed them. On November 20th we discussed again what we could do in the future in moving towards January and February, moving towards some type of collective summit with all of the elected officials.

The principles they've asked to be guided by are these: the achievement of the highest possible form of excellence in local governance now and over the next half century, the abiding character of the individual local communities and their citizens, and finally the commitment by Municipal Affairs and this government to co-ordinate provincial departments in looking at addressing the issues and working better collectively together. We do recognize that status quo will not exist in the future, because simply put: life is like a river; we move forward. I think the municipalities are doing just that.

### Employment Training

MS PAUL: Mr. Speaker, the Minister of Advanced Education and Career Development has said that all renewals of contracts for pre-employment programs have been put out to tender without exception. To the hon. minister: can he explain the renewal of an

assessment program provided through the Bredin institute that was not tendered to the public? [interjections]

MR. DUNFORD: What do I say? Do you say "oops" at this time? What is it?

Actually the hon. member is relatively correct in this particular matter. I did say in a sort of a fit of passion in an answer sometime ago that I didn't think there were any exceptions to our policy. However, I have an excellent research staff, and they have informed me that there have been some exceptions to a full tendering on all of those contracts. Now, I haven't been briefed on the Bredin issue, but certainly if the member has information that she wants to brief all of the House here at the same time, that would be fine. If not, I can certainly bring myself up to speed on that particular matter and report it in due course.

MS PAUL: Thank you, Mr. Speaker. My second question: are these contracts being renewed without tender because the department is not prepared to administer the transfer of federal money for labour market training?

MR. DUNFORD: Well, the short answer of course is no. Our job is to administer funding under the labour market development agreement. We take very seriously any contracts that we enter into. Certainly we understand that your federal counterpart might have some restrictions that they want to place around these dollars, and we've tried to live to that. Certainly we want to do the best we can for Albertans within the restrictions that the federal government places on us.

MS PAUL: Mr. Speaker, my third question. The minister alluded to the department's capability of satisfying the assignments that are due to the labour market training program, and I would ask the hon. minister to discuss specifically, in detail as much as possible, what the business plan is. Where is the plan, and how long has it been in existence?

MR. DUNFORD: Well, Mr. Speaker, I believe that I've said in this House previously -- and perhaps I'll say it again just to make sure that we all have an understanding of what we're trying to do in Alberta. We have a mission in Alberta that when people go into our training programs, there will be one of two results. When they finish that information, they will either be qualified to move into postsecondary education or they will be able to find employment. That is what drives us, and we think that's an important and a very valiant mission, of course, to have. So the situation is thus: we have moved from a federal department situation of inputs to an Alberta provincial matter of outputs, and we think that's what's important.

THE SPEAKER: Hon. members, we dealt with 14 sets of questions today, which is very good. Very good.

The hon. Minister of Justice and Attorney General wishes to supplement a question raised in the last several days. I believe as well that the Minister of Transportation and Utilities wants to assist in that.

#### **Vital Points Program**

MR. HAVELOCK: Yes. Thank you, Mr. Speaker. Yesterday the hon. Member for Edmonton-Norwood alluded to a program called the vital points program, and I offered to table information

relating thereto. Subsequently I have determined that the vital points program is a federal program that was designed to identify sites for protection in the event of a war or a national emergency.

This program was never intended to defend against individual criminal acts. Defence against individual criminal acts is appropriately the responsibility of federal and provincial law enforcement agencies. As I mentioned in my earlier response to this issue -- I believe that was yesterday -- the RCMP are devoting adequate resources, and I have every confidence in the ability of the RCMP to catch those who are committing these violent acts against the oil and gas industry.

I will ask the Minister of Transportation and Utilities to provide more information on the vital points program, as it does fall within his ministry.

MR. PASZKOWSKI: Thank you, Mr. Speaker. Our role basically has been reactive to any emergency situation. Alberta's involvement in this program has really been very minimal in the last few years. As a matter of fact, since '92 there's virtually been no involvement whatsoever. As the hon. member has pointed out, this program was established for emergency situations such as war. It was created in 1938, which is some years ago, and was there for preparedness for situations that may indeed result from something similar to a war. There has been virtually no involvement in our neighbouring provinces as well. The federal government has really not had any participation in this particular program in Alberta since 1992. Some of the remnants of this, of course, are alarm sirens that are out there. Those are still something that is consistent with our historical past.

We are in the process of providing programs with the municipalities. These are of a very flexible nature and ones that we work with in the municipalities in the case of other forms of emergency, not this type whatsoever.

MS OLSEN: Thank you, Mr. Speaker. Given that this program has a security feature to it and that we have had in this province terrorist activity in the oil and gas industry, will the minister commit to voluntary participation in ensuring that all facilities have some form of security through a similar program?

**2:30**

MR. HAVELOCK: Well, I guess I'd have to have a little more detail from the member on what she's suggesting. I'm not quite clear. Does she want the security forces in this province to put a plan in place to provide security at every one of these facilities throughout the province? That's not doable at all. That's the way I would interpret the question that was asked.

This particular program that she asked a question on yesterday again had to do with a federal initiative. The province does participate, as the Minister of Transportation and Utilities indicated, and I'll emphasize again that we feel the RCMP have devoted adequate resources to this issue.

I'd also like to point out, Mr. Speaker, that some weeks ago we announced the organized crime strategy, which is going to focus some of its energy in this particular area. We feel that's an appropriate use of provincial resources at this time.

THE SPEAKER: In 30 seconds from now I'm going to ask the Clerk Assistant to call Members' Statements. We'll proceed with the hon. Member for Calgary-Fish Creek first, but in the interim I'm going to ask if we can revert to Introduction of Guests and call on the hon. Member for Edmonton-Glengarry.

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

MR. BONNER: Thank you very much, Mr. Speaker. I rise today to introduce motion . . .

MRS. SOETAERT: No, Bill. Introduce guests.

MR. BONNER: Oh, introduce guests. Sorry, Mr. Speaker. I'll get with the program here right away.

MR. SAPERS: Introduce that motion. It's a good motion.

MR. BONNER: Yes, and I look forward to introducing the motion too, Mr. Speaker.

But at this time I would like to introduce to you and through you to Members of the Legislative Assembly Ms Shirley Fry and Ms Val Benoit. They're members of the Disenfranchised Widows Action Group and are in the public gallery. With your permission I ask that they now stand and receive the traditional warm welcome of the House.

**head: Members' Statements**

THE SPEAKER: Three members today have indicated their intent to provide a member's statement. We'll proceed in this order: first of all the hon. Member for Calgary-Fish Creek, then the hon. Member for Lethbridge-East, then the hon. Member for Wetaskiwin-Camrose.

**Child Prostitution**

MRS. FORSYTH: Mr. Speaker, I want to acknowledge and thank the stakeholders who have participated in Bill 1. It's making a vision that has become a reality. Bill 1 is a style of thinking and a way of believing. Our government believes that children involved in prostitution are just that, children. Not clients, not criminals or sexually promiscuous youngsters but children. These children have been victimized through prostitution, and it is our responsibility to reach out to them, draw them away from the street, protect them, and set them on the road to healing.

To this end the stakeholders who have been involved in making Bill 1 a reality must be thanked. They have dedicated their time over the last several months to make this a dream come true. To the agencies who have been involved and pulled together to establish safe houses and have gone beyond turf protection, I thank you. To the Edmonton and Calgary vice squads, your dedication was obvious when you attended all the early morning meetings after working all night. You have gone way beyond the call of duty. To the Premier, ministers of Family and Social Services, Justice, Health, children's services, and Education, thank you for all your support. This could not have happened without your help.

Bill 1 is a first in the world. We will be sending a message out that if you are a pimp living off the sexual exploitation of our children or a john abusing these children, you will be charged with sexual abuse in this province. To the john who said to me, "Yeah, I like the younger girls, but to say that it's sexual abuse or that I'm a pedophile is ridiculous," well, Mr. John, we have your number. To the pimps who have threatened me, it didn't work. You have used your intimidation tactics once too often, and you are going to lose this battle.

The goal of the stakeholders was not to simply study the issue but to recommend positive changes for youth who survive prostitution. They provided the mechanisms for strong leadership

and a co-ordinated effort to combat prostitution. They were determined to get and keep these children off the street.

To all the stakeholders who have participated over the last year, thank you. You have made a difference to these children.

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

**Livestock Identification System**

DR. NICOL: Thank you. Mr. Speaker, your announcement last week that Alberta's Legislature has bought its own lifetime brand from Alberta Agriculture is a very clear reflection of the importance of the cattle industry to this province. Registration and monitoring of livestock identification has been an important part of the success of Alberta's extensive style of livestock raising. Branding and brand inspections at the point of sale were a successfully provided government program. In 1995 the government moved to reduce ongoing paperwork with the introduction of these lifetime brands. Since 1995 over 38,800 brands have been sold to livestock producers at \$220 per brand, raising over \$8 million for Alberta Agriculture.

Late this past summer the government also responded to industry concerns and allowed the industry to undertake control of the livestock identification system through the creation of Livestock Identification Services. Mr. Speaker, this is going to provide the livestock industry with the ability to provide quality, identifiable product to the consumer: a very good move and a very good response to the initiatives of the industry.

Mr. Speaker, this is almost a successful program. The government forgot one important ingredient in the transfer of livestock identification to Livestock Identification Services. They forgot to transfer the \$6 million to \$7 million of the lifetime brand registration fees so that LIS can maintain this registry of lifetime brands. Without this money, which is rightfully theirs, LIS will have to maintain these brands out of inspection fees charged at the time of animal sales.

Mr. Speaker, in conclusion, I would like to thank all of the livestock producers in the province on behalf of the legislators as they are now subsidizing us in the maintenance of our brand, rafter AB.

Thank you.

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

**Pork Industry**

MR. JOHNSON: Thank you, Mr. Speaker. The threat that many farmers may not make it through next year has rekindled fears that the family farm is in deep trouble. Pork producers have been particularly hit hard with prices for hogs at their lowest level in decades because of oversupply, weak export markets, and a subsidy battle between the United States and Europe. Alberta farmers are now losing up to \$75 on every hog as a result of the global demand for pork plummeting when supplies are dramatically high. Packers are giving the producers \$55 per hog, and in turn packers and retailers then sell the product for \$600 to \$650 per hog.

I'd like to speak about an event that took place in my constituency of Wetaskiwin-Camrose on Saturday, December 5, where frustrated hog producers gathered in Camrose to give away 1,000 pounds of government-inspected pork in protest of the current situation. The objectives of this event were to bring awareness to the consumer of the market imbalances, to urge retailers to drop prices and share profits more fairly, and to lower retail prices to reduce the oversupply of pork on the market.

Mr. Speaker, these people are facing desperate times and

deserve to be commended on their efforts to improve their extreme circumstances and preserve the family farm. While Alberta farmers wait for news from Ottawa, Alberta has responded to farmer's needs with quicker access to farm income disaster program assistance, flexible loans, and redesigned loan packages. Farmers are eligible to receive quick cash injections of up to \$50,000 and will have the option of deferring payments for the principal and interest on the loans during the first two years. This action offers bridge financing options as part of Agriculture Financial Services Corporation's developing farmer loan program and the farm income disaster program. These measures will give desperately needed assistance to maintain farm income and preserve the family farm way of life in these difficult times.

Thank you, Mr. Speaker, for the opportunity to share these important constituent concerns.

THE SPEAKER: On a point of order, the hon. Member for Edmonton-Glenora.

### Point of Order Imputing Motives

MR. SAPERS: Thanks, Mr. Speaker. I'm rising under Standing Order 23(i), which reads that a member may be called to order for imputing "false or unavowed motives to another member." It is in response to answers provided by the Premier and the Minister of Justice to a question earlier today in question period as put by the Leader of the Official Opposition, my colleague from Edmonton-McClung.

First, on the one issue, Mr. Speaker, there was a question about the use of a rather archaic artifact of parliamentary procedure known as moving the previous question. The question was about whether that's closure or not. I'll read first from *Beauchesne* 521, where it says:

- (1) The previous question is moved when the original question is under debate in order to force a direct vote on it, thereby preventing any amendments to the original question to be proposed.

But even of more importance, I note that in *Erskine May* on page 408 it says under the clause titled Previous question, "The 'previous question' may be used to produce the same effect as the closure."

2:40

So, Mr. Speaker, it's clear that the answer provided by the Premier was incorrect, but that error was compounded when the Minister of Justice leaped to his feet with lightning speed to enter the debate, at which point he provoked the House with the use of the term "needless filibustering," needless filibustering in regard to one of the most important issues facing Albertans today, and that's the protection of our universal health care system.

I will note that the total debate time on Bill 21 is less than nine hours, nine hours of time on a bill which is going to pave the way to the privatization of health care and the wholesale opting out of physicians at this government's invitation. I would argue, Mr. Speaker, that the Government House Leader should know better than to term a meaningful debate as a needless filibuster and should not compound the Premier's errors. In fact, he should be advising his boss on the decisions that he makes in the House to curtail debate instead of allowing the Premier to stand here and flounder, the way that he was, in trying to explain away the actions of the government last night in setting up the guillotine on democratic debate on Bill 21.

MR. HAVELOCK: Well, if I recall the question, Mr. Speaker, it related to closure, and closure is a very different motion when

you compare it to asking that the question be put. When the question is put, it enables every member of this House to speak for a minimum of 20 minutes. Closure, on the other hand, is a very different result, because what you could do is bring in a motion for closure at the very end of the day and limit debate on that very significantly. That's not what we did.

As concerns the term "needless filibustering," I note that "filibuster" is actually parliamentary, and in this case it's quite appropriate, because the hon. member, the hon. Opposition House Leader, has told our office, has told people who work on the government side that they were going to drag this out regardless of the merits of this bill. Mr. Speaker, if they're going to come over and tell us, "We're going to talk this thing through no matter what the merits are," then as far as I'm concerned, that's a filibuster.

Nine hours. He's concerned that we've only had nine hours of debate. It's been nine hours of repetitive debate with nothing new being added. [interjection] Oh, it's been very repetitive. In fact, the arguments from the Member for Edmonton-Riverview are repetitive now. It's the same thing over and over: we are not; we have not, et cetera.

Mr. Speaker, there is no point of order here, and the hon. member across the way should know better than to be so sensitive on what they purport to be the last day of session.

MR. DICKSON: On the point of order.

THE SPEAKER: No. No. Sorry; no disrespect, but quite frankly there was a subjective opportunity for the Speaker in fact to interject when the first question was phrased today as this matter currently is before the House. To my knowledge no decision has been made on the matter. It still is before the House and will continue to be.

I'm reminded of a wise statement a very wise parliamentarian had given to me in the past and then repeated again to me today: one person's filibuster is another person's expansive debate. There is no point of order.

head: **Orders of the Day**

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

**Bill 220**

**Occupiers' Liability Amendment Act, 1998**

THE SPEAKER: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Speaker. It's a pleasure for me to rise and move second reading of Bill 220, the Occupiers' Liability Amendment Act, 1998.

I find myself in somewhat of a conundrum with respect to this bill. We've already heard this afternoon that there is a strong expectation that this may be the last day of the session, and as such, Mr. Speaker, as you well know, the opportunity to have this bill proceed through second reading, committee, and third reading before the House adjourns, whether that be today or whether that be next week, is extremely small. So I find myself talking to a bill that I know has absolutely no chance of passing.

On the other hand, Mr. Speaker, this bill has been before this House once before in another version. I brought this forward as a private member's bill. It received broad-based support in the House at the time that it came forward. It actually passed second reading and committee and then was hoisted at third reading. The

reason for the hoist at that time was that the Member for Drayton Valley-Calmar was about to conduct a broad-based consultation of Albertans with respect to the issue of agricultural leases. There was at that time and there still is at this time a strong component in this bill that would have an impact on agricultural leases. The reason that the Legislature agreed to hoist my bill before was because the work that the committee was conducting was in mid process. It was felt by members of this Assembly that it would be inappropriate for the Assembly to consider a private member's bill when the government was in fact dealing with that issue among others in their report.

Well, from the time that that original bill was hoisted last year until today, that committee has in fact reported and has issued an excellent report, and one of the recommendations in that report is that the government needs to bring government legislation forward to deal with the issue of liability in the Occupiers' Liability Act. So I feel extremely encouraged about that, quite frankly. The fact that my bill is before the House today with little chance of actually becoming law -- I can stand here with some pride and say to the members of the House that the concerns that I brought forward at that time, the concerns that I continue to bring forward in this bill, have in fact been shared not only by members of the Assembly but have been shared by members of the Alberta public in the feedback that they gave to that committee report.

So I am going to talk a little bit about my bill today. I think it's important that all members, again, understand the issues that I have brought forward in my private member's bills. I do so knowing full well that I now have a lot of support on the government side behind me to pursue this further in the form of government legislation.

MR. LUND: Also in front of you.

MR. RENNER: That's right, hon. minister. The minister points out that the support is not only behind me but in front of me.

Mr. Speaker, every year we see a dramatic rise in the number of people using our national and provincial parks. The whole of Alberta is a tourist attraction. People from across the world come here to see majestic wildlife and natural areas. We as a government are encouraging the use of the land for recreational purposes. We have recognized the beauty of the landscape and are working to use it to its full potential. In fact, Alberta plays a very important role in the grand scheme of the Trans Canada Trail, which is being initiated by a number of citizens across the province and across the country. The Alberta portion of the Trans Canada Trail will form a junction for the east/west leg of the trail while also providing the crossroads for its north/south leg. This is a pivotal role for Alberta.

Trails have played an important role in shaping Alberta and Canada as well. Without a doubt, Mr. Speaker, they will form a key part of our future as well. Trails are more than walking, biking, or snowmobiling. They are a community focal point with local residents taking great pride in their trails, and so they should. Trails link people with nature and all its wonders, but they also link people with people.

The problem we run into, Mr. Speaker, is the factor of liability. Private landowners hesitate to allow visitors onto their land for recreational purposes because they are concerned about potential lawsuits. With the Occupiers' Liability Act that is currently in place in Alberta, an occupier is liable for injuries that are sustained by visitors while on that property. The bill before us, the bill that I had here in the last session, reduces the liability for private landowners. It doesn't completely eliminate the liability,

but it does provide for a degree of risk reduction on the part of the landowner.

2:50

Under the current legislation an occupier of a piece of land is under an obligation to provide what is called "common duty of care" to visitors. To be clear about what is meant by common duty of care, I would like to define it as outlined in the Alberta Occupiers' Liability Act. Section 5 of the act states:

An occupier of premises owes a duty to every visitor on his premises to take such care as in all the circumstances of the case is reasonable to see that the visitor will be reasonably safe in using the premises for the purposes for which he is invited or permitted by the occupier to be there or is permitted by law to be there.

One just has to read that quote to understand why government over the years has been trying to get plain-language legislation in place, Mr. Speaker. I find that whole sentence somewhat comical.

What it's saying is that if you invite someone onto your property, then you assume a duty of care for that individual. Whether that individual is a guest in your home or is a hunter on your land, once you have given permission for that person to enter onto your land, then you fall under the provision of the Occupiers' Liability Act that says that you have to provide common duty of care to that individual, and you can be subject to suit if there is injury on the part of the individual, who by definition of this legislation is considered to be your guest.

This definition can be quickly summarized as what safety precautions a reasonable person would afford a visitor. Mr. Speaker, what we are talking about is providing each and every visitor with the assurance that precautions have been taken to ensure that they are reasonably safe from harm. This is all well and fine for a potential victim of an injury because it places no burden of responsibility whatsoever on the visitor. When someone asks to use a piece of property so they can walk on a trail or ski across a field, would it not make sense that they should assume the risks of doing so? The risks of walking, the risks of skiing, the risks associated with snowmobiling, and all the other activities. Under our legislation the visitor has immediate recourse by way of holding the landowner liable for any and all injuries that may come as a result of their participating in their activity of choice.

Bill 220 would modify the Occupiers' Liability Act to allow property owners and occupiers to allow visitors on their land to pursue recreational purposes but would remove their obligation to discharge the common duty of care as previously defined. This bill contains provisions that would permit the visitor to be on the premises for recreational activities which are indicated on sign postings. In Bill 220 the minister may make regulations prescribing the requirements for information to be included in these informational signs. It is likely that these signs would state in some form or other that a visitor could use, for example, a walking path or fields for hunting or skiing, but at the same time the signs could restrict the use of snowmobiles and fishing. That's entirely up to the owner of the land. The signs would also allow the occupier to dictate exactly what recreational activities can be performed on the property.

What the signs would not require is that the individual contact the owner of the land and receive permission, as is required now. The landowner can post the land and say: if you want to come on my land and use the trails that are on my land, stay on the trails and you're welcome to come. That's exactly what I'm aiming for in this legislation.

It is an important aspect of the bill that anyone who is on the property and not using it for a purpose that is allowed according

to the signs would be considered a trespasser and would be covered under a different section of the existing act. Mr. Speaker, there are distinctly different levels of liability on the part of the landowner for trespassers and for guests. So what this bill is doing is creating another level of liability so that individuals do not have to have that same degree of liability if people entered their land as guests.

Once a person enters the property to partake in an activity that is designated on a sign, then at that moment the occupier is under no obligation to discharge a common duty of care to that visitor. The visitor now has to take the responsibility unto themselves, and they must assume the risks of the activity and condition of the land in which the activity takes place. As I have said earlier, it only goes to reason that someone should assume the risks when they enter someone else's property.

Another factor that allows the occupier to discharge the common duty of care is if there is no fee paid by the visitor to the land. That's key to this act. This does not allow someone to discharge the common duty of care that would be expected if someone was charging fees for access. This would follow the attitude of self-reliance held by experienced recreational users of private land. They take the environment as they find it.

The choice is clear, Mr. Speaker. If a person who engages in recreational activity requires that an occupier live up to a greater standard of care, the person may go to an area charging an entry fee for that kind of activity. This section of the bill is required so that recreational centres such as ski hills, for example, could not use this section of the Occupiers' Liability Act to try to avoid liability issues, that they need to accept as someone who is providing facilities and charging for those facilities, and the user of those facilities should expect that there is an exceptional amount of care taken to ensure the safety of the users. If a fee is paid by way of a onetime payment or a season pass, then that payment is for the use of the facilities, and the occupier is under an obligation to provide a greater standard of care.

Mr. Speaker, this bill would not allow land occupiers to blatantly disregard safety measures which would protect visitors from harm, but it does ensure that those visitors who enter that parcel of land to perform whatever recreational activity is permitted by the occupier willingly assume the risks of doing so.

It should be noted that this amendment would not affect the right of an entrant to any land who is injured either intentionally or through the negligence of the occupier to sue the landowner for damages. Section 9.1(2) states that the occupier "is liable to the visitor for death or injury that results from the occupier's wilful or reckless [intent]." Although there are no specific definitions of "wilful or reckless" intent in the statutes, the general legal understanding of "wilful" involves the intentional as opposed to the inadvertent act, and "reckless" requires that one act in a manner that is irresponsible or heedless of consequences.

Mr. Speaker, this bill is intended to open certain parts of the province to recreational use. The need to limit its scope will ensure that areas that are inherently dangerous still need to provide a duty of care. The premises referred to in this bill include utility rights-of-way granted pursuant to section 72 of the Land Titles Act. There was some discussion to add irrigation works to the list of premises when this bill was before the House before, and in doing some research, what we found is that section 72 of the Land Titles Act includes within it several examples of the purposes for which an owner may grant the Crown or corporation a right, which would include drainage, irrigation, flooding, or erosion, thus providing the reduction of liability for landowners with apparatus such as irrigation works on their land.

The bill also includes golf courses when not open for playing

and recreational trails marked as such. Mr. Speaker, these areas are the most commonly sought out pieces of land to actively enjoy recreational activities, hence their inclusion. But I must point out that this is at the discretion of the landowner. This bill in no way obligates the owner of the land to allow visitors. Golf courses, for example, may not want visitors on the land when the golf course is not open to protect the grass and the greens. But there are many golf courses that do encourage visitors while the course is open, and this bill would then give them the ability to relax somewhat in the need for liability.

3:00

Mr. Speaker, I think it's important that I provide this House with a brief history of the act in order to put this amendment into perspective. Alberta was the first province in Canada to codify such an act. The need to put the Occupiers' Liability Act into statute came out because the previous judge-made common law had become unnecessarily complex. In 1973 Alberta legislated the act based upon recommendations from the Institute of Law Research and Reform. The institute's report was created using three occupiers' liability acts that were already in place in other parts of the Commonwealth. These included the Occupiers' Liability Act of England, 1957, the Scottish act of 1960, and the New Zealand act of 1962.

There are six provinces, including Alberta, which have occupiers' liability acts currently in legislation. British Columbia enacted theirs in 1974, Ontario in 1980, Manitoba in 1986, Prince Edward Island in 1988, and finally, Nova Scotia in 1996. Of these provinces, Ontario and Prince Edward Island have already legislated discharge in the common duty of care when visitors are allowed on the land for recreational activity.

Bill 220 is directed towards agricultural and rural landowners because there is a great concern over liability issues in these areas. Bill 220 will go a long way to alleviating these concerns.

[Mrs. Gordon in the chair]

Madam Speaker, in my own constituency I can see the need for this amendment when I look at the local trail systems. There are three trail systems I would like to mention because they are the exception rather than the norm. Ross Creek, Cavan Lake, and Stettler trails all are built at least partially on private land. This is the kind of good nature that the bill is intended to produce. We know people want to allow visitors on their lands, but they hesitate to do so because of the liability. With Bill 220 land across Alberta will quickly become available for recreation.

Madam Speaker, we have recently had the opportunity to read through the agricultural lease review report released earlier this month.

MR. SAPERS: Madam Speaker.

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

#### Point of Order Quorum

MR. SAPERS: Yes. I'm rising under Standing Order 5(1), where it says: "The presence of at least 20 Members of the Legislative Assembly is necessary to constitute a meeting of the Legislative Assembly," and 5(2) I think gives some direction.

Madam Speaker, I note that three members just re-entered the Assembly but after the quorum question was raised, so I don't think that their presence would count towards the count.

THE ACTING SPEAKER: All right. According to Standing Order 5(2) -- and I will read it: "Whenever the Speaker adjourns the Assembly for want of a quorum, the time of the adjournment and the names . . ." This is of course what the Speaker must do. The first part is:

The presence of at least 20 Members of the Legislative Assembly is necessary to constitute a meeting of the Legislative Assembly for the exercise of its powers, and in counting the number of those present, the Speaker, if present, shall be included.

Now, if I am correct, then there was the required number. [interjections] We certainly could close the doors and have everyone rise and take attendance.

SOME HON. MEMBERS: Agreed.

MR. SAPERS: Madam Speaker.

THE ACTING SPEAKER: Yes, hon. member. You're the person that brought this up.

MR. SAPERS: Yes. Thank you. Under the Standing Order and, I think, if you refer to *Beauchesne* and if you refer to *Erskine May* and *Bourinot's*, the attendance is at the point when the question of quorum is raised, not after members scurry back into the Assembly. So you may want to ask those members who came in to absent themselves and then close the doors and have your count.

THE ACTING SPEAKER: Hon. member, the chair as well as the table officers have no idea who came in after. [interjections] I would ask the pages for the next few minutes to not allow anyone else back in until we determine here.

Hon. members, in discussion with the table officers I am going to ascertain that when indeed you did stand on a point of order, I thought it was a point of order to do with the discussion that was taking place. We can't go back in history now and find out who in fact did come in after it was determined that you were talking about Standing Order 5(1). We would have to take a vote now with the members that are in the Assembly as it stands right now.

Hon. member, just so that you are aware, when you in fact did start to speak -- and I would have to say this is coming to me, you know, as basically third-party information -- it was suggested that with myself there were 20-some in here.

I can't go back now. We would have to take the count with the numbers that are in here presently.

**3:10**

MR. SAPERS: Madam Speaker, if we can't go back in time, then the roll call is pointless. The fact is that it was at that point in time that I was trying to get your attention.

THE ACTING SPEAKER: Hon. member, you are the person that brought this up. Under Standing Order 5(2) I would have to count the people. You have brought it up.

The hon. Deputy Government House Leader.

MR. HANCOCK: Yes. Madam Speaker, on this point I'd address your attention to rule 282, which says that "while the House is being counted the doors remain open and Members can come in during the whole time occupied by the counting," and under 281: "If there are not twenty Members present . . . the bells are rung."

Madam Speaker, I think what we're really doing is using up some House time. It's obvious that there are more than 20 people in the House, and I think we should just proceed with the afternoon session.

THE ACTING SPEAKER: Thank you very much, hon. member. I certainly will take that under advisement. Let's just carry on with the debate at hand.

MR. DUNFORD: Did you note for the record that he sent his people out of the House?

THE ACTING SPEAKER: Yes.

We can open the doors.

The hon. Member for Medicine Hat.

### Debate Continued

MR. RENNER: Thank you, Madam Speaker. I wonder if I might indulge in some information, some advice from you. I have absolutely no idea how much speaking time I have left. One minute?

THE CLERK ASSISTANT: One and a half.

MR. RENNER: Okay. Thanks very much. I appreciate that. I'll just use that final minute to sum things up and sort of restate what I said at the introduction.

This bill is here before us today because I feel it's important that we address this need, particularly in rural areas of the province of Alberta. I take great solace in the fact that the government through their report on agricultural lease land is clearly recommending that this is an item that needs to be addressed by the government. In accepting that report, I take comfort in the fact that I expect to see government legislation before this Assembly within the next reasonable period of time to deal with this very issue that I've outlined today and in the past.

While I recognize that it's unlikely that this bill is going to pass, I certainly do ask and encourage all members to continue this discussion in their constituencies with their constituents, with Albertans across the province so that when the government does bring forward legislation, we have a good, broad base of support for that legislation and a good understanding of what the legislation entails.

With that, Madam Speaker, I thank you.

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

MS BLAKEMAN: Thank you, Madam Speaker. I am pleased to rise and add my contribution to this second reading debate on Bill 220. Indeed, I did speak in favour of the bill when it was presented and debated a year ago. Ironically, having Edmonton-Centre, which is definitely an urban area, as my constituency, the issue of occupiers' liability doesn't come up very often, but I am an enthusiastic snowmobiler and a great supporter of the Trans Canada Trail and Alberta Trailnet, and I know that this legislation is very important to their endeavours.

Essentially there are two issues that are addressed through this proposed legislation: the issue of duty of care. I think the second issue that seems to have been of great concern to people was the insurance. Essentially, as the hon. Member for Medicine Hat has pointed out, this amendment act is allowing the duty of care to diminish or putting in a secondary level of duty of care in which the onus is not so strict upon the owner of the land. The bill covers both the kind of land that would fall under the jurisdiction of the bill and the signage. The signage is very interesting. I might recommend that that section be looked at carefully prior to

another introduction of this bill, although I was rather hoping that we would be in session until Christmas, in which case this bill would have been well and truly debated through all possible stages. But I'm not hearing a roar of enthusiasm from the other side to that proposal, so I may well be disappointed in my pursuit of staying in the session long enough to have the bill passed.

Now, the signage. I've heard a couple of points raised on that. One was from a person who noted that signs had been placed around their location or in their summer village or something, and the sign had been vandalized repeatedly and just wasn't there. I think that poses a difficulty, for the purposes of this legislation, if the sign is supposed to be posted telling you that you may come in and where you may go on the property and it's not there. I suppose you could default to: well, I don't see a sign; therefore I can't go on. But in fact if you knew that you were allowed and you had been there last week, what is the person supposed to do when the sign is broken or vandalized and no longer there?

A second thing is a combination issue between the signage and the diminished duty of care. Certainly as a snowmobiler I carry my own insurance. I know that I travel at my own risk, and it's my responsibility to be responsible. I accept that responsibility. My question around this: if I am passing through a property -- and one assumes there is either a directional sign or trails or something -- I'm hoping that any danger areas would be clearly marked by the landowner. For instance, if there's a gravel pit that's five feet off the trail, that would be marked. I don't know that there's a gravel pit there. There's no way that I could know it, and I don't ever want to fall into one of those gravel pits. It's a very nasty way to have a very brutal accident. So I hope that before or perhaps in the debate of this bill at this time, because I'm sure we'll be here till Christmas, we could look at an amendment that would address some of these problems. I think there's going to be a problem around the signage and the stability of the signage and also around the posting of dangerous areas that people might be passing through.

The other question that I had. Yes, there's a diminished duty of care. For instance, if I was passing through a farmyard, I'm wondering about things like barbed wire that would end up underneath the snow, which is a hazard that I wouldn't be expecting. I wouldn't expect barbed wire to be lying on the ground; it should be on a fence. Whose fault is that if I run over that barbed wire? I don't know it's there, but was the landowner under some sort of onus to make sure that it's been cleaned up and it's not lying around? Just a question that I'd like addressed.

Another question. The Member for Medicine Hat was commenting on the difference, that this legislation is not meant to apply to, say, owners of ski lodges. A number of these lodges that are open, say, for fishing in the summer are now opening in the winter, and part of what you get when you pay your money to stay at these places is the use of trails either for cross-country skiing or for snowmobiling. Now, where is the liability if these trails are passing partly through private land? Is the onus on the ski lodge owners and operators to have negotiated insurance coverage while the guests of the lodge pass through the private land on the trails? I'm thinking of a couple of places that I've been to, and indeed that's exactly what happened. You started on the land that was owned by the lodge, and you were probably aiming for Crown land at some point, but in between you may well have passed through private land. Now, if this was an individual going out on this trek, yes, indeed the Occupiers' Liability Amendment Act as proposed here would come into place. But if you're a guest at a ski lodge and that's why you're there and that's who has maintained and built these trails, whose responsibility is it? Do the private sections fall under this proposed legislation or not? So another area to clarify.

### 3:20

Landowner point of view. I know that one of my colleagues wants to speak to this, so I will try to not spend too much time on it. I have a property that people may want to pass through in order to get access to the lake, and I'm certainly willing to have them pass through part of that land. The question that springs to mind immediately is: well, how do I know that they're not going to abuse the land that I have? I mean, I feel that I'm a responsible person, but how can I trust that other people that I allow through my land are going to be respectful and not throw garbage around, not chase my dog, or cause any kind of damage like that? So there's a level of trust that has to be established with this legislation.

As I say, I'm certainly willing to do it. At the outset it seems like a great idea and very reasonable, and I think one of the reasons that I'm really keen to see the legislation put in place is that we're aware of the controversy in Alberta of increased access to wilderness areas. There's already tens of thousands of miles of seismic lines on Crown land in this province in all of the different white areas and green areas and everything else you wish to designate the different areas of Crown land.

[The Speaker in the chair]

I think it's important that we be able to facilitate the development of trail systems through existing developed land in this province, partly as a way of encouraging people not to encroach any further; in other words, to protect absolutely the few wilderness areas that we have left. I'm a snowmobiler. I want to go into new areas, but I am willing to admit there's lots and lots of land for me to explore in Alberta without having to get into new wilderness areas. I think we need to make that commitment as legislators to protect the little bit of specialized representative land left in the province. This is one excellent way to do it.

All right. I'm getting passed notes that colleagues of mine are anxious to jump to their feet to speak on this, so I will try and wrap up.

Insurance. I know that when this bill was up before, there were reservations expressed by landowners and on behalf of individuals who might get involved in this sort of thing who were really concerned about the insurance costs, and I think this is another good reason for this bill. Certainly with the duty of care that's expected of landowners and if there are people crossing through their land, the expectation of insurance coverage is prohibitive, because in this day and age the insurance companies seem to be urging the landowners that they really should be carrying not \$1 million, which seemed to be a lot of coverage not that many years ago, but now \$2 million or more in case there is some sort of concern. So I hope that this bill will go some way towards alleviating those concerns about exorbitant insurance rates.

Well, I'm certainly being urged to take my seat and let others speak. I'm assuming that since we'll be here until Christmas, I'll get another chance to speak at Committee of the Whole.

Thank you very much.

THE SPEAKER: Hon. members, before we proceed, the hon. Member for Little Bow on a point of order.

### Point of Order Tabling Unsigned Letters

MR. McFARLAND: Thank you, Mr. Speaker. I'm quoting *Beauchesne* 498. I apologize for the delay, but this has just come to my attention: tablings today from the Member for Calgary-

Buffalo with respect to correspondence to myself. I have checked my incoming mail and as yet have not received the correspondence he's tabled in the House today. When I checked with Parliamentary Counsel, the copies are totally unsigned, all four copies to the four different ministers and myself that are cited. I would have thought that the member opposite would have used a little more parliamentary discretion in tabling unsigned copies of correspondence which I have not even yet received myself.

THE SPEAKER: Hon. member, your point, again, is that the hon. Member for Calgary-Buffalo tabled something during the tablings today, which is certainly his right. But just repeat for me the point.

MR. McFARLAND: Mr. Speaker, when I looked at the tablings that have been presented by the Member for Calgary-Buffalo, they are no doubt letters, but I have no way of knowing if they're originals or draft letters because they have not in fact been signed by the person who supposedly has written the letters to myself, to the Premier, to the Minister of Justice, to the Minister of Energy, and to the Provincial Treasurer. None of them are signed. I don't know if that's proper protocol, to file something that has not been signed, but as a member who takes my responsibility very seriously for representing the majority of my constituents, I have no way of knowing that in fact this letter is really from the person it is supposed to be from. It's not signed. Furthermore, I have checked my mail as of half an hour ago, and I have yet to receive this letter that's supposed to have been sent to me. I would ask that you either have these documents taken back or have the member substantiate their authenticity.

Thank you.

DR. MASSEY: On the purported point of order, Mr. Speaker. The remarks of the member opposite are uncharacteristic of the Member for Calgary-Buffalo, and I think we have to have an opportunity to confirm or not confirm the allegations.

THE SPEAKER: Well, hon. members, we have a situation where the hon. member did quote from *Beauchesne*, and *Beauchesne* 498 is quite clear. It says: "An unsigned letter should not be read in the House." I repeat: "An unsigned letter should not be read in the House." There have been rulings by previous Speakers and previous chairmen with respect to that, going back in here. Of course, the danger in all of this is that one doesn't really know. So I'm going to ask the hon. Member for Little Bow to convey to me copies of such letters.

The difficulty is that the chair and the table officers have no knowledge of what is being tabled. But clearly the rule is such. So we will check to see exactly what was tabled. The rule is very, very clear that unsigned letters should not be tabled in the House. If unsigned letters were tabled, I will convey some message to the hon. Member for Calgary-Buffalo and ask for his comments with respect to this matter, and we'll see where we go from there.

The time has now evaporated for this point of business.

## head: Motions Other than Government Motions

### 3:30 Pacific Northwest Economic Region

517. Mr. Coutts moved:

Be it resolved that the Legislative Assembly urge the government to encourage member Legislatures of the Pacific Northwest Economic Region, PNWER, to increase their roles and participation in the organization, including the adoption of the Alberta model of public- and private-sector partnership.

THE SPEAKER: The hon. Member for Livingstone-Macleod.

MR. COUTTS: Thank you, Mr. Speaker. As the current president of the Pacific Northwest Economic Region, or PNWER, as it's called, I'm especially pleased to rise today to move Motion 517.

Motion 517 urges the government of Alberta to do two important things. First, the motion encourages PNWER member Legislatures to increase their participation in the organization. I have found through my legislative involvement with PNWER that I have witnessed the tremendous benefits that are possible when the states and provinces of the Pacific Northwest area work together. It is my goal to promote the positive results of PNWER to all member jurisdictions and to see even more commitment in the future.

Secondly, Motion 517 urges the government to encourage member Legislatures to adopt "the Alberta model of public- and private-sector partnership." Alberta supports a more active role in PNWER for the private sector. Under the Alberta model, members of the private sector would become full participants in the organization by being eligible to hold executive positions.

[The Deputy Speaker in the chair]

Mr. Speaker, I'd like to spend some time speaking about the history of PNWER, about where it began, where it is now, and where it is going in the future. PNWER is a statutory public/private partnership whose purpose is to increase the economic well-being and quality of life for all the citizens of the Pacific Northwest region. PNWER consists of the American states of Alaska, Idaho, Montana, Oregon, and Washington plus the Canadian provinces of Alberta and British Columbia and the Yukon territory as well as numerous private-sector members.

Mr. Speaker, the PNWER organization was informally established in 1989 when the Washington State Legislature proposed a meeting in Seattle of the Pacific Northwest region's legislative leaders called the Pacific Northwest Legislative Leadership Forum. Ministers from Alberta and British Columbia and five of the seven Speakers and four of the five majority leaders were in attendance. Altogether, 61 leaders met for three days, and there was a unanimous agreement to proceed with the regional structure.

In 1991 the provisions of PNWER were formally ratified by all members of the states and provinces. At that time six working groups were launched: environmental technology, recycling, telecommunications, tourism, value-added timber, and workforce training. Since 1991 four more working groups have been added, those being transportation, export, government procurement, and agriculture. In 1994 at the summer meeting in Kananaskis PNWER formally established a private-sector council. Through the private-sector council, corporations, trade associations, individuals, and subdivisions of state or provincial governments and quasi-government organizations can all become members of PNWER. The dues structure for private-sector members is based on the size and the sector of the organization.

Mr. Speaker, the formal inclusion of the private sector was a key step for PNWER. Each working group has a chair from both the private and the public sectors, and ideally the private sector co-chair sets the agenda and direction for all of the working groups. The public-sector co-chair role in the working group is to assist in setting the agenda but also to ensure that legislative considerations are represented in the working groups.

Today PNWER is an operating private- and public-sector partnership designed such that the public sector works to open the door so that the private sector can make the sale. It is a mutually beneficial relationship and a relationship that is growing stronger

all the time. Increasing competition requires economic policies that build upon the strengths of the Pacific Northwest region, and increasing efficiencies through co-operation and collaboration create ongoing opportunities for policy development beyond the state, provincial, and federal levels. It is important to bring the private sector together with the public sector in these endeavours. Membership in PNWER's private-sector council offers valuable networking opportunities with the region's top policy makers and business leaders.

One of the real strengths and the most noticeable difference of PNWER over all other economic development organizations within the Pacific Northwest region is the involvement of the legislators from all the jurisdictions in PNWER. They come to the working-group tables in a bipartisan way. PNWER brings together legislative, government, and private-sector leaders to work towards the development of public policies that promote the economies of the Pacific Northwest region and respond to the challenges of the global marketplace. The main objective of PNWER is to build the necessary critical mass for the region to become a major player in our increasingly global economy.

Mr. Speaker, with a population of more than 10 million people in the Pacific Northwest region, it serves as an important end market for Alberta primary and value-added products. Also, the region is looked at as a gateway to other markets, including California, Mexico, Russia, and Asia. In 1997 total Alberta exports to the Pacific Northwest region amounted to \$4.42 billion, or 17 percent of the total Alberta exports to the United States. This is clearly a significant export market for Alberta.

Alberta has a variety of interests in the Pacific Northwest region. First, in terms of transportation, Alberta's interests pertain primarily to trade and transportation corridors, efficiency at border crossings, and harmonizing truck weights and dimensions and configurations.

Secondly, the Pacific Northwest is both an important end market and a gateway for Alberta agrifood exports. In 1997 Alberta had \$5 billion in global agrifood exports; \$830 million of those dollars were into the Pacific Northwest. Some of the major Alberta agrifood exports in the Pacific Northwest include live cattle, beef, pork, animal feeds, oilseed cake and meal, refined canola oil, barley, and seeds for sowing.

PNWER also supported two grain summits that have been recently held, one in Seattle in June of 1997 and another summit in Banff in September of this year. The summits brought together Canadian and American grain producers to participate in workshops aimed at building consensus on a competitive and compatible trade environment for grain. The Banff summit brought together farm and industry leaders representing over 50 organizations from Canada and the United States to address global trade, continental trade, transportation, and infrastructure issues.

A third area of interest is in the forestry sector. In 1997 Alberta's forest products exported to the United States included pulp and paper, lumber, panelboard, and other secondary wood products and components totaling \$1.33 billion. In the Pacific Northwest Alberta's focus is on the expansion of value-added wood products.

Fourth, the Pacific Northwest is a highly strategic region for Alberta's energy sector. The region is particularly important in terms of oil and gas pipelines. In 1997 Alberta had \$375 million in natural gas sales to the Pacific Northwest, and a further \$1.5 million flowed through to California. Alberta exported approximately \$656 million worth of oil to the Pacific Northwest region in 1997, almost all of which went to Washington state.

Alberta has had some tremendous strengths in the Pacific

Northwest region. Besides location, Alberta has extensive infrastructure in transportation, communication, education, and municipal services. In addition, there is a widespread awareness of Alberta's reputation for a high-quality product and service, especially in the areas of agriculture, energy, environment, information technology, and the tourism sector. Mr. Speaker, Alberta is further recognized for its highly skilled and educated workforce. Alberta has direct experience in industrial sectors which are growing rapidly, such as environmental and high technology. Perhaps most important of all is a common knowledge within the Pacific Northwest region and indeed all around the world that Alberta has low taxation rates and a business-friendly government committed to free enterprise and open markets. All of these factors are an important part of the Alberta advantage, that makes Alberta a key player in the Pacific Northwest region.

### 3:40

This extensive list of attributes creates numerous opportunities for Alberta products and Alberta businesses. In particular, Alberta has a competitive advantage in construction and building materials, in wood products and related manufacturing services, in agricultural products and technologies, in processed food products, and in environmental products, services, and technologies.

Mr. Speaker, clearly the Pacific Northwest is a strong and substantial economic region, and Alberta is a key player within the region. There are many benefits to be derived from co-operation and collaboration between the members of the region. As an organization, PNWER is capable of bringing together the major players from both the public and the private sectors and has tremendous potential in terms of promoting the Pacific Northwest to the benefit of each and every member.

Mr. Speaker, Motion 517 calls for the government to encourage the member Legislatures of PNWER to adopt "the Alberta model of public- and private-sector partnership." This is a key part of the reform of PNWER that is going on right at this present time. Private-sector representatives are not permitted to hold executive positions. Alberta is pressing for this to change, and it is very important that private-sector members become full participants in PNWER by being able to hold executive positions. That is something that I am committed to as president: to make sure that that happens.

The governments of PNWER members took the initiative to create the organization and for all the good reasons and rightly so. The creation of such an organization was made so much easier because governments and the public sector took the lead. However, the private sector is an integral part of PNWER, and it is time that the private sector becomes an equal partner in PNWER in its operating and its decision-making.

Mr. Speaker, this is not to say that the public sector will be removed from PNWER's activities. On the contrary, government members and the public sector are encouraged to continue to increase their support and roles within PNWER. Simply put, the Alberta model for private- and public-sector partnership entails exactly that: a partnership, an equal partnership. Making the private sector an equal partner in PNWER is one of the keys to PNWER's continued success and growth. With the private-sector representatives on the executive committee of PNWER, the private sector will be given even a much stronger voice in the decision-making process of the organization. I cannot overstate the importance of striking a balance between the public sector and the private sector within PNWER, and the participation of one sector without others renders PNWER much less effective. I hope that all members of this Legislature will join me in supporting this motion to bring both sides closer together.

Mr. Speaker, in closing, I would like to say that I believe that Alberta needs to continue its strong leadership role in PNWER. Part of this role includes encouraging other members to adopt Alberta's model of private-sector and public-sector partnership. It is extremely important for PNWER's long-term success as an organization that the private sector becomes an equal partner in PNWER. I have tremendous confidence in PNWER, and I encourage all members to support Motion 517.

Thank you.

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

MS LEIBOVICI: Thank you, Mr. Speaker. It gives me great pleasure to rise this afternoon to address the motion that's been put forward by the Member for Livingstone-Macleod.

Had this motion been brought forward three years ago, I probably would not have had a whole lot to say about it in that I didn't quite understand it. [interjections] I'm sure it surprises members in this Legislative Assembly that in fact I could have not a lot to say about a particular issue. But I firmly believe that before one stands up, one needs to understand what the subject matter is, and I believe I've fulfilled that.

In this particular case, if we put the joking aside, the reality is that I've had occasion over the last three years to be in attendance at some of the meetings that have been held by PNWER in Seattle, Portland, and most recently in Victoria, where I was the legislative co-chair for the tourism working group that we had meeting in Victoria. As a result, I feel that I do have a fair understanding of PNWER, of some of the difficulties that PNWER has had in finding its place as well as of the direction that PNWER could potentially go.

[Mrs. Gordon in the chair]

For those members who are not aware -- and I don't believe that the Member for Livingstone-MacLeod did indicate -- the jurisdictions that are involved with PNWER are Alaska, Idaho, Montana, Oregon, Washington, Alberta, British Columbia, and Yukon. So it covers a fairly significant area that crosses the borders. One of the most interesting concepts that I found with regards to PNWER is that it is on both sides of the border. It has its mandate within the Legislatures of all those states as well as provinces and is, as the member did indicate, a tripartite relationship between the legislators and the public sector as well as the private sector. To my mind, it makes it unique.

It has also attempted to stay out of the arena of political lobbying and self-interest and special-interest groups, which I believe gives it more credibility, in order to do the work that it was originally enacted to do, and that is to develop and establish policies that promote greater regional collaboration amongst those eight entities, to enhance the overall competitiveness of the region and international and domestic markets, and to increase the economic well-being of all citizens in the region and improve the quality of life for all of those citizens.

Now, as I alluded to a little bit earlier, when I first went to a PNWER meeting, I tried to understand what the function of it was. It seemed to me that it lacked focus, that in fact it was almost trying to do too many things all at the same time, and that there was not an adequate decision-making policy in place or an ability to enact and to follow through on decisions that were made. I must give credit to the Member for Livingstone-MacLeod as well as to the minister of intergovernmental affairs,

who has been a strong supporter, it's my understanding, of this particular organization, for they, too, have seen that there are these difficulties with PNWER. There was the report that was commissioned that has identified some of those difficulties. What we see now is an ability or the desire to move beyond those difficulties and to find some solutions. The proposal that Alberta has put forward is a proposal that attempts to deal with the difficulties that have been found within the organization and in fact addresses a lot of the concerns with regard to the mandate, the organizational structure, and the activities of PNWER.

We know that there are other ideas floating around as to what manner can be undertaken in terms of restructuring PNWER, and I believe that there is the ability to come to a decision within the PNWER executive as to how in fact we can get beyond the hurdles and move towards a better definition of PNWER.

The underlying principle of PNWER, I believe, is sound. I believe it is an organization that deserves our support. In fact, it is one of the few mechanisms where the northwest region can be brought together in order to network, in order to pass on information, in order to pass on best practices, and in order to come to some kind of an agreement as to the possible directions that can be taken within each state or each province. Because it is a unique organization that is mandated through the Legislatures and has government members who are sitting in on either the working groups or the executive, I believe it facilitates the ability to make changes that are required in order to ensure that the underlying mandate, as I articulated earlier, is indeed followed.

3:50

The issue of the private sector becoming more involved also has my full support. I think that if we believe there is a role for the private sector in this organization, they in fact should become full-fledged members and take their place with the other two parties of the tripartite committee.

It is also a unique organization in that it is one of the few within this Legislative Assembly that allows for bipartisan participation, and in order for PNWER to continue in its success, I think that is something that needs to be maintained. Because of the different relationships and governmental structures that we have within Canada versus the United States, I think it is very difficult for the legislators, whether they are representatives or Senators from the United States, to quite understand how at times individuals are excluded from organizations based on their political affiliation. As we all know, voting in the States does not necessarily fall on party lines but falls on the ability to represent one's constituents, and in order for PNWER to maintain its credibility on both sides of the border, I think that bipartisan participation needs to be maintained.

There is opportunity for members within this Legislative Assembly to become more aware of the role of PNWER, and I encourage them to do so. My one concern -- and I would request that the Member for Livingstone-Macleod address this in his closing remarks -- is with regards to the actual wording of the motion, and I would hate for the motion to preclude the member from being able to continue in his negotiations to better the PNWER organization. My concern is that when we look at the wording, it says, "to increase their roles and participation in the organization" -- so we're encouraging other member Legislatures to do that -- "including the adoption of the Alberta model of public and private sector partnership."

As I indicated earlier, there are some other models that are floating out there. We need to be aware of the concerns, I believe, of those other models, and I would like some assurances from the member that this doesn't tie the member's hands and the

minister's hands, if he's involved, with those discussions so that we are only looking at the Alberta model and, in fact, that there is some leeway to come to successful negotiations as to the restructuring, reworking, whatever we want to call it, of PNWER.

Also -- and I'm sure the Member for Livingstone-Macleod will be providing the information -- Edmonton will be hosting the next PNWER meeting in June, and if there's any opportunity for members to perhaps observe, I think that would be a good opportunity for them all to have a better understanding of the PNWER concept.

I believe I've covered most of the bases. If there are any members that have any concerns with regards to this organization, I believe that one of the best ways of finding out about it is to try and attend some of their meetings.

Thank you.

THE ACTING SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you very much, Madam Speaker. It's a pleasure to rise and speak not only in support of this motion but also in support of the good long-term productive work that the Member for Livingstone-Macleod has demonstrated with his ongoing commitment to building trade and building relationships in the near trade market.

Madam Speaker, there's a tremendous wave of activity underfoot to drive trade sectors. We're starting to see, finally, that Albertans are fully aware of the importance of trade, the importance of our export prowess. We're part of the Asian change. We're part of watching second quarter exports drop 30 percent to Indonesia, some 37 percent approximately to Japan, and the faraway markets are showing some of their weaknesses, all the more reason to concentrate on building good solid trade, good solid business, and good solid policy relationships with next-door neighbours.

One of the emerging bodies of theory, Madam Speaker, that speaks directly to this motion is the ability to develop trade blocks within major trade organizations. For example, PNWER is a natural fit into the NAFTA trade market, where there are over 370 million people engaging in well over 20 percent of the global trade. So from that perspective, one can see that to build work and to build trade and to build relationships up in this submarket, if you will, in this particular important sector of Canada/United States, it is going to be beneficial to all parties who hang their territorial hats at the door and just come in and focus on creating value within the group.

The other thing that is important to point out, too, from an Alberta perspective, Madam Speaker, is that there is a large change underfoot in Canada. If one were to look at the gross domestic products of the major provinces, you can see Ontario at number one at roughly \$389 billion per annum. You can see the prairie provinces -- we used to see Alberta, Saskatchewan, and Manitoba as being three relatively equal provinces. The gross domestic product of Saskatchewan is approximately \$27 billion, the gross domestic product of Manitoba is \$28 billion, and the gross domestic product of Alberta this year is estimated to be in the \$93 billion range.

British Columbia, another member of PNWER, has a gross domestic product of some \$98 billion. This \$98 billion is actually showing a shrinking gross domestic product and is, I guess, a manifestation of some questionable political practices as well as changes in their market structure. But one only has to have a look and quickly do the calculations to realize that the gross domestic product of Alberta and B.C. now exceeds that of Quebec. Two years ago the entire workforce of Quebec was

equal to that of B.C. and Alberta combined. Now the workforces of B.C. and Alberta exceed Quebec by some hundred thousand. We are moving ahead. Clearly, there's a demonstrated shift of economic power and economic trade to western Canada. All that remains is a united type of way to put the political clout to reflect that increased economic and trade prowess.

4:00

The importance of building inside this market area is reflected by the growth in our trade numbers, Madam Speaker, and also with respect to the productivity of Albertans and the ability for us to trade and maximize productivity through business relationships, through policy relationships, through the interaction of private- and public-sector meetings, exchanging ideas, getting to know the person, walking a mile in somebody else's moccasins, getting a chance to understand the problems at hand.

So looking at it from a labour perspective, the productivity aspect of Albertans participating in this trade market, as well as continuing to build trade relationships with our largest and most powerful trading partner, I can only wish the Member for Livingstone-Macleod good luck, Godspeed. Actually, I think a strong message to be sent to the PNWER organization would be for this House to unanimously approve this motion, and I would support that we do so.

Thanks.

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

DR. NICOL: Thank you, Madam Speaker. Just a few comments that I want to make on Motion 517. The points that we have to bring out and that the Member for Livingstone-Macleod brought out when he introduced the motion about the importance of the Pacific Northwest region -- the economic concentration that is occurring in the jurisdictions that are represented in PNWER is really important, and it's extremely important that we try to do whatever is necessary to make sure that an organization like PNWER continues to function and continues to function in a very positive way, because as we deal with the future possibilities for Alberta, a lot of it is going to deal with supporting and participating in the economic activity in the Pacific Northwest region.

We have to look at: what kind of function do we need in an organization that's going to bring about and promote the economic growth of the region, the co-operation and the working together of the region so that we can all deal with it? PNWER started as a group of legislators from each of the relevant jurisdictions. It expanded then and brought in and promoted the partnership with business, and it's trying, I think, in some ways to be too much, to be a little bit too broad based.

One of the concerns that was raised by the member survey, even though it was a very small sample -- and we have to be careful that we don't make wrong conclusions from it -- was that really it didn't seem to be focusing. What we've got to do is think about how we can change the structure of this organization to give it some focus. If we look at really what is going on, we've seen some very successful parts of it, and I'd like to commend the Member for Livingstone-Macleod in terms of the work he's done and his chairmanship now of it. If we look at how it's been functioning, a lot of the very proactive leadership type positioning has come from the subgroups, and I think we have to focus a little more on some of these working groups that are being put together. We saw the grain trade group that is working, the tourism group that's now under way. The broad-based membership of the private sector has to function and has to feel that their issues are being addressed, that they can bring

into a lot of the debate their ideas, and in the context of how some of these subgroups or the working groups have actually been able to achieve that, it has been very exciting and very positive.

Then we've got the second function of PNWER, where we have to start now and look at: what do we do with that recommendation? I think this is where the frustration is coming from the members in the sense that it seems to stop once they've filed their report with the central PNWER committee. So what we've got to start looking at is: how can we give some sense of continued response or continued movement to the recommendations that come out of the working groups?

The suggestion that I'd like to kind of float out for the sponsor of the motion, also at this time the chair of PNWER, is the idea that we can get a structure that essentially has the private/public partnership working at these subgroups, where we then report back to a group whose responsibility is then to take the initiatives from these groups back to the Legislatures of the relative jurisdictions -- state, province, country -- and see how those initiatives can be built into regulatory change, legislative change, and then in essence become the advocacy group at those levels. So in this kind of a structure what we've got to have is kind of a consensus building at the bottom, at the working group level, and we also then have to have the idea that these groups can work and promote change in the legislation at the executive level.

Madam Speaker, the Minister of Energy over there is holding up his little sign, like usual, about no more taxes. But this is one of the things that he's forgetting about. The major proponent of economic development is that if you promote economic development correctly by removing regulation, removing the impediments to business, allowing them to function, we will increase the economic activity, and our region will create through our current tax structures greater revenue for the provinces. Then what we'll deal with is looking at the ability to reduce the rate of taxation on everybody. That's what should be our ultimate objective. We have to deal with it in the context of that promotion. So we'll let that aside be taken for what it was.

In terms of the proposals that come here and the restructuring of this, I think it's important that we really challenge this reinvention or restructuring of PNWER to create that sense of initiative, that sense of achievement in the members who do attend, who do participate in the working groups. Madam Speaker, I saw a lot of excitement in the participants who came to that grain trade opening borders initiative that was started by PNWER. They really felt they were addressing the issue of: how do we come to a conclusion that promotes access to each other's grain markets? Now what we have to do is show them that their efforts were successful. Otherwise, they're going to start talking to other people who get invited to participate in subgroups or in the working groups, and they're going to say: "Well, you know, we met. We put a lot of effort into preparing for two very productive meetings. We sent in recommendations, and nothing seemed to happen. The politicians let us down." That's the area where we've got to create that momentum, where the politicians don't let them down, where they can see some movement on their initiatives. They also have to recognize that maybe not all of their initiatives are going to be acceptable when the politician takes into account input that comes from areas that aren't associated with the working group. But that debate and open discussion and visible response has to be there.

So on that basis, Madam Speaker, I think we have to support the idea of a restructuring, a reinventing of PNWER. We have to make it so that it is responsive to the economic sector that it set out as its objective. We have to make it responsive to the citizens

of the area so that we do end up with a region in this part of North America that continues to be effectively the best place in the world to live. We've got to look at it from the point of view of: how can we make this responsive?

With those few comments I hope that it provides some thoughts, some ideas to the sponsor of the motion so that as we go about reinstating or, as he says, reinventing PNWER, this reinvention is done with the intention of trying to get a responsive organization that is transparent and people see progress from their participation.

The only other comment I'd like to make is on this idea of trying to establish strict voting rules. As we try to build from a number of jurisdictions that each have their own elected representative constituencies or Legislatures, then we have to look at how another voting level comes in here. The discussions that go on in the working groups a lot of times are idea-generating, and we can't create a structure that in some ways discourages ideas that don't get passed on to the actual decision-makers and the eventual promoters of the ideas that arise in the working groups. So to start having situations where, you know, "This is what we're going to do," or "That's what we're going to do" -- each of the member jurisdictions is probably going to approach the desired solution in a little bit of a different way. An absolute "This is what we have to do" probably would be not as effective as saying: "This is an objective we have to reach forward to. How, then, can each of the member legislative groups change their current laws, their regulations to help to achieve that objective?"

So I guess in the context of actually coming out with votes that say, "This is the best way," what we should be trying to do is to develop an umbrella that all of our ideas and all of our objectives can fit under so that when we get out of the rain, the umbrella comes down and there is a nice point that we could move forward from.

With that, Madam Speaker, I'll conclude my comments, and I'd be more than happy to support the member in other conversations as the need arises for clarification.

#### 4:10

THE ACTING SPEAKER: The hon. Member for Cardston-Taber-Warner.

MR. HIERATH: Thank you, Madam Speaker. It's a pleasure for me to rise today to speak to Motion 517, sponsored by my colleague from Livingstone-Macleod. I have had some experience with the Pacific Northwest Economic Region, PNWER, and I can say that it's a very worthwhile and capable organization that helps to bring together members of the Pacific Northwest region in a forum that encourages dialogue, co-operation, collaboration on economic and other issues that affect everyone in the Pacific Northwest.

PNWER's nine working groups address a wide range of important issues in the fields of transportation, environment, forest products, trade, finance, tourism, recycling, government procurement, telecommunications, and agriculture. The working groups meet twice a year in conjunction with PNWER's summer and winter meetings. In addition, a working group may meet during the interim according to the needs of their work plan. Ideally, a private-sector chair takes the lead in setting the agenda for the working groups and has the added responsibility of making sure that legislative considerations are represented in the working groups.

My work in PNWER has for the most part been focused on agriculture and the agriculture working group. PNWER has been somewhat influential in resolving cross-border agriculture issues and in promoting research and development in the agriculture

sector. Agriculture has been one of the more difficult of the economic sectors in promoting unrestricted trade. For example, PNWER deserves a good deal of credit, Madam Speaker, for allowing Alberta exports into their market, which is estimated to be worth \$130 million. In July of '98 the King county board of health approved a new meat code, which was changed, allowing for access to Alberta's market in that area.

PNWER was also actively involved in two grain summits, one in Seattle in June of '97, the other in Banff this past September. In Banff farm and industry leaders representing over 50 organizations from Canada and the United States agreed on numerous resolutions targeting three areas. Global trade resolutions included the elimination of export subsidies, the movement towards less distorting green box programs, and the liberalizing participation of all state trading organizations. Continental trade resolutions included mutual recognition of pesticide standards, the elimination of all tariffs and nontariff barriers, and the formation of a United States/ Canadian grain producer advisory committee. Another meaningful resolution dealt with nondiscriminatory access in each other's grain handling and transportation infrastructure. As you can see, Madam Speaker, these two grain summits were highly productive and beneficial to participants. The success of these summits and many other initiatives can be directly attributed to PNWER's commitment to removing barriers to trade and transportation in the region and PNWER's commitment to enhancing competitiveness in both international and Pacific Northwest markets.

But PNWER does much more than just promote and improve agriculture in the Pacific Northwest. PNWER is active in almost every sector of the Pacific Northwest economy: in telecommunications, forestry, environmental technologies, and most other aspects of trade and finance. PNWER has a comprehensive focus on all its valuable assets for each other and every member state, province, and territory.

In closing, Madam Speaker, I would like to reiterate my full support of Motion 517 and the PNWER organization. I agree that the Alberta government should encourage member Legislatures of PNWER to increase their roles and participation. I would also like to state my support for the Alberta model of public- and private-sector partnership. It is a model that will bring the private sector into PNWER as full participants by making them eligible to hold executive positions. These are important steps in PNWER's growth and reorganization.

Madam Speaker, I hope that all members of this Assembly will join me in supporting Motion 517.

**THE ACTING SPEAKER:** The hon. Minister of Intergovernmental and Aboriginal Affairs.

**MR. HANCOCK:** Well, thank you, Madam Speaker. It's a pleasure for me to rise as well in the House today to support this motion and encourage all members to support this motion and, as one of our colleagues said this afternoon, perhaps unanimously. In my view, after having some involvement with PNWER, PNWER really is a diamond in the rough. It's an organization which has provided valuable service. It's been a very important organization for us but could be a much stronger organization for us, and I think it can be stronger if we can encourage other jurisdictions to put the same level of importance and the same faith in the organization which we in Alberta do.

I would be remiss if I didn't add my appreciation, Madam Speaker, as others have today, for the good work that's been done by the Member for Livingstone-Macleod.

When I first was asked to take on the responsibility for intergovernmental affairs, which included the government's responsibility with respect to this organization and to become the leader of Alberta's delegation to PNWER, my first impression of PNWER was that it was unfocused, that it had been taking on many grant-obtaining objectives which pertain to some of the U.S. states but weren't particularly relevant to us, and that it was an association which wasn't meeting its expectations or its potential.

We took a look at the organization and said that we had a short period of time to perhaps review and see whether there was some way we could achieve some focus and develop an organization that had potential or perhaps reduce our own involvement in it. The Member for Livingstone-Macleod, who had been active as one of our delegates to the organization on an ongoing basis, stepped forward and took a leadership role and in fact became president of PNWER in the fall of 1997. He has done yeoman's service for Alberta and for PNWER in refocusing and helping to redesign the organization so that it can be and will be and is now a very effective organization.

As my colleague indicated earlier, as we're looking to global markets and increasingly trying to develop relationships around the world, we look to exotic trade destinations in Asia, we look to developing trade markets in the free trade of the Americas, north and south, we look to Europe, and we look to emerging nations. And right next door to us in the Pacific Northwest is one of the largest trading areas that we could possibly have access to, and they're our neighbours. So having a cross-border organization which allows us to develop stronger relationships with that large trading area is a very good investment of our resources, and we should be paying much more attention to that investment of resources in those areas than perhaps even going to the more exotic destinations.

**4:20**

The organization has three significant parts to it, and that's been touched on. One of those parts which hasn't been mentioned very much is the administrative sector, the people who work in government but are not elected to government, and they've played a very important role in the government procurement sector of the organization and other sectors. But the two that are addressed here in the motion are the legislative sector and the private sector.

We in Alberta played a leadership role in getting the private sector involved as a meaningful part of this organization and are now working to reform it so that they can play a role in the ongoing structure of the organization and the operation of the organization. But when our private sector gets involved in those two PNWER meetings, they want to know two things. They want to know that there are other private-sector members from other jurisdictions there for them to meet and help build relations with, help build ongoing opportunities for business, and they want to know that legislators from both sides of the border and from all jurisdictions are there so that they can discuss the barriers to opportunities that are in place and have legislators there who will then understand what those barriers to business and opportunity are and can work with them to have those barriers removed.

So it's extremely important, Madam Speaker, that we not only encourage our private sector to remain involved in this very worthwhile organization, but we encourage that the private-sector model be adopted by other jurisdictions so they can bring their private sectors to the meetings and that we work together to develop opportunities for all of us. But also important and one of the things that has been noted in the past number of meetings is that the number of legislators attending these meetings has dropped, so we should encourage other member organizations'

legislators to attend this session. I noted the Member for Edmonton-Meadowlark indicated, I think quite appropriately, that the next annual meeting of PNWER will be held in Edmonton from June 20 to 22, 1999.

MR. DUNFORD: What was that date again?

MR. HANCOCK: June 20 to 22, 1999. I would ask all members of this House to consider marking that on their calendar and attending the meeting of PNWER when it's here. We will be encouraging legislators from other jurisdictions to attend, and it provides a good forum for us to exchange views.

We heard in the House the other day concern about agriculture and cross-border concerns on agriculture. One of the best ways that we can deal with the lack of understanding and the misinformation and confusion and concern about agriculture policy and the cross-border trade in agriculture is to bring people together to sit down and talk about the issues, talk about what's happening across the borders, and then have those organizations deal with us to bring to the attention of their Legislatures those barriers, those things that are causing problems so that Legislatures can then do what they do best: get to work, remove the barriers, fix the problem, and get on with free trade.

With that, Madam Speaker, I'll take my seat, and I would hope that other members of the House would consider this a close of debate so that we could vote on this motion. I think it would be very important that we vote on this motion and send a strong message to all members of PNWER that Alberta considers this organization to be extremely important and that we would encourage all sectors to be actively involved in it.

MS EVANS: Madam Speaker, I know members here are impatient for the question to be called, but I would be remiss if I did not reflect on when we were at the local level, when I was a reeve, when you were a mayor. The hon. Member for Livingstone-Macleod was considered a beacon of light in the leadership for sustainable development in rural Alberta, and I think in our vote for unanimous consent on this motion we should applaud him.

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

MRS. LAING: Thank you, Madam Speaker. I am pleased to rise today to speak to Motion 517. I would like to commend the Member for Livingstone-Macleod for bringing this motion forward and for his dedication and commitment to the Pacific Northwest Economic Region, PNWER. PNWER is an extremely effective organization working for the mutual benefit of each, and I would urge everyone to support it.

THE ACTING SPEAKER: On the motion as proposed by the hon. Member for Livingstone-Macleod, all those in favour of the motion, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, please say no. It is carried unanimously.

I would ask the Assembly for unanimous consent to proceed to the next item of business. There are about two minutes left till 4:30, when we revert to government business. Can I have unanimous consent of the House to proceed to the next item of business?

SOME HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed?

SOME HON. MEMBERS: No.

### WCB Survivors' Pensions

518. Mr. Bonner moved:

Be it resolved that the Legislative Assembly urge the government to amend the Workers' Compensation Act to address the unequal treatment in pension benefits for widows and widowers of WCB claimants who were widowed before January 1, 1982, and those widowed subsequent to that date.

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

MR. BONNER: Thank you, Madam Speaker. At the time that this motion was proposed, the negotiations between WCB and the DWAG were certainly going nowhere. Since that time there's been a 180-degree shift. Both groups at this point are meeting. There was even some hope that we would have some resolution on the matter before the end of this session and if not at the end of this session, then certainly in the early spring.

There were a number of situations that arose which got them to this point. One of those was the fact that in 1987 the government of Canada recognized and corrected a similar discriminatory error by reinstating Canada pension plan surviving spousal benefits. As well, in 1996 the disenfranchised widows in British Columbia won a court case against the WCB and had their pensions reinstated retroactive to 1985. In 1997 Ontario made similar changes to its legislation to reinstate WCB benefits to widows.

So, Madam Speaker, with all the changes that have happened in regards to this matter across Canada and certainly with the support of all Members in this Legislative Assembly in not only backing this particular motion but backing the WCB of Alberta in their negotiations with DWAG, I would ask that all members support this motion.

At this time, Madam Speaker, I would like to call the question.

THE ACTING SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you very much, Madam Speaker. Let me just speak very, very briefly to this, as it rapidly approaches 4:30. This is in fact an erroneous statement. The widows'/dependent spouses' benefits are not based on or affected by date of remarriage. They are affected by the date of incident and the legislation in place at that time. You have to vote against this motion.

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

head: **Government Bills and Orders**

head: **Third Reading**

4:30

### Bill 2

### Conflicts of Interest Amendment Act, 1998

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

MR. HAVELOCK: Thank you, Madam Speaker. I'd like to move at this time third reading of Bill 2.

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

MR. DICKSON: Thanks very much, Madam Speaker. Since we're talking about conduct of members, I understand that earlier this afternoon the Member for Little Bow had raised a concern about a tabling, and I wanted to apologize to that member. In fact, in my haste to get over here this afternoon for question period, I did not bring over the photocopied cover sheet that had been signed by the constituent who had concerns with things that had been said by that MLA.

MR. HAVELOCK: What's this got to do with Bill 2?

MR. DICKSON: Well, Bill 2 has to do with the conduct of members, and I thought this was a good opportunity. I wanted to apologize for tabling material that didn't have a live signature. But I do want to assure the Member for Little Bow and all other members that I did in fact receive the original correspondence.

#### Speaker's Ruling Relevance

THE ACTING SPEAKER: Hon. member, I'm sure that you will be provided with an opportunity to explain yourself on this particular item that was raised as a point of order today. However, we are discussing a bill. We have a bill in front of us, so I would ask if you could please talk about the bill.

MR. DICKSON: Madam Speaker, I appreciate the advice. It was only that I'd understood that it was about two hours after question period that the Member for Little Bow had raised it, and that's why I wanted to make the observation. In any event, all I was trying to do was set the record straight while we were talking about the conduct of members.

#### Debate Continued

MR. DICKSON: The principal concern that I continue to have and I think is one shared by other members is the fact that with the bill we have in front of us, this in effect is the government's response to the eminent persons' panel. If we go back and look at why the panel was created in the first place, government rarely does anything without it being reactive to some other circumstance that has occurred. The other circumstance here was the whole Multi-Corp business, which, frankly, engaged Albertans with a high level of concern. It was in the context of that sort of concern about whether standards were high enough for not just the Premier but for all elected members that the Premier I think announced a positive thing. He announced this eminent persons' panel. The Premier decided who was going to be on the panel. We weren't canvassed on that. We didn't have a vote in terms of who was on the panel. It was the Premier who did that. It was the Premier who decided what the terms of reference were. I don't remember those of us in this House having any input directly in terms of the terms of reference.

[The Speaker in the chair]

The eminent persons' panel came up with a report. It would seem, with respect, Mr. Speaker, that if for any reason the government chose to reject those thoughtful, considered recommendations from the Tupper panel report, there would have to be compelling reasons. There would have to be extensive explanation. What we found in the Conflicts of Interests Amendment Act, in Bill 2, was that the government had picked, yes, a number of the recommendations, but they tend to be more minor recommenda-

tions. When we looked to find out what kind of congruence there was between the eminent persons' panel recommendations and Bill 2, what we found was that there were lots of things missing.

I'd just start off and talk about what, to my mind, was the most important, and that was dealing with the appearance of conflict. You know, Mr. Speaker, those of us that have the privilege of practising law in this province get a lot of opportunity to consider conflict and apparent conflict and how you deal with it. I'd like to think you develop a bit of a heightened sense of the potential problems that flow if there is an appearance of conflict. I think people experience that in other areas. Whether you are involved in a figure skating club or a synchronized swimming competition, we all understand how important it is that people making decisions -- whether it's a judge in a figure skating competition or a judge in the Court of Queen's Bench of Alberta, you understand that people will invest a corresponding kind of faith and confidence in the decisions of that arbiter, that decision-making process in a way that's reflective of how sensitive that body is to conflicts.

With what we've got in this province and what we see in Bill 2, we will continue to have a conflict of interest regime that focuses on real conflicts of interest. That would be fine if that's where people were at, but they're not. People have an expectation, and I think not an unwarranted or an unreasonable expectation, that their elected leaders -- and that's what we are, elected leaders -- will comport themselves, will behave, in a fashion that's scrupulously ethical. We had an opportunity in Bill 2 to attempt to measure up to those expectations of our constituents, to measure up to that expectation of Albertans.

To be fair, we have to acknowledge that some of the recommendations were accepted; some of those key recommendations were not. Apparent conflict: why is it important? You know, you need look no further than the opportunity we all have to go door-knocking, canvassing. If I or any other MLA go to a town hall meeting in Calgary-Shaw, and people come up and they have advice and issues . . .

MR. HAVELOCK: Just try it.

MR. DICKSON: Well, I might say that if he stays out of my constituency, I'd be happy to stay out of his.

Mr. Speaker, the point is this. Albertans reasonably are entitled to expect that elected people should have the good common sense to not only avoid real conflicts of interest but have a tall enough antenna, a bit of a sixth sense, that you avoid apparent conflict situations. I expect that every single member in this Assembly knows what I'm talking about when I talk about apparent conflict of interest situations. If it looks like any member in this Assembly -- we tend to focus on the Premier and cabinet ministers, but it's true to some extent of any member in this Assembly -- is somehow getting some unfair advantage, something that accrues to us or a member of our family or an associate of one of us, that undermines the confidence that people repose in this Assembly, in us collectively and to some extent in members individually. So what this bill does to a large extent is that it signals the degree to which we are alive to apparent conflicts of interest. It signals our sensitivity. It signals our awareness of these very important issues of ethical conduct.

Now, I think Bill 2 is not a bill that has gone quickly through the Legislative Assembly, as the Minister of Justice may affirm, Mr. Speaker. This is a bill that has sort of inched its way along under incredibly rigorous scrutiny by my colleague from Edmonton-Norwood and other members in this Assembly. It's been examined and scrutinized 12 ways to noon. The government has had an opportunity, as the bill has sort of progressed down the

assembly line of lawmaking, at different times to check off with Albertans in terms of whether we're on the right track or whether we're not.

All I can offer the Minister of Justice, through you, of course, Mr. Speaker, is that my constituents don't think we've got it right yet. My constituents still have a higher expectation of ethical standards and ethical conduct than Bill 2 sets. For those members who feel it's unnecessary, that they already avoid apparent conflict situations, I guess the question is: why would we hesitate? Why wouldn't we embrace this as something that we want to follow, something that reflects our expectations of ourselves as well as Albertans' expectations of us?

Mr. Speaker, I've been speaking about apparent conflict. We've also seen other key recommendations from the eminent persons' panel that haven't been followed through on. Registration of lobbyists: I'm not going to dwell on that, because in fact that's not part of the bill in front of us, and I'm mindful at third reading that we're not supposed to spend time . . .

MR. HAVELOCK: Thank you.

4:40

MR. DICKSON: Anything to obviate another point of order, Mr. Speaker, and make life easier for the Government House Leader.

It just seems to me that that's illustrative, though, of the fact that some of those key recommendations that were made are not going to be part of our conflicts legislation. I have no doubt that this bill with this huge government majority that likely will flex its considerable political muscle at some point this afternoon or tonight -- when we see that done, at some point we have to wonder whether the distillate at the end of the process is really the very best product of all of our energy and all of our collective commitment to higher standards. I'm mightily concerned, Mr. Speaker, that we're not going to be able to say that. I'm concerned that this bill doesn't challenge us, that this bill doesn't sort of press individual MLAs to be the very best elected representatives we can be.

Mr. Speaker, I also have a real concern that when we finish here in this Assembly, the government is going to tout this bill as something more than it is. I've got a concern that the government is going to suggest that they did what the eminent persons' panel wanted. In fact, I thought maybe I had my dates wrong, but it looked like an end-of-session news release put out by the government before we barely finished question period today, maybe knowing something the rest of us don't. Even if we leave aside that very presumptuous news release from the government lauding their achievements, one may ask: are they going to attach a little footnote that's going to come out in fact after this session ends acknowledging that Bill 2 is a disappointment, that Bill 2 never lived up to the expectations that the Premier invited when we saw the announcement of the eminent persons' panel, when we saw the report of the eminent persons' panel? Is the government going to acknowledge that? No, I doubt it. I think government MLAs, in those little things that are sometimes ghostwritten and sometimes personally written and sent out to their constituents, are probably going to beat their collective chests and announce that Alberta is somehow a leader in the area of ethical standards and conflicts protection. I don't have that premature legislative summary, but it probably says some laudatory things about Bill 2.

In any event, I'd encourage the Minister of Justice, through you, Mr. Speaker, to make a bit of an apology to Albertans if and when this bill passes, to say to those Albertans that we haven't been able to discharge the responsibility they gave us. There are some members who think we've done a splendid job on Bill 2 and that it's everything Albertans want to see. But for once I want to

associate, I want to align myself with the majority of Albertans, not with a few splinter groups. This is one of those issues where we don't get a lot of telegrams, we don't get a lot of faxes and E-mails, and we don't get people phoning some offices, perhaps. We don't, I think, tend to hear a lot of people phoning up and talking about conflicts legislation. But, you know, virtually every Albertan has an opinion in terms of how trustworthy elected representatives are and the degree to which they're genuine leaders and would attempt to be model citizens, at least in a civic sense, and I think that's what we're trying to address here. It's a difficult target to identify.

You know, when there's a particular issue and somebody is investigated by the Ethics Commissioner, sometimes there's disproportionate media focus on that, maybe more focus than there ought to be. That's the one time people focus on it, but always -- always -- underlying all of it is a kind of distrust.

It was the Minister of Justice who put me on to this, Mr. Speaker. I remember a speech he made that I thought was stirring. It was probably one of the most dramatically eloquent speeches ever made by the Minister of Justice in this Assembly. When he talked about the kind of reaction he got when he was out on the campaign trail, when he talked about the kind of cynicism that exists among Albertans, as Chief Dan George would say, my heart soared like an eagle when I heard the Minister of Justice talk about that concern he had. I said to myself: here is a leader. Here is a man who understands what Albertans are concerned about. Here is a man who really has been listening, uncharacteristically for government members, with both ears open. My expectations soared just like Albertans' expectations soared when we heard those words of the Minister of Justice. Here we are at this point, and those expectations have largely been dashed.

I know that colleagues of mine who have brought their bill briefs with them are going to be able to do a far more detailed analysis of the shortcomings of Bill 2. I just find it very frustrating and acutely disappointing. I do hope that the Minister of Justice will attach that little addendum when this bill is finished, a bit of an apology to Albertans.

Mr. Speaker, I think the only other concern I've got is that as a result of this bill we're going to have two standards in Alberta. We're going to have two standards in terms of accountability. It's going to matter. The different living arrangements that members have are going to have a huge impact in terms of the extent to which they must be transparent or secret, and that's very disappointing as well. I'm sorry that that's going to be an ongoing concern as well.

So, Mr. Speaker, I'm sad that Bill 2 has finally ground its way to this kind of a miserable ending. It started out with so much promise and with such a high degree of potential, and now it sort of limps out at the end of a legislative session.

Thank you very much, Mr. Speaker.

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

MRS. FRITZ: Thank you, Mr. Speaker. I'd like to move to adjourn debate on Bill 2.

THE SPEAKER: Having heard the motion by the hon. Member for Calgary-Cross, does the Assembly agree? All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The motion is carried.

[Several members rose calling for a division. The division bell was rung at 4:50 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Boutilier	Haley	O'Neill
Burgener	Hancock	Paszkowski
Cao	Havelock	Pham
Clegg	Hierath	Renner
Coutts	Jacques	Severtson
Day	Johnson	Smith
Doerksen	Jonson	Stevens
Ducharme	Laing	Strang
Dunford	Lougheed	Tannas
Evans	Lund	Tarchuk
Fischer	Mar	Trynchy
Forsyth	Marz	West
Friedel	McFarland	Woloshyn
Fritz	Nelson	Zwozdesky
Gordon	Oberg	

Against the motion:

Barrett	MacBeth	Paul
Blakeman	Massey	Sapers
Bonner	Nicol	Sloan
Dickson	Olsen	White
Leibovici		

Totals	For -- 44	Against -- 13
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[Motion carried]

**Bill 21**  
**Alberta Health Care Insurance**  
**Amendment Act, 1998**

[Adjourned debate December 7: Mr. Renner]

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

MRS. MacBETH: Thank you, Mr. Speaker. I am pleased to rise and speak on Bill 21. It's the first opportunity I've had since returning to the Legislature to speak on this bill. I think it's important to put Bill 21 into a context in this Assembly, because Bill 21 is really part of a whole. It's not one that exists unto itself; rather it is part of the credibility issue which plagues this government.

The issues respecting Bill 21 are quite substantial. First of all, if we look at the context of private health care in Alberta and the promotion of private health care, actually this Alberta government has quite a record on taking a different tack, if you like, in terms of the approach on health care in Canada. It was in fact the Alberta government who in the early '80s was one of the ones that fought longest and hardest against the Canada Health Act coming into force. When the act was finally declared in '82 or '83, the Alberta government, dragged kicking and screaming, came to accept the provisions of the Canada Health Act. There were notorious fights between the former Minister of Health in

Alberta, the hon. Dave Russell, and the Minister of Health in Ottawa, the Hon. Monique Bégin. However, they put their disagreements to rest, and Alberta finally did in 1983 come into the purview of the Canada Health Act.

The concerns of the Alberta government of the day were concerns about extra billing and their belief that extra billing was something that physicians should have a right to do. Of course, the Canada Health Act put an end to extra billing, and Alberta changed courses and in fact became one of the strongest defenders of the Canada Health Act, certainly through the '86 to '92 era. However, since late '92 we are seeing a very different complexion on the part of the Alberta government when it comes to private health care.

One of the first instances of budget cutting that was seen in the early '90s, when this government took over, was the deinsurance of certain procedures that had been up to that time billed under health care. Those services were removed from the health care agenda by the province simply through regulatory change without legislative framework to do it, and that was really the first step of the crumbling of credibility on the part of the provincial government.

The second one came with respect to private clinics. The second one was really about private clinics being contrary to the provisions of the Canada Health Act, effectively being an extra billing mechanism. The provincial government of the day decided that what it was going to do with respect to private clinics was fight the federal government in their view that extra-billing was occurring. That continued for some time until finally the provincial government had to give in to the pressure being exerted by the federal government to withhold the payment of all those funds that were being extra billed by the private clinics. Again, this whole notion of freedom of physicians to practice and freedom of physicians to do extra billing.

The government, as opposed to looking at the services that are being provided in private clinics and finding a mechanism by which the public sector could address the services being provided by the private clinics, instead made the incredible decision to bring them into the framework of the public system but basically pay for the fines that were being levied by the federal government. It was an amazing decision, particularly in tight budgetary times, but it was one that was made. Again, a second point of the crumbling of credibility in terms of supporting the Canada Health Act.

The third and probably the most destructive, although indirectly, of the government's credibility and accordingly a promotion of private health care was this government's cuts to health care over the last five years. Of course we've seen the massive cuts. We've seen the drop down and the not restoring any of those cuts. Out of that huge hole created in the health care system, government has now returned to spending in fact beyond the level that was being spent in '92, yet we have an incredible reduction in terms of services that are available to the people of this province. Hundreds of physicians have left the practice. Thousands of nurses are no longer employed. While the government may choose to brag about that, from a fiscal point of view it's hard to believe how government can justify taking all those resources out of health care and now try to argue, with the dollars back up to where they were, that no real reform has taken place in that health care system. The services have been diminished and wiped out. Another cut to the credibility of this government, crumbling credibility when it comes to health care.

**5:10**

While these cuts were taking place -- in fact, the Member for Calgary-Mountain View had the question in the Legislature this

week when he pointed to the survey that had appeared in the *National Post* on the weekend, pointing to Canadians starting to consider the option of private health care. Well, you'll find that the reason, if you do any kinds of probing polls, as to why Canadians might support private health care is because they fear the loss of the public health care system.

As was mentioned in the debate on Bill 37 -- it can be repeated here today -- that is the fear mongering of this government: having lost all of these resources out of health care, then having Albertans turn to the private sector. Of course they're going to turn to the private sector if they think the public sector is not available for them. What family with a sick child wouldn't do anything it possibly could in order to get the dollars for health care? That of course is why we have the Canadian health care system that we do. That's why Canadians value their public health care system, because there was some forethought given to the importance of public health care. The forethought was that regardless of ability to pay, there was going to be a health care system in this country that was going to be supportive of every single person in this country. That is a Canadian value.

While the government might like to heckle and laugh at that, that is in fact the value. What's happened in Alberta over the last five years is that they have heard the words of the government saying that they supported medicare, but Albertans are beginning to realize that these are hollow, hollow words when they see this record of crumbling credibility when it comes to actions to support public health care.

Let me go on to the question of how a government operates. A government that has concern about its citizenry, a government committed to democracy -- number one, a government committed to democracy doesn't issue a news release when we're still in the Legislative Assembly. A government that's committed to democracy would in fact await the rising of the House out of respect for your position, Mr. Speaker. Being desperate to want to put their spin on it, government has put out a news release saying how they want it to be interpreted by Albertans. But you know what? The amazing thing is that after having watched the tactics over the last five years, government is misreading Albertans a little bit. Albertans are starting to figure out the way this government works. They're beginning to see that if the government was half as good at governing as it is at spinning and political gamesmanship, well, then our health care and our education system wouldn't be in anywhere near the mess that they are today.

In terms of government and its commitment to democracy and talking to its citizens, wouldn't there have been an appropriate role to go out and talk to Albertans about how committed this government appears to be to promoting a private sector in health care? I mean, Albertans see a bill coming forward in the Legislature, and the bill, in the government's spin, is one that's going to allow us to say no to private health care. Well, in fact, this bill, that is a companion to Bill 37, which government had to withdraw because of public protest, is merely the next step in terms of privatization.

Why? Let's look at the issue of consultation. Neither the Alberta Medical Association nor the College of Physicians and Surgeons is pushing for this legislation to go into effect. Now, I know that the spin the government might want to put on that is that physicians are a special interest group and therefore why would they want to see something like this come into effect. Well, the truth is that physicians know that the public system serves not only the public of this nation and this province in the best possible way; it also serves physicians' interests in the best possible way. If you talk to the number of physicians that are out there, which certainly I have done not only in my past but also more recently in my

capacity as Leader of the Official Opposition, you will find that a very, very high percentage of physicians in this province vastly, vastly prefer a well-functioning public health care system to any kind of two-tiered private/public health care system. You know why? I'll tell you why. Even for our physicians that are trained here in Canada at our own medical schools, many of them go down to the United States for specialty training, and they understand firsthand what it is like to practise in the American health care system. It's the best example of two-tier that we could possibly have, and we're lucky to have it. [interjections]

Of course, in addition, if we look at Bill 21, I think one of the questions . . .

THE SPEAKER: Hon. leader, excuse me. Let's recognize that the floor is given to the Leader of the Official Opposition.

MRS. MacBETH: Thank you, Mr. Speaker. I really appreciate your intervention.

In terms of opting out, the amazing part about Bill 21, if -- if -- the government were sincere in their desire to have some kind of limitations put around physicians opting out, then government would have addressed the issue of conflict of interest of physicians, and for example, looked at physicians that are operating in both a private clinic setting and a public health care setting.

Now, I know that the Minister of Energy loves to remind me about the fact that I happen to have a brother that is a radiologist and his group -- not he himself, but his group -- does have an interest in a private clinic. As the Minister of Energy likes to forget, the reality is that that brother and many other physicians like him were told that if they wanted to have an expansion of private practice which involved a private clinic, they would have to opt out of the public health care system in order to do it. That is another one of the things that is missing from Bill 21. There's absolutely no attempt to address the fundamental conflict of interest between a physician having one foot in the public camp and one foot in the private camp. They've avoided it, and it's quite an amazing avoidance.

Let me go on, Mr. Speaker, to this whole issue of government not being trusted and the credibility problem. The other issue with respect to private health care is that Albertans are looking at this government and its record on health care over the last five years, in addition to the other four points I've made, but the other point I want to make is that Albertans are looking at the system and saying, "What is the most important issue facing the health care system today in Alberta?" My sense of it, the sense that we get as Liberals going around the province, having our town hall meetings, meeting with groups of people, just people who care about this province, not necessarily physicians or people in the health care sector, just Albertans. There's a reason why they identify it as the area of the greatest concern in the province today. They say the thing that bothers them the most about health care in Alberta is the issue of access. The issue of access is one not just about getting to a doctor. The issue of access is about getting access to the service that one needs.

If one is living in Sexsmith, Alberta, and one has a child who is among those children in our province who have the highest incidence of substance abuse, one of the higher than national average rates of male suicide, one of the highest incidences of teen pregnancies; if one is living in Sexsmith and is a parent of one of those children that may be vulnerable, maybe that's come to them through the school -- for whatever reason, the child is in a vulnerable state -- access to health care may involve the opportunity to go and talk to a counselor. That may well be the most important thing for that child's health.

Or if, for example, someone's living in Drumheller and they are in a massive trauma car accident, what do they need in terms of access? They need to get to the highest level of tertiary care available in this province, and it's probably going to be available in Calgary or Edmonton. How are they going to get there? They need a well functioning ambulance service that's going to transfer them as quickly as possible from Drumheller to Calgary.

5:20

Those are the issues that are bothering people. Those are the issues that this government appears to be ignoring, doesn't even seem to care about. Instead they're dedicating all their energy, all their focus, all their attention, toward the promotion of the private sector. That's what throws Albertans off.

What else is not going on? Issues of utilization. Why is physician utilization in practice up? Good question. What kinds of mechanisms are going on to address that? What kinds of sharing with Albertans to consult with Albertans in terms of practice and access to physician practice? What's going on there? There's no discussion of it at all in the Legislature.

What about the expansion of physician practice? We saw the absence of addressing that issue in Bill 37. In Bill 21 we see the same issue. In a way there's an advantage to having it rather unclear as to how physicians opt out of the health care system. Why? Because governments, hopefully, want to push and support the public health care system. That's why they don't concern themselves with figuring out how physicians should opt out. They want to concern themselves with what physicians are doing within the public system to make sure that the public system is functioning and serving the needs of Alberta. Certainly an issue of ethical practice, both from the point of view of physicians and the point of view of practice by government.

What's the other thing that's not being done? With the regionalization that occurred, I think there were some in government that thought by regionalization that health reform had occurred. In fact, it's not the case. Some of the regions, of course, are very, very large, as we see in the large metro areas. Some of them are teeny tiny ones. How are those regions supposed to be relating to each other? What is the force that is to clarify what the role of each of those particular functions is? One of the key roles for a Department of Health -- it was when there were more hospital boards in the province, and it's the same role now. The role is to ensure that there aren't gaps between the health care services in Drumheller and the health care services in Edmonton. When you have these massively huge regions and the little tiny ones, there is a huge gap between the services that either one of them can provide.

One of the things that I remember from being in the government caucus at the time was this whole issue of regionalization. I remember my colleagues saying to me that they didn't like regions because that meant creating superministries. But you know, Mr. Speaker, the regions that were set up in The Rainbow Report were actually regions that had a certain amount of balance between them. What The Rainbow Report talked about was some method by which there could be continuity between and among the regions and ensure that the Department of Health was responsible, and the minister was responsible, as the custodian of the responsibility for health care in this country, for access for everyone to health care, whether that person lives in Rainbow Lake or Brooks.

So, Mr. Speaker, for the province to push through this closure method, the adoption of Bill 21, is for the province to say that they are going to continue with this creeping credibility on health care, and to us it is a loss of an opportunity for public health care, which Alberta Liberals will fight for and continue to fight for.

THE SPEAKER: The hon. leader of the NDP opposition.

MS BARRETT: Thank you, Mr. Speaker. I rise to support this bill in third reading, as I did in second reading. However, I need to admonish the minister responsible for this legislation for failure to live up to the promises that he made in December of 1997. I will quote from the *Calgary Herald*.

In a later interview, Health Minister Halvar Jonson said any doctor who opts out of the health care system will forfeit privileges to work in public hospitals.

That article dated December 19, 1997. An *Edmonton Journal* article, December 18, says, "And Jonson made it clear they won't have access to private inpatient beds any time soon, if at all," if HRG private hospital . . . There were several times when the AMA was threatening for its doctors to leave the system. The minister said in the legislation that he would make sure that any doctors who opt out first of all should not be able to opt out and opt in in just a 30-day period, where they can go and make a bunch of money from private, well-heeled patients and come back in, but secondly, that they would not be able to use the public health care system -- hospitals, staff, beds, equipment -- without making payment.

I find it grotesquely ironic that just earlier today in question period I believe it was the Premier -- maybe yesterday -- referred to the fact that the federal government has changed its funding policies, no longer funds health care on a 50-50 basis. He's absolutely right. That health transfer baloney was meant to cover up the fact that the funding from the federal government was shrinking. But worse yet, he's pointed out: well, when people were paying private-facility fees, we got arbitrarily fined by the federal government. What did this province do? Instead of just suffering with the fines, which were absolutely appropriate, they said: oh, well, the taxpayers will pick up the tab for those private, for-profit clinics' so-called facility fees, and the fee actually doubled. That's true. That is absolutely true.

While I support this bill, I need to make it clear that the government did not live up to comments made by the Health minister just one year ago. Remember they introduced this bill last spring, months after he made those comments to reporters saying that . . .

MRS. SLOAN: Why are you supporting it then?

MS BARRETT: I'm supporting it because I believe that -- well, let me finish the sentence first.

When he said that he would make sure that opted-out physicians can't use the public health facilities at least without paying, he should have kept that commitment.

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

THE SPEAKER: We have a point of order.

#### Point of Order Decorum

MR. DAY: There was just quite a bit of noise, and I was having a hard time hearing her.

THE SPEAKER: Provincial Treasurer, you're absolutely correct. That was a most astute point of order, because I was just going to rise and quiet everybody down anyway. Thank you very much for helping me.

#### Debate Continued

MS BARRETT: I'll wrap it up pretty quickly. The reason I'm

supporting this bill is because I believe there need to be rules for opting in and opting out of medicare. I don't think it's fair that doctors maybe one day say they're out, 30 days later say they're in. Let's be consistent. If we're upholding medicare, let's be consistent about the means by which we do so, and that includes making sure all of the players in the health delivery system are accountable to the taxpayers who are footing their bill.

I must close by saying I regret that the minister didn't follow up

the commitments he made to reporters when he said: those opted-out doctors should not have access to the public health care facilities. I'll tell you what: this may be the last day of this session, but I'll be back on the minister in the spring over this very issue.

[The Assembly adjourned at 5:30 p.m.]

