

Legislative Assembly of Alberta

Title: **Tuesday, March 16, 1999** 1:30 p.m.

Date: 99/03/16

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

O Lord, we thank You for the rich resources of our community, our province, and our country.

Grant us wisdom in our deliberations and divine guidance in all our considerations.

Amen.

Please be seated.

head: Introduction of Visitors

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

MR. HANCOCK: Thank you, Mr. Speaker. I am pleased to introduce to you and through you to members of the Assembly representatives of Alberta's francophone community. Seated in your gallery from the Association canadienne-française de l'Alberta are Louiseville, George Arès, Jean-Guy Thibaudeau, Guy Nobert, Ben Van De Walle, Claire Hébert, Lynne Lemieux. From the Francophonie jeunesse de l'Alberta: Marc Lefebvre, Chantal Berard, the dean of Faculté Saint-Jean, Dr. Claudette Tardif, president of the Métis Nation of Alberta, Audrey Poitras, regional director of Heritage Canada, Adrien Bussière, and the representative of Official Languages Commission, Deni Lorieau.

All of these individuals, Mr. Speaker, were your guests this morning at the ceremony commemorating National Francophonie Week. Throughout this week Alberta Francophones will join with Francophones across Canada to celebrate their linguistic and cultural heritage and their contributions to our society and our communities. I ask members of the Assembly to join me in thanking them for that contribution. I would ask our guests to rise and receive the traditional warm welcome of the House.

head: Presenting Petitions

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

DR. MASSEY: Thank you, Mr. Speaker. I beg leave to present a petition signed by 105 Albertans from Spruce Grove and Edmonton urging

the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I'm pleased to present a petition signed by 35 people, all from the city of St. Albert. They are urging

the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

This has been organized and presented by the SOS parents.

Thank you.

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

MR. SAPERS: Thank you very much, Mr. Speaker. In keeping with the time-honoured tradition of having citizens petition their government, I would like to present the following petition signed by 109 Albertans:

Whereas, excellence in public education is the cornerstone of our future, and students, parents, teachers and community volunteers are being exhausted by endless fund-raising for basic educational materials and services;

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

head: Notices of Motions

THE SPEAKER: The hon. Deputy Government House Leader.

MR. RENNER: Thank you, Mr. Speaker. Pursuant to Standing Order 34(2)(a) I'm giving notice that tomorrow I will move that written questions appearing on the Order Paper stand and retain their places with the exception of written questions 4, 6, 7, 24, 34, 42, 43, 44, and 45.

I'm also giving notice that tomorrow I will move that motions for returns appearing on the Order Paper stand and retain their places with the exception of motions for returns 8, 9, 10, 14, 16, 35, 36, 37, 39, 40, 41, 107, 108, and 109.

head: Introduction of Bills

THE SPEAKER: The hon. Member for Leduc.

Bill 18 Engineering, Geological and Geophysical Professions Amendment Act, 1999

MR. KLAPSTEIN: Thank you, Mr. Speaker. I request leave to introduce Bill 18, the Engineering, Geological and Geophysical Professions Amendment Act, 1999.

Mr. Speaker, the purpose of this amendment is to create a new category under the act to allow appropriately qualified technologists to apply for designation as a registered professional technologist and practise independently within a defined scope of practice. Specifically, the bill provides details for the registered professional technologist engineering designation and makes provisions for future regulations relating to other categories.

[Leave granted; Bill 18 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 18 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

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

Bill Pr. 1 National Bond Insurance Corporation Act

MRS. O'NEILL: Thank you, Mr. Speaker. I request leave to introduce a bill being the National Bond Insurance Corporation Act.

[Leave granted; Bill Pr. 1 read a first time]

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

Bill Pr. 2

Shaw Communications Inc. Amendment Act, 1999

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to request leave to introduce a bill being the Shaw Communications Inc. Amendment Act, 1999.

Merci.

[Leave granted; Bill Pr. 2 read a first time]

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

Bill Pr. 3

Consumers Insurance Company Act

MS BLAKEMAN: Thank you, Mr. Speaker. I request leave to introduce a bill being Bill Pr. 3, the Consumers Insurance Company Act.

Thank you.

[Leave granted; Bill Pr. 3 read a first time]

head: Tabling Returns and Reports

MRS. MacBETH: Mr. Speaker, I am pleased to table a copy of a letter which I sent today to the Premier which contains a concrete proposal to ensure that all Albertans are treated equally under the Domestic Relations Act.

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

MR. SEVERTSON: Thank you, Mr. Speaker. I'd like to table today letters from seven central Alberta women: Virginia Morison, Dianne Farion, Ann Richman, Joan Snow, Donna Goodwin, Mildred Sadler, and E.L. Christians. These women are part of the Disenfranchised Widows Action Group and are urging the provincial government to reinstate widows' pensions which were lost when they remarried.

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

MS OLSEN: Thank you, Mr. Speaker. I'd like to table five copies of an unsigned note that was on my desk stating, "No man's life, liberty or property are safe while the Legislature is in session." It was left by the Minister of Justice, and I really hope he doesn't believe that.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to table five copies of a letter that is addressed to the Premier and all Members of the Legislative Assembly. This is from the Marlowe household, and they are urging the elected representatives in this Assembly to support Bill 207, the Seniors Benefit Statutes Amendment Act, 1999, presented by the Leader of the Official Opposition.

Thank you.

THE SPEAKER: The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Speaker. I'm cleaning up a little business from the last session. I'm tabling six copies of an answer to Motion for a Return 96, and it's addressed to Mr. Gene Zwozdesky, MLA for Edmonton-Mill Creek.

1:40

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

DR. OBERG: Thank you very much, Mr. Speaker. I would like to table the answer to Motion for a Return 95, six copies.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I'd like to table two letters on behalf of constituents Yvonne Ruel and Beverly Lowe objecting to the way the Workers' Compensation Board is treating them as disenfranchised widows.

head: Introduction of Guests

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

MR. GIBBONS: Thank you, Mr. Speaker. I'd like to introduce to you and through you to the Members of the Legislative Assembly 37 visitors from a school up in Edmonton-Manning, Belvedere elementary school. These 32 students are accompanied today by their teacher, Mrs. Dianne Unger. Other teachers with them are Miss Shelley Bigam, Miss Sherri Soltys, and Miss Yvette Timtim, and a parent, Mr. Fess Zerai. They are up in the public gallery, and with your permission I'd like them to stand and receive the traditional warm welcome of the Assembly.

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

MS HALEY: Thank you very much, Mr. Speaker. I'd like on behalf of my colleague from Wainwright to introduce to you and through you 21 visitors from the constituency of Wainwright. They are affiliated with the school St. Thomas Aquinas. There's one teacher, Sheila Koch, and Cheryl Gramlich, the student aid, as well three parents: Randy Gregory, Jeff Stang, Monica Taylor. They are seated in the public gallery, and I would ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Redwater.

MR. BRODA: Thank you, Mr. Speaker. It is my pleasure to rise today and introduce to you and through to the members of this Assembly 35 students, grade 5, 6, 7, and 8, from Radway school. Some of them are here for the first time and have really enjoyed their day. Accompanying them are two teachers, Mr. Murray McGinitie and Mrs. Lovette Woytovicz. I would ask them to please rise and receive a warm welcome. They're seated in the members' gallery.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I have two introductions today. The first is a constituent with some guests. I would like to introduce to you and through you to Members of the Legislative Assembly one of my constituents, Elvis Kyle. He is here with visitors from Lufkin, Texas: Ms Rhea Bates and her two daughters, Raeanne Bates and Cassie Bates. They are seated in the public gallery. If could ask them to all rise and receive the warm welcome of the Assembly.

The second introduction that I'd like to make today -- I believe they're sitting in the gallery -- is Michael Marlowe, who wrote the letter that I tabled earlier. He is here with his friend Lois Argue. If I could ask them to both rise and receive the welcome of the Assembly.

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

MRS. O'NEILL: Thank you, Mr. Speaker. It's an honour for me today to rise and introduce to you and through you to members of this Assembly Mr. Ken Burton, who is seated in the members' gallery. He is a capital region businessman and is here today to witness the introduction of a private bill. I'd ask him to please stand and receive the warm welcome of the Assembly.

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

MR. SAPERS: Thank you, Mr. Speaker. With your permission it's my pleasure to reintroduce someone to this Assembly. A former member from Edmonton-Manning is with us today, Mr. Peter Sekulic, but he's in the members' gallery. I'm not going to say anything about that because I understand he's here today with his boss. I'd appreciate it if they would all rise and receive the warm welcome from this Assembly.

head: Ministerial Statements

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

Francophone Secretariat

MR. HANCOCK: Mr. Speaker, Mr. Premier, and colleagues, this morning I had the pleasure of hearing a group of young people from l'école Notre-Dame in Edmonton perform in the Legislature rotunda. They are part of a celebration hosted by yourself, Mr. Speaker, to honour National Francophonie Week and to raise the flag. I see that we have lapel pins on our desks. French Canadians and Francophones have made significant contributions to Alberta dating back to the earliest days of exploration and settlement. Place names like Bonnyville, Grande Cache, Morinville, Rivière Qui Barre remind us of the rich history in this province. They've lent us their talents as farmers, teachers, business people, and legislators, and they've contributed to the diverse multicultural mix that is Alberta society today.

Our francophone community, Mr. Speaker, is also one of the elements that ties this nation together. The heritage they share with Francophones across Canada and the dialogue that exists between their associations with those in other provinces contributes to greater understanding between Canadians.

Canada is a bilingual nation. As a result, there are many governmental organizations and discussions related to language matters. This province, in all our discussions with other provinces, seeks to ensure that Albertans have a clear voice on matters of importance to them, and it is for that reason that I was pleased this morning to announce the establishment of the provincial Secretariat des Affaires de Francophone.

The secretariat will serve as a liaison between the government and the Alberta francophone community, will clarify and represent the needs of the francophone community within government, will represent francophone Albertans and the province in organizations such as conferences of ministers responsible for francophone affairs, and participate in the negotiation of federal/provincial agreements relating to French language and culture. The secretariat will allow the views of our francophone community to be clearly and definitively represented at intergovernmental discussions. Most other Canadian provinces have successfully employed such an office. The establishment of our secretariat will allow us to participate in discussions with other governments on an equal footing.

The francophone secretariat will consist of an MLA chair, a

director, and support staff. The chair will report to the Minister of Intergovernmental and Aboriginal Affairs. I was honoured as well this morning to announce on behalf of the Premier that the first chair of the secretariat will be the hon. Member for Bonnyville-Cold Lake. The hon. member has already proved himself a capable spokesman for his constituents and unofficially for Alberta Francophones. He represented me at the last meeting of the ministers of francophone affairs. I'm certain that he'll fulfill his responsibilities in this role with equal dedication, and I would ask that you join me in congratulating him and encouraging him in this new position.

THE SPEAKER: The Leader of the Official Opposition.

MRS. MacBETH: M. le Président, c'est un honneur énorme d'avoir l'opportunité de répondre aux paroles du ministre des affaires intergouvernementales. Il y a 12 ans depuis qu'un député de notre Assemblée Législative s'est levé pour me poser une question en français. Il y a 12 ans depuis que le Président de l'Assemblée lui a dit que les règles ne permettaient ni une question ni une réponse en français.

Cet événement a eu un effet fondamental pour moi. Comme quelqu'une qui avait appris le français ici à Edmonton dans les écoles publiques, qui avait étudié à l'Université de l'Alberta et à l'Université Laval, et qui a un grand respect pour les deux langues officielles du Canada, je ressentais une grande inquiétude.

Aujourd'hui nous avons enlevé une marque noire contre notre Assemblée, et je suis fier d'être permise de répondre à ses bonnes paroles en français. On ne peut jamais oublier que les droits exigent que tous les Albertains, et les Francophones et les non-Francophones, soient traités également et respectueusement. N'oublions jamais que notre responsabilité dans cette Assemblée est pour protéger et développer une société juste.

1:50

Mr. Speaker, it is a tremendous honour to have an opportunity to respond to the ministerial statement of the minister of intergovernmental affairs. I wanted to do an English translation of my remarks.

Twelve years ago a member of this Assembly rose to ask me a question as the Minister of Education of the day, and it is 12 years ago that the Speaker of the Assembly told the member that the rules did not permit either the question nor the reply in French.

This event had a very profound effect on me. As someone who learned French here in Edmonton in public schools, who studied at the universities of Alberta and Laval in Quebec, and who had a tremendous respect for the two official languages of our country, I found the events of the day to be very disturbing.

Today we have lifted this black mark from this Assembly, and I'm very proud to be permitted to respond to the ministerial statement in French. One can never forget that rights for all Albertans, whether they be Francophone or non-Francophone, are there to create equality and respect in our Legislature and in our community. Let's never forget our responsibility as legislators to protect and to develop a just society.

head: Oral Question Period

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

Tax Reform

MRS. MacBETH: Thanks, Mr. Speaker. Today I want to make it very, very simple. On the one hand, higher income Albertans pay an 8 percent surtax, and that tax is applied to 386,000 Albertans. On the other hand, Albertans pay a half percent flat tax, and that flat tax

today applies to nearly one and a half million Albertans. The flat tax, that which covers virtually everyone, raises \$308 million, the high-income surtax raises \$89 million. My questions are to the Premier. Why is the government reducing a tax that applies to only a few Albertans before a tax that applies to nearly all of them?

MR. KLEIN: Mr. Speaker, perhaps a simple question, perhaps one the hon. leader of the Liberal opposition could answer. She was in cabinet at the time the flat tax was introduced in 1987, and I assume voted for it at that particular time.

Mr. Speaker, what really bothers me is that people all across this country are saying great things about the budget. You know, here's an article from the *Kitchener-Waterloo Record*: Alberta takes the lead where others are taxed to follow.

We have seen the future and it is Alberta. Like the gutsy pioneers who won the West, the government of that province is blazing a new trail in tax reform. The rest of Canada should watch closely and, if the end of the trail is as good as its start, follow the leader.

Mr. Speaker, from Vancouver the headline Alberta Leads the Way in Tax Reform.

British Columbians are going to get two bad provincial budgets this year. The first one was Alberta's, an upbeat, reform budget sure to draw economic activity away from B.C. Our finance minister, Joy MacPhail, will share the second one with us later this month, heavy with depressing news after years of financial mismanagement.

This is what other people are saying about our budget. The only people saying negative things about our budget, unfortunately, are Albertans, but predictably they are Liberals.

THE SPEAKER: And as all hon. members know, if an hon. member chooses to quote from a newspaper article or any other document, they should be prepared to table those documents.

Hon. leader.

MRS. MacBETH: Thanks, Mr. Speaker. The Premier's a little touchy here. Let me come at it a little . . .

MR. SAPERS: It's got to be simpler. It wasn't simple enough for him.

MRS. MacBETH: I don't think so.

Let me come at it just a little bit differently; maybe this'll help the Premier. Which tax reduction creates greater economic activity for Alberta? Is it the high-income surtax, which applies to a few, or is it the flat tax, the half percent flat tax, which applies to all? Which one has the greater economic benefit?

MR. KLEIN: Mr. Speaker, again the hon. leader of the Liberal opposition was a member of the government, the government of the day, that put those taxes in.

Relative to our reforms to eliminate those taxes and how the elimination of those taxes will benefit all Albertans, I'll have the hon. Provincial Treasurer reply.

MR. DAY: Mr. Speaker, significant studies have been done on the area of taxes and tax reduction, and I think most people today would agree with what is actually the academic wisdom and the common wisdom, and that is that when you reduce taxes you will always create a more vibrant economy for a variety of reasons. To actually pinpoint what type of tax has the greatest incentive or the greatest disincentive would be an interesting pursuit and something to study, but we know that income taxes overall have a dampening effect on people's incentive.

Now, the Liberals want -- and my critic across the way, before the tax plan was introduced, said: a tax plan must be long-term, must be comprehensive. In fact, last night I had been asked to take phone calls on an Access television show, and during the show they wanted to see the Liberals' response to the budget from the critic. So I braced myself for the barrage, but I have noted that the member is actually complimentary from time to time, and his description of the budget was simply this: it is a budget; it is all things for all people. And that's how we see it. It's meeting the needs of all people in the province. I was very enamored with that.

But in looking at the taxes, we can only bring in, if we're going to be fiscally responsible . . .

THE SPEAKER: Okay. We've already got five minutes on two questions.

Hon. leader.

MRS. MacBETH: Thanks, Mr. Speaker. Actually, the answer to the question's on page 17 of his own budget.

Given that the government's proposed tax cut plan is not yet written in stone, will the Provincial Treasurer consider reducing the half percent flat tax before the high-income surtax; in other words, give the middle-income taxpayer the first break?

MR. DAY: To clarify some of the misinformation that's coming across here, the first people in our tax plan to get a break, Mr. Speaker, two years ago when the family tax credit was introduced were low income families. They were the first. Then last year we moved the provincial rate from 45.5 to 44.0. That was for middle income. The rest of the plan over three years, to make sure that it's sustainable -- because that's what the opposition had said, to make sure it's sustainable -- comes in stages.

On the specific question, if we have revenues -- and I indicated that in the budget speech -- significantly beyond what we had hoped for, we could actually hit the gas pedal and accelerate this plan. The Leader of the Opposition has asked if the flat tax that she imposed on people in 1987 could be accelerated and removed, I think that's a possibility, and it's a great suggestion. We'll keep it in mind.

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

MRS. MacBETH: Thank you. We're trying to be helpful. Jeepers.

Health Care Funding

MRS. MacBETH: Mr. Speaker, the Treasurer has been musing a lot lately, and now he's saying that regional health authorities that don't meet their budgets will be fired and that the government is working on some restraining mechanisms. The Treasurer has also been talking about capping the health funding as a fixed percentage of the total budget. Well, as this government dumps more services to the private sector and the overall provincial budget drops, simple economics say that capping at a fixed percentage will mean cuts to health care funding in the future. My questions are to the Premier. Why is the government trying to cap health funding as a percentage of the budget instead of determining what health services are needed and basing funding on those needs?

2:00

MR. KLEIN: Well, Mr. Speaker, we have no intention to cap. Yes, there were some suggestions during the health summit when the question was asked: how much is enough? Some figures were put

out, 33 percent, 30 percent, 28 percent, but that doesn't answer fundamentally: how much is enough? We're going to have to come to grips with that. As a matter of fact, the Health minister is doing that right now and has made remarkable progress in his three-year business plan.

But, Mr. Speaker, again when it comes to sustainable funding, I would like to go back to the *Edmonton Journal* of 1990, where the minister of day said:

Alberta's cash-starved hospitals, which have already closed beds and laid off staff, shouldn't look for any relief in next year's budget, Nancy Betkowski says.

You know, in 1992, Mr. Speaker:

Hospitals and other health-care agencies will have to live with "flat" budgets over the next several years, Health Minister Nancy Betkowski warned Friday.

Mr. Speaker, the minister of the day gave the health system absolutely no hope. We are breathing new life into the system, and we are making the system healthier.

MR. DAY: Supplemental information, Mr. Speaker, as the member prefaced her question on a comment that I apparently made related to RHAs. That comment is categorically false. There was discussion taken about RHAs in general and managing and the need to manage, and that was the element of the discussion, and just as the member was disturbed about something that took place here in '87, disturbed but silent, I hope she will not be silent, and she will withdraw that particular statement.

MRS. MacBETH: Mr. Speaker, just exactly what does the government mean by this term restraining mechanisms? Are they thinking of bringing back the rack or some other form of medieval torture?

MR. KLEIN: No, Mr. Speaker.

MRS. MacBETH: Okay, Mr. Speaker. Why is the Provincial Treasurer -- not the Premier, not the Minister of Health -- setting this combative tone of direction to a board appointed by his colleague?

MR. DAY: A combative tone? The member across has said something that is categorically false, first of all, and then she talks about bringing back the rack. All we've done is increase spending 8.7 percent. Who's being combative here?

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

Private Health Services

MS LEBOVICI: Thank you, Mr. Speaker. You know, here we go again. Prior to the blue-ribbon panel's report on Bill 37 more private clinics are announcing openings in Calgary. The president of Equity Office Condominium Corporation has said that he wants to offer something different in terms of service than walk-in clinics, and this new concept of a private clinic will provide an emergency clinic, a radiology lab, medical lab, and pharmacy. My questions are to the Premier. You know, Mr. Premier . . .

MR. KLEIN: Gotcha.

MS LEBOVICI: Got me? I didn't want you to miss this one.

THE SPEAKER: Actually, hon. member, if you address the questions through the chair, this process would work very well.

MS LEBOVICI: Exactly. Thank you, Mr. Speaker.

My questions are to the Premier. If it looks like a hospital, smells like a hospital, and provides services like a hospital, what's the difference between these clinics that will be providing services in the private sector and our public health care sector?

MR. KLEIN: Well, Mr. Speaker, if it looks like a hospital and it smells like a hospital and it operates like a hospital, it must be a hospital. If it looks like a doctor's office, if it looks like a private clinic, if it smells like a private clinic, it must be a private clinic. And there are hundreds and hundreds of them in the province right now.

MS LEBOVICI: Thank you, Mr. Speaker. Given that the president of Equity Office Condominium has stated that the purpose of these clinics is to reduce the strain on the provincial health care system, can the Premier tell us if the expansion of these private facilities is directly related to this government's drastic health care cuts?

MR. KLEIN: First of all, I'd like to remind the hon. member that the restructuring and the so-called cuts to health care ended about three years ago. Since then we have reinvested about \$1.2 billion including the amount put in this budget. Mr. Speaker, \$1.2 billion. To me that is a lot of money. To these guys over there it's probably not. You know, it's just their spend, spend, spend attitude. [interjections] Well, \$1.2 billion obviously doesn't mean anything to them, not a bit. Four point -- what is it? -- five billion dollars in total obviously doesn't mean a thing to them.

Mr. Speaker, when people try to find new and better and more effective and more efficient ways of doing things within the parameters of the Canada Health Act, then we say: go for it; go for it.

MS LEBOVICI: Thank you, Mr. Speaker. As Equity Office Condominium Corporation will be billing Alberta health care, what systems do you have in place to monitor private clinics to ensure that they are not submitting fraudulent billings or restricting access to health care in this province?

MR. KLEIN: I'm going to have the hon. Minister of Health supplement, but as I pointed out earlier, Mr. Speaker, there are literally hundreds, hundreds -- every doctors' office is in reality a private clinic. Some doctors for years and years have gotten together to offer a multitude of services with respect to the various medical disciplines and different procedures. There is a process in place to monitor the conduct of doctors in their day-to-day business to make sure that they are indeed billing fairly.

Relative to the intricacies of the system, Mr. Speaker, I'll have the hon. minister supplement.

MR. JONSON: Yes. If I might supplement, Mr. Speaker. First of all, I think that in all communities across this province we have clinics where the buildings themselves are owned by entrepreneurs or by the doctors themselves. In the town that I reside in, a group of doctors owns the clinic. They also happen to own the building next door, which is occupied by the physiotherapist, and they conduct their business as professionals but also as private businessmen. They bill the Alberta health care system to provide the medically necessary services as covered by our public health care system.

I think the other thing that is important is that in the previous question by the member across the way she gave some I think rather gratuitous statement about what the reason for there being more clinics in Calgary might be. Well, the fact of the matter is that

Calgary is a very rapidly expanding, growing, dynamic city with an increasing population. They do have a shortage in Calgary quite frankly of access to general practitioners' services and to community clinic services. As I understand the proposals that are being reported upon, that access to doctors and support staff within the health care system of the province for Calgary will be expanded. They'll be working through and billing through the Alberta health care system for the services that are covered within our public health care system, Mr. Speaker, and there's nothing terribly unusual about this.

THE SPEAKER: The hon. leader of the ND opposition, followed by the hon. Member for Calgary-North West.

MS BARRETT: Mr. Speaker, last year in response to Bill 37 Albertans in the tens of thousands got up on their hind legs and fought the government against private, for-profit hospitals, and this message was virtually unanimous by the participants who attended the health summit just a few weeks ago. Now the latest example of the runaway train in private, for-profit health care in Alberta is a plan to offer -- and this is the critical point -- emergency services in this private facility, and they plan to bill for the emergency services directly to Alberta health care from their private facility in southeast Calgary. My question is: will the Premier today state that no public health care dollars, none, zip, zero, will be spent delivering emergency care in a for-profit facility?

2:10

MR. KLEIN: Mr. Speaker, every doctor's office, I believe, operates in one way or another as an emergency service. If I were to break my arm, there are some clinics and doctors' offices that will fix it. If I slash my hand, there are doctors' offices that will do the stitching. As a matter of fact, I would encourage people to go to doctors' offices. If I have a bad cold, instead of occupying an emergency room at a hospital, I think it would be much more prudent to go to a doctor's office. That could be, in my mind, considered an emergency.

MRS. SLOAN: Why don't you go to a public health nurse?

MR. KLEIN: One of the opposition members said: why don't you go to a public health nurse? You know, Mr. Speaker, that might be an idea. If something happened right here in this Legislature and I had a problem or if any one of us had a problem, we perhaps would go first to a public health nurse here. Right? Or we might go to the hon. Minister of Family and Social Services, who happens to be a medical doctor. [interjection] Or to Dr. West, if we're really . . .

Speaker's Ruling Brevity

THE SPEAKER: Hon. members, we're not even in the second question of the fourth set, and we've already now spent 21 minutes. My understanding on looking at the agenda today is that this House may very well be sitting till midnight tonight. My suggestion is that you all pace yourselves accordingly.

Private Health Services (continued)

MS BARRETT: The difference, Mr. Speaker, is quite critical. Doctors' offices don't have ambulance bays. This place is talking about taking people from ambulances into their private facility. Why won't the Premier rule out their ability, by legislation or any other means, to take in patients that were brought in by an ambulance? Those people should be going to public hospitals, not private.

MR. KLEIN: Well, Mr. Speaker, I really don't know how this clinic plans to operate. All I can say -- and I'll have the hon. Minister of Health supplement -- is that indeed the new bill to replace Bill 37 will make it quite clear that nothing will be allowed in this province that contravenes the Canada Health Act.

I'll have the hon. minister supplement.

MR. JONSON: Mr. Speaker, I think it's important to put this particular question in perspective, and that is that here in the Capital region we have in northeast Edmonton an overall community clinic in the Clareview area which has just opened. If we were to follow what seems to be the position or policy of the leader of the NDs, we would not allow them to open their proposed and planned emergency area of that particular clinic. They are not going to be a hospital, but they are going to provide emergency services to meet the needs of that particular clinic. The doctors there, yes, are going to get paid for what they do because it is a medically required service vis-à-vis the Canada Health Act.

Now, in Calgary, Mr. Speaker, as I understand it, there is a proposal with respect to setting up a similar type of clinic facility. It will be supported as far as emergency services are concerned by public dollars on a medically required basis. The doctors will be paid from the overall physician pool. So I see no violation here as far as I know at this time of the Canada Health Act or a danger to the public health care system.

MS BARRETT: Mr. Speaker, what is it going to take for this government to make it clear that no public dollars should go into the private, for-profit health care facilities when they are taking in patients that are meant to be going into the public health system? What is it going to take for this government to say no to private, for-profit hospitals trying to get in through the backdoor?

MR. KLEIN: Mr. Speaker, let's put it on the table. No offence to the hon. Minister of Family and Social Services, but every doctor, as far as I know, is in the business to make a profit. Right? They aren't in the business to lose money. They're in the business to make a living, and to my knowledge most doctors make a very good living indeed. Does this hon. member want to shut down all doctors? Or does she want to go to a system perhaps like they have in China or Albania? [interjections] No. Is this hon. member saying that doctors ought not to make a profit? If she's saying that, then what she's proposing is the shutting down of virtually every doctor's office in this province.

THE SPEAKER: The hon. Member for Calgary-North West, followed by the hon. Member for Calgary-Buffalo.

Stock Exchange Restructuring

MR. MELCHIN: Thank you, Mr. Speaker. My appropriately paced questions for the day are to the Provincial Treasurer. The four major stock exchanges in Canada recently announced a major proposal for a restructuring of the Canadian capital markets. That proposal would see the capital markets being consolidated into three specialized exchanges. To the Provincial Treasurer: what would this restructuring mean for Alberta?

MR. DAY: Well, from what we've seen so far from the proposals -- and they're being reviewed -- it appears as though the Canadian markets in general are going to be strengthened through the proposal. We'll see a shift of specialization, Toronto being the centre for the senior equities markets. The suggestion is that Montreal would remain as specializing in the derivatives and futures options area.

What's positive, I believe, for Alberta, Mr. Speaker, is the strengths that have been built through the system, especially on the junior capital pool program and others like it. Western Canada, the two exchanges, the Vancouver and Calgary exchanges, the Alberta exchange, are going to be the specialized centres for those particular areas. So that will be positive, I believe, for Alberta.

MR. MELCHIN: Thank you, Mr. Speaker. To the Treasurer again. You mentioned in particular the Alberta capital pool program, which has been very successful under the Alberta stock exchange. What will this consolidation mean towards such a program that's been very successful for start-up companies?

MR. DAY: Well, its success has been noted, not just nationally but internationally, which is one of the main reasons that you'll see that centre of specialization being here, in the Alberta exchange and the Vancouver exchange. Where exactly that would land, for instance, a new headquarters if there were to be one, would be Vancouver or Calgary. Naturally we hope it would be here.

One thing that we're certain of at this point is that the rationalization that will take place will not mean any reduction of jobs. If anything, it could mean more, and we think Calgary would be able just from a natural economic point of view to make the case for being the centre of that new specialized market. That's what we think. I don't know if that'll happen.

MR. MELCHIN: Thank you. My final supplemental again to the Provincial Treasurer: are there any regulatory or legislative approvals that are required from the governing bodies, and have you gained that support?

MR. DAY: Certainly on the regulatory side whether there'll actually have to be legislation, we don't know at this point, Mr. Speaker. What's positive about the initiative is that it's industry led and driven, and with all the various securities commissions working to make it happen, there'll be some harmonization taking place. Overall it's a positive signal for Canadian markets, and again with a focus on Calgary, it's going to be positive for Alberta.

THE SPEAKER: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Little Bow.

Budget Scrutiny

MR. DICKSON: Thank you, Mr. Speaker. Last week the Acting Premier insisted that 25 days of budget debate was ample. What she failed to acknowledge was that those are not 25 calendar days and that if two budget committees meet at the same time on the same day, that qualifies as two days. So the government's light and lean version of budget scrutiny means that we burn through \$250 million of spending for every single hour of questions. To the Premier this afternoon: will the Premier agree that 60 hours is not sufficient to debate government spending of 15 billion tax dollars? That's little more than a workweek for many Albertans.

2:20

MR. KLEIN: Well, Mr. Speaker, I personally think that amount of time is adequate considering our budget process. Really the budget is somewhat anticlimactic, especially when we're reducing taxes, especially now that we've eliminated our deficit, especially now that we're paying down our debt, especially when we do quarterly reporting, especially when we have three-year business plans. It's all out there for the public and the opposition to see.

Mr. Speaker, I would think that 25 days, if used prudently and

used wisely -- I know it will be by this side -- should be sufficient and adequate time to address the budget.

MR. DICKSON: Mr. Speaker, is this business of two meetings in one day equaling two days the new Tory math?

MR. KLEIN: Mr. Speaker, I don't think there has been any loss, and I understand that this was part of the negotiating process between the Government House Leader and the Opposition House Leader, you know. I understand that they signed off on the process, and now it appears as if they're doing a little bit of political grandstanding.

MR. DICKSON: If we'd agreed to it, we wouldn't have been arguing for five hours yesterday, Mr. Premier. My final . . .

Speaker's Ruling House Leaders' Agreement on Estimates Process

THE SPEAKER: Hon. member, please. The chair is looking at a document dated the 8th day of March 1999. The document says that the House leader of the government of Alberta, the House leader of Her Majesty's Loyal Opposition, the House leader of the opposition New Democrats are talking of all of this. He sees the signature of the House leader of Her Majesty's Loyal Opposition on it. So we're going on.

The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Centre.

Education and Health Administration

MR. McFARLAND: Thank you, Mr. Speaker. Prior to the welcome recent announcement of an additional \$600 million in funding to education, administration spending was capped at certain percentages of regional school board budgets. My first question to the Minister of Education: will these regional school board administrative dollars in Alberta remain at the same dollar amount, or will they increase as a percentage of the regional school board's budget?

MR. MAR: Mr. Speaker, we're obviously interested in directing the maximum amount of money to the classroom and restricting the amount of money that's available for administration. We recognize, of course, that some amount of money is required for the administration of our school boards, and we think that those school boards are using that money fairly prudently.

There is a cap on administration spending on a sliding scale of between 4 and 6 percent of the funding for grades 1 through 12 that is for plant operations and maintenance and student transportation. That cap applies to each year's budget. So, Mr. Speaker, in response to the member's question, there will be an increase in the cost of administration as the overall budgets increase, but the percentage cap on the administrative costs will remain the same.

MR. McFARLAND: Thank you, Mr. Speaker. My second question, then, is to the same minister. Has the minister considered converting these administration caps from a percentage to a straight dollar amount?

MR. MAR: Well, Mr. Speaker, I have considered that, and I believe that our funding is driven by our enrollment and that as student population grows, the requirement for administration also grows. School boards vary significantly in the number of students that have enrolled, so making sure there is an administrative cap that is based on a percentage is more equitable for school boards throughout the province.

MR. McFARLAND: Thank you, Mr. Speaker. With respect to administration funding my last supplemental is to the Minister of Health. Mr. Minister, will Albertans see an increase in administrative dollars in the regional health authorities' budgets as a result of the additional funding to health?

MR. JONSON: Mr. Speaker, as with education the general trend, one which we have certainly advocated and pushed as Alberta Health, is to reduce the percentage of budgets going into administration. For the majority of the regional health authorities their administrative expenditures are in the 5 to 6 and a half percent range, although with respect to some of our smaller regional health authorities the economies of scale are just not there, and they do have higher percentages for administration. Overall our direction in Health is quite clearly to keep administration working effectively but also to keep their overall share of the budget to a minimum, and we will be giving that direction to the health care system.

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

Sexual Harassment in the Workplace

MS OLSEN: Thank you, Mr. Speaker. After almost a year of investigation systemic sexual and workplace harassment was identified as a very serious problem in the Department of Justice. The minister promised to undertake a review and to end these unacceptable behaviours within his department. My questions are to the Minister of Justice. What has been done to end sexual and workplace harassment in the Department of Justice, Mr. Minister?

MR. HAVELOCK: Well, Mr. Speaker, our department policy is zero tolerance with respect to this issue, and our policy prohibits harassment based on the protected grounds in the Alberta Human Rights, Citizenship and Multiculturalism Act. We investigate any allegations of harassment. If there is evidence of criminal wrongdoing, it is immediately reported to the police.

We are presently developing a positive workplace employment program that has four major components to address this very serious issue. That includes workshops, information sessions, developing new literature, and training advisers for employees to discuss workplace harassment issues. We've also invited the Alberta Union of Provincial Employees to participate.

When we determine, by the way, if an employee has acted inappropriately through such a review, then we take a number of necessary disciplinary steps. Those can include termination, suspension without pay, counseling, transfer, or really any combination thereof. So we take the issue very seriously.

Of course I can't get into discussing any of the specifics of this issue, because it's a private matter. Nonetheless, Mr. Speaker, I think we're doing all we can to address this serious issue.

MS OLSEN: Thank you, Mr. Speaker. Can the minister explain how showing Justice department staff videotapes of my questions to the minister in Oral Question Period will put an end to sexual harassment in his department? Can you explain that, Mr. Minister?

MR. HAVELOCK: Well, I guess I can't explain it, Mr. Speaker.

The bottom line is that we cannot absolutely control what all of our employees do. What we try and do is advise them as best we can through these programs as to what is appropriate behaviour. We take this issue seriously, and we take the necessary steps if an individual does something that's inappropriate as soon as we can.

Again, as I indicated earlier, if we think there's criminal wrongdoing, we also send that over to the police. So we take it seriously. I cannot stand here, as much as I'd like to, to give an absolute one hundred percent guarantee that we can eliminate all these problems, but we're trying the best we can at this stage.

MS OLSEN: Thank you, Mr. Speaker. It's concerning the videotape. Isn't the real intent of showing that videotape to intimidate and silence employees? There is no whistle-blower protection in this province, Mr. Minister.

MR. HAVELOCK: Well, absolutely not, Mr. Speaker. This is much like the leap of logic that the hon. member adopted about a week ago regarding the limitations act. There's no intention at all. What we try and do with our employees is explain to them: this is a serious issue, zero tolerance; if you break the rules, you'll be severely dealt with.

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

2:30 School Performance Incentive Program

MR. ZWOZDESKY: Thank you. Mr. Speaker, I've been contacted by several parents, teachers, principals, and various members of school councils from Kate Chegwin, Minchau, Bisset, and Weinlos schools in my area who have concerns about how some of the increases in education funding will be accessed. The additional money to education announced recently in the budget is certainly welcome news to everyone, but there are some specific questions about the school performance incentive program in particular. So my questions are to the hon. Minister of Education. Can the minister please explain why this particular increase is being tied to achievement results and, in short, why he has launched this SPI program?

MR. MAR: Well, Mr. Speaker, first of all, as all hon. members will know, there is an increase to the basic instructional grant rate over the next three years of 3 percent, 2 percent, and 2 percent. I want to make it very clear that the incentive program is money that goes beyond that basic instructional grant rate increase.

Mr. Speaker, the school performance incentive program is a bold and innovative way of recognizing something that I think has been underrecognized for a long time, and that is achievement in our schools. The program is not intended to be a bad reflection of the current quality of education offered in our schools in this province today. In fact, quite the opposite. Our schools are doing very well, but of course we can do better.

Under the program, Mr. Speaker, it's not just school achievement in diploma exams that will be looked at but also the annual achievement tests. It will look at completion rates and a number of other provincewide criteria with a weighting system of 75 percent. There will also be an opportunity for local jurisdictions to establish the types of criteria they want to be judged by. A 25 percent weighting will be given to that.

So the school incentive program is new, it's true. It is bold. That's true also. But it is intended and designed to be a process for encouraging continual improvement in our education system and recognizing the achievement of students and of teachers and all the other partners in education in the province of Alberta.

MR. ZWOZDESKY: Thank you. I'd like the minister to explain whether there's any possible danger in this SPI program wherein we might see schools pitted against schools, teachers pitted against other

teachers or against support staff or perhaps even students competing unnecessarily against each other for the SPI dollars.

MR. MAR: Well, of course, this is a concern to us, and in looking at other jurisdictions that have put in incentive programs, some of these types of problems that the hon. member has raised have cropped up. A couple of things, Mr. Speaker. One is that this is a voluntary program; that's one thing. Secondly, it does not in any way pit student against student or teacher against teacher or school against school or even jurisdiction against jurisdiction, because the school jurisdictions will not be competing with each other for the money; they will be competing against their own past history. What we'll want to see is an improvement of the jurisdiction based on its past performance.

Mr. Speaker, the program is intended to build teamwork within a jurisdiction, which is a very clear element of good school jurisdictions throughout the province of Alberta, and I think that when people look at the elements that are contained within the program, they will understand that this is intended to encourage teamwork within a school jurisdiction and not a competition among and between teachers and schools and students.

MR. ZWOZDESKY: My final supplemental is also to the Minister of Education. I want to know how my constituents can be assured that the SPI program as it is currently designed won't result in any undue or excessive pressures on students, on teachers, or on staff to meet what some potentially see as unrealistic expectations.

MR. MAR: Well, Mr. Speaker, of course we're taking every step possible to make sure that this performance program works. The goals are challenging, yes, but they are not unattainable, and in my discussions with superintendents and trustees I think they believe that there is some possibility that this can work very, very well.

As I indicated earlier, the program looks at a broad range of measurements, and it's not simply achievement tests. So concerns about teaching to the test and other such things we don't think will materialize because there is a very broad range, including, as I indicated, a number of measurements that the school boards themselves may put forward as local measurements that they wish to be measured by.

Mr. Speaker, we as a government have always emphasized accountability in education, and I think that this program is a very logical extension of that accountability.

Tax Reform

(continued)

MR. SAPERS: Mr. Speaker, yesterday the Provincial Treasurer, in trying to explain his reform tax plan, said, and I quote: a single, unmarried person at roughly the \$30,000 level is getting schools, hospitals, roads, parks, law enforcement for a few dollars, and the person at the \$100,000 level is paying several thousand dollars, not only for his services at that level but also for the person who is not paying for much at the lower end, close quote. My questions are to the Provincial Treasurer. Will the Treasurer take the opportunity to correct himself and confirm that this government's user fees for health care, motor vehicle licences, campground charges, hunting licences, land titles registration, farm vehicle registration, et cetera, et cetera, et cetera, are paid for at the same rate whether you earn \$30,000 per year or \$100,000 per year.

MR. DAY: [Inaudible]

MR. SAPERS: Thank you for correcting yourself, Mr. Treasurer.

In his quest for tax reform why hasn't the Treasurer removed, rolled back, or reformed the hundreds of new user fees that are the most regressive form of taxation that Albertans face?

MR. DAY: Mr. Speaker, the Member for Edmonton-Glenora is on to a very good issue, and actually I hope in the future to include him in the discussion and get some insights from him on the area of user fees. The member will be aware that there's actually a court ruling at the Supreme Court level that has affected certain fees, certainly in Ontario, and there are broad implications for all provinces. So I hope to engage him in that discussion.

The area of user fees is a policy that most Albertans, not all -- there are some Liberals who don't support it. Most Albertans support user pay. When it comes to health care, the member unfortunately, in putting in things like parks' fees, also included health care premiums, I believe, and that is not accurate, because people at the lower income end, in fact, are waived on that. They do not have to pay health care premiums. They would have to pay campground fees and other types of fees. So I just wanted to correct him on that.

On that larger question of user fees, we need to look at those -- as a matter of fact, all ministers right now are compiling their list of all the fees they have -- in light of what the implications of the Supreme Court decision are. There are even some time lines that were faced there. I believe somewhere near the end of April is the time line given to provinces by the Supreme Court to have something in place that addresses this question of fees themselves and which fees are cost recovery and which fees go beyond that. So I'm looking forward to all members being involved in that discussion. I think the Member for Edmonton-Glenora has some good ideas on that, and I'll look forward to him being involved in that too.

MR. SAPERS: Thank you, Mr. Speaker. To the Treasurer: why do 688,000 Albertans in the \$30,000 to \$100,000 income class -- that's the class that does pay health care premiums -- get only a 7.7 percent overall reduction in their taxes under this government's plan while the 57,000 Albertans in the \$100,000 income class receive an 18 percent overall reduction in their taxes?

MR. DAY: Mr. Speaker, the numbers which we published and which we stand behind show that somebody at the \$100,000 level is, in fact, on the family income going to receive a reduction of about 9 percent. We don't apologize for that. Somebody in the middle income range, as the member talked about, will actually receive an 18 percent reduction. Somebody at \$30,000 and down will receive up to 132 percent. You know, that's right across the board.

The member is going: flip it around. Okay. Let's flip it around. Let's look at it this way if you want. Mr. Speaker, here are some fascinating projections if he's interested in them. A single person making \$100,000 a year will be paying in taxes 350 percent more than a person at \$30,000 a year. Now, the member raises this, and he's right in line with the socialists, with the NDs on this question. They think there is something terrible about -- for instance, I'll give you a real-life example. An obstetrician that I know is making upwards of \$250,000 a year. She will be paying 4,000 percent more in taxes -- 4,000 percent more in taxes -- than somebody at \$30,000. Now, she has gone to school for I think 12 years and also interned, and she has no eight-hour schedule. She gets up in the middle of the night, obviously to do with her occupation. She'll be paying about \$90,000 in taxes. Should we punish her more?

2:40

The member is seeming to say that people in this \$100,000 range

who are receiving the lowest percentage of reduction -- they get a 9 percent reduction. The people who receive most of the reduction are at the low-income end. That's where our focus is, making this tax plan most fair for low-income people, many of whom, 78,000 of whom, will never have to pay provincial taxes on this plan. The focus is to low income.

But when you're talking about restructuring an entire plan -- you know, we've moved from the days when governments would carve out little constituency groups and do special little tax items. We're saying that across the board there should be fairness. So to those people who are making \$100,000 a year -- because he likes to use that. Do you know, Mr. Speaker, that someone who's got a family income of \$100,000 a year is going to be paying over 1,000 percent more in taxes than the person making \$40,000? That's pretty good punishment for being a school superintendent or for being a family of two teachers. That's pretty good punishment.

head: Members' Statements

THE SPEAKER: Thirty seconds from now three members will be called on for participation today. We'll begin first of all with the hon. Member for Bonnyville-Cold Lake, then the hon. Member for Edmonton-Strathcona, then the hon. Member for Calgary-Glenmore. Thirty seconds from now.

National Francophonie Week

MR. DUCHARME: Merci, M. le Président. Vous avez sans doute remarqué l'épinglette qui a été distribuée tantôt à tous les députés de l'Assemblée Législative de l'Alberta, don de l'Association canadienne-française de l'Alberta. Cette épinglette représente la communauté Franco-Albertaine.

On célèbre cette semaine non seulement en Alberta mais à travers le Canada entier la Semaine de la Francophonie. C'est une occasion opportune pour les Francophones de célébrer leur langue, leur héritage, et leur culture. Deux cérémonies en reconnaissance de cette semaine ont eu lieu aujourd'hui à Edmonton.

La première, organisée par M. le Président, a rassemblé ce matin les Francophones de la communauté ainsi que plusieurs députés de l'Assemblée Législative pour célébrer la présence du drapeau de la francophonie Albertaine dans l'édifice du parlement. Un nombre d'amis étaient aussi présents, y compris la chorale de l'École Notre-Dame dirigée par Mme Rachelle Jean. Ce drapeau est aussi en compagnie du drapeau de l'Assemblée parlementaire de la Francophonie, une organisation interparlementaire, dont l'Alberta est le plus nouveau membre.

Le Ministère du Patrimoine Canadien était le hôte de la deuxième cérémonie qui a eu lieu à la Place du Canada ce midi. L'objectif de cette célébration est de présenter pendant cette Semaine de la Francophonie une nouvelle initiative, qui portera le nom: Les Rendez-vous de la Francophonie. Cette initiative servira à regrouper les Francophones pendant des célébrations qui auront lieu dans toutes les régions du Canada afin de promouvoir la langue et la culture francophones. Non seulement est-ce l'Année de la Personne Âgée, mais c'est aussi l'Année de la Francophonie qui est marquée par un sommet cet été à Moncton au Nouveau-Brunswick.

Selon le dernier recensement de Statistiques Canada plus de 65,000 Francophones peuplent l'Alberta aujourd'hui, et au moins 179,000 personnes peuvent maintenant s'exprimer en français et en anglais dans notre province.

Cette Semaine de la Francophonie rend possible le partage de nos expériences personnelles dans un contexte culturel familial.

Je suis un Franco-Albertain depuis trois générations, et je remercie le Premier Ministre, M. Klein, et son gouvernement pour leur travail

dans l'exécution du Secrétariat Provincial Francophone annoncé aujourd'hui. L'annonce de ce nouveau secrétariat est vraiment un don qui permet à chaque Franco-Albertain de se réjouir.

J'offre mes félicitations et remerciements à tous les Francophones qui se sont impliqués et qui continuent à contribuer au succès des célébrations de la Semaine de la Francophonie.

Merci.

[Translation] You will no doubt have noticed the pin distributed earlier today to all Members of the Legislative Assembly of Alberta. The pin is from the Association canadienne-française de l'Alberta and represents the Francophone community.

We celebrate this week Francophone Week not only in Alberta but across Canada. This week provides an opportunity for Francophones to celebrate their language, heritage, and culture. Two ceremonies in its recognition have taken place today in Edmonton.

The first, organized by you, Mr. Speaker, took place this morning and included Members of the Legislative Assembly as well as members of the Francophone community. For the first time since its creation in 1982, the Franco-Albertan flag is present in the Legislature Building. A number of friends were also with us for this event, including the choir from Notre Dame school, directed by Mrs. Rachelle Jean. The Franco-Albertan flag is also accompanied in the rotunda by the Assemblée Parlementaire de la Francophonie flag, an interparliamentary organization of which Alberta is its newest member.

The Canadian Heritage department was also host at a second ceremony which took place at noon today at Canada Place. The goal of this celebration was to present, during Francophone Week, a new initiative entitled Les Rendez-vous de la Francophonie. This initiative will regroup Francophones for the celebrations which will be taking place in all regions of Canada in order to promote the French language and culture. Not only is 1999 the Year of the Older Persons, but it is also the Year of Francophonie. In honour of this special time a Francophone summit will be held this summer in New Brunswick. According to the latest survey by Statistics Canada, more than 65,000 Francophones now live in Alberta today and at least 179,000 individuals communicate in both French and English in our province. Francophone Week makes it possible to share our personal experiences in a familiar setting.

I am a third generation Franco-Albertan, and I thank Premier Klein and his government for their support in establishing a provincial secretariat responsible for Francophone affairs announced this morning. This announcement is cause for celebration for Franco-Albertans.

I offer my congratulations and sincere thanks to all Francophones who have worked hard to make the celebrations of Francophone Week the success it is sure to be.

Thank you. [as submitted]

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

Environmental Protection

DR. PANNU: Thank you, Mr. Speaker. Generations of Albertans to come will feel the effects of the Alberta government's continuing neglect of our environment. Pristine wilderness areas are being damaged forever, and virtually all of the province's wildlands have formally been thrown open for industrial development. Alberta is in the process of a huge fire sale sell-off of our environment. Huge forest areas, larger than many countries, have already been sold to pulp companies and are being clear cut as I speak. And while fiercely cutting the budget of the environmental protection branch, the government has been turning to privatized industry self-regula-

for environmental safety. It's like leaving the fox in charge of the chickens.

Mr. Speaker, large numbers of Albertans find quite disturbing this government's disregard for our natural environment. Alberta has an historic opportunity to be a leader in the protection of its environment. It is time to pay attention to Alberta's wilderness before it's gone.

Mr. Speaker, public education and participation are essential to the success of an environmental policy. Listening to citizens, developing a clear vision and long-term strategies and above all a clear commitment to protect the environment are the key ingredients for a good public policy. The proposed Natural Heritage Act failed this test.

Thank you.

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

Adolescent Recovery Centre

MR. STEVENS: Thank you, Mr. Speaker. Dr. Vause is the heart and soul of this treatment centre. I have never seen such valour, compassion, and true from the heart dedication. He takes families, not just the kids, who feel so worthless and helps them find their dignity, their spirit, and their joy in life again. These heartfelt words truly reflect the feeling of those who know the work of Dr. Dean Vause and the Alberta Adolescent Recovery Centre, otherwise known as AARC.

AARC, a nonprofit organization in Calgary, is an intensive long-term treatment program for chemically dependent youth between the ages of 12 and 21 years and their families. Dr. Vause is AARC's executive director. AARC reaches out to teens and families who are at the bitter end of a battle with the ravages of addiction. Dr. Vause says that these are kids who would sooner die than give up their addiction and would do anything to feed it. AARC helps bring them back to a normal, healthy life. AARC's successful intervention averts the often costly consequences of teen addiction -- medical, psychological, and societal problems -- that require a long-term investment of energy and capital.

On February 18, 1999, AARC celebrated a significant milestone: its 100th miracle celebration. Since inception in 1992, 106 teens and over 300 of their family members have graduated. But what is truly remarkable, what is unprecedented in North America is AARC's success rate. Over 85 percent of its graduates are clean and sober, in school or working, and are reunited with their families.

The AARC model is unique in Calgary and perhaps the world and was developed and based on the research and analysis of Dr. Vause. It has been thoroughly reviewed by international addiction experts. One of those experts, Dr. Robert McAndrews, concluded: now that I see the hard evidence and follow your thorough analysis, as a critical reviewer I am convinced that your model and actual program is one worth replicating everywhere possible. Mr. Speaker, this is excellent advice which I encourage my colleagues to support.

Thank you.

THE SPEAKER: The hon. Member for Calgary-Buffalo on your first point of order.

Point of Order Allegations against Members

MR. DICKSON: Mr. Speaker, in the exchange -- I think it was the first set of questions -- between the Leader of the Official Opposition and the hon. Premier, the Premier said in the course of one of his responses, and I quote: referring to the flat tax which she

imposed; the flat tax that she imposed. The authority would be Standing Order 23(h), which talks about "makes allegations against another member." Then I'd also refer to *Beauchesne* 408(2), where the enjoiner is "answers . . . should not provoke debate."

Well, to the best of my knowledge the Leader of the Opposition was not the Premier at the time, was not even the Provincial Treasurer. This transparent effort to disclaim all responsibility leads to a preposterous claim, and I can think of no faster way of inflaming the sentiments of the opposition and generating the very kind of debate that the rules discourage -- and you do as well, Mr. Speaker -- than to make that sort of preposterous claim.

Thank you.

2:50

THE SPEAKER: The hon. Government House Leader on this point.

MR. HANCOCK: Yes, Mr. Speaker. *Beauchesne* as was quoted enjoins one from provoking debate. It doesn't enjoin one from inflaming the sensitivities of the opposition.

But more to the point, it was clear from the Premier's response that he was referring to the fact that the hon. Leader of the Opposition was a member of government at the time the tax was imposed. I don't think anyone in this House, in the galleries, or in the public would have taken that in any other context or in any other way. So notwithstanding the phraseology of it, the intent of the statement was very clear.

THE SPEAKER: On this point of order. As I understand, the date referred to was the year 1987. Now, when hon. members refer to Assemblies, they refer to government. The government is not a singular point. The government is a collective. There are no decisions made by singular individuals within a government. There are only collective decisions made by governments because of the principles of cabinet solidarity and cabinet responsibility. So it is not at all uncommon for an individual to refer to any member of Executive Council by saying, "your government." It is not, and a number of members have fallen into the trap in this Assembly not only in this session but in previous sessions again as referring to the government led by a certain individual as that individual's government.

As far as this member knows, the system of government that we follow is the British parliamentary form of government. It is not a totalitarian dictatorship, and decisions are made by a collective within a collective. Now, if there's something wrong with that interpretation given by the Speaker with respect to his understanding of the whole thing, he's yet to be corrected on that point.

This is a British parliamentary form of government. Decisions are made in a collective called a cabinet. It is not uncommon, then, to refer to individual members of that particular government as saying, "your government," regardless of who you are within that particular cabinet.

As I recall, the hon. member who now serves the people of Alberta in the position of Leader of the Official Opposition in 1987, if this person's memory is correct, also served in that particular cabinet, and this person was also in that particular cabinet. So I guess it's both her and our fault that whatever happened happened.

It is an appropriate referral whether or not it's in the past or in the present. While individual members may prefer to say, "Yes, it's -- the name of the leader -- his government," the fact is, from the point of principle, that cabinet solidarity exists. The oath of office is taken. It's a collective; it's a cabinet government.

Sorry, hon. Member for Calgary-Buffalo.

Point of Order

Referring to Newspaper Articles

MR. DICKSON: My next point of order, Mr. Speaker, arose from the second set of questions from the hon. opposition leader to the Premier. You will recall that the Premier had a sheaf of papers. We weren't sure what they were, but it then became clear that they were newspaper accounts, and he was quoting from newspaper accounts alleging what the Leader of the Opposition had said. This is despite an earlier admonition from you about newspaper references.

Sir, on April 2, 1998, in *Hansard* on page 1339, you had reason to comment on the use of newspaper references. You made the specific direction then that "questions [ought] 'not inquire whether statements made in a newspaper are correct'." You explained: the reason is that it's statements made in this Assembly that count, not made in other places. Well, it would follow from that, whether the Leader of the Opposition did or didn't say something, that the newspaper is not the appropriate resource to determine that. The extensive use of alleged newspaper quotes frankly brings no honour on the Premier or on the Assembly or on the process. Once again, I think it offends 408(2) as well as your ruling of April 2, 1998.

Thank you.

MR. HANCOCK: Mr. Speaker, there is a clear distinction, I think, to be made between asking whether a comment in a newspaper article is correct, which is clearly inappropriate according to the rules, and using newspaper articles to enunciate and to remind people of positions that they've taken. There's a clear distinction between the two.

It is inappropriate, as you've ruled in the past, to bring newspaper articles in to read out from them and then to ask a member of government if the newspaper article is correct. That's not what was done today. Today the Premier in responding to questions alluded to newspaper articles and in fact read quotations from newspaper articles to remind the member opposite of what she'd said in the past.

She had many opportunities after that point, of course, to indicate whether or not the content was appropriate, but nobody was asking her and nobody was asking the Premier whether the contents of the newspaper articles were correct or to verify those contents.

THE SPEAKER: And the position put forward by the hon. Member for Calgary-Buffalo about "questions should 'not inquire whether statements made in a newspaper are [actually] correct'" certainly was a previous ruling by the Speaker with respect to that, an amplification of that again.

The hon. Government House Leader is also correct. The question here was not about asking for verification of anything in a newspaper report. The Speaker was listening very attentively to the question and also the answer. What happened to the question was a response by the individual who represents government who basically then started to quote from newspapers, and all hon. members will note there was an intervention by the Speaker basically saying: well, hon. member, if you want to do that, please have the courtesy of tabling those documents. One would hope, hon. Government House Leader, that the documents quoted from would be tabled in the Assembly either later today or tomorrow at the latest for the benefit of all members of the Assembly.

The hon. Member for Calgary-Buffalo on point three.

Point of Order

Explanation of Speaker's Ruling

MR. DICKSON: Finally, Mr. Speaker, under Standing Order 13(2),

I wanted to ask you to explain a ruling you made when, you will recall, I had asked a question to the Premier with respect to Committee of Supply, and my question was referring to 17 departments' estimates. The agreement you referred to of course only touched on five of the 17 government departments. While clearly I was party to an agreement about the five designated committees, the question was in no way so limited. You may recall, sir, that you intervened after the first supplementary question, so I was hoping that you'd share with us some explanation to better understand why an agreement that would refer only to five committees would bar a question about 17 departments.

Thank you.

MR. HANCOCK: Mr. Speaker, I think . . .

THE SPEAKER: Well, actually, hon. Government House Leader, this is a request made by the hon. Opposition House Leader with respect to clarification under 13(2), and it's a fair question and it's a good question.

The chair would also like to draw the attention of the hon. member and all hon. members to Standing Order 58(3) and (4) as well. What we have here in this Assembly are Standing Orders and rules that we all have agreed to by resolution of the Assembly. We have a process whereby, for the improved efficiency of the operation of the Assembly, certain individuals are designated or are in the position or are elected within their various groupings as their House leader. These House leaders are encouraged to participate and to work among themselves and try and find arrangements among themselves so that, in essence, when the Assembly and all the other members in the Assembly deal with certain rules, they are the rules that are clearly identified and that clearly have been worked out.

We have had through an evolutionary process the development of our Standing Orders. Standing Orders take precedence over everything else. Standing Orders clearly identify the estimates for consideration and the consideration of the estimates.

There is a process for modifying these Standing Orders. There's a process for changing these Standing Orders. There's encouragement given by the chair, at least in the two years that I've been the chair, to have all House leaders come together periodically: once, twice, three times a year. I've offered my office, I've offered my facilities to have these particular individuals come. Last fall letters were sent again to all House leaders saying: "Look; does anybody want to take a look at the Standing Orders? If you do, I'd be happy to let my table be the neutral place where you might pursue these changes, work out these changes, evolve these changes, and make these changes."

So we have in essence, number one, the Standing Orders agreed to by resolution of this Assembly, brought to the floor. They cannot be changed by one person. There is not one person in this Assembly who is responsible for these Standing Orders. There's not one person in this Assembly who can explain these Standing Orders. There's not one person in this Assembly who has to defend these Standing Orders. These are the Standing Orders of the hon. members in this Assembly.

Now, supplementary to the Standing Orders then -- because the various House leaders I guess have not been able to find a resolution to bring modifications to the Standing Orders -- there are supplementary agreements made to these Standing Orders, and such was the case that the Speaker referred to in responding to the hon. member. But the Speaker also had in the back of his mind Standing Order 58(1), (2), (3), (4) and beyond, which basically then talk about the other estimates.

The more important point in terms of the explanation I'm offering

to the hon. Member for Calgary-Buffalo, because he did invite a response, and this Speaker will never shirk from providing an explanation. It is extremely important that we all understand that it is us, it is us in this Assembly who make these rules. No one has a greater say in the eyes of this Speaker than anyone else. There are 83 members in here, all with one vote. No one has more than one vote. For an hon. member who wants to bring a proposal to change the Standing Orders, to debate them, provision will be provided for that. If the majority agree, they will be changed.

There, sir, is the explanation that I give with respect to that.

head: Public Bills and Orders Other than
head: Government Bills and Orders
head: Committee of the Whole

[Mr. Tannas in the chair]

3:00 **Bill 202**
Farming Practices Protection Statutes
Amendment Act, 1999

THE CHAIRMAN: Good afternoon. Are there any questions, comments, or amendments to be offered? We'll ask the proposer, the hon. Member for Drayton Valley-Calmar, to lead off.

MR. THURBER: Thank you, Mr. Chairman. It's indeed an honour for me to bring this as far as Committee of the Whole and to provide a few opening comments. I have an amendment being passed around right now, and I want to talk to that a little bit.

I want to just start out by saying that this legislation, this bill, not only provides protection to agriculture operations, but it will also be an excellent source of information for those wanting to live in a rural community. I think it's unfair for people that do want to come out on an acreage or on a quarter section or on a piece of property in rural Alberta to enjoy the scenery and to enjoy living out there without knowing what kind of a community they're moving into. It will certainly allow them to enjoy life in the country with no surprises.

The amendment that I am proposing -- I don't know if it's got around to everybody yet, but it's in the works of being passed out -- is a very consequential amendment. All it does basically, Mr. Chairman, is allow the municipalities three years to act on this, because in some cases it's taken three to five years to come forward with their joint municipal development plans. I think it's only reasonable and only fair that we do give them three years' time to implement this at the municipal level.

Now, I'm not sure of the procedure here, Mr. Chairman. Should I speak to the amendment now, since this is passed out? I would move this amendment, with just a very few comments on it, as I said before. Then I'll sit down, and I'll listen to the comments of others and try and answer as many questions as I can in the wrap-up, if we have time for that later on.

Basically, when we got thinking about it, we thought it wasn't fair for the municipalities to have to have this in place upon proclamation, so you'd either have to postpone the proclamation or give them some kind of a time guideline to work through this with. We felt that it was probably the fairest way to go to allow them to have three years after this act receives Royal Assent, and the rest of the act would be in place upon proclamation.

With that, Mr. Chairman, I'll sit down and listen to the other comments and offer some comments perhaps at the end.

THE CHAIRMAN: The hon. Member for Drayton Valley-Calmar

has proposed an amendment to Bill 202. This amendment will be called A1.

The hon. Member for Lethbridge-East on the amendment.

DR. NICOL: Thank you, Mr. Chairman. On the amendment. This is an amendment which, as far as it goes, I fully support. In a conversation with the sponsoring member I had talked about the difficulty that was going to come about through the implementation of this act. We talked about the idea of the planning process being put in place at the local level.

One of the other things that we chatted about and that I don't see this amendment covering as well as I would like to see is the issue relating to the first section of the bill, where we're trying to define a nuisance and what constitutes a nuisance and the repercussions and the implications of someone being taken to court with respect to being a nuisance. This amendment essentially gives the municipal district or the municipality up to three years to alter their business plans to be able to incorporate the different aspects that are required under section (2) of this amendment, which will allow them effectively to put in place the definition or the process, the mechanism for implementing this at a local level, all the policies that they need within the context of their municipal development plan.

Now, what this amendment doesn't do -- and I was hoping that the amendment would have just delayed proclamation to that time -- is provide the same degree of leeway to the legal system that we're going to see be given to the municipal level, to the municipal part of this bill, in the sense that right now in order to define an agricultural activity, what we've got is the courts having to look at what constitutes a nuisance. There are references made in that context to common agricultural practices. The government currently is undergoing a series of public consultations, draft reports that are trying to develop shall we call it a more modern system of agricultural practices, a system of agricultural practices that is consistent with our modern technologies, that is consistent with our scale of operation, that is consistent with our concentration of potential damaging effects, whether that be noise, whether that be water quality contaminants, whether it be flies, whether it be any of the other things that we see here being listed under the potential for a nuisance.

3:10

Mr. Chairman, the issue then becomes that we're giving this leeway for municipalities to put in place the modifications within the context of their business development plans, but we're still not giving time for shall we call it the legal system, the challenge system to reflect on and to have a more concrete, modern, up-to-date definition of what is acceptable agriculture practice. Essentially what we're going to have right now with this is no mechanism for the municipality to deal with their business plan or no mechanism within the courts to deal with the municipality's business plan.

We're going to have an outdated agricultural practices set of guidelines that will be used as criteria to define and identify a nuisance in this context, and from that perspective, Mr. Chairman, I think it would have been appropriate to have delayed the entire proclamation until such time as the new code of practice for agriculture is in place with an agreed-upon time frame, such as three years. I would suggest three years is very generous to get these development plans put in place at the municipal level, because within the context of the overall development plan what is being required by this bill is reasonably quite minor. The largest impact on the municipalities is kind of going to be developing consistency from one municipality to the next so that we don't have municipalities creating competitive advantage or competitive disadvantage based on how they define these.

From that perspective, Mr. Chairman, I think it would be very appropriate if this became essentially a process whereby we could delay proclamation on the entire bill until those two activities that are ongoing right now are completed. I would hope that the sponsor of the bill would look at it in that context and either encourage the delay in proclamation until that new code of practice is in place and is accepted and has an enforcement mechanism in it or until we as the legislative body representing this province decide, yes, through our consultation the current code is the one we want to stick with.

But, you know, while we're in this transition, it's going to be a situation where someone now is going to say: "Whoops, we got this. What is precedent? How far can we go?" Those kinds of decisions will have to be revised when the new code of practice comes around, and this is going to create logistical problems. It's going to create issues of how to put this in place. One of the other things as we start dealing with the timeliness of this -- and this is the thing we don't know, what is coming out of that code of practice review -- is the context of: how do we deal with some of our modern technologies?

I was reading a very interesting article earlier this week, Mr. Chairman, where they were talking about genetically modified organisms or new plants that are created through genetic modification. They were suggesting that runaway genes transferring to native plants wasn't really going to be the issue. What was really going to be the issue was the fact that volunteer genetically altered plants were going to become the weeds of the future, because we're creating these plants now that are resistant to most of our pesticides so that we can go in and spray them and all that's left is that one plant in our field. But we can spray them with almost anything and they're not impacted. They don't die. So if their seeds get out into the ditch bank and along the side of the road into the next neighbour's field or, in the context of this bill, into a subdivision garden or lawn, what are we going to be doing, then, when we have these materials so that they can't just go out there and superspray with 10 times the required amount of herbicide and have any kind of an impact on them? So this is the kind of concept why we need this new code of practice.

When I had spoken with the sponsor, I was expecting to see the amendment come in with that three-year delay on the entire bill. I wasn't expecting to see the division of it into two parts of the bill. Mr. Chairman, in the context of the remarks or the questions I've raised, I would really appreciate it if the sponsor would give us a sense as to whether or not my concerns are legitimate or valid or whether I'm not understanding the total relationship between what he's proposing in this bill and the potential code of practice. You know, this is the issue that comes up.

I hear the minister of transportation over there saying that they're not going to license anything that has that potential, but it's already happening in a number of places in the world. We're seeing those kinds of things where even in Canada it's happened. So the question remains, then, as to whether or not it would be wise for us to actually put the delay on this bill, not just for section 2 but for the entire bill, until we get both the new code of practice in place or the revised code of practice or accept the current code of practice as our basis as well as give the municipalities the time that they need to put in place their operational aspects of the municipal development plans.

So, Mr. Chairman, if the member sponsoring would make that comment so that I could feel comfortable when it comes time to vote on this amendment, I would appreciate that. Thank you very much.

THE CHAIRMAN: The hon. Member for Drayton Valley-Calmar.

MR. THURBER: Thanks, Mr. Chairman, and thank you, hon. member from across, for your comments. I really appreciate them,

and I understand where you're coming from on that. I did give some thought about not having it proclaimed for a period of, say, three years or until the codes of practice were all in place. But I honestly believe that the codes of practice will be a moving target, the same as from your conversation. Things will continue to change, and three years is a reasonable length of time for those to probably come into play.

There's a further danger in not having it proclaimed for some time. We do have bills that were passed some many, many years ago that are still sitting there that aren't proclaimed. So in my view I thought it was better to have it proclaimed just with those changes in there to allow that length of time, because the agricultural industry, as you have mentioned, is changing rapidly. We've got the intensive livestock operations, we've got manure disposal, and we've got water protection and things like that which will be ongoing things. So I felt it better to have it proclaimed now, with just that three-year time span in there, to allow the municipalities to be able to deal with it.

Thank you.

3:20

THE CHAIRMAN: Lethbridge-East on amendment A1.

DR. NICOL: Yes. Thank you, Mr. Chairman. I'd just like to thank the Member for Drayton Valley-Calmar for his explanation on that. I just want to again express a concern, recognizing fully that agricultural technologies and practices do change. But in the context of trying to put part of it together, implement it, and proclaim it before the municipal development plans are in place, how do we have the mechanism there that basically says that we can put into the community awareness -- whether it's going to be attached as a caveat to a title or whatever they want to do, that's their development plan. That's giving them the control over it. How is that going to be impacted or how's it going to relate back to a bill that's in place in terms of defining operations?

We're going to have someone challenging an agricultural operation, yet when it comes time to protect that agricultural operation, there's no mechanism to do it. If I were to go tomorrow and ask for a subdivision, essentially what we're saying is that until that development plan is put in place which allows them to identify the title I just created from my bigger title, there's no mechanism there to take that and bring it in compliance with this act.

MRS. SOETAERT: Yeah. It's a feel good, do nothing bill. That's what it is.

DR. NICOL: So really what we're doing is we're saying status quo, effectively, until those development plans are in place, except with this concept of being able to provide some legislated authority to someone to say: well, the intent of this amendment was to protect farming practices and protect agriculture. What we may see then is a situation where effectively this bill, until we get those municipal development plans -- and I don't quite agree with the Member for Spruce Grove-Sturgeon-St. Albert that it's necessarily that weak. It does send a good, strong message. What we need to do, then, is work on that.

In the meantime, Mr. Chairman, I think it would be very good for everybody to support this amendment, because what it does is it'll give the municipalities a chance to bring their development plans into place. We've registered our concerns about the issue of whether or not it would be better to wait until we had a really updated code of practice in place, and then we can go on it. So from that perspective, I think it would be useful to support the amendment and support

the bill when it's amended. But after the amendment is over, Mr. Chairman, I have a couple of other comments I want to make on the general aspects of the bill.

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

MRS. SOETAERT: Thank you very much, Mr. Chairman. You know, Lethbridge-East speaks so well and with so much knowledge about these things, but sometimes I think he's just too kind, because it really is kind of a feel good, do nothing bill. But it does send a good message. Could we not send that message in another way? That being said, I do agree with the Member for Lethbridge-East on the fact that what we should do is hold the whole bill for three years until everything is in place.

AN HON. MEMBER: He didn't say that.

MRS. SOETAERT: Yes, he did. He said he'd support the amendment because it does something better than the way it is. But I probably won't support the amendment because, you know, I'm not sure it's as good as it could be. [interjection] I just love it when they wake up over there. If we held the whole bill over for three years, I can understand the member's problem. He probably won't be here to see it proclaimed. He might be, but he might not be, so he's waging his bets, placing his bets on the fact that he won't be, which is encouraging.

MS BLAKEMAN: Hedging his bets.

MRS. SOETAERT: Hedging his bets. Thank you. I'm not a good bettor. I just don't gamble, so I don't know the proper words. Thank you, Edmonton-Centre.

So, to the chairman, on the amendment. I would humbly suggest that this amendment be -- I'm not going to support it just because I kind of think the whole bill should wait to be proclaimed because it's a little bit of the cart before the horse once again in this Assembly. I do realize that as the member maybe changes career paths next time, he can wave Bill 202 and say: I did this; I did this and I'm very proud of this. So for that reason I'm happy for him. But, practically, I have some concerns over passing it for those reasons.

With those few comments of concern and some of support, I will take my place. Thank you.

[Motion on amendment A1 carried]

THE CHAIRMAN: On the bill itself, the hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Chairman. Just to make sure we get down to the half hour before we have to vote on it. The bill I think is what the industry is looking for. They want to be able to protect their agricultural operations. It provides us with a good mechanism. The amendment we've made while in committee here is improving the implementation of the bill. It's going to make it easier for the municipalities to deal with it within that context.

With that, Mr. Chairman, I think I will take my seat. If the member wants to, he can close and call for the question.

[The clauses of Bill 202 as amended agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.
The hon. Government House Leader.

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

[Motion carried]

[The Deputy Speaker in the chair]

MR. SHARIFF: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following with some amendments: Bill 202. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

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

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

head: Motions Other than Government Motions

Private Health Services

504. Mrs. MacBeth moved:

Be it resolved that the Legislative Assembly urge the government to immediately undertake a broad public consultation and to initiate a full debate in the Assembly on the role of private, for-profit health care providers, including hospitals, clinics, agencies, and individual physicians, in the delivery of health services.

[Debate adjourned March 9: Ms Olsen speaking]

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

MS OLSEN: Thank you. Where I left off, Mr. Speaker, was discussing privatization. I left off with a comment. According to author Mark Lisac, the report entitled *Starting Points*, that was released in 1993, identified, and I quote, a blue print for the direction of Alberta's component of the Canada health care system. End quote. Excerpts from his book *The Klein Revolution*.

Again I quote:

Given the need to reduce health funding, it is imperative that new ways be [found] to fund services. This should include consumers paying for those services determined to be non-essential.

True consumer health insurance must become a reality, but alternative methods of paying . . . [must be found].

Well, Mr. Speaker, those are the thoughts of the *Starting Points* document from the Conservative caucus.

Two things come to mind. You know, I wish the Treasurer could encourage debate here. The Treasurer likes to give Albertans tax breaks, as we see. Maybe he could sell this one. Maybe he could go the route of his ousted Conservative cousins in the U.K. by offering tax incentives to citizens who are persuaded to purchase private health insurance. Or maybe he could offer a tax incentive to those

who now target their life savings for seniors' care. Or, Mr. Speaker, maybe a new credit card called PC Gold accepted at all privately run hospitals. There could be a bonus for all cardholders. You'd be eligible for HRG points, an opportunity for an overnight stay at an HRG facility. Hey, interest rates could be factored on a percentage of GDP spent on health care. That rate in the U.S. is 14 percent. That would be such a great deal. What a great incentive.

3:30

Mr. Speaker, we've already heard persistent reports of lack of beds, surgery cancellations, and patients being shuttled from Edmonton to Calgary. It shouldn't surprise the government when Albertans voice their concerns over privatization. It shouldn't surprise this government to find out that Albertans really don't trust them to protect them from creeping privatization into hospitals.

I remember when 15,000 Albertans voiced their concern by publicly protesting the closure of hospitals in this city. That lack of confidence in the government continues to exist, yet the Premier, who campaigned in 1993 on a slogan of he listens; he cares, has failed to demonstrate that he lives up to this slogan, Mr. Speaker. And how about that PC policy conference in 1995 where rank-and-file Alberta Conservatives gave the government its marching orders? They endorsed a resolution calling for the province to allow excess hospital capacity created by government cutbacks and closures to be sold to private companies offering health care services to foreign patients. Or maybe it's not so foreign. It seems that HRG has received support from Pam Barrett's NDP cousins in British Columbia. The NDP government there in British Columbia apparently sends WCB patients to HRG facilities for their health care services. And you know what? They live so far away from home, I bet you . . .

MR. HANCOCK: Mr. Speaker, a point of order.

THE DEPUTY SPEAKER: The hon. Government House Leader rising on a point of order.

Point of Order

Referring to a Member by Name

MR. HANCOCK: On behalf of members opposite who aren't here to defend themselves, it would be appropriate to admonish the member to refer to members of the House by their seats rather than by their names.

THE DEPUTY SPEAKER: The point of order is well taken. All hon. members are cautioned that in the House we have to refer to one another by either the capacity that we carry, as in ministers, or as Leader of the Opposition or the seat that we represent.

Edmonton-Norwood.

MS OLSEN: Thank you. I take that point, and I'll carry on.

Debate Continued

MS OLSEN: Mr. Speaker, as I was saying, given the distance those B.C. patients have to travel, I wonder -- I wonder -- if in fact they leave the same day.

In 1997 our Premier also campaigned. He campaigned on his promise that he kept his promise. Yes, he did. He cut the health care budget to the bone. In fact, he gave it an entire autopsy. I wonder why this government still ignores the Alberta public and those in the health care field, continuing instead to jeopardize our health care system.

[The Speaker in the chair]

You know, Mr. Speaker, this health care system in Canada is very precious. It's as synonymous with Canada as the Royal Canadian Mounted Police. If you ask Americans about Canada, they can tell you about health care and they can tell you about the RCMP. They mean the same thing to them.

Of course, Mr. Speaker, there's what has been described as the demographic time bomb. The British think tank London Economics sees health care costs in that country rising to 2.5 times by the year 2030, with a population that is either too young or too old to work. They speculate that with this trend private provisions in health care are not likely to save the day. This reality is not safe for Britain. Research has shown this country to reflect similar demographic trends. I guess I would want to know what would be expected and who would be expected to pay the health care bill.

I have an idea, Mr. Speaker. I know what we can do. We can send out the kids who are doing the fund-raising. Along with raising funds for core school programs, they can sell M&Ms for the health care costs.

The problem in Alberta, however, is that there's no plan to deal with the existing needs, one for long-term care or for early intervention, aside from relocating seniors to distant foreign environments or cutting public health nurse hours in the schools, never mind giving any consideration to their future needs.

Well, what we do know is that the American system is not acceptable. Health management organizations are under pressure to increase rates to those under contract and to ensure access to some of the costliest services to medicaid recipients. Medicaid, for those who don't know, is a program in the U.S. for the disadvantaged, disabled, or chronically ill. The federal and state governments jointly fund it.

You know, Mr. Speaker, I can see it: HRG Management Inc. A made-in-Alberta solution, managed care where citizens of this province are allowed -- and I repeat, allowed -- to choose one doctor or clinic. Or maybe they're on assistance and have to go where poor people are warehoused in order to get hospital care, where they have to swear an affidavit and sign a contract that they will not go anywhere else for services, having their ability to seek another medical opinion forfeited or the choice of what hospital they want to receive care in removed.

There have been few health care professionals or political positions that would argue against true health care reform. There is no question that health care costs have increased over the years. High-tech equipment, longer life spans, higher salaries, more efficient and costly drug therapies are some of the reasons cited for the increase. According to Peter Graffius, costs have spiraled in the U.K. to the point where 245 hospitals have been closed. Christopher Swope wrote in an article in the September 1998 edition of *Govern-ing* that in the U.S. between '90 and '92, medicaid costs increased by 65 percent. And in Alberta, according to Simon Renouf in his article on chipping away at medicare, 1,621 beds were closed in Edmonton between '89 and '95.

Increased health care costs are not just an Alberta issue. Other Canadian jurisdictions have managed to attack the costs with a plan, Mr. Speaker. That's the key. Except for Alberta and Ontario, however, none has opted so forcefully for the private hospital route as Alberta has. History has shown that the Klein government has always intended to privatize hospitals and anything else they can.

They have been the master manipulators. To certain media outlets they have spun a good tale, but a tale it is, Mr. Speaker, disguised by clever wordsmiths to send the opposite message of their true intent.

I encourage all members of this Assembly to support Motion 504

for public debate. I challenge all the Conservative caucus members to have the political wherewithal to stand up for Albertans, not the PC Party, and to support this motion.

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

MR. DUNFORD: Thank you, Mr. Speaker. I'm pleased to join the debate this afternoon on Motion 504 as sponsored by the Leader of the Official Opposition. I'd like to say right at the outset that I'll be opposing this motion, and I hope to bring forward reasons so perhaps other members of the Assembly would oppose it as well. There's one central overriding reason for my opposition to this motion, and of course from that reason other reasons will flow. I hope to be able to relate them in this debate.

The prime reason for my opposition is essentially because the debate and the consultation proposed in Motion 504 are not necessary at this time. Alberta's publicly funded health care system is not moving away. It's here, Mr. Speaker, and this government has committed to preserving and enhancing its role and its effectiveness in Albertans' lives.

This government is committed to upholding the five principles of the Canada Health Act. In both the structure of our health care system and in the funding which the public system receives, we are ensuring that health care in this province is universal, portable, comprehensive, accessible, and publicly supported.

For example, in funding to Health this government has increased spending -- and we've heard it in question period -- by \$1.2 billion, I think the number was, over the past three years. Or is it four years? I'm not sure, but the increases in health care spending have been coming for quite some time.

It is also clear from the legislation and the policies of our government that the principles of the Canada Health Act are merely a starting point. Our government regularly exceeds the requirements of the Canada Health Act through the provision of additional services, such as Blue Cross coverage for seniors or physiotherapy, and through proactive initiatives that focus on active living and illness prevention.

3:40

Mr. Speaker, I want to focus for a moment on Starting Points and about how our government regularly exceeds the requirements. I, of course, am not going to speak for every member here in the Assembly, but I believe that in discussions with not only colleagues in the government I represent but also with opposition members -- I think the previous speaker just indicated a connection between health care and the RCMP. So all of us are committed in one way or another, to one extent or another to the Canada Health Act. But let me relate my own personal experiences just to show, as an example, how one member in this House can be dedicated to the principles of the Canada Health Act.

The history of it goes back to a little health unit in Saskatchewan called the Swift Current public health region. It was in 1946, I believe the year was, that the then Premier of Saskatchewan, Tommy Douglas, decided to try a pilot project. The Swift Current health region was the area that would then undergo this experiment. Well, to get really personal, Mr. Speaker, 1946 was the year that my father was discharged from the air force and then moved back, of course, to our area in Saskatchewan, which happened to be in the Swift Current health region. So more than any other person in this Assembly I have been living the life of a Canadian under what has become the Canada Health Act.

I know some of the stories and some of the situations that

developed in our little community that made us see from firsthand experience what a Canada Health Act or what at that time was called a medicare plan could do to help people that were more disadvantaged financially than perhaps some of the other families in that region.

I only have to refer to one particular instance, where in a family a child was born with a hole in her heart and was really given maybe six months to live. That would be the extent of it. But because of the Swift Current health region and this pilot project that we had, this baby was taken to the Mayo Clinic in Rochester, New York, and surgery was performed. She then comes back to Portreeve, Saskatchewan, and has a life expectancy now of six years, but that family never could have afforded that first operation. So a couple of years go by, and the child was now I think three or four years old and was stronger to perhaps withstand more surgery. At least it was determined that way, so this little child went back to the Mayo Clinic at Rochester, New York, and this time her heart was repaired. I'm pleased to say, standing here in the House today, that she is now a grandmother. There are generations that have sprung from this family.

So many of us, certainly this member, have lived and have the experience of what a Canada Health Act could do. None of us that has had those experiences are going to sit idly by and see an erosion, then, to this system. It just won't happen.

But when I look at what has taken place from 1946 to 1999, I wonder. I don't want to offend anyone here, but to use an expression, I think Tommy Douglas must be rolling over in his grave. The early identification of a medicare plan was never meant to cover all of the expectations that people have now in 1999. Of course I realize that there have been tremendous advances in technology. There have been tremendous advances in the sorts of mechanics and the tools that doctors have available to them. But medically necessary in 1946 meant much different than what it does today.

For those of us who feel responsible for a Canada Health Act and for those of us who want to see it sustain itself, I think we have not only a political obligation but perhaps even a moral obligation, Mr. Speaker, to stand up and say: now, look; let's take a serious, serious look at what it is that we're trying to do with this Canada Health Act, and can we really expect the public purse to be the full provider for this?

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

Point of Order Questioning a Member

DR. NICOL: Under *Beauchesne* 323, would the member entertain a question?

MR. DUNFORD: You bet.

THE SPEAKER: It's permitted under the rules that a question be directed to the hon. minister of advanced education.

Either yes or no to entertaining a question.

MR. DUNFORD: Yes.

THE SPEAKER: Proceed.

Debate Continued

DR. NICOL: The development of health within the process of the Canada Health Act and saying that people did not expect today's technologies to be included in a public health care system or the

implication of that. You know, we based it on one standard of expectation then as opposed to now. Does that kind of same expectation apply to everyone, including the First Nations communities?

MR. DUNFORD: Well, I suppose I'd have to get the Blues out to see what I actually did say, and if I've misled anyone here this afternoon, I would certainly apologize for it. What I was simply trying to indicate to you is that where you had put together a plan in 1946 that would focus on things such as being universal, as being portable, as being comprehensive, accessible, and publicly supported, perhaps this needs to be reviewed in the context of everything that has happened in 1999. Is that okay?

DR. NICOL: That's how I understood it.

MR. DUNFORD: I perhaps will hear later what ramifications my words might have in other areas.

So I guess the point I'm trying to make is that I think the Canada Health Act is one thing, but I think we have to take into serious consideration, for the health and the welfare of all of our citizens today, that we might have to look at whether or not there's some way for the Canada Health Act and its five principles to be maintained but to start to talk about something complementary, because there has to be, in my opinion, some public debate over what is going to be considered medically necessary.

If my reading of press reports and magazine articles is accurate, I believe that the state of Oregon tried to come to grips with this kind of a situation. Now, I know I'm moving into the States, but certainly I don't think any of my Liberal friends or certainly any of my socialist friends are going to argue when I pick the state of Oregon, which of course is considered by many to be the most liberal of all the states in America. As I understand it, they went through a lengthy public consultation process and tried to determine which areas would then be covered by public funding. I don't know that they had all of these principles of the Health Act, but for the sake of this debate, let's assume that they did. The basic premise of the debate was: let's find a list of services that the public will fund, we'll draw a line, and then below that would be entitled to be covered by the private sector. We should have that debate in Alberta.

THE SPEAKER: I hesitate to interrupt the hon. Minister of Advanced Education and Career Development, but under Standing Order 8(4) I must put all questions to conclude debate in the motion under consideration.

[Motion lost]

3:50 Family Law Court Structure

505. Ms Graham moved:

Be it resolved that the Legislative Assembly urge the government to examine the establishment of a unified family court or other similar family law court structure to handle all cases related to family law in an effort to provide a more efficient and accessible way to deal with problems arising from family breakdown and disputes.

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

MS GRAHAM: Thank you, Mr. Speaker. When we speak of family law, we speak of those issues such as divorce, separation, custody, access to children, support for children and spouses, division of matrimonial property, and child welfare issues, to name a few. In

this province family law matters are dealt with at two levels of courts in the province, the Court of Queen's Bench and the Provincial Court. It often may not be clear to litigants to which court they should apply for whatever relief they are seeking unless they have a lawyer, and quite frankly, having practised myself in this province for 20 years in the area of family law, oftentimes it's not clear to lawyers to which court one should apply.

In addition to there being two different levels of court in the province, there are two different levels of government involved: the federal government and the provincial government. In addition, there are several overlapping provincial statutes involving family law issues that give rise to a great deal of fragmentation and overlapping of jurisdiction. The result of all of this, Mr. Speaker, is that for many Alberta families, for many litigants that have family law issues there is a real barrier to justice in this province in the family law area, in my humble submission, and it would be my suggestion that one of the most important ways of dealing with this barrier to access in the civil justice arena would be to find a way to unify our family courts and thereby increase access for Albertans.

This is why I have brought forward this motion, Mr. Speaker, both with a view to serving Alberta families and with a view to giving our Minister of Justice the collective support of this Legislature to move forward with this initiative.

Overall reform of family law, Mr. Speaker, in this province has lagged behind that of other provinces to a large degree, and I would suggest that this is because family law traditionally has occupied a rather low priority for government, and the political will has been lacking to move forward with progressive changes in this area other than for changes that have been made on a piecemeal basis.

There certainly are notable exceptions in the province of Alberta where Alberta has been a leader in the area of family law. I point to the maintenance enforcement legislation, that was brought in in 1985, which is now being refined due to legislation being carried by the hon. Member for Bonnyville-Cold Lake fine-tuning that legislation this session, as well as the parenting after separation course, which was an initiative of the Court of Queen's Bench through their practice notes. There are the techniques of judicial dispute resolution, case management, and procedural packages, that the Court of Queen's Bench has made available to unrepresented litigants. These are examples of the courts attempting to bring innovation into our family law system.

By no means am I denigrating the efforts of the courts to try and modernize our systems and to try and become more responsive to the needs of family litigants, Mr. Speaker, but the job of rationalizing and consolidating our legislation, our practices, and unifying our courts cannot be left to the courts themselves. Political leadership is necessary and, as I would suggest, has been lacking for far too long.

Mr. Speaker, I would suggest that family law courts are the most powerful branch of the judiciary. I say that because the impact of the decisions made by family courts in resolving disputes and the process by which these matters are handled impact upon not only the litigants but many other family members and those surrounding them. While most people won't come into contact with the judicial system through the criminal law, almost everyone may come into contact with the family law either directly or indirectly as so many of our family relationships and marriages do break down, unfortunately, and bring Albertans into the realm of family law litigation.

It is to be noted, Mr. Speaker, that the Court of Queen's Bench is the superior court in Alberta, and it must, of necessity due to the Constitution, deal with divorced or married litigants. However, the demographics of Alberta families have been changing, and the number of married couples is decreasing over time. Common-law

families are increasing along with the births to unmarried mothers. These are the types of families that are often seen in Provincial Court.

The two-tiered system that we have in Alberta now is not really serving the people of Alberta as well as it should, and I would suggest that we owe it to Albertans to move forward with family law reform and unify our family courts. The unification of our family courts is an integral part of our reform.

Mr. Speaker, I'd like to point to several sources of support for the concept of a unified family court. There are many; I can only refer to a few. In my humble submission, I would say that this issue has all but been studied to death in this country and in many other countries. Back in 1968 the Law Society of Alberta struck a committee, that reported to the benchers, that recommended that there be a unified family court in Alberta. Then in 1978 our own Alberta Law Reform Institute issued two reports, numbers 25 and 26, and these reports contained recommendations for the unification of the courts as well as the support of many other services ancillary to resolving family law issues.

The federal Law Reform Commission in the early '70s also recommended the unification of family courts across the country. The Canadian Bar Association did a paper in the early 1990s calling for the same. Here in our own province the MLA Review of the Maintenance Enforcement Program and Child Access, which I had the honour of chairing over the past couple of years, also heartily recommended in recommendation 9 on page 42 as follows:

The Committee views a single family law forum with province-wide access, which is accessible to unrepresented persons, as the system which would best meet the needs of Albertans. We recommend that all parties in the justice system consider the feasibility of making changes which would increase access to and decrease the complexity of the court system relating to family law.

Now, this recommendation went hand in hand with another recommendation for a consolidation of all our provincial statutes dealing with family law. The response of our government was to in fact undertake to bring forward consolidating legislation in the spring of 2001 and at the same time to again study and evaluate this idea of a unified family court. As I mentioned earlier, while our Minister of Justice is certainly supportive of this concept, I suggest that the minister needs the support of this Legislature to go forward.

4:00

Part of the reason is that to accomplish this is no simple matter. It's not straightforward how it should be accomplished because of the two levels of government involved. In the MLA Review of Maintenance Enforcement and Child Access at page 41 it was pointed out that there are alternatives in terms of the manner in which this can be done. I read from the report.

Such a court could be established:

- in the Court of Queen's Bench if accessibility issues were addressed;
- in the Provincial Court, by placing all matters under provincial jurisdiction not requiring the exercise of Section 96 powers into this Court (e.g. divorce); this would mean that two levels of court would continue to be required.

I think, Mr. Speaker, that what was proposed there is that both courts would at least be housed in the same premises to provide for greater ease of access by litigants.

Or thirdly,

- in a unified family law forum based on some consolidation of the two courts.

I'd also refer to the report of the all-party MLA public consultation on the justice summit. Recommendations were forthcoming both from that report and from the actual justice summit again suggesting that a unified family court is needed in Alberta.

As I mentioned, most other provinces are further ahead in this area than Alberta. Most provinces have consolidated their family law into one statute, and they've adopted a form of unified family court. If not in every court location in their province, at least the aim is to achieve that. Based on the research that I have looked at, at least seven provinces in this country have a form of unified court.

The federal government encourages unified family courts. In fact, a unified family court in the strict sense is really a hybrid institution created through federal and provincial consent and co-operation, and this co-operation is necessary to resolve issues relating to the combining of jurisdictions, the sharing of funding, and the appointment of judges. Unification of courts also applies to support services such as mediation, counseling, investigative services, and legal services, that go along to complement the judicial side of family law issues and tend to reduce the adversarial nature of court proceedings.

Just recently in 1998 the federal government passed amendments to the Judges Act to provide for 27 new family court judges. How it is done is a pool of salaries is maintained for appointments to the family courts of various provinces, so a clear indication that the federal government is strongly behind the creation of family courts in the provinces.

To date Alberta has not taken up the gauntlet or entered into serious discussion and negotiation with the federal government to achieve this. In Alberta our Queen's Bench sits in 11 locations and has 61 federally appointed justices and 20 supernumerary justices. Our Provincial Court has 98 full-time judges and 20 supernumerary judges, and that court sits in 23 locations regularly and in 51 on occasion. Thus it can be seen that the Provincial Court as it stands now does offer a great deal more accessibility to Albertans.

The number of Provincial Court judges: as I mentioned, there's a total of 98 full-time judges, and only 14 of those are women, approximately 14 percent. At this point I would make reference to the newly appointed Provincial Court Nominating Committee appointed recently by the Minister of Justice, on which there were no female full-time members appointed. I would suggest, Mr. Speaker, that this does make a statement that only men in this province can choose judges to sit in this province. This is in the face of the fact that at least half the population in Alberta is female. Over the past five years on a regular basis 50 percent of the entrants to law school have been women, and they've been graduating at least at that level as well. I think it's very unfortunate and unfortunately regressive that the appointments have been made in this way. I would suggest that the main goal of course of this committee is to make recommendations on the best-qualified appointments. However, those appointments should still be representative of the general population.

The test for determining whether or not the province should proceed with court unification -- there's only one test, and that is: is that going to serve Alberta families, Alberta family law, and litigants in a substantial way? I suggest that it will. It will be a much more efficient and effective way to achieve resolution of family law issues. Divorce and related family issues are painful enough without the processes that people have to go through being punishing, and it would be my submission that it should be the role of the legal system to reduce rather than promote parental conflict and harm.

I'd make this observation as well, Mr. Speaker. It would be my opinion that middle-income Albertans really can't access the courts effectively anymore, and I say this from having been a practising lawyer. It's really the wealthy and the lower income people who qualify for legal aid that really have access to courts in Alberta. In my submission, this just isn't right. I think that consolidating the courts, assuming that unrepresented persons can still appear in this unified court effectively, is one way of reducing this, but the cost of litigation really is punitive, and this is not good for Alberta families.

In conclusion, Mr. Speaker, the issue of unification of family courts has been tossed around for 20 years. It's been studied to death. In my submission, it's time to take action, and it would be my sincere wish that the Minister of Justice would form a body with participants from all the courts involved, all of the parties to family law in this province, to make clear recommendations to government by a specified date, decisions made by government, and steps taken to bring into effect a unified family court by the year 2001, when we anticipate consolidated legislation in family law to be introduced.

Those are my submissions.

4:10

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

MR. DICKSON: Thank you very much, Mr. Speaker. Every now and again you see a gem on the Order Paper when you go through the government motions, something that sort of leaps off the page because it makes such eminent good sense. Frankly, Motion 505 is exactly that.

Before I joined this Assembly, I too had practised family law for some 22 years in Calgary. One of the things that always struck me was -- well, a couple of observations -- firstly, how expensive and how difficult it can be to access remedies in the family law situation. I remember being involved in Calgary in 1972 with some people in starting what ultimately became Calgary Legal Guidance. This was an organization intending to provide some assistance to people who couldn't qualify for legal aid but couldn't afford a lawyer, on the other hand. You know, the need was huge then, and this was 1972.

I can tell you that the access issues have gotten far more aggravated. There are far more people now who simply are deterred by cost, by time, by a host of other factors from being able to access the remedies from their own judicial system. The courthouse belongs to the people of Alberta. It's unfortunate that those big doors of the courthouse in Calgary on 4th Street -- not only are they heavy in a physical sense, but they're huge doors and represent a symbolic barrier for a lot of people being able to get access to the services they need.

I agree with the member for Calgary-Lougheed when she says that this issue has been studied to death. When I first came into this House in 1992 and was the Justice critic for the opposition, I remember having five areas that I wanted to focus on, five particular initiatives, and one of them was a unified family court. I remember speaking to motions like this over the last seven years and encouraging it and frankly, Mr. Speaker, being very frustrated that there seemed to be so little interest on the part of a succession of ministers of Justice in this initiative.

I think it was about three years ago that I developed and introduced into the House a bill called the Family Law Reform Act. Really what I wanted to do was to make a unified family court part of that, but it was far too complex. So what we ended up doing in the Family Law Reform Act was bringing together a number of different statutes in one and offering that to the government. They chose not to take it, but maybe after three years of maturation it's now going to be dusted off and may have some more currency.

I've always been very supportive of the notion of a unified family court for a couple of reasons. When one looks through the table of contents of the *Revised Statutes of Alberta* and you look for family law statutes, what you do is go through a plethora of statutes that affect families that people have to look at to determine what the rights and remedies are. The Member for Calgary-Lougheed talked about the federal Divorce Act. Provincially, whether it's the Domestic Relations Act, the Child Welfare Act, the Parentage and Maintenance Act, the Provincial Court Act, the Maintenance

Enforcement Act, the Extra-Provincial Enforcement of Custody Orders Act, or the Matrimonial Property Act, you have all of these statutes which ought to be brought together. But it's not enough to just consolidate statutes. What you then have to do is find a way of giving people ready access to a competent court to be able to mete out the kinds of remedies that they require in the appropriate circumstances.

Some of the concerns that have been put to me by people in the Department of Justice historically have been: there's a cost issue. Let's be really blunt about this, Mr. Speaker. There's a cost issue. If the federal government appoints the judges, then there's an expectation that the federal government is going to pay them. If the Provincial Court appoints these people, then there's a question of whether the province has to pay.

The Provincial Court has no inherent jurisdiction. The Provincial Court really only has the jurisdiction conferred by statute, whereas the Court of Queen's Bench has a kind of residual power. It was always interesting to me that restraining orders, which are a very, very common remedy in the family law context -- before the Matrimonial Property Act came along, there was no specific rule of court. There was no specific statute that authorized a restraining order. It was basically the inherent jurisdiction of the court that people invoked to be able to access it.

The Provincial Court has never had those kinds of remedies, yet for the reasons mentioned by the Member for Calgary-Lougheed, it's Provincial Court that's accessible to most Albertans. In Provincial Court you don't need a lawyer at your side to go in. You don't need an appointment for a special chambers application a month or a month and half down the road. In fact, in urgent situations you can go into Provincial Court, do your affidavit in the morning, and you could be in front of a judge in the afternoon. You don't need a lawyer with you.

In our family and youth court division of the Provincial Court you have people who really do nothing but hear these kinds of applications and kinds of cases. You develop a kind of -- "expertise" may not be exactly the right word. You develop a kind of understanding of the dynamics of relationships, that I think is important in terms of helping to make appropriate decisions.

So the problem we've got is: how do you come up with a unified family court that's going to work for Albertans? One of the issues you have to address is whether you use the federal platform; in other words, whether we take federally appointed judges, who now hear cases under the Divorce Act, and then sort of graft on the powers that a Provincial Court judge has and try to make it more accessible. Or do you use the Provincial Court system as your platform and then add to that the powers that a Court of Queen's Bench judge has?

In my own inclination this may not be what the distinguished 62 members of the Court of Queen's Bench think, but I think the platform we ought to use is the Provincial Court platform and then look to find ways to provide people exercise in that jurisdiction to expand their jurisdiction to deal with a full range of domestic cases.

As it is now, you can go to Provincial Court to get a support order, but you can't go to get a division of property. So what often happens is that you have people who will go down and start an application in family and youth court and then their lawyer starts a divorce action in Court of Queen's Bench and then there's an issue in terms of discontinuing one and carrying on with the other. We can do much better, Mr. Speaker, and I think that for the thousands and thousands of Albertans who require access to the court system for a range of remedies, we must do much better.

The Member for Calgary-Lougheed talked about the difference in access. I think the most compelling circumstance is the fact that you have the 98 Provincial Court judges sitting in 23 locations; the 62

Queen's Bench justices sit only in 11 locations. I would think we have representation in this Assembly from a lot of communities that aren't particularly well served now by the Court of Queen's Bench. You know, it's a long time waiting for a QB judge to come through in the circuit, and in the meantime maybe you need a remedy which is only available under the Divorce Act. Well, people can't put their lives on hold waiting for a judge to make it around the circuit whenever. So whatever we can do in terms of giving expanded powers to people at the Provincial Court level to be able to provide the full range of remedies to people in domestic situations that need some help, we'd be far better off in terms of doing that.

So I just conclude by saying that I'm delighted to see this motion yet again, and I'm happy to continue to support the notion of a unified family court. But at the end of the day it's going to take the Minister of Justice supported and encouraged by 82 other MLAs in this Assembly to get this thing off the drawing board and to make it happen. We do not need another study. We don't need the Law Reform Institute to do yet another analysis of it. All we need is the political will to make those changes. So I'm hopeful that every member will find it in their heart to say yes to improved access, for their constituents to be able to get family law remedies as and when they need them.

Thank you very much, Mr. Speaker.

4:20

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

MS OLSEN: Thank you, Mr. Speaker. I rise to support this motion. I appreciate the hon. Member for Calgary-Lougheed bringing this forward. The notion of a unified family court has been around for a long time and now needs to be dealt with.

In fact, Mr. Speaker, if I could just give a little bit of a chronology from 1993. At that time the Attorney General stated that they needed the federal government to come onside, because the courts, in fact the Provincial Court, would lose some jurisdiction. Well, the federal government is onside now and in fact launched the pilot programs and supports the whole notion.

In 1996 the hon. Member for Spruce Grove-Sturgeon-St. Albert raised the issue, as did the past Member for Edmonton-Gold Bar, the hon. Bettie Hewes. In 1997 again it was raised by this caucus and again in 1998 by the hon. Member for Calgary-Buffalo and myself. I was concerned at the time and had asked the Attorney General why in fact we were not at the table to collect some of the money that the federal government was offering in relation to piloting the unified family court process. So it is indeed a pleasure to be able to support something that the hon. Minister of Justice is pursuing. We often don't agree, but on this particular matter we do agree.

Mr. Speaker, the provinces are responsible for establishing the courts with civil jurisdiction, and in Alberta the Court of Queen's Bench has exclusive jurisdiction to grant divorces and can deal with other family law matters. The Provincial Court family and youth division can deal with all family law matters except the granting of divorces. The Surrogate Court, a branch of the Court of Queen's Bench, has jurisdiction under certain Alberta statutes. The problem is that we have, I believe, 21 or more statutes in relation to family law. That creates a bit of a problem for all of those folks who are trying to deal with matrimonial issues in the courts. The whole notion of a unified family court would be able to bring all of these statutes under one umbrella so that there's one place to go.

In a statement that was put out by this caucus, we stated that if this province is serious about addressing the problems with child maintenance and access, it should be looking to develop a unified family court, as has been done in some other provinces. This

requires co-operation with the federal government to reorganize the court system so that all of the issues involved in ending a relationship, including separation, property division, child custody, access to children, and maintenance can be answered under application to one court. Under the current system several different actions and applications may be necessary, which is both costly and uncertain. A unified family court could be armed with the broadest array of remedies available and would be more accessible to families -- to mothers, fathers, and, in fact, grandparents -- trying to sort out some of those difficult, contentious problems which are related to family breakup.

What we've seen happen in this Legislature is that bits and pieces of family law reform occur. We've had the grandparents act. We've had an attempt at the parenting after separation act. So we have all these piecemeal attempts. It's time to move on.

We have a wonderful report that was released in October of '98 from the Alberta Law Reform Institute, and it very clearly outlines the issues in relation to this matter. I think it's now time to move on. Clearly there are some problems, but the one problem that a unified family court would resolve is that we would get rid of having more than one court responsible for family law or even one issue within family law.

Mr. Speaker, a unified family court would permit a single court to have carriage of family law matters. The ordinary person on the street should not have to deal with the confusing maze of courts within different jurisdictions. While the fragmentation of family law is a result of a series of accidents, if you will, accidents of history, it need not govern us today. Through a unified family court we can simplify the system and try to achieve consistent results. We must remember, however, that different courts acting on different information under different statutes are more likely to come to different conclusions of law. This circumstance does not reflect well on the justice system, and we've heard very clearly, as the Member for Calgary-Lougheed alluded to, the issues and concerns that we heard through the justice summit.

It was with some concern and in fact I was somewhat disturbed to see that the issue of family law was not even on the table at the summit for the public delegates to deal with. We heard so much through the MLA consultation process and in fact relied on much of what the hon. Member for Calgary-Lougheed had been able to determine in her consultations for access and maintenance enforcement and took some of those recommendations to move forward. In fact, the matter wasn't even on the table at the justice summit, so I'm not clear on what the Minister of Justice's perception is of all of this. I know he needs our support to move on, but it would have been a fine place to have that debate.

Mr. Speaker, I know my time is getting near here, but I want to talk about some other issues. A unified family court carries with it a reduction in the power of provincial governments. In order to consolidate family law jurisdiction, the judge must be able to grant divorces. Federal legislation requires that the Court of Queen's Bench judges grant divorces, and the Court of Queen's Bench judges are federally appointed. With a unified family court the Alberta government would lose its ability to appoint judges who hear family law matters. It will also, however, not have to pay those judges. Court of Queen's Bench justices are also federally paid. So, you know, there's a trade-off here, a little bit of give-and-take in how this would work.

I would like to move on and talk about the experiences in other provinces, and we know, as the hon. Member for Calgary-Lougheed also identified, that there were a number of other situations. I see, Mr. Speaker, that you're going to rise. I will adjourn debate on this particular motion and pick it up next Tuesday.

Thank you.

4:30

THE SPEAKER: Actually, hon. member, you don't have to adjourn the debate. The time for this item of business has concluded.

Speaker's Ruling Decorum

THE SPEAKER: Before we call on the Clerk, hon. members, you are now going to begin a very intense process that's going to go on for some period of time. Some of these discussions with respect to the estimates will be in this Assembly; some of these discussions will be in alternate rooms. May I please ask for your co-operation in being courteous to the chairs. The chairs in this case will be more than simply the Deputy Speaker and the Deputy Chairman of Committees. There will be other people who will also be chairing these committees, but they're all part of the Legislative Assembly, and courtesy will provide for the greatest degree of productivity and effectiveness.

Thank you very much.

head: Committee of Supply

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: I would call the Committee of Supply to order. As the Speaker mentioned, we will be spending considerable time over the next several days in Committee of Supply, and I do ask for your indulgence. During committee stage you can, in fact, move around and visit and ask for coffee, take your suit jackets off, but I do ask that you not stand in the Assembly, that in fact you sit down. If you're going to be moving about, then please find someplace to sit.

Thank you.

head: Main Estimates 1999-2000

Community Development

THE DEPUTY CHAIRMAN: I would ask the hon. minister to start the debate, and then I will call on the critic from the Official Opposition.

MRS. McCLELLAN: Thank you very much, Madam Chairman. I'm pleased to be able to present the estimates for the Department of Community Development as well as the three-year business plan. It is my intention to just do a very quick highlight and leave as much time as possible for debate.

This is a diverse ministry. It has responsibilities for seniors' programs, sports and recreation, arts and cultural industries, libraries, historic sites, citizenship and status of women, addictions prevention and treatment, and also nine agency boards and commissions. Also within this ministry the Member for Calgary-Currie is the chairman of AADAC, the Member for Lacombe-Stettler is the chairman of the lottery board secretariat, the Member for Calgary-West has responsibilities for the Seniors Advisory Council, and the Member for Calgary-Cross has responsibility for the human rights, citizenship, and multiculturalism education fund. I am sure that if the opportunity arises in the debate for answers to questions, those members would be pleased to participate.

Like all of Budget '99, Community Development's new budget strives very hard to strike the right balance between fiscal responsibility and quality-of-life issues, that mean so much to Albertans. The themes of this year's plan are strong communities, secure seniors, involved youth, and productive partnerships, and over the next moments I hope to give you a highlight or two of this new plan.

We have a very strong presence in Alberta communities, and this year's business plan will strengthen those foundations. First I'll mention community lottery boards. My ministry will continue to fund and support community-based initiatives and nonprofit agencies through the community lottery board grant program. That program remains at \$50 million, plus \$1 million that is allocated for administration internally and \$800,000 that will be allocated to the community lottery boards on a balanced ratio. The community lottery boards have the opportunity to use those administrative dollars either for necessary administrative costs, or if a group wishes to support their endeavours, they may use those dollars for increased grants.

The first year of the program was very successful. The member responsible for that area met with I believe it was 66 of the board chairs as well as had the foundation chairs in to discuss this, and the reports were very, very positive. They gave many good examples of being able to help communities with grants anywhere, frankly, from about \$100 to \$1 million. I think that shows the diversity that that program has.

Another important area of this department is support to seniors. I've said it before and I will say it again proudly: Alberta has the best seniors' programs in Canada. We have the highest benefits, the most generous income thresholds anywhere in the country, and as minister I want to ensure that they stay that way. That's why we are constantly trying to improve our programs and access to our services to seniors. For example, the seniors centre in Edmonton is being renovated to provide more space for seniors to talk to staff in comfortable settings that ensure their privacy.

Budget '99 calls for a \$1 million increase to the special-needs assistance program for seniors. This will bring that total budget up to \$8 million this year. I think all members are familiar with the program. It provides eligible seniors in financial emergencies, like a furnace breaking down in the dead of winter or an unexpectedly high dental bill or pharmaceutical bill, with up to \$5,000 annually. We are continuing to monitor this program very closely to make sure that it is properly funded. No senior who qualifies for and needs assistance from this program will go without it because of lack of funds in this program.

The special-needs program provides the kind of investment that seniors told us they want: reinvestment that really makes a difference to them. By the end of February '99, 11 months into the current fiscal year, 3,700 seniors had received special-needs grants to help with onetime emergencies. I should also tell you that the average grant was about \$2,700. That's an average overall. I also want to tell you that this is the only program of its kind in Canada. We do have other provinces who are looking at it, who are very interested in this program, and certainly we're willing to share our information with them.

The other budget adjustment is on the Alberta health insurance premium subsidy side, which shows an increase of \$10.8 million, from \$40.1 million up to \$50.9 million. I should tell you that this is money that Alberta Community Development pays to Alberta Health on behalf of seniors who qualify for premium subsidies. I should tell you primarily why there's a change. In the past we dealt with estimates. Now, because our programming and our computer system have improved greatly, we are able to calculate the exact cost of a premium subsidy, so we've been able to accurately reflect the cost of this program. This increase brings the total amount that Community Development spends on financial assistance to seniors to \$192 million. As I've indicated, good programs reacting to seniors' needs.

But we want to make sure that we can react to those needs into the future. Thus we are having the study on the impact of an aging population on government programs and services. The Member for Calgary-West is chairing that, and the Member for Leduc is co-

chairing it. We have a number of people from the stakeholders group, and they're doing an excellent job. Their first task is to review the immediate needs, the short term, to make sure that our programs indeed don't have holes in them or that seniors are falling through the cracks. We don't want that to happen. They will report back in that area this fall. We will culminate with a seniors' forum or summit in November of this fall and report back at a later time on the long term.

We want to make sure that we're positioned to meet the needs of seniors. As we know from demographic information, that population will increase. It's increasing now. More and more seniors are moving to our province; it is not just the ones that are turning over the age limit here. Alberta is an attractive place to live, and certainly some of the attraction is the good benefit programs that are here for seniors. Very few provinces have dental and optical benefits. Very few have cash benefits. Most of them, in fact every province has a much, much lower income threshold if indeed they do have a cash benefit program. These are facts, but that does make it attractive.

The other reason, of course, is that the economy is so strong in this province. Many families are moving here, and they want their extended families with them. We're happy to welcome those seniors to our province. The other thing is the very innovative housing that is here for seniors. Edmonton, the city we're in now, had one of the first assisted-living complexes of its kind I believe in North America, and that has continued to grow in all of our cities, including the smaller cities of Medicine Hat, Lethbridge, Camrose, and others. So the work that this committee is doing is very important. I should mention: important work in the International Year of Older Persons. I want us all to remember that the International Year of Older Persons is really focusing on that seniors are important to all generations -- it's an intergenerational thing -- and not just focusing on the fact that they're older persons.

4:40

AADAC. Budget '99 calls for an 11 percent increase in AADAC's budget. That is primarily to deal with gambling addictions. I think AADAC is doing a tremendous job in this area. AADAC will be working very hard with our department and the Alberta Gaming and Liquor Commission to respond to the summit recommendations. You will see those coming into play during the year, such as the research institute, which we hope will be announced soon. We've had a very good proposal from a consortium involving the University of Alberta, the University of Lethbridge, and the University of Calgary, and we expect that to move along.

Community Development is a proud partner with other government departments in implementing the Alberta children's initiative, which we think will be of great benefit to our communities. Other partnerships are in youth programs like regional youth councils, campus volunteer centres with universities and colleges, interpretive programs for youth at provincial historic sites, the young offender pilot program with Alberta Justice, the future leaders program for Alberta youth with the private sector. These are all programs that focus on youth.

The lottery foundations like the Alberta Foundation for the Arts, the Alberta Sport, Recreation, Parks and Wildlife Foundation, and the Wild Rose Foundation also provide funding to provide youth and in fact adults with sports, arts and cultural activities. AADAC co-chairs the fetal alcohol syndrome program in collaboration with Family and Social Services. They are also working with partnering with other departments on children's mental health. AADAC is going to continue to seek out community and corporate partners to deliver a multimedia prevention program aimed at young people, that was launched this year, the Resiliency campaign. That

encourages adults to develop caring and supportive relationships with young people to help them develop effective coping skills, and a number of people were at the kickoff of that campaign.

New initiatives. We're excited about some of our new initiatives, some of which we've talked about in this Assembly before. The World Championships in Athletics are coming to our city. Our government has committed up to \$40 million to this project; \$19 million will be allocated this year. That's to help the host society pay for the initial operating and capital costs for the event like administration, marketing, licensing, ticketing, advertising, and event planning. It is an international event that will attract spectators from around the world and will leave a legacy of new or upgraded facilities in our province. As I've said before, it is expected that the games will generate \$386 million in economic spin-offs to our province.

The film development program is also new in this year's budget. I want to express my appreciation to the member for Airdrie-Rocky View, who assisted the Minister of Economic Development and myself in developing this program, and also to the Alberta film community because they certainly worked very hard to make sure that there was a program that was responsive. This will commit \$5 million per year over three years. It is new money to the Foundation for the Arts budget, so it will not affect programming for arts grants. The film development program provides grants to support the cultural development components of filmmaking by resident Alberta companies and companies owned primarily by Alberta residents.

We're judging by the number of requests for applications that there will be a marked increase in production in Alberta over the next three years. I had the privilege and the honour of attending the Arthur Hiller luncheon at the Local Heroes film festival about two weeks ago, 10 days ago, and I can tell you that the reception from that community and the comments from Mr. Arthur Hiller, a very celebrated producer of films, were very positive.

The new initiatives in the area of human rights, citizenship, and education are very important to us, and under the direction of the Member for Calgary-Cross we will continue to commit \$1.2 million to the human rights, citizenship and multiculturalism education fund. This is one of the most generous if not the most generous budget for human rights and diversity education in the country, and I'm proud to tell you that this fund is working extremely well and has supported some very good projects to date.

This year we plan to host the first-ever community development conference in our province. We expect to host it in late September in the city of Edmonton. This is primarily to assist our communities, who are becoming very self-reliant, but it will also help community leaders improve their skills.

Provincial Archives, the subject of much conversation. I can only tell you that we are currently reviewing and continue to review that area, and it's simply a matter of: stay tuned as we work through that process. There is no time line, contrary to what you may have heard, and there is no decision made to this point.

Two other areas of importance to note. The millennium projects, which our department is supporting, as are many departments in government. I would tell you that the major initiative that Community Development is supporting in the millennium projects is a major exhibition called *Jesus Through the Centuries*, that is being created by the Provincial Museum. It will open here and tour internationally to other museums after being here. We also have an MLA committee, led by the Member for Medicine Hat, who are assisting me in reviewing all of the recommendations and the scope in the budget for implementing the recommendations of the 100th Anniversary Strategy Committee, which was chaired by Mrs. Klein and Mr. Donahue. I expect to receive that committee report in September, and we will go on to discuss that further.

To wrap up, I want to reiterate that I believe that this new business plan and budget strike the right balance that Albertans expect from this government. I know that the staff of our department, many of whom are in the gallery, and its associated foundations and agencies join me in looking forward to an exciting new year, a year that will see the dawn of a new millennium in our province, that is strong and well positioned to meet the challenges of the future. Budget '99 provides a very solid foundation on which to build that future.

Thank you.

THE DEPUTY CHAIRMAN: Hon. members, I did in the beginning say that I was going to allow the Member for Edmonton-Centre, who is the critic for Community Development, to speak.

Go ahead, hon. member.

MS BLAKEMAN: Thank you, Madam Chairman. I am pleased to rise to debate the budget of Community Development. I also would like to welcome the staff from Community Development that are joining us in the galleries.

As always I am intensely aware of the time limit that we have to debate this department and my meager 20 minutes at this time. I'll note that last year opposition members achieved only 48 minutes of debate or questions on the entire department, which covers 19 areas. I know the minister was clipping along to get through as many highlights as possible, and I am endeavouring to do the same. Given that, I'm happy to receive answers from the minister in written form.

I'd like to start with the seniors' issues, which is a new area that has been added to my portfolio of responsibilities, speak very briefly about women's issues, and go on to arts and culture and sports and recreation. I believe that my colleague from Calgary-Buffalo would also like to speak today on the human rights section of the department.

I'll start off with the seniors budget by acknowledging that this is the International Year of Older Persons, but I'll have to disappoint the minister by saying that I understand that Yukon feels they have more generous programs for seniors. I am trying to get in touch with them up there to see if that's a valid claim or not.

Now, Alberta seniors have faced net cuts in their provincial programs and benefits of over \$100 million since this province promised to protect the people who built the province. Aggregate spending on seniors has dropped from about \$1.1 billion in '92-'93 to about \$1 billion for '96-'97. Over this same period the population has aged, and as the minister mentioned, there were additional people moving into the province. There were about 240,000 senior citizens in '92; today there are about 300,000. The decrease in the per capita support for seniors is even greater than the 10 percent nominal cut. On a per capita basis, since the Klein government began its austerity program, the seniors program support per senior has been cut by 25 percent. Alberta Treasury is projecting a consumer price index annual rate for the calendar year '99 of 1.6 percent and 1.7 percent for next year, calendar year 2000. I think we need to keep that in mind when we look at any increases in the budget.

4:50

Alberta's senior population is increasing at about 8,000 to 10,000 seniors per year, or by about 3 percent, which means that unless there's real growth in the seniors program support that keeps pace, the per senior expenditure drops. I know that the minister has received letters from seniors because I've had the CCs with their concerns, that they tightened their belts and participated with the government in their cuts. They are looking for when they would find relief from this government.

So a number of questions I have to ask. What is the minister's estimate of the number of seniors in the province for '99-2000, and what is the government's estimate of the number of seniors that are going to be moving to Alberta? In light of 10,000 more seniors in the province already and an inflation rate of about 1.6 percent, why has the amount budgeted for the cash benefit portion of the Alberta seniors' benefit not changed from last year? We do see an increase of about 21.2 percent in the health care insurance premium subsidy. The minister did mention that. Perhaps I was distracted, but I don't quite understand why. Are there more seniors that are eligible, or is it the intention of the government to change the income threshold so that more seniors are eligible for a total subsidy, or are more seniors facing financial distress and in need of assistance?

With increased user fees and property tax, drug costs, rents, utility rates, is the only light at the end of the tunnel for seniors to apply for the special-needs assistance? Are there other programs or other plans being developed by the government to give the senior citizens in Alberta some relief?

I note that it's encouraging to see that growth in the management and operations has been contained to 5.6 percent this year compared to the 29.5 percent last year. I still have a question about why the administrative costs are outstripping inflation.

We do see a 12.5 percent, or a million dollar, increase in the special-needs assistance. Does this anticipate more seniors having a tougher time making ends meet, or do you expect a similar number of special-needs assistance applications? Again, are you loosening up the eligibility so that a larger number of applications are successful?

Can the minister provide an update of the number of special-needs assistance applications: the number accepted, the number rejected? The average award for each accepted application, the minister mentioned, was \$2,700. Thank you for that. Is there a breakdown by constituency or by municipality or by health region? That would actually be very interesting information. Has there been any more consideration given to adjusting the income threshold levels and cash benefit levels under the seniors' benefit so that the separate special-needs assistance bureaucracy is unnecessary?

Will the review of seniors' issues currently under way, as announced in the 1998 throne speech, be as comprehensive as the 1992 publication *Older Albertans*? Specifically, I'm looking for the review to contain comprehensive and quantitative enumeration of Alberta seniors statistics with respect to demographics, income, health, and accommodation.

What is the total budget for the steering committee looking at the impact of the aging population, and from which departments is its budget derived? How much will be contributed from each of these departments for the fiscal year '99-2000? Can the minister advise what effect the proposed flat tax of 11 percent will have on Alberta seniors? I know seniors are very interested in that.

Now, three years ago the Premier promised to rebate any provincial income taxes the province collected as a result of a broadening of the tax base by the federal government. The federal government has indeed broadened the base. Seniors paid more in provincial income taxes but are still waiting for their rebate. Are seniors any closer to finally seeing the tens of millions of dollars in a tax rebate promised by the Premier? I am looking for a direct tax rebate to the seniors as compared to the seniors program funding.

What adjustments are being made in the Alberta seniors' benefit or special-needs assistance programs to acknowledge the skyrocketing rental rates in specific locations in Alberta? I would mention Fort McMurray, Grande Prairie, and Calgary.

What adjustments are being made in the Alberta seniors' benefit or the special-needs assistance programs to assist seniors who are

facing considerable increases in their property taxes? I note that the executive director of services for seniors had an increase of 4.4 percent while the seniors themselves in fact didn't receive such a generous increase. I'm wondering if the executive director is up for another increase in this budget. The 4.4 percent was last year. How is it that every group that took a 5 percent cut has seen its 5 percent returned except Alberta's seniors? When is it the seniors' turn to see some of their benefits restored?

I'd like to go on to the business plan summary, the goals. The goal: "To ensure seniors have access to the supports they need to live in a secure and dignified way as independent and contributing members of society." Can the minister reconcile this goal with seniors needing long-term care and having to move miles away from their spouse and children and grandchildren and their place of worship and their friends? How does this help them "live in a secure and dignified way"?

How does the minister define "the supports they need"? Are these government supports, community supports, charitable supports, expectations from family? What is the goal referring to? Can the minister tell us what has been done over the last year and what will be done in the coming year to ensure that seniors living in private group homes or boardinghouses are indeed living "in a secure and dignified way"? How is a lack of minimum standards or monitoring ensuring anything for these seniors? Can we expect anything in that monitoring?

The goal to lead a study of the impact of the aging population on government programs and services and to develop a government-wide response. Now, I'll admit that perhaps this is semantics in the wording of the goal, but it does seem to be defensive in the sense that it's referring to seniors or an aging population as some external force threatening the government. I'm wondering if the strategy was more intended to be to lead a study of how government programs and services governmentwide can better serve an aging population.

I'm wondering what has happened to last year's strategy to improve delivery of "information, benefits and protection to seniors in a multi-stakeholder environment." What happened to the strategy from the year previous to that: co-ordinating a government-wide approach to planning for seniors' programs and policies? I know we're at the beginning of another three-year cycle, but those have disappeared off the map without -- what's the word I'm looking for? -- closure. Why is this governmentwide approach taking so long? It was announced in the '98 Speech from the Throne, and the steering committee was convened in November of '98, I think. We're expecting them to report another year from now. So the community has to wait an additional two years, it sounds like, since the committee was first announced.

The goal of planning "for seniors' current and future needs by developing and coordinating a more strategic approach for the Government of Alberta Strategic Business Plan for Seniors in conjunction with other ministries providing services to seniors." Is there already a government of Alberta strategic business plan for seniors in place? If so, would I be able to obtain copies? What exactly is meant by "a more strategic approach," and how long a time line can seniors expect for the evolution of this "more strategic" strategic plan? Who, other than provincial government employees and government MLAs, will be involved? I'm wondering if there are any seniors or members of the public expected.

I'm a little concerned about my time. At this point I'm going to move into women's issues with the hope that I can return for the rest of the questions on seniors.

5:00

I'll move to women's issues. I note that funding for advice and

co-ordination respecting women's issues was at \$1.198 million in the '91-92 year. This year I could not find one word of women in this department's budget for '99-2000. I'd like to ask the minister exactly how much money was being spent on advice and co-ordination or on policy development on women's issues, and how many FTEs are assigned to women's issues in the '99-2000 budget? Could I get a breakdown, please, of what programs and services are funded under the heading Community Services for '99-2000? I would appreciate also receiving the FTE breakdown for that.

I wonder if the minister could also give us an explanation of why the decision was made to transfer AADAC from funding by general revenue through the Department of Community Development to funding by lottery revenue? What criteria was used to make this decision?

I'll move on now. Unfortunately, that's all I can find to ask about women's issues, because as I say, they don't seem to be there anymore, but perhaps the minister can elucidate on that one. I'll move to questions on arts and culture and sports and recreation. Could the minister explain why there is a 10 percent increase in funding for the deputy minister's office? Given the rapid population growth, as certainly boasted about by the Treasurer, why is there a 6 percent drop in funding for arts and libraries? Again, given that same rapid population growth, why is there a 39 percent drop in funding for sports and recreation? Why is there a 13 percent drop in funding for management and operations in Community Services? Does this not erode the basic supports necessary to administer community services?

Moving on, given that a highlight stated in the department's business plan is to "continue development of the Alberta Public Library Electronic Network in partnership with the library community," can the minister explain a 6 percent decrease in funding for arts and libraries and a zero percent increase in funding for library operating grants? How will this continued development be financed?

Next question. Although the total operating expense for Community Services has gone up \$18,774,000, \$19 million of this is lottery money specifically designated for the 2001 World Championships in Athletics. If this \$19 million is removed, funding for Community Services is actually down by \$226,000, less than is estimated for the end of this fiscal year. Why have the basic supports for community services continued to be cut? Exactly what programs and services have been lost or downsized or partnered off into the community? What happened?

Given that the lottery money to the AFA has increased by \$5 million this year, the exact amount designated for the new film development program, how does the minister explain the zero percent increase in funding for the other aspects of the Alberta Foundation for the Arts? This doesn't even keep pace with inflation, never mind Alberta's rapid population growth as touted by the Treasurer.

Given the \$5,913,000 injection of lottery money to the Alberta Historical Resources Foundation, why will total spending by the foundation only go up by .1 percent, not even enough to keep pace with inflation for one year? How is this compatible with the department's goal stated in its business plan, "To improve the quality of life for Albertans through the preservation of and promotion of appreciation for Alberta's diverse natural, historical and cultural resources"?

How does the minister explain a 13 percent drop in funding for heritage awareness programs this year? How is this compatible with the department's highlight, as stated in its business plan, to provide assistance through the Alberta Historical Resources Foundation for communities with heritage activities associated with the millennium?

I had mentioned earlier that the AFA has a zero increase, but I believe that it has seen no increase in many years. When, exactly, could the minister tell us was the last increase into the AFA pot? I note that the province has made some \$800 million -- and I might be off by a few there -- in lottery revenues. Why does none of this increase in lottery revenues to the government seem to be going to reinvest in the Alberta Foundation for the Arts or, for that matter, Alberta Sport, Recreation, Parks and Wildlife Foundation?

As stated in the department's business plan, how will self-monitoring by the industry be encouraged in order to protect historical resources? What regulatory mechanism will be put in place?

Now, given the \$14,885,000 transfer of lottery money to the Alberta Sport, Recreation, Parks and Wildlife Foundation -- this is a decrease of a million dollars from '97 -- why will the total spending by the foundation decrease by 5 percent? That's including a 9 percent decrease in provincial program spending, a 7 percent decrease in spending for local and regional development, a 5 percent decrease in spending for parks and wildlife ventures, a 12 percent decrease in administration funding, and a 50 percent decrease in spending on other initiatives. I'd also like to know when was the last time this foundation had an increase.

Now, I note, Madam Minister, that to my eye it looks like they have been working off their surplus, but as a result of that they are still cutting their internal programs or their line item programs, I guess, in order to achieve a balance. So when was the last time this foundation had an increase? Why, again, with the province making some \$800 million plus from lottery revenues, has this foundation not benefited, when arts and culture, sports and recreation were the primary reasons for getting into the lottery business in the first place?

I have not seen criteria for the film arts fund, and I'm wondering if the minister could expand a bit or perhaps provide me with that exact criteria for the cultural component of the fund. I've had a few questions asked of me, and I don't know the answer to them. These were people doing films that weren't being shot in Alberta. That was the difference. So if I could get a copy of the exact criteria, I'd appreciate that.

Now, I do still have some time, so I am going to return to my seniors' questions. I'm back to the goal of

continue to work with other provincial government departments to implement legislation that affects seniors, including taking a lead role in the Protection for Persons in Care Act and assisting with the . . . Personal Directives Act.

Question: why does this government continue to refuse to provide minimum provincial standards and an inspection service for those seniors who are forced to live in private group homes with fewer than four residents?

Three years ago investigate options for the regulation of residential care was a highlight. What has happened to this initiative? Have those investigations concluded? If so, what were the options? What was the criteria? What were the recommendations? What is the government's progress on acting upon them, or what are the time lines for completing the remainder of them? Why isn't regulation of residential care a high priority, given the skyrocketing rental rates and property taxes forcing seniors out of their homes? Given the Seniors Advisory Council's recommendations to regulate residential care, when will the government act on the recommendations put forward by its own seniors council? [Ms Blakeman's speaking time expired] And still more to go. I will ask one of my colleagues to continue my questions for me.

Thank you very much.

MRS. McCLELLAN: I'm just going to deal with a couple of them very quickly, because I do want also for other members to get in, and the hon. member does know that I do send her in a timely fashion the answers to all of the questions.

On the ASB or the health care insurance premiums, you did miss the explanation. One is a more accurate computer system that allows us not to estimate, to be accurate. The other is \$3.64 million for the additional seniors. We expect there will be 8,000 more seniors in this province this year.

ASB is not prorated, and each year I hear the critics for the seniors program across the way saying: there's less money in the ASB program; there are more seniors, so seniors are going to get less. It is not prorated. The level doesn't change. If a senior is eligible, they're eligible. So it doesn't matter. What is really happening is that more seniors, more people who are turning 65, have more affluence, I guess you might say, are perhaps in a better financial situation and that is the money that . . . [interjection] Well, it does make sense, because if you have retirement savings and you are not at the income cutoff level, you're above it, we're not going to give you an Alberta seniors' benefit cash payment. If you are at that level or below it, you are going to get it. It doesn't matter whether we have more seniors, we make sure that we have enough money in that program to pay seniors at the rate that it's set at. So to say that you've got more seniors, less money, so obviously seniors are going to get less -- please don't say that out in public. It's not correct. It is not true.

5:10

The flat tax for seniors under \$30,000. They will pay no tax. We'll just repeat that one more time.

Property taxes and seniors. We're having some discussions with municipalities. They set the property taxes. Do they have some responsibility to be concerned about seniors? Perhaps.

We have 300,000 seniors approximately in this province or 180,000 seniors that receive the Alberta seniors' benefit. We process over 4,000 updates a month, in case you're wondering why this program might be a little bit administratively costly. I think, frankly, that it is very efficient when you consider that we have 300,000 seniors on our computer, 180,000 receiving ASB, 4,000 updates. Half of those would be for address and residence changes, and you should know that approximately 1,600 people in this province turn 65 each month.

The aging population study is definitely on track. I mentioned in my comments that there would be a report this fall on the short term. The long term is going out to 2015, so I think that if we have that ready by next year, that will be fairly timely. It's 1999 now, so we're talking about programs out to 15 years.

There is a strategic business plan for seniors. The member is new to this critic role. She may not have seen it. It will be tabled in the House, and that is an interdepartmental plan that is collaborated on by all of the departments that have responsibilities such as health and other areas, so you'll receive a copy of that.

Women's issues. Frankly, I'm pleased that you couldn't find any. It's not quite that simple though. There are some things that we deal with over in that area, but the hon. member might remember from last year or from another question in another time, certainly here, that we did amalgamate the women's area with the human rights, citizenship and multiculturalism area to make it more efficient so that staff could be transferred when there's a heavy load in human rights areas and/or a heavy load there. The issues we're working on are national strategies on violence against women, although in Alberta, we're focusing on families but certainly include women in that. So you can look in that budget area and you will know how

many FTEs and how much money there is, because that's where it is located now.

AADAC lottery revenue. It was deemed to be a good expenditure.

The AFA and the arts questions. I can tell you that I'm proud to say that the arts community, the theatres and so on, are becoming much more self-sufficient. They're generating more revenue. We're a small part of their funding. They tell us an important part. And actually, obviously, they're providing cultural opportunities that people want to go to. In fact, last year my understanding is that 13 million people took part in a cultural activity in this province. That is more than four for every one person, if you even took the babies.

Arts grants are prorated. They have been for years, and no, we have not been able to increase their grants, but I think the members opposite would understand that the arts and sports communities, cultural areas are very pleased that neither have they had a decrease in grants in a time when we have been focusing on ensuring that we have a balanced budget and that education and health have been very strong priorities for reinvestment.

We have reinvested back into seniors. I'll give you the numbers in writing.

The special-needs program. Over \$19 million last year and another million this year in that area.

Films. If you get questions on the film development program, I would recommend that you forward those to the technical group. I don't deal with that in my office. We have people who are very knowledgeable and will get you the address and the name of the persons to refer them to, because it is quite a technical explanation on the qualifications.

With that, Madam Chairman, there were tons more questions I'm going to respond to in writing. It'll be a fairly sizable book.

THE DEPUTY CHAIRMAN: The hon. Member for Fort McMurray.

MR. BOUTILIER: Thank you, Madam Chairman. Last evening, while going through this very impressive document at 2 o'clock in the morning, I wandered upon section 2.2.6.

AN HON. MEMBER: Get a life, please, Guy.

MR. BOUTILIER: I am working on getting a life.

Having said that, the hon. member across the way did mention the World Championships in Athletics, specifically in the year 2001, and accordingly under reference 2.2.6 there is approximately \$19 million that has been allotted in time. A question that begs to be asked is: one, how is this money going to be spent? Secondly, that is a lot of money, and what are we going to do to ensure that the money is spent appropriately and, of course, towards this important endeavour pertaining to the 2001 world championships? To the hon. minister.

MRS. McCLELLAN: Okay. I can deal with that very quickly, Madam Chairman, and then Calgary-Buffalo, I think, was the next speaker. On the World Championships in Athletics, the total budget is \$40 million. There was \$1 million that was allocated in the past year, \$19 million in this year's budget, and \$10 million projected in the next budget and the next budget, bringing the total. The money's going to be used for operational expenses, for capital projects, for renovation of existing facilities, and for the construction perhaps of new facilities. All of these expenditures, I believe, will enhance the legacy of this project.

I should tell the members, because \$19 million in this budget is a lot of money, that the formal agreement with the organizing committee outlines all of the conditions and expectations. They will be required to submit to us quarterly a financial update for review

and/or for audit. So we are taking this allocation of these large numbers of dollars very seriously. However, I know that the hon. member who asked the question understands also the importance of these games and the legacy that it will leave and how proud we are that Edmonton was chosen to host these games.

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

MR. DICKSON: Thanks very much, Madam Chairman. A number of questions. I was going to focus on the Alberta Human Rights Commission, vote 6.0.1, but before I do that, I was fascinated to discover that within the bowels of the Department of Community Development -- it's not that big; there aren't that many staff -- there are a number of people who are facilitators. Now, I understood that these facilitators were people who went and helped a community organization, a not-for-profit that was having some kind of a function, and instead of having to go to hire some agency, a government department provided that resource.

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What I'm a bit puzzled by is that having met some of these people and seen them in operation -- I think they did the gambling summit. I suspect they did the growth summit. They did the health summit in Calgary. They did the justice summit in Calgary. I understand that they're on tap to do some other things, and I wanted to ask the minister: given the fact - and I don't mean this because it was one of your people that was purported to deny me access to the health summit in Calgary because I didn't happen to be wearing an observer badge. My question is this: what concern does the minister have about compromising the independence of a summit? The role of a facilitator is an absolutely key one, and an experienced, skilled facilitator, as we all know, can take discussions and have a great deal of influence -- let me put it as fairly as I can -- over the outcome in small group discussion.

While this is a wonderful resource, Madam Minister, to have for nonprofit organizations -- that's terrific -- I had never understood that the purpose of it was chiefly to be an agent for the government of the day in terms of running their consultations. This was raised -- this wasn't my opposition paranoia, Madam Minister. This, in fact, came out of a discussion I had at one of the summits. I won't identify the citizens, and I won't identify the summit, but there was some comment about that.

I wonder, Madam Minister, whether you're going to continue this practice or not and, if you do, how you ensure that these people, who admittedly are very skilled, come away with a strong sense that they have not been basically doing the government's business. [interjection] Well, I know that the minister is chomping at the bit to answer, Madam Chairman. I've got a couple other questions I wanted to move to.

I guess before I get into the particulars, I wanted to ask what for me is one of the most troubling questions. When we look at what's happened around human rights issues over the last 12 months and I go back to what used to happen -- you know, I happened to pop by the library, and here we had the Alberta Human Rights Commission making a brief to the government of Alberta on insurance premiums and a brief on annuities being set and whether there was discrimination on the basis of gender. What struck me was that here was a commission that was in fact offering advice to the government in a very public way on an issue that was important at the time.

I look at the whole thing around the Delwin Vriend decision and the whole issue around notwithstanding, and I've heard all of the talk about the fences committee and so on, and I guess when I look

through all of the newsletters -- the *Citizen* it's called, the newsletter produced by the Human Rights Commission -- I'm struck by: why is it that the commission seems to have lost its voice, Madam Minister? Why is it that a number of years ago it was prepared to challenge insurance rates that were seen to be discriminatory? When there were issues around the treatment of Hutterite colonies and members of Hutterite colonies, the Human Rights Commission made statements. When Fil Fraser was the chairman of the commission, there was a public presence and a kind of leadership provided collectively from the commission that we frankly don't see now.

So I read through anxiously every one of the newsletters that come out, and I appreciate the update on hearings, and I appreciate some of the updates on other conferences that are being hosted. But you know what seems to be missing is some advocacy on behalf of that range of human rights issues. So, Madam Minister, I ask you: why is that, and when is that going to change?

The other issue is that when we look at the statistics, my understanding, subject to correction by the minister, Madam Chairman, is that 856 complaints were received in '97-98. There's an expectation that those complaints will increase in '98-99, yet the funding increase seems to be exceedingly modest. In fact, when we look at page 77 in the coil-bound estimates booklet, we see operating expense in '98-99, gross expense, was \$2,437,000 and now \$2,340,000 for the '99-2000 estimates. What we've seen is that the actuals are often higher, and that's because the commission, of course, can't accurately determine exactly how many complaints are going to come in. I have a real concern in terms of the ability of the commission to deal with a backlog.

The other question is: what's been happening since the current Minister of Education was Minister of Community Development? His challenge was to reduce a huge backlog. It was a big problem, and to the government's credit, there was something done about that. [interjections]

THE DEPUTY CHAIRMAN: Could we please have you sit? Thank you.

MR. DICKSON: Madam Chairman, you're probably the only person in the last week that's been able to tell the Treasurer to do anything. I was just going to say that after watching him on Access TV last night with an apron around his neck, I'm beginning to think this man is the most photographed, quoted person in the province. It's wonderful that he's here. I wish only that he were able to direct that huge public attention to the serious issues confronting the Alberta

Human Rights Commission, because that's an area that needs some of that public attention.

In any event, Madam Chairman, I wanted some information in terms of how we're doing with that backlog. I guess the thing I was asking as well is: when people have moved in from your department -- and I've talked to a number of them. People get moved in from Community Development doing something else, whether they're working with historical sites or whatever, and they get plunked down . . . [interjection] Well, Madam Minister, I don't know where they come from, but they're working on this backlog. From some of the feedback I get from complainants, I wonder whether we're asking people to address very complex human rights issues where often the issue is in the nuance, and the question is whether those people doing that are properly trained. I don't know the in-service training program that you run, Madam Minister, for people who go in to take citizen complaints. It seems quite light from my perspective, and I've got some concern around that.

I'll just go back to something I was building on before. Why is it that your department can put together a Managing Diversity conference, a wonderful conference like you did in Calgary last year, where you bring together almost all of the large employers certainly in the city of Calgary and in other parts of the province to talk about very sophisticated employment equity programs and so on -- how is it that your department puts on that whole show? You're responsible for bringing all those experts together, and we don't see any of that good input coming into this Assembly in terms of pressing the provincial government to look at employment equity strategies, to look at treating people equally when it comes to same-sex pension benefits and things like that. Why is it that the provincial government -- and unfortunately or fortunately, you're the link. The provincial government lags so far behind what's going on in the private sector, and I don't understand, Madam Minister, why we don't sort of connect the dots, and if you can put on a conference like Managing Diversity, if you could hear that tremendous input, why can't we go the next step and bring it into this place and ensure we have some of that opportunity to see . . .

THE DEPUTY CHAIRMAN: Hon. member, pursuant to Standing Order 4(3) I must interrupt you. We will recess the Committee of Supply and reconvene at 8 tonight, when we will once again sit in Committee of Supply.

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