

Legislative Assembly of Alberta

Title: **Thursday, March 18, 1999** 1:30 p.m.

Date: 99/03/18

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray.

Our Father, keep us mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work give us strength and wisdom.

Amen.

Please be seated.

Hon. members, I'm pleased to acknowledge that this Saturday is the 10th anniversary of 12 of our colleagues who were first elected to the Legislative Assembly of Alberta in the general election of March 20, 1989.

head: Presenting Petitions

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. I'd like to table a petition signed by 135 people. It says:

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.

This has been organized by the SOS parents, and these are from people in Spruce Grove, Edmonton, and St. Albert.

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

MRS. SLOAN: Thank you. Mr. Speaker, I also am pleased to rise today to table a petition signed by 134 Albertans from Edmonton and Calgary. The petition reads:

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.

This brings our total, I believe, over the 3,000 range with respect to signatures of this nature, and this is also part of the SOS parents initiative.

Thank you.

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

MS CARLSON: Thank you, Mr. Speaker. Another 173 names to add to the over 3,000 people throughout this province who have signed the Save Our Schools petition who are requesting 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: Introduction of Bills

THE SPEAKER: The hon. Minister of Education.

Bill 20 School Amendment Act, 1999

MR. MAR: Thank you, Mr. Speaker. I request leave to introduce a bill being the School Amendment Act, 1999.

[Leave granted; Bill 20 read a first time]

head: Tabling Returns and Reports

MRS. McCLELLAN: Mr. Speaker, I'm pleased to file a news release and an information bulletin. The news release is in recognition of the International Day for the Elimination of Racial Discrimination on March 21. This is the 10th year that this day has been recognized in Canada.

The information bulletin that I'm tabling is in recognition of Information Rights Week, which takes place March 22 to 28. Mr. Speaker, this week was initiated by the Canadian Libraries Association to create awareness of the rights of citizens to information and the many different ways that Canadians can access information.

MR. TRYNCHY: Mr. Speaker, I wish to table two copies of two letters, one from Mrs. Miller and one from Mrs. McKeigue. The letters express concern about the loss of their Workers' Compensation Board pension upon remarriage.

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

MS PAUL: Thank you, Mr. Speaker. I would like to table the appropriate number of copies of a letter from a constituent of mine, V.C. Varvis Ltd. and its Pops Liquor Mart. It's a very heartfelt letter, and it deals with the issue of the privatization of liquor stores in the province of Alberta. It deals with the fact that they are now competing against the big box stores, and there doesn't seem to be any control over the licensing aspect of privatization. The reason why they have written the letter is to explain that they've lost their home and their business as a result.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have 88 letters to table. They are all from concerned parents or grandparents of students who go to Dan Knott junior high school. These parents all want adequate and sustained funding to be put back into education, not what we've seen just in the last budget.

THE SPEAKER: The hon. Member for Lac La Biche-St. Paul.

MR. LANGEVIN: Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices it is my pleasure today to table five copies of each of the following: firstly, the financial statement as of March 31, 1998, for the office of the Ethics Commissioner, and also the financial statement as of March 31, 1998, for the office of the Information and Privacy Commissioner.

Thank you, Mr. Speaker.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I have three tablings today. I'd like to table the appropriate number of copies of an e-mail that I received. It's actually addressed to Members of the Alberta Legislative Assembly, and this is from the Alberta and Northwest Conference, United Church of Canada, Sexual Orientation, Pastoral

Care and Justice Task Group. They are looking to the Alberta government "to give leadership in extending existing protections to all citizens and permanent residents who are gay or lesbian whether it be in matters of same-sex" adoption or benefits or other things.

My second tabling is a letter to the Premier, in fact, which was CCed to me from Jonathan Chinn, who is expressing his concerns about Bill 12 and urging the government to "make the right decision and rephrase all legislation to include homosexual relationships."

My third tabling is from Ludger Gal, again addressed to all Members of the Alberta Legislative Assembly and also asking that Bill 12 be opened up to consider homosexual relationships.

Thank you very much, Mr. Speaker.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I also have three tablings this afternoon. The first is the tabling of a release by the Alberta Medical Association entitled MD-MLA Contact, wherein they say: "There's no problem with direct billing of patients, so why Bill 7? Is it the stepping stone to American HMO-type Medicare for Albertans?" They request that the government not have Bill 7 read a third time.

My second tabling is a letter from the Minister of Health to Ms Mufty Mathewson, past president of the Northern Alberta Brain Injury Society, where, in response to a letter that she had written with regards to her concerns of the needs for enhanced services for individuals with brain injuries, he indicated that yet another committee was going to be formed to develop recommendations.

My third tabling is a letter from myself as the Liberal health care critic to Heather Forsyth, chairperson of the Health designated supply subcommittee, where I've made a request that individuals attend and respond to the questions when the subcommittee convenes.

Thank you.

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

MR. STEVENS: Thank you, Mr. Speaker. I have one tabling. It is correspondence to the hon. Member for Calgary-*Buffalo* dated March 18, 1999, which is my response to his correspondence of March 17 which was tabled in this House yesterday.

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

MR. DICKSON: Thank you, Mr. Speaker. I'm pleased this afternoon to table copies of correspondence from Julie Lloyd, a lawyer in the city of Edmonton, who indicates that at an Equal Alberta meeting last night she'd been asked to write to confirm her support for the Liberal amendment to Bill 12 filed by the party in the Assembly the other day.

Thank you.

1:40

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

MR. SAPERS: Thanks, Mr. Speaker. Two tablings today, with your permission. The first is a publication of the Centre on Budget and Policy Priorities. It's titled *Does Cutting Tax Rates Increase Economic Growth*, and it makes a distinction between the business cycle and the underlying economic growth rate. I would commend its reading to the Treasurer.

The second tabling I have, Mr. Speaker, is from the Concord Coalition entitled *Supply Side Tax Cuts: Issue Analysis and*

Background Information by the Concord Coalition, and of course it comes to the conclusion that the Reagan tax cuts resulted in a 17 percent feedback overall.

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

MRS. SLOAN: Thank you, Mr. Speaker. I'm pleased to table today a copy of a letter that I have written to the chairperson of the designated subcommittee of supply for Family and Social Services. As you know there are millions of dollars of expenditure in this area. I have asked for five witnesses to attend the upcoming budget discussion tomorrow, including the Children's Advocate, chief medical officer, provincial health officer, representatives from the Child and Family Services Secretariat, and the chair of the Social Care Facilities Review Committee.

Thank you.

THE SPEAKER: The hon. Member for Peace River.

MR. FRIEDEL: Thank you, Mr. Speaker. I'd like to table five copies of the final report of the Select Special Freedom of Information and Protection of Privacy Act Review Committee. Copies of the act will be distributed to all members following question period.

MS KRYCZKA: Mr. Speaker, I am pleased and proud to table with the Assembly the Seniors Advisory Council for Alberta's 1997-98 Year in Review report, which is a summary of activities for the year ended March 31, 1998, and also to provide a copy to all members in the Assembly here today. If you require, additional copies of the report are available from the Seniors Advisory Council office.

Thank you.

head: Introduction of Guests

MS EVANS: Mr. Speaker, it is my distinct pleasure this afternoon to introduce to you and through you to all members of the Assembly two energetic groups of students from my constituency in Sherwood Park. The first is a group of students from Our Lady of Perpetual Help school located in Sherwood Park, and students are accompanied by teachers Normand Dupont and Elizabeth Castillo. They are here to see this beautiful Legislature building, and I would ask if members here would give them the traditional warm welcome of this Assembly as they rise.

Mr. Speaker, my second group of students is from Mills Haven school, and they are seated in the public gallery. They are accompanied by teachers Heather Lockwood, Colleen Alpern, Irene Kolomijchuk and an education assistant, Donna Milton, volunteers Doreen Dawson and Eleanor Buzzacott. To members of the Assembly, if they would please give the traditional warm welcome to this fine group of students from Mills Haven school.

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

MR. HANCOCK: Thank you, Mr. Speaker. It gives me great pleasure today to introduce to you and through you to members of the Assembly two constituents of mine, John and Elaine Gill. Mr. and Mrs. Gill are the proud parents of Laura Gill, who is a page serving us during this spring sitting. Mr. and Mrs. Gill are seated in your gallery, Mr. Speaker, and I would ask them to rise and receive the warm welcome of the House.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I have two individual introductions to make this afternoon. It is my distinct pleasure to introduce Bill and Mufty Mathewson. Mufty Mathewson is the past president of the Northern Alberta Brain Injury Society and has been on that board for nine years. She is also a current board member of the brain injury association of Alberta. She's also the mother of a daughter with a severe traumatic brain injury and the author of a book about her and her family's experiences since her daughter sustained brain injury. Bill Mathewson is, as well, a member of the interagency planning committee for persons with acquired brain injury in their families and has been for five years. Will they please stand and receive the warm welcome of the House.

My second introduction. It gives me distinct pleasure to introduce Nancy Mereska and Nellie Shymko. They are founding members of the Rural Citizens Supporting Quality Health Care, which is a volunteer telephone networking committee which spans the Lakeland region. It's also the only health care issues committee of this kind in rural Alberta, and they were very instrumental in establishing a town hall meeting that the Leader of the Official Opposition and myself were at in Vegreville a couple of nights ago. So if they would please rise and receive the warm welcome of the House.

Thank you.

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

MRS. GORDON: Thank you, Mr. Speaker. I would like to introduce to you and through you three constituents of mine. I would like to introduce Lynn Will from Lacombe, Elsie Brewin from Blackfalds, and the Reverend Don Axford from Stettler. Elsie and Lynn are both long-standing friends of mine and certainly have helped me over the years, and the Reverend Don Axford is my favourite reverend in the town of Stettler. I want to publicly acknowledge that Elsie recently had her head shaved with \$2,000 going towards cancer research. They're seated in the members' gallery, and I'd ask them to rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Member for Whitecourt-Ste. Anne.

MR. TRYNCHY: Thank you. Mr. Speaker, today is Take Our Kids to Work Day, and seated in the gallery are two of my constituents from Onoway high school, Daphne Felske and Lindsey Anderson. Daphne and Lindsey are job shadowing Daphne's mother around, Shannon Platt, who is an employee in financial management in the Legislative Assembly Office. I would ask that Daphne and Lindsey rise and receive the warm welcome of this Assembly.

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

MR. WICKMAN: Thank you, Mr. Speaker. It's my privilege to introduce to you and through you to Members of the Legislative Assembly a constituent of mine, a constituent who is an advocate of a good, quality public health care system that serves all Albertans, Verna Milligan. If she would stand and receive the warm welcome of the House.

head: Oral Question Period

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

Sexual Orientation

MR. DICKSON: Thank you very much, Mr. Speaker. Today we saw the result of the government's fences committee on human rights

issues, and it appears there's more than a few pickets missing. The Charter of Rights and Freedoms in this country protects individual citizens from the tyranny of the majority, from the tyranny of misguided governments. My question today is to the Acting Premier. Why is this government prepared to suspend the constitutional rights of any minority just because the majority at any given time says that's okay?

MR. DAY: Mr. Speaker, the Minister of Justice and Attorney General will be dealing with questions related to this particular matter.

MR. HAVELOCK: Yes. Thank you, Provincial Treasurer. What we did as a committee and as a caucus today is evaluate the views of Albertans with respect to what is a very sensitive issue. While there may be some who don't agree with the positions we've taken, we nevertheless arrived at them in good faith and good conscience. We felt that this was a reasonable compromise.

It also allows, effectively, for the moral compass of Albertans to come into play, because quite frankly we will not use the notwithstanding clause unless Albertans are telling us it's appropriate to do so in those circumstances. That is the ultimate fence. That is the ultimate protection for the minority, because it's up to the majority to indicate what the position is and what government should be doing.

Now, the hon. member should also know that the way the provision would work is that if there were a question that went to referendum with respect to using the notwithstanding clause, if the majority determine no, the issue would be dropped. If the majority determined yes, the matter would be put before the Legislative Assembly for debate, and then members in the House would vote on that.

MR. DICKSON: That sounds like tyranny of the majority consolidated and institutionalized.

My follow-up question, Mr. Speaker, is this, and I'll go back to the Acting Premier. Since the rate of suicide in this province among gay and lesbian youth is far, far higher than any other population proportion, any other group, why does this government want to make it harder for those youth to get information about sexuality and to get support when they need it? These are children and youth we should be helping, Mr. Minister.

1:50

MR. HAVELOCK: Mr. Speaker, I don't see where we're making it any more difficult for children to get information pursuant to the decisions that have been made. If you're referring to the education issue, quite frankly that's simply endorsing existing policy. We've asked school boards if they are going to get into the area of sexual education beyond provincial curriculum, that that be developed at the local level, that they consult with parents on that matter, and they involve school councils. What could be a better way to go?

MR. DICKSON: My final question, Mr. Speaker, back to the Acting Premier. Since Bill 12 is currently before the Legislative Assembly, why won't this government take its collective head out of the sand long enough to provide equal rights to all Albertans, even those living in same-sex relationships right now?

MR. DAY: Mr. Speaker, the Attorney General will respond to that.

MR. HAVELOCK: Well, Mr. Speaker, the only person whose head is in the sand is the hon. member across the way who's suggesting that we address this on a piecemeal basis.

What we've indicated today, Mr. Speaker . . . [interjections] Perhaps the Member for Spruce Grove-Sturgeon-Yelping or whatever it is would just listen for a moment. What we decided today is that this is a very complex area of law. It not only relates to same-sex couples; it relates to common-law couples. As I indicated some time ago, our department is reviewing the whole issue, and we will also be reviewing the issue relating to same-sex couples at the same time.

I think it's incumbent upon a government – much as we did as a task force, we looked at this issue; it took us quite awhile. The opposition kept pressuring us as to where the report was, but we wanted to make sure that what we came out with was fair and reasonable and Albertans would support it. We feel we've done that today, Mr. Speaker, and it's our intention through the development of the policy framework to hopefully again reflect the views of Albertans and that moral compass which the Premier is alluding to.

THE SPEAKER: Second Official Opposition main question. The hon. Member for Edmonton-Castle Downs.

Liquor Stores

MS PAUL: Thank you, Mr. Speaker. A small independent liquor retailer in my constituency is experiencing hardship as a direct result of this government's handling of the liquor licence and regulations. Certainly, small business and independent liquor retailers appreciate that there are risks in undertaking any new business, but promises made at the time of privatization reassured them that they would be allowed to operate in a stable environment with a level playing field. My questions are to the minister responsible for the Alberta Gaming and Liquor Commission. Given that small retailers were promised a one-price wholesale system with a no-volume discount, why is this government allowing limited-time-only sales which give an advantage to chains that have the cash to buy large quantities of discount liquor?

MRS. NELSON: You know, Mr. Speaker, five years ago when this government made the decision to privatize liquor outlets in this province, there were a lot of naysayers. Five years later everyone has applauded the move into the private sector with our liquor retail outlets. It has been one of the most successful privatization moves of a government in this entire country. The naysayers back then said: nobody'll survive; nobody'll survive. Well, the marketplace said that they in fact would survive and has supported the some 600 liquor retail outlets in this province today, and they've done that because the government has let the marketplace prevail.

We had an obligation that we said there would be revenue neutrality to our liquor outlets and our liquor retailers. We have honoured that commitment. In fact, Mr. Speaker, we are the only jurisdiction in this country that has lowered the flat tax to make sure that there is revenue neutrality through the privatization process to our liquor retail outlets, which has been, quite frankly, passed on to the consumer within this province. So I would ask the hon. member: go and ask your constituents if they're happy with the process, and they will tell you yes.

MS PAUL: Mr. Speaker, my supplementary. Obviously it's not working, because I have people that are mortgaging their homes and losing their businesses.

My first supplementary: given that the government has established licence limits on other privatized services, is there a limit on the number of liquor store licences?

MRS. NELSON: Well, Mr. Speaker, maybe the hon. member doesn't understand that the market will prevail. Competition within the market is a very healthy entity within this province. It has served us well, and it has kept the market sharp. It's not the government's role to intrude into the marketplace. You don't want that intrusive action by a government. So let the market prevail; let it work.

MS PAUL: They're supposed to be out of the business of being in business.

My second supplementary: will this minister commit to meet with small liquor retailers like my constituent and attempt – and I repeat, attempt – to resolve the financial difficulties caused by this government's broken promises of an even playing field? It does not work.

MRS. NELSON: Well, Mr. Speaker, in the preamble to the hon. member's question she mentioned that the government was supposed to be out of the business of business. Well, clearly, in this situation the government is out of this business. The market is working. The market is successful, and the retail outlets for liquor have been very successful in this province. It's a model, once again, that everyone across this country is looking at to see if in fact they can duplicate it.

As I say, there's always going to be difficulty in the market forces because there's competition, and that is part of what the market does, Mr. Speaker. So for this hon. member to suggest that the government now go back into the business of looking at financing conditions and getting involved in that marketplace is the wrong track. I'm sorry; this government is out of that business.

Tax Reform

MRS. SLOAN: The government recently announced tax cuts for working parents in an effort to assist one parent to stay at home. My questions relate to discrimination based on working status. To the Treasurer: through its actions is this government not valuing the children of two-parent families above those children of single-parent families?

MR. DAY: Boy, Mr. Speaker, that is a real stretch. I have no idea where she's coming from on that one.

In terms of discrimination, though, it was a woman from Alberta who actually has gone through quite a long process at the United Nations to finally get a view from the UN that Canadian tax policy presently discriminates against the choice of a two-income family or a one-income family. It's that particular policy that we have significantly addressed and which the federal government has just recently, at one point saying they didn't want to address it, seen how we're addressing it, and they've shown quite a considerable amount of warmth towards addressing it themselves.

So we are in fact leveling the playing field. It's our view that we should not be involved in that personal choice, that we should make the playing field level so nobody is punished or unnecessarily inhibited from making that choice.

MRS. SLOAN: Could the Treasurer explain how the tax cut in last week's budget will facilitate single-parent families to stay home and raise their children?

MR. DAY: Well, Mr. Speaker, that's a decision that a single-parent family will have to make. What is very significant for that single parent – and single-parent families really benefit under this new plan. First of all, the basic personal exemption rate will rise from \$7,131 to \$11,620. That's a 70 percent increase in the amount of money before which they'll have to be assessed taxation, and then,

as if there were another parent there, they'll be allowed to take the other basic exemption rate of \$11,620 and apply that to one of their children. So they get an immense benefit, and they deserve that benefit.

MRS. SLOAN: Will the Treasurer state for the record that his proposed tax plan will also allow children of same-sex couples to stay home as well?

MR. DAY: Now, Mr. Speaker, the choice of children staying home or not is clearly being left up to the parents, and they will make that particular choice.

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

2:00 **Sexual Orientation**
(continued)

DR. PANNU: Thank you, Mr. Speaker. Yesterday in the Legislature the Premier and the Justice minister said that no substantive consultation occurred prior to today's caucus discussion of the equality rights of same-sex couples because of concern that this would have inflamed public opinion. Yet this government has adopted as policy today by far the most polarizing and divisive way to consult the public; that is, a referendum on a yes or no question. My question is to the Acting Premier. Why does the government believe it's appropriate for a Supreme Court ruling that affects minority rights to be made subject to the views of the majority in a provincewide referendum? How will it guarantee individual and civil rights of members of a minority group in this province?

MR. DAY: Mr. Speaker, all questions related to that matter, I've already indicated, will be handled today by the Attorney General, who is also chairing the committee that was looking at this whole matter.

MR. HAVELOCK: Mr. Speaker, to clarify, I did not state that no substantive consultation had occurred. What I did state yesterday is that we did some extensive polling. We did meet with members of the gay community. We also took into account anything that . . . [interjections] We met with representatives of the gay community who told us that they were representing a broad range of people. Of course, unless the opposition acts in a different way, when we meet with people who represent people, we typically meet with the people at the head of the organization. I don't know if, when they meet with people, they meet with every member of an organization. But we did meet with the gay community.

What I'd like to point out to the hon. member, though, is that the Charter of Rights and Freedoms, yes, does guarantee certain rights and also, I think, imposes certain obligations on all of our citizens. It also does allow a government, in certain circumstances, to implement the notwithstanding clause if they feel it's appropriate in the circumstances. All we've done, Mr. Speaker, further to the commitment that the Premier made a long time ago, is that if we were ever to consider using the notwithstanding clause, we would take that decision to the people of Alberta.

I find this rather surprising, especially having been subject to some discussion regarding the use of the notwithstanding clause on an unrelated matter, that suddenly the opposition is concerned that before we even consider it, we'll want to have the input of Albertans. That's the appropriate way to go. That's the ultimate protection for people.

DR. PANNU: Thank you, Mr. Speaker. Again to the Acting Premier: if this government is to put to referendum the use of the notwithstanding clause on most areas of Charter rights, why would the government not put the issue of access to marriage by same-sex couples to referendum as well?

MR. HAVELOCK: Well, again, to clarify, Mr. Speaker, this government has not indicated that we intend to put all of these issues to a referendum. We are, as I indicated in an earlier answer, going to develop a general policy framework with respect to a number of these issues. If it so happens that a court decision comes out – and it could be in other areas. It could be in resource policy; it could be in education. It could be in a broad number of areas where we feel that we should take the issue to the general public.

Mr. Speaker, what we've done today – and I think our caucus should be quite proud – is that we've dealt with five or six specific issues. For example, looking at foster parenting and adoption: what could be better than leaving the decision up to professionals within the department so long as it's what's in the best interests of the child? That is the measure.

DR. PANNU: Mr. Speaker, my third question, again to the Acting Premier. Why has this government chosen to abdicate its responsibility to provide policy direction to its own bureaucracy on what is in the best interests of Alberta children? Is it because it doesn't know what's in the best interests of the child?

MR. DAY: There is no abdication of responsibility, Mr. Speaker.

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

Health Summit

MR. MARZ: Thank you, Mr. Speaker. In February the government held a provincial health summit in Calgary to allow Albertans to provide input . . .

THE SPEAKER: Excuse me. Recognition has been provided to the hon. Member for Olds-Didsbury-Three Hills, and I certainly hope that we're not going to preempt his opportunity.

MR. MARZ: Thank you, Mr. Speaker. I'll start again.

In February our government held a provincial health summit in Calgary to allow Albertans to provide input in determining the future directions for Alberta's health system. I think many Albertans thought that this was an important process and an essential step in helping to ensure that all Albertans have access to health services when they need them. However, it's been almost a month since the summit, and several of my constituents are concerned that they've not heard anything about the results of this. My question is the Minister of Health. Could the minister advise when the results of the health summit are going to be made public?

MR. JONSON: Mr. Speaker, certainly. Yes, the member has certainly identified the importance of the health summit. This gathering, as you know, was attended by some 200 representatives from Alberta: 100 representatives from the general public and 100 from the leadership positions in various organizations that are key to the operation of the health care system.

In addition to a great deal of material, though, Mr. Speaker, being generated at the summit in terms of the transcripts and the presentations that were made, there was also – and it was a very important

part of this consultation – the invitation to all Albertans to respond either by written submission or letter or through the questionnaire that was provided to the public. It is my understanding that several hundred such submissions came in. Those are taking some time, I'm sure, for the chair to analyze and report. The chairman certainly made a commitment to the delegates at that summit at its conclusion that he would look at these submissions very carefully and take due time and give proper consideration as he developed his final report.

In addition to that, there were reports that came in, Mr. Speaker, from individual MLAs who had had local consultations in their constituencies, and those have to be factored into the report as well.

So I just wanted to emphasize, Mr. Speaker, that this is a major task. The chair of the summit made a very sincere commitment to the delegates at the conclusion of that summit that he would do a thorough job of compiling his report. It is my understanding that the report should be submitted mid to late April.

MR. MARZ: Thank you, Mr. Speaker. My second question to the same minister: could the minister advise whether there are any preliminary recommendations that have come out of the summit that he could share with the Assembly?

MR. JONSON: Well, Mr. Speaker, I think there were certain areas that were identified as priorities for the health care system that were very obvious in terms of the reports that came back to plenary sessions at the summit. For instance, there was a great deal of support for there being more frontline staffing in priority areas within the health care system. Secondly, certainly there was a great deal of concern about having timely access for certain life-threatening health conditions, concern about long-term care capacity in the province. I think that in these cases there was some clear indication even before the summit that these were important priorities for Albertans, and they're ones that we responded to in our overall Alberta health business plan and in the budget.

So there are those types of directions that are already there, but there are other areas; for instance, the session where recommendations were invited on restructuring and innovation within the health care system. There were many good ideas that came forward there, and those of course will have to be very carefully considered and reported upon in the preparation of the final report.

MR. MARZ: Thank you, Mr. Speaker. My last question to the same minister: what will the process be for dealing with the recommendations from the health summit?

2:10

MR. JONSON: Mr. Speaker, the report of course will be provided to government, but it certainly will be made public. It will be there for people to comment upon. The government, Alberta Health, and I as minister responsible for the health portfolio will look very carefully at the recommendations of the summit and work towards implementing them as resources and the support of the system are available.

THE SPEAKER: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Lacombe-Stettler.

Protected Ecological Areas

MS CARLSON: Thank you, Mr. Speaker. There are many, many problems with the Natural Heritage Act, but one major concern not even dealt with in this act is the redesignation of all current protected areas. Albertans are worried that when individual areas are reclassified, they will receive less protection than at present. We need better

protection, not less protection. Will the Minister of Environmental Protection tell us what opportunity there will be for public input into decisions about the reclassification of individual sites?

MR. LUND: Mr. Speaker, the hon. member is absolutely right that we will be redesignating the sites. It is our objective that no site will receive less protection than it has today. As an example, the Willmore wilderness area currently has its own act. In the act the activities that can occur in that area are defined, and it will be rolled over into a wildland. When it is rolled over, the current legislation will in fact be the management plan. One of the things in Bill 15 that the hon. member didn't mention is the fact that each protected area will have a management plan. The act clearly lays out the public involvement that will occur as that management plan is being developed.

Mr. Speaker, this is one of the first acts that lays out in detail the process and assures Albertans that there will be public involvement in those management plans. The management plans will decide what activities will occur within a protected area.

MS CARLSON: Well, Mr. Speaker, this minister knows that less protection is a given in some cases. What will happen to sensitive natural areas, areas like Wagner Bog, that are ecologically important yet have current management practices that do not meet the ecological areas criteria? Where are they going to be protected?

MR. LUND: Well, Mr. Speaker, if the hon. member would read the act – I have on two occasions now offered to meet with the hon. member and show her where they are wrong in what they are saying about the act. For example, ecological reserves: the only access is on foot. In the current legislation under the natural areas, in fact, there can be oil and gas drilling. I wish we could have that meeting so we could lay it out so they don't continue to make false statements about the act.

MS CARLSON: We've reviewed it extensively and have more than 40 amendments coming forward, Mr. Speaker.

Will there be any opportunity for public input into the reclassification of natural areas to determine which become wildland parks, ecological reserves, provincial parks, heritage rangelands, or recreation areas? These are the questions that Albertans are asking that you are somehow refusing to answer.

MR. LUND: Mr. Speaker, one of the things that the opposition obviously don't understand about Bill 15 is the fact that it is enabling legislation. In other words, what is described in the act is the maximum that can occur within a protected area. So the management plan can go well beyond as far as protection is concerned and restrict activities far beyond what the act states can happen within an area.

The hon. member mentioned a number of amendments. I've been told that they plan to filibuster. But it was really interesting when it got to the point of second reading within this House. There are two environment critics over on the other side. Neither of them bothered to show up for the vote, nor did the Leader of the Opposition, nor did either of the NDP show up for the vote.

MR. DICKSON: Point of order.

THE SPEAKER: The hon. Member for Lacombe-Stettler, followed by the hon. Member for Edmonton-Glengarry.

Conservation Officers

MRS. GORDON: Thank you, Mr. Speaker. My questions today are

to the Minister of Environmental Protection. Recently Environmental Protection announced a reorganization to amalgamate park rangers and wildlife officers to create a new designation, namely conservation officers. These officers are able to carry handcuffs, use batons, pepper spray, and now will be issued sidearms. Many of those involved have publicly stated that they don't want to carry guns. So why, Mr. Minister, are we forcing these officers to now carry sidearms?

MR. LUND: Mr. Speaker, we are not forcing anyone to carry a sidearm. The fact is that it's true that we are creating a new designation, the conservation officer, but in order to reach the level of conservation officer, they must go through extensive training. The fish and wildlife officers in this province have been wearing sidearms for four years, and they go through very extensive training. There's a code that they must follow of course with the use of sidearms. There are about 75 park folks that will be trained and will be able to meet the classification of conservation officer, and in that is training to handle handguns. So they are thoroughly trained, and we have a strict code of practice on when they can be worn and what activity they can be used.

MRS. GORDON: Mr. Minister, was this decision made in consultation with Alberta Justice?

MR. LUND: Mr. Speaker, under the Wildlife Act the minister has the right to issue sidearms to fish and wildlife officers. Of course when we say that, we must also tell you the extensive training that they have to go through before they are issued.

It's very interesting when you talk about the new conservation officer wearing sidearms. The fact is that in Ontario they issued sidearms to their parks rangers before they did to the fish and wildlife officers.

MRS. GORDON: Mr. Minister, you made reference to training. What will the training requirements be, and exactly who will do the testing and monitoring? The RCMP? Your department? Who, Mr. Minister?

MR. LUND: Mr. Speaker, the training is very similar to the RCMP or city police. The town of Lacombe has a police force; those people have got to go through training. This training that our officers take is similar training.

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

Brain Injuries

MS LEIBOVICI: Thank you, Mr. Speaker. Each year 4,500 Albertans sustain brain injuries due to shock, trauma, and infectious diseases. Survivors are sent home to frantic family members who have no resources to assist them, no knowledge of brain injury, and limited rehabilitation facilities. In the past there have been numerous consultations with consumers, advocates, and service providers with very little action from this government, and most recently an interdepartmental committee of the government has been formed to yet again make recommendations, yet again there is not action. My questions are to the Minister of Health. Can the minister please provide those people with brain injuries and their families answers, and let them know when they can expect adequate and designated funding for community services and rehabilitation? Can he provide them with that answer?

MR. JONSON: Mr. Speaker, I think that first of all the member certainly identifies a major area that we, too, are concerned about with respect to Alberta Health's services, and we are working to improve them. I think that it also has to be emphasized that we do have in-hospital programs for the brain injured. We have first of all, I think, some of the best emergency services in the province, particularly centred in Edmonton and Calgary. We have a very good air ambulance system and ground ambulance system that we're always working to improve of course.

2:20

Beyond that, Mr. Speaker, we do have quality rehabilitation programs, work that is done here at the Glenrose in Edmonton, the specialized unit in Alberta Hospital Ponoka, very good programs in terms of treatment. We have a number of supports with respect to community care and rehabilitation.

We recognize, however, that in two areas – one is support from the overall health care system – we need to improve our services there at the community level, and we have been. I won't run through the statistics again, although I can if the member wishes. We have been putting significantly more money into community health services vis-a-vis brain injury and other general mental health services than we have into the acute care system over the last number of years.

The other thing, Mr. Speaker, and the reason for the interdepartmental committee is that while there are support programs re income and so forth available through Family and Social Services, we recognize that we could be more prompt, and we need to review the overall level of support that is needed commensurate with a person's difficulty.

MS LEIBOVICI: Thank you, Mr. Speaker. Given that there have been numerous studies which have indicated that there were gaps in family needs for comprehensive multidisciplinary and individual programs of rehabilitation and support in this province at this point in time, can the minister tell us: when will rural Albertans who live with a brain injury have adequate access to training, rehabilitation, and work opportunities?

MR. JONSON: Well, Mr. Speaker, certainly there are always challenges with respect to rural Alberta. There are many benefits as well. This is work in progress. It is difficult to deliver a comprehensive program, if that's what we're referring to here, in every centre in this province. We need to locate our services as effectively and strategically as possible in the rural parts of this province. We are working on that.

As I've said, I acknowledge the issue. It is something where we have a number of treatments and services in place to provide to Albertans needing this care, and we are working on improving this situation.

MS LEIBOVICI: Can the minister tell us whether government policy will at least ensure that those individuals with brain injuries can expect at the very least an opportunity that is on par with those individuals with developmental disabilities?

MR. JONSON: Well, Mr. Speaker, the programs and supports that are needed, particularly the rehabilitation programs and the types of treatments and supports that are needed, are not parallel. But certainly I would say that in terms of access to financial supports, in terms of what may be needed in the way of living costs and so forth, we have that goal now. We endeavour to do it right now, and we're going to review it with a view to improving the situation.

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

Polybutylene Pipes

MR. AMERY: Thank you, Mr. Speaker. A number of my constituents have become very concerned as a result of recent media reports about problems with the polybutylene water piping that is used in thousands of Alberta homes. I would appreciate some assistance in clarifying this issue for my constituents. So my question is to the hon. Minister of Labour. Is there a problem with the product commonly known as poly-B?

MR. SMITH: Thanks, Mr. Speaker. Any problems that have been reported with poly-B have not been in the province of Alberta. They have occurred in other jurisdictions, one being British Columbia. Another is parts of the United States. We are only aware of two poly-B piping failures in the last 20 years in Alberta, both related to improper installation procedures rather than the materials themselves.

MR. AMERY: Thank you, Mr. Speaker. My second question is again to the Minister of Labour. I'd like to know if his department is taking any action to address concerns that Albertans may have about poly-B piping.

MR. SMITH: Mr. Speaker, poly-B is tested and certified by the Canadian Standards Association, recognized in the national plumbing code of Canada. Alberta has not, as I've mentioned, had any problems with poly-B piping installed in Alberta homes. However, the department, along with the Canadian Standards Association, will continue to monitor any poly-B piping concerns. We have the information. As a matter of fact, if I may, I'll just table the copies of the fact sheet. Unaware, as I was, of the question, we're always ready to respond. I'll just table the fact sheet that is also available on the Alberta Labour web site.

Thank you.

MR. AMERY: Thank you, Mr. Speaker. It's my understanding that in B.C. and the United States the problem has grown to the point that consumers have taken legal action. My last question is to the Minister of Labour. Does the minister anticipate Alberta homeowners taking legal action with respect to poly-B piping?

MR. SMITH: Mr. Speaker, it's our understanding that some consumers in British Columbia and the U.S. are taking legal action. They are directing their legal actions against the manufacturer of the resin used to produce the piping and not the government. The Alberta and national construction codes reference standards for multitudes of products and construction.

I'd like to point out, as we have in the past with other products within the code, that building code listings have never been meant to be used as an approval, a recommendation, or a warranty for building products. Performance is clearly not the responsibility of government, Mr. Speaker. It is clearly the responsibility of manufacturers, installers, and others in that commercially defined industry.

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

Economic Development

MR. BONNER: Thank you, Mr. Speaker. My questions are to the Minister of Economic Development. Why has it taken this minister

nearly two years to find out that the international marketing activities of the Department of Economic Development need focus?

MRS. NELSON: I have to apologize, Mr. Speaker. I didn't hear the entire question, but I think he asked about the international marketing committees. I presume he's talking about the review I've done on the foreign offices.

It has taken quite a bit of time to go through a process to review those foreign offices. I have now had the opportunity to view our offices firsthand and make some assessments as to what the needs might be in the foreign offices and the type of representation that may be appropriate today. I will be coming forward with a recommendation to my caucus and cabinet on how I feel there needs to be some changes made.

I want to say to the hon. member that one of the things I've been working on is with the other western provinces and our two territories, because Alberta, with only 3 million people, can't really financially afford to be represented throughout the entire world. We quite frankly don't have enough money to do that. So through the dialogue with the other ministers from the other jurisdictions, I proposed to them: why don't we form a western regional alliance and work together to promote economic opportunities in western Canada, whether it's from Manitoba, Saskatchewan, Alberta, B.C., the Territories or Yukon.

They went back to their respective governments and pitched the idea to them, and there was a positive response. So we've put a task force team in place, Mr. Speaker, to try and collaborate our efforts on promoting economic opportunities for western Canada through our foreign representations and our foreign offices. One of the things that may occur is a collocation opportunity.

2:30

MR. BONNER: Thank you, Mr. Speaker. Does the minister not realize that this is one of the fundamental conclusions of a December 1998 KPMG report commissioned by the Department of Economic Development?

MRS. NELSON: Well, I think, Mr. Speaker, that quite frankly when you deal with a process that involves not only a report that has been commissioned to focus in one area but to broaden that and see how you can best get the promotional exposure to the global arena, you have to go beyond what is and look at what should be. So we have taken that step further and, as I say, met with our colleagues from western Canada to look at how we could best promote economic opportunities within western Canada. I believe that what we will come forward with will bring us into a position where we can share the costs, share the benefits, and work co-operatively.

This hasn't come easily, Mr. Speaker, because remember that in every province there are different political philosophies, and to park those political philosophies at the door and work for the betterment of economic development has been quite a move forward. So we've taken the results from the KPMG report and moved forward.

MR. BONNER: Mr. Speaker, given that the KPMG report points out that the international marketing activities are underfocused on emerging industries, how can this minister claim that Alberta's business expertise is being effectively promoted by the department?

MRS. NELSON: Well, Mr. Speaker, I just got back from a trade mission in Asia. We rely on the partnership we have with the Alberta Economic Development Authority to help us in planning our trade missions and our trade promotions, and quite frankly they've done a very good job. They not only plan the missions for our

Premier and work on the planning for other ministries; they work on them for the Department of Economic Development. We have had some tremendous responses from those missions and from those exposures to different trade shows.

We've taken a different way of promoting. We've taken the industries that are in this province and we've worked with the industries to try and put a global imaging on them, to look at the opportunities, and quite frankly the results are there. We're seeing more and more investment coming to this province and companies relocating to this province because of the opportunities that they have been made aware are available to them in the province of Alberta. Whether it's in the forestry sector, mining, the oil and gas sector, high-tech knowledge-based industries, tourism areas, all of our industries are experiencing an exposure level that is different from what we did in the past.

So I would like the hon. member to look at some of the results that will come out of our final review on our foreign representation.

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

Community Lottery Boards

MRS. O'NEILL: Thank you, Mr. Speaker. In the documents that accompany Budget '99, which we heard a couple of weeks ago, there is indication on a line item of an allocation of funds to the community lottery boards. So my question is to the Minister of Community Development. Could you tell us: what are the plans for the continuation of the community lottery boards? Is their criteria going to be the same, and will the members of the board remain the same?

MRS. McCLELLAN: Mr. Speaker, I'm pleased to advise the Assembly that the government has seen fit to extend the community lottery board program. It will be at the financial figure of \$50 million plus \$1.8 million for administration over and above the \$50 million.

The Member for Lacombe-Stettler, who is the chair of the secretariat, did a very extensive review of the community lottery boards and held a meeting in recent weeks – I believe 64 chairs of the lottery boards were able to attend – and invited the chairs of the foundations who also support communities, such as the Wild Rose Foundation, Sport, Recreation, Parks and Wildlife Foundation, Historical Resources Foundation, and Alberta Foundation for the Arts, to be there for a portion of that meeting to ensure that there isn't any duplication or overlap in what indeed these programs are doing.

The information that the hon. member has given me is that there is a high degree of satisfaction with the operation of the program in its infancy, in its first year, and that they would appreciate it continuing in that way, I think, with some very minor adjustments which they've recommended and the hon. member has accepted.

As members would recall, the membership of these boards was decided at the local level. There was a local committee put together, and they chose the membership of this board. So, Mr. Speaker, if there are any changes to any members on those boards, that would occur at a local level and would be a local decision.

MRS. O'NEILL: Thank you. My first and only supplemental is to the same minister. Since the amount indicated is the same as last year and given the fact that the population of the province has increased, will it just be an adjustment of the per capita amount to each community?

MRS. McCLELLAN: Mr. Speaker, the hon. member has done an excellent assessment of the funding and the tie to the population

figures. There will be in some areas some increase in the amount of global dollars that a community gets if they have experienced population growth. In some areas where they have experienced some population loss, which I must say in my review of it is quite small and the lesser, there will be some reductions. However, as the global amount is \$50 million and as the population of this province has increased quite significantly over the past year because of our very good economy, the actual per capita figure per community will reduce slightly, but it is slight. The entire \$50 million was expended last year, and my understanding is that the communities are excited about having that opportunity again.

THE SPEAKER: The hon. Member for Edmonton-Mill Woods, followed by the hon. Member for Calgary-Cross.

Advanced Education Spending

DR. MASSEY: Thank you, Mr. Speaker. Advanced Education and Career Development is fast becoming the government's lost child. Colleges, institutes, and universities were buried in a few paragraphs of another department's press release in last week's funding announcements. My questions are to the Minister of Advanced Education and Career Development. Why, when there are questions from institutions and from within the department itself, was more money added to the access fund?

MR. DUNFORD: Actually, Mr. Speaker, I might bring to the attention of the hon. member and to members of the House that we had actually quite a nice time about two or three weeks before the budget. We announced \$51 million going into the ICT, and that, of course, is directly from the access fund. Of course, he could read the document himself and see that we're doing quite well in terms of the access fund, and we'll be distributing that money to the institutions.

DR. MASSEY: Thank you. My second question is to the same minister, Mr. Speaker. Given government concerns with faculty brain drain, how far up from our 16th place in national faculty salary rankings will the announced funding move Alberta?

MR. DUNFORD: Well, I think there'll be some assistance there, but I don't think it'll do the full weight of what we see as the concern. Quite frankly, Albertans made it very apparent to all of us certainly on this side of the House that health and education were the prime concerns that they had. So we've done the best that we feel we can this particular year. It's a problem that we're continuing to address and will continue to do so.

DR. MASSEY: Thank you. Again to the same minister: how much of the \$362 million backlog in building maintenance was included in last week's funding announcements?

MR. DUNFORD: Well, we certainly weren't able to cover all of the backlog, Mr. Speaker. I don't have the budget in front of me, but I think the number was \$30 million, so we'll go with that today.

head: Members' Statements

THE SPEAKER: Hon. members, three members today have indicated their desire to participate in Members' Statements. We'll proceed in this order: first of all with the hon. Member for Calgary-McCall, followed by the hon. Member for Edmonton-Riverview, then the hon. Member for Edmonton-Mill Creek. In 30 seconds from now I'll call on the Member for Calgary-McCall.

2:40 International Day for the Elimination of Racial Discrimination

MR. SHARIFF: Thank you, Mr. Speaker. I am pleased to rise today and address the Assembly on the importance of March 21, the International Day for the Elimination of Racial Discrimination. This day was designated by the United Nations in memory of the peaceful apartheid demonstrators who were killed in Sharpeville, South Africa, in 1960.

Albertans have recognized this day since the first Canadian campaign in 1989. As we enter into the new millennium, it is clear that there is still a lot of work to be done to eliminate racism from our society. I am pleased that this government through the Alberta human rights, citizenship and multiculturalism education fund provides \$1.2 million annually for numerous educational programs and services that promote equality for all Albertans.

The hon. Premier, the Minister of Community Development, and other members of this Assembly have often spoken of the strength that comes from cultural diversity. Alberta has long been a place of opportunity for immigrants. It is a province where cultural identity is not lost but celebrated. More and more Albertans are recognizing the benefits and the advantages that cultural diversity brings to our community and businesses. By marking this day, Albertans are creating awareness and encouraging discussions that address the ignorance and fears that are often the basis of racial discrimination.

Racial discrimination causes some people to focus on the colour of skin, an accent, or traditional garments and forget about the person behind the label. We need to remember that beneath the surface we are all people – men, women, and children – who share similar hopes and dreams. On this day and, more importantly, throughout this year I encourage the members of this Assembly and all Albertans to celebrate the importance of respect, equality, and diversity. Together I am confident that we can make a difference in Alberta and make this a stronger and healthier province for our children and grandchildren.

Thank you.

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

Save Our Schools Petition

MRS. SLOAN: Thank you, Mr. Speaker. Theodore Roosevelt said that credit belongs to those people who are actually in the arena, who know the great enthusiasm, the great devotions to a worthy cause, who at best know the triumph of high achievement, and who at worst fail while daring greatly so that their place shall never be with those who know neither victory nor defeat.

I would like to recognize this afternoon three Parkallen residents, women and mothers, Cathryn Staring-Parish, Cynthia Joines, and Donna White, all mothers of school-age and preschool children. These women have undertaken to challenge this government's underfunding of public education through the creation of SOS, Save Our Schools.

In addition to formulating a petition which has now been widely distributed throughout Alberta and has received thousands of signatures of support, in hand with it being tabled in this Legislature, their activities have inspired and motivated other individuals and groups to rise up and do whatever is necessary to make this government listen.

Education is underfunded in Alberta. The development of our children physically, mentally, and socially is compromised by that fact. All Members of the Legislative Assembly owe an acknowledgment and thanks to Cathryn, Cynthia, and Donna for their activism

and commitment to not only their children's interests, Mr. Speaker, but to the children of Alberta.

Thank you.

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

Canadian Multicultural Education Foundation

MR. ZWOZDESKY: Thank you, Mr. Speaker. The Canadian Multicultural Education Foundation was formed in 1985 to promote public education and awareness about Canada's and Alberta's multicultural reality and to promote our values respecting diversity, equality, fairness, justice, unity, harmony, and inclusiveness. This organization, which I have supported since its inception, liaises with schools and teacher groups, conducts seminars and conferences, publishes cultural materials, undertakes research and survey projects, makes presentations to committees of the Parliament of Canada, and otherwise works in partnership with numerous organizations to fulfill its mandate.

On an annual basis this foundation, in conjunction with the Northern Alberta Alliance on Race Relations, hosts the Harmony Breakfast, which this year will occur at the Mayfield Inn in Edmonton on Saturday, March 20. This date marks the eve of the International Day for the Elimination of Racial Discrimination, a cause which I fully support and an objective toward which I have dedicated a major portion of my life's work. I am very pleased, therefore, to accept their invitation to act as their co-ordinator for the affirmations component of this year's breakfast, which will include the Minister of Intergovernmental and Aboriginal Affairs, the MLA for Edmonton-Castle Downs, Dr. Mike Percy, Ms Shirish Chotalia, Ms Diana Parker, and Constable Cheryl Wallin.

I am particularly pleased today to recognize the many volunteers and helpers who have served this foundation, including its present board of directors: president Robinson Koilpillai, vice-president Nicholas Spillios, directors Gurcharan Bhatia, Joan Cowling, Ardis Kamra, Roman Petryshyn, Madan Prasad, Saleem Qureshi, and co-ordinator Indira Puri. Congratulations and thank you to those and all the others for all of their efforts.

As the Premier said in today's news release which recognizes the International Day for the Elimination of Racial Discrimination:

Like other Albertans, I abhor discrimination. Our challenge as global citizens is to work towards eliminating all forms of discrimination, both in our own communities and around the world.

Mr. Speaker, I totally agree.

Thank you.

head: Projected Government Business

THE SPEAKER: The hon. Opposition House Leader.

MR. DICKSON: Thank you very much, Mr. Speaker. It's that customary time of the week when I invite the Government House Leader to share with us the planned and projected government business for the ensuing week.

Thank you.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. As always, we're prepared to be flexible and enter into discussions with the hon. Opposition House Leader with respect to exact scheduling, but projected business would start on Monday the 22nd in the afternoon under Government Bills and Orders with Government Motion 18, approval of the general fiscal policies of the government, in order to

allow the reply from the ND opposition leader; then second reading on bills 16 and 17; time permitting, third reading on bills 7, 2, 3, 4, 5, 6 and as per the Order Paper. At 8 p.m. we would convene in the Committee of Supply: in the Assembly estimates of the Treasury Department meeting with committee A, and in 512, Justice and Attorney General with committee B; and then as per the Order Paper.

Tuesday, March 23, at 4:30 p.m. under Committee of Supply, Community Development would continue to defend their estimates, and at 8 p.m. in Committee of Supply the Economic Development department would defend estimates in the Assembly with committee D, and in room 512 committee C would review the estimates of Agriculture, Food and Rural Development.

On Wednesday, March 24, at 8 p.m. under Government Bills and Orders in Committee of Supply in the Assembly, Transportation and Utilities' estimates would be reviewed under committee B, and in 512 the estimates of Advanced Education and Career Development would be reviewed by committee A, and thereafter as per the Order Paper.

On Thursday, March 25, under Government Bills and Orders we'll have Committee of Supply for the Official Opposition's designated department and thereafter as per the Order Paper.

THE SPEAKER: The chair has listened attentively, hon. Government House Leader, and the chair understands that Monday night, Tuesday night, and Wednesday night are committee nights? Thank you.

A point of order.

Point of Order

Referring to the Absence of Members

MRS. SLOAN: Mr. Speaker, today in the throes of question period debate the minister of the environment referenced the attendance or nonattendance of particular members during the vote on second reading of Bill 15. I would cite *Beauchesne* 493(4) and particularly 289(3), which says that

the duties of Members have become extremely varied and Members must travel frequently. The discharge of those responsibilities will sometimes take a Member away from the House. This absence from the chamber should not be the subject of comment.

Thank you.

2:50

MR. LUND: Well, Mr. Speaker, I'm sorry that I made the comment. I didn't have any idea that they would be so sensitive to the issue. Quite frankly, if you look in *Hansard* on page 480, it clearly shows that during the discussion leading up to the vote, the opposition had the floor and they didn't use it. I must apologize if in fact it is a sensitive issue with them. I never thought it would be this sensitive that they would call a point of order, so I apologize for the statement.

THE SPEAKER: *Beauchesne* in 289 does talk about and reference attendance of members, and this matter has now been dealt with by the statements made by the hon. Minister of Environmental Protection.

The chair would also like to point out the following in *Beauchesne* under that same section, 289(1), which is kind of interesting:

Standing Order 15 states that "every Member is bound to attend the service of the House unless leave of absence has been given him or her by the House".

But the chair would like to point out that's covered by Standing Orders in the Canadian House of Commons, and we don't have that Standing Order in Alberta.

head: Orders of the Day

Committee of Supply

[Mrs. Gordon in the chair]

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

MR. DICKSON: Thank you very much, Madam Chairman. I trust that now members have received actually three notices of motion that I've produced. Just dealing with them sequentially, the first one deals with changes to membership.

Committee Membership Changes

Mr. Dickson moved:

Be it resolved that the following changes in membership be made to the designated supply subcommittees: on Family and Social Services, Mr. MacDonald to replace Ms Olsen and Dr. Massey to replace Ms Carlson; on Environmental Protection, Mrs. Sloan to replace Mr. Gibbons; on Education, Mrs. Soetaert to replace Ms Olsen; and on Municipal Affairs, Mr. Bonner to replace Ms Paul.

MR. DICKSON: I've given notice to the Government House Leader, and hopefully he's had adequate time to review these.

Thanks very much, Madam Chairman.

THE DEPUTY CHAIRMAN: The hon. Government House Leader.

MR. HANCOCK: Yes, Madam Chairman. We concur with the motion and would encourage everyone to pass this motion and ignore the exact same motion that has been distributed for me to move.

[Motion carried]

THE DEPUTY CHAIRMAN: Calgary-Buffalo.

MR. DICKSON: Thanks, Madam Chairman. Moving on, there are two other notices of motion distributed. What I propose to do is refer members to the one that deals with the designated supply subcommittee on Family and Social Services. The other one deals with the Health committee, but right now I'm just talking about the designated supply subcommittee on Family and Social Services.

head: Committee of Supply Witnesses

Mr. Dickson moved:

Be it resolved that pursuant to Standing Orders 56(4) and 66 and the Legislative Assembly Act, RSA 1980, chapter L-10.1, section 14, the Committee of Supply summon the following witnesses to attend before the designated supply subcommittee on Family and Social Services on Friday, March 19, 1999, at 8 a.m. until discharged by the said subcommittee: Mr. Robert Rechner, provincial Children's Advocate; Mr. Shiraz Shariff, chair, Social Care Facilities Review Committee; Dr. Graeme P. Dowling, Chief Medical Examiner; Dr. John Waters, provincial health officer; and Mr. David Steeves, chief executive officer, Child and Family Services Secretariat.

MR. DICKSON: Now, what I propose to do is just cite the authority for the proposition, and then the critic for Family and Social Services, Edmonton-Riverview, can offer some supplementary comment.

I refer members to Standing Order 56(4), which provides that

a Designated Supply Subcommittee may request of the appropriate member of the Executive Council, through the chairman of the subcommittee, that a specified person, who is an employee of the Crown in right of Alberta, attend the subcommittee; however, no witness shall be summoned to attend before a Designated Supply Subcommittee except by order of the Committee of Supply in accordance with Standing Order 66.

We are now in the Committee of Supply. If one looks at Standing Order 66, we find there is provision in 66(1) that "no witness shall be summoned to attend before any committee of the Assembly except by order of the committee or the Assembly."

Now, there has been a request that has gone to the chair of the subcommittee dealing with Family and Social Services tomorrow morning. The request has been made listing five potential witnesses. Four of the five witnesses are clearly civil servants.

I want to acknowledge one issue that I have to address, and it has to do with the proposal to call the Member for Calgary-McCall, Mr. Shiraz Shariff, as chair of Social Care Facilities Review Committee.

THE DEPUTY CHAIRMAN: Excuse me a moment, hon. member. I'm going to have to ask if we can please have some quiet here. The table is trying to listen to exactly the Standing Orders involved here. Thank you.

Go ahead.

MR. DICKSON: Thanks, Madam Chairman. I want to acknowledge, to be fair to all members, that there is a provision on page 648 of *Erskine May* that says, "Members of the House, including Ministers, may not be formally summoned to attend as witnesses before select committees." And there's some additional explanation.

What I wanted to point out to you, Madam Chairman, and to all members is that the Member for Calgary-McCall is not being asked to appear in front of the committee for any reason related to his duties as a Member of the Legislative Assembly, for any reason related to his duties under the Legislative Assembly Act.

3:00

I'd say this. I think the case that we have here is distinguishable from the prohibition which appears in *Erskine May*. *Erskine May* suggests that you can't call a minister presumably to ask questions about his ministerial responsibility. You can't call a member to be accountable for anything he does as a Member of the Legislative Assembly or on a committee of the Legislative Assembly.

What's interesting here is that the Social Care Facilities Review Committee is completely independent. It has nothing to do with the Legislative Assembly. This could as easily be Joe Btfsplk who chairs the committee, and I'm sure not as well as the Member for Calgary-McCall. It's my respectful submission that if the government chooses to install somebody who happens to be an MLA on an important public committee, then the member cannot say: well, hold on; I happen to be an MLA, so therefore I have special protection. If we could not call the Member for Calgary-McCall to answer questions, then in fact we've sort of lost a voice and we've lost an opportunity, because if it was Joe Btfsplk who was chair of that committee, we would presumably have had that opportunity. I hope *Hansard* doesn't ask me to spell Btfsplk.

Madam Chairman, I want to draw that to your attention. As I say, I think the rule in *Erskine May* can be distinguished and it is not offended if we were to order here that the person attend.

The point I think is this. We were all very excited when the designated supply subcommittee was created. This was seen as a big step forward. There has to be a reason why Standing Order 56(4) provides for witnesses to be called. Presumably it is for a more thorough kind of examination of an issue. It presumably allows the witness to assist the minister.

Now, I just want to address one further issue. We are in a parliamentary democracy. There are issues in terms of ministerial responsibility. My suggestion would be this. Do we offend that notion of ministerial responsibility by bringing in somebody from the department? I think no. At the end of the day it's clear that there's only one person responsible for Family and Social Services, and that's the hon. minister. I think it's fair to say that the minister will never be bound by a comment made by one of his employees. It is simply there for information. At the end of the day if there's a conflict between what the minister says and what the employee says, then clearly the minister's word will prevail, and we recognize and acknowledge that.

Those are the points that I wanted to make just in terms of what I suggest is the law that applies here, and I'm interested in the Member for Edmonton-Riverview, who will tie in why these particular people have been sought. So those are my comments, Madam Chairman.

Thanks very much.

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

MRS. SLOAN: Thank you, Madam Chairman. I would like to just briefly provide some background as to the witnesses I have requested attend the designated subcommittee of supply for Family and Social Services on Friday morning.

Mr. Robert Rechner, the provincial Children's Advocate, as all members are aware, is an employee of the Crown and conducts his responsibilities under the auspices of the Minister of Family and Social Services. What we have experienced in recent years is repetitive delays in the publishing of the annual report for the Children's Advocate. In fact, we are at this stage yet again awaiting the release of the annual report, which I am told has been completed but not released publicly for the 1998-99 fiscal year. In a similar vein we have seen again in the term of this Children's Advocate system advocacy reports that were previously completed on a quarterly basis completely eliminated. We have also seen approximately a 45 percent increase in the child welfare caseload in the city of Edmonton alone in this province, and we would like to question this servant of the Crown with respect to those matters as well as others.

Mr. Shiraz Shariff, who is a member of this Assembly, is also the chair of the Social Care Facilities Review Committee. Now, this committee, members may not be aware, underwent a mandate change this year and in the process of doing that changed their functions and responsibilities. Those changes, in my understanding, were brought about and approved by the Minister of Family and Social Services. They have not, however, been encompassed in legislative amendments. As one example, the committee by legislation currently has investigative powers. So if an event occurs within a social care facility or a death occurs, the legislation would imply that it is that committee's responsibility to investigate that incident. However, in a recent such occurrence when such an investigation was requested, the chair wrote back, and subsequently his letter was accompanied by a letter from the minister to say that the committee no longer has investigative powers, that their mandate has changed. That particular case is now before the provincial Ombudsman.

Dr. Graeme Dowling, the Chief Medical Examiner, is being called. As members may or may not be aware, that officer has not produced an annual report since 1994. The explanations that are provided within the government's own reports are that the completion of an annual report by the medical examiner was discontinued because of budget cuts. We therefore have no reporting of statistics either by

the Department of Family and Social Services or by the medical examiner of children who have died. That has been despite repetitive questioning to both the Minister of Family and Social Services and other public servants on this matter.

Further, Dr. John Waters, the provincial health officer, is being requested to attend. As the Official Opposition documented and released in the fall of this year, thousands of Alberta children suffer from some type of physical or mental disability. We have thousands of children who suffer from fetal alcohol syndrome, developmental disabilities, speech disabilities. We have thousands of children in this province who live in poverty. There are a variety of questions that we would like to ask this employee of the Crown with respect to how or what he has undertaken to do to establish or investigate the impact of these disabilities and poverty on the population, including our childhood population.

The final witness who is being requested to attend is Mr. David Steeves, the CEO of the Child and Family Services Secretariat. Now, this particular individual is heading up the administrative side, operational side of the joint children's initiative. As far as we know, he's really the only funded position in that initiative, and the initiative itself does not have a budget. So there are a variety of questions, Madam Chairman, that we would like to raise with Mr. Steeves tomorrow morning. His attendance during that committee discussion I think would lend a great deal of information to the respective members with respect to the government's plans both with the joint children's initiative and how in fact in a tangible form this government is planning to address other issues that have impacted children in this province.

Also, speaking in general terms with respect to calling all of these witnesses, we are very alive to the fact that the government is proceeding to regionalize child welfare in this province. Somewhat of an unsuccessful model, only previously tried in the same form in the health sector, we now know that health regions across this province have accrued millions of dollars in deficit. People have been denied services, and regrettably it would appear that the government is proceeding at a racing pace to authorize the official establishment of these regions effective April 1, 1999. A variety of concerns have been made with respect to the funding of these regions, the funding model itself, and how reliable it in fact will be.

3:10

I believe, Madam Chairman, that all of the members who have been called should be prepared, and it would be with great interest that we would ask for their thoughts, their recommendations, their insights with respect to that regionalization plan.

With those thoughts, Madam Chairman, I am hopeful that the Assembly will see the wisdom and the considerable thought that has been put into this request. It is in the spirit of openness, transparency, and accountability, and it's very much in the spirit of Standing Order 56(4). I'm hopeful that that being said, there will be unanimous support in this Assembly this afternoon to approve the motion for such members of the public service to attend the designated supply subcommittee tomorrow morning.

Just to make a final comment, I would also just respectfully note that the government proceeded to establish the debates on Family and Social Services with quick haste. We really were only given notification just over 24 hours ago that Family and Social Services would occur on Friday morning. Subsequent to that, two of the original members from the Official Opposition, who wanted very much to be part of that budget debate, were not able to attend. So in the spirit of co-operation, while we have not contested this short notice, I would think that in a similar vein of goodwill the government would be understanding and compliant with our request to

have these public servants in attendance at this meeting.

Madam Chairman, with those comments I'm prepared this afternoon to conclude. Thank you.

THE DEPUTY CHAIRMAN: The hon. Government House Leader.

MR. HANCOCK: Thank you, Madam Chairman. I would encourage all members of the House to vote against this motion. We have a time-honoured tradition, which is a parliamentary tradition, that the minister accepts responsibility and answers questions. The clear import in my mind – although Standing Order 56 in some cases is not perhaps as clear as it could be on this point – and the clear purpose for 56 is to allow ministers to bring people to the committee for the purposes of assisting the ministers in answering questions fully and openly. We do not have the republican style of government with committees that summon witnesses, nor have we made or do we wish to make any attempt to move to that type of a process.

We have ministerial responsibility. If the minister can't answer the question, then he or she should be called to account for not answering the question. The minister is responsible for bringing forward the answers to all of your questions and to respond when defending their estimates, and that's the tradition that's been pursued in the parliamentary form of government for many, many years. This clearly would be a change to that tradition, a change which would bring forward – it would summon people before a committee to answer questions when the answers to those questions are clearly, clearly the responsibility of the minister.

On a secondary point, I would suggest that this notice of motion is also out of order, Madam Chairman, but I'm not going to ask you to rule on that. I'd suggest that it is out of order, and I think we should look at the orders. It's out of order, I would suggest, because precisely as the hon. Opposition House Leader suggested, it's purporting to summon a Member of this Legislative Assembly. [interjections] I sat quietly while the opposition made their points.

MR. SAPERS: No, you didn't. You were chatting.

MR. HANCOCK: No, I wasn't actually. I was sitting here . . .

THE DEPUTY CHAIRMAN: The hon. Government House Leader has the floor, and he's working through the chair. Thank you.

MR. HANCOCK: The only rule, I would suggest, in *Beauchesne* which even comes close to this – and I would suggest that there isn't a rule because it's inappropriate to do it – is with respect to requesting members of the House of Commons to appear before the Senate. The rule says:

Should the Senate desire the evidence of a Member, it communicates its request to the House . . . The House will then normally give its consent to the Member to appear should the Member so wish.

It's not appropriate, I would suggest, to summon a member of this Legislature to appear before a committee in this manner.

So I would argue, number one, that the motion should be defeated by the House. I'm not asking the chair to make a ruling, although I do think we should request the officers of the House to look into this Standing Order in terms of how it should prevail. Secondly, I think it's not appropriate in a parliamentary form of government. The minister is responsible. The minister can bring support staff, other employees of the government . . .

MS LEBOVICI: Where does it say that? Only if the committee asks him to.

THE DEPUTY CHAIRMAN: Hon. member for Edmonton-Meadowlark through the chair.

MS LEIBOVICI: Through the chair. Where does it say that? *Beauchesne* 333, asking a question.

MR. HANCOCK: Madam Chairman, the Member for Edmonton-Meadowlark has hollered across the floor in an unparliamentary way, "Where does it say that?" I would respond to that as I would have responded to that if she'd asked it under the rule which allows the asking of questions. I will respond to that.

MS LEIBOVICI: Point of order.

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

**Point of Order
Questioning a Member**

MS LEIBOVICI: Thank you. *Beauchesne* 333. Had the minister heard it, he would have realized that I had asked it under that order, *Beauchesne* 333. Therefore, I'm asking the minister if that is the case, as his argument is, under the Standing Order then the minister has no right to have anyone there unless it is the Committee of Supply that makes that request.

THE DEPUTY CHAIRMAN: Number one, hon. member, if in fact you are going to ask the speaker a question, you can certainly request that, and he has the option of saying yes or no. The second thing is that if you did have a point of order, you needed to stand and be recognized by the chair. Just yelling across the Assembly doesn't count.

MR. HANCOCK: Well, Madam Chairman, I was going to make that point on the point of order, but I gather you've now dealt with the point of order and I should go on with my discussion.

THE DEPUTY CHAIRMAN: Yes.

Debate Continued

MR. HANCOCK: Thank you. But I'd be more than happy to answer the question from Edmonton-Meadowlark because I think she's right. That's precisely why Standing Order 56 is there, to allow other government employees to be brought before the committee. [interjections] Oh, be quiet and let me talk.

THE DEPUTY CHAIRMAN: Hon. members, please. We need some semblance of order in here. The hon. member has the floor. I am trying to listen to what he is saying. You will be recognized in due time.

MR. HANCOCK: Madam Chairman, I don't want to use up too much of the House's time, so if the members of the opposition will permit, I will finish my arguments and sit down.

That, in my submission, is precisely why this section is there: not to summon, unless it's absolutely necessary to summon, witnesses before the committee but to provide a process whereby if the committee desires, employees of government can be brought in to help defend the estimates. But clearly the responsibility for defending estimates lies with the minister. This House should not be summoning witnesses to do that, and therefore I would request all members of the House to vote against this motion.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thanks, Madam Chairman. Well, the first thing I have to say is that I am supporting this motion. The second thing that I have to do is to explain why. I will begin my explanation with responding to what I just heard the Government House Leader say. The Government House Leader would have us believe that there is some relevance in mentioning *Beauchesne* references to the Senate. Now, we all know that the Parliament of Canada was established as a bicameral House, an upper and a lower Chamber, and the references in *Beauchesne* have to do with the ability of one Chamber to compel members of another Chamber. This is entirely different. I thought the Government House Leader was familiar with parliamentary tradition, but this is entirely different from a committee that is the creature and the creation of a Legislature. So his references to *Beauchesne* are absolutely irrelevant, to the point of ridiculousness.

3:20

Second of all, what we have is a Government House Leader who is giving us his single interpretation of what he believes section 56 in our Standing Orders, which were created by the whole Assembly, may mean. Now, I am intrigued with the twisted logic used by the Government House Leader, but I will say that I am simply intrigued, not impressed, and it certainly is not a compelling argument. That member's opinion is no more or less valid than this member's opinion, but it is the collective opinion that of course we have to deal with. So that member making his arguments that he thinks section 56 should be read in a particular way is certainly nothing more than an indulgence of his own whimsy, because section 56 is what it is. The words are clear and specific.

What it says is that a designated subcommittee can compel people who work for the provincial government to come and provide answers to legitimate questions on the work that they do at the public expense. It is nothing more and nothing less. Any shaving of the words that the Government House Leader wants to indulge in is his own business, but it's not the business of this Assembly.

When it comes to ministerial responsibility – and because that Government House Leader is still a relatively green minister, it could be that he's just simply not familiar with the practice, which is a long-standing practice, that ministers usually rely on advice from their officials when they respond to questions. We've all gone into the Assembly and have seen the parade of people sitting either at a minister's side or up in the galleries or in the seats sending in notes, sending in advice, providing answers, providing references to documents. So of course the reality is that within the context of ministerial responsibility and accountability, we all depend on the experts that are hired in our public service. I don't expect the members of Executive Council to be content experts in their ministry. In fact, those expectations, if they were there, would be unreal. We expect the expertise to come from the public service. Section 56, of course, also respects that.

Madam Chairman, perhaps the most disturbing aspect of the refusal of the government to comply with Standing Orders is this. Earlier today we saw this government issue a press release and talk about a moral compass and talk about how the people of Alberta will determine what the legislation is. Of course the people of Alberta would expect their government to live up to not just the letter of the law but the spirit of the law, and it's clear what was intended in the Standing Orders, which is the law that governs the proceedings in this Chamber.

Now, if the government is saying through the Government House Leader that we can pick and choose which Standing Orders we'll

agree with, that we can pick and choose what words we will rely on, that we will pick and choose when we will and when we won't be obedient to the law, then what signal does that give to Albertans about the moral compass of this government that can willy-nilly pick and choose what laws they will comply with? It seems to me that what we have here is a government that is quite willing to set aside its compliance with the law to serve their own self-interest.

MR. HANCOCK: Point of order.

THE DEPUTY CHAIRMAN: The Government House Leader on a point of order.

Point of Order Allegations against Members

MR. HANCOCK: Yes, Madam Chairman. Under 23(h), (i), and (j). The hon. member is making allegations that I wanted us to set aside the rules. I clearly was directing my comments to the reason why we should vote against the motion, not that we should set aside the rule. I wasn't suggesting by any stretch of the imagination that we shouldn't abide by the rules of the House. I was suggesting that we should vote against the motion because in my interpretation of the rule, which I am allowed to argue, the purpose of that rule is to allow bringing witnesses so that the ministers can defend their estimates.

That was an argument I was making. I was not in any way, shape, or form suggesting that this House should not abide by its rules or that this House should change its rules. I did, however, go on to suggest that I thought the notice of motion was out of order in that it purported to summon a member of this House before a committee. I have to admit that I don't have with me *Erskine May* or other references, so I used *Beauchesne* to bring in a reference which one could allude to to show why that would be inappropriate.

So it's entirely out of order, I would suggest, Madam Chairman, for this hon. member to get up and impugn my integrity by saying that I want to set aside the rules or not live by the law. That is absolutely incorrect.

THE DEPUTY CHAIRMAN: On the point of order, the hon. Member for Edmonton-Glenora.

MR. SAPERS: On the point of order? Well, there clearly isn't a point of order, and I'm sorry the Government House Leader is so thin skinned. Of course 23(h), (i), and (j), as the Speaker has so many times ruled, suggest that when a member is making an allegation against a member – my allegation took in the entire government, the whole front bench, not a particular member.

Number two, the Government House Leader would argue that I have impugned his integrity. In fact it's his own arguments, I think, that Albertans will have to judge as to whether or not they do damage to his integrity, the integrity of this Assembly, and the integrity of the government when it comes to complying not just with the laws of the land but also with the Standing Orders, which we are all in a gentle, personal sort of way supposed to be adhering to. What we have here is a blatant abuse of those Standing Orders, and that is the gist of my argument.

So I don't think there is a point of order, and I'm sorry that the Government House Leader is so thin skinned. Of course, Madam Chairman, I'll await your ruling.

THE DEPUTY CHAIRMAN: Well, I think it isn't a point of order. It's more the heat of the moment.

The chair will be honest with the committee here. I think this particular Standing Order is very, very ambiguous. I think it's clear

as mud, if you want to know the truth. The theory we have dealt with in the time that I've been involved with this Assembly in dealing with designated supply subcommittees is that basically they are ministerial responsibility. That is how they're put together, and the minister can bring along employees of the Crown who can in fact answer questions. Unfortunately, I was not aware that this was coming forward this afternoon; we would have dealt with it.

But the hon. Member for Calgary-Buffalo is a lawyer, and you take a look at 56(4) and it isn't clear. It is not clear exactly how this works, in my estimation. I certainly would contend that I think the House leaders at an opportune time should get together and straighten this out, because if you read it, it is very, very ambiguous.

MR. DICKSON: Madam Chairman, thank you very much for your observation, but we're debating the very thing that you're entering debate on now. And if we were to agree with the chair in your point that it's ambiguous, then surely this is the place to try and resolve that. We don't have an opportunity to wait. We have a committee meeting tomorrow morning at 8 o'clock. We're attempting to use the rule that's there, and I think, with all due respect to the chair, we are attempting to make the case, and presumably the members of the Assembly and certainly not the chair are going to have to make that decision. So I appreciate always your advice, but I'm anxious that the members not be deprived of their opportunity to hear the arguments on both sides and then to be able to make an appropriate disposition.

THE DEPUTY CHAIRMAN: The chair will recognize that the committee can decide if in fact they want this motion to go forward. Carry on with the regular debate, hon. member.

Debate Continued

MR. SAPERS: Thank you, Madam Chairman. I'm glad you mentioned the relative clarity in Standing Orders in this section and others, because I was about to go to the next stage of my argument, which was to examine the wording of paragraph 4 in section 56 of Standing Orders. Actually, the wording for the record is:

A Designated Supply Subcommittee may request of the appropriate member of the Executive Council, through the chairman of the subcommittee, that a specified person, who is an employee of the Crown in right of Alberta, attend the subcommittee; however, no witness shall be summoned to attend before a Designated Supply Subcommittee except by order of the Committee of Supply in accordance with Standing Order 66.

That's the entirety of the part of the Standing Orders that we're dealing with.

Now, there is in fact some ambiguity as to how it fits in because you're referenced another Standing Order, but within the sentence itself it's very clear. In fact, it's crystal clear that a designated supply subcommittee may request a person "who is an employee of the Crown in right of Alberta." That is crystal clear. It doesn't say that it's only a minister who can bring somebody along. What it says is that the committee can make the request, and that's all that this motion does. The committee is making the request, so that's perfectly in order and it's perfectly clear.

3:30

Point three. The section is written in such a way as to broaden the ability of the committee to reach beyond what the minister may be able to provide. We don't need a Standing Order, Madam Chairman, to give a member of Executive Council permission to bring along a deputy minister, an assistant deputy minister, or anybody else in that minister's department. Standing Orders aren't required for that. The

whole purpose for the Standing Order provision is to allow us to move beyond that, is to allow other members who are not members of Executive Council to be able to bring to the committee the kind of expertise that the committee feels it needs.

So the argument of simply ministerial accountability or responsibility is one that can only be taken so far, because the next step, of course, is what the committee believes it needs to satisfy itself, not what the minister thinks the minister needs to satisfy himself or herself. When I read 56(4), it is very clear to me that these Standing Orders provide an opportunity for any member of the Assembly who is a member of a designated supply subcommittee to make a request of an employee to attend.

Frankly, I am shocked and dismayed that the government would reject this request, would not just reject it but would reject it on the basis of such poor, illogical, and contradictory arguments.

THE DEPUTY CHAIRMAN: The hon. Member for Calgary-Buffalo has moved the motion. All those in favour of the motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: It is defeated.

[Several members rose calling for a division. The division bell was rung at 3:32 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Gordon in the chair]

For the motion:

Blakeman	Gibbons	Sapers
Bonner	Leibovici	Sloan
Carlson	Pannu	White
Dickson	Paul	

Against the motion:

Amery	Hlady	Paszkowski
Broda	Jacques	Renner
Burgener	Johnson	Severtson
Cardinal	Jonson	Smith
Clegg	Klapstein	Stevens
Coutts	Kryczka	Strang
Doerksen	Laing	Tannas
Ducharme	Langevin	Tarchuk
Dunford	Lougheed	Thurber
Friedel	McFarland	Trynchy
Fritz	Melchin	Woloshyn
Graham	Nelson	Yankowsky
Hancock	O'Neill	Zwozdesky
Hierath		

Totals: For - 11 Against - 40

[Motion lost]

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

MR. DICKSON: Madam Chairman, I have the second amendment I alluded to earlier.

head: Committee of Supply Witnesses

Mr. Dickson moved:

Be it resolved that pursuant to Standing Orders 56(4) and 66 and the Legislative Assembly Act, RSA 1980, chapter L-10.1, section 14, the Committee of Supply summon the following witnesses to attend before the designated supply subcommittee on Health on Monday, March 22, 1999, at 8 a.m. until discharged by the said subcommittee: Mrs. Bonnie Laing, chair, Health System Funding Review Committee; Mr. Dave Broda, chair, Long-term Care Policy Advisory Committee; Dr. John Waters, provincial health officer; Mr. Don Schurman, chief executive officer, Provincial Mental Health Advisory Board; Mr. Doug Tupper, assistant deputy minister, environmental service, Environmental Protection; Ms Evelyn Frances Swanson, senior team leader, policy and planning, Department of Health; Mr. Jon Brehaut, senior team leader, health economics, Department of Health; and Mr. Frank Wilkinson, chair, Public Health Appeal Board.

MR. DICKSON: I just want to deal with a couple of the issues that we'd heard in terms of whether ministerial authority is undermined. I think clearly not. There is a reason why the Standing Order 56(4) is there. Requests have been made of the chairpeople of the committee to be passed on to the ministers. I regret to tell you that I don't think we've had responses yet, and I'm prepared to take responsibility. The motion has come in late. Tomorrow is the first committee we're dealing with. The Health committee we're dealing with Monday morning. All I can say is that I think my colleague responsible for Health, Edmonton-Meadowlark, has written the chair of the committee and the minister through the chair, and I'm not sure she's received a full response to the full list of questions.

It may be that if there's a sense that government does not want to see MLAs called, my suspicious is that we'd be very happy – and I can't speak for all my colleagues – to get the other witnesses, and we'll deal with the MLA issue another time. There are a number of other people that have important information, and the purpose of this is to ensure that we can ask questions and get meaningful responses and be able to do follow-up questions without having to wait for responses coming weeks or months later.

So those are the reasons why the proposal is before us. Madam Chairman, you've talked about ambiguity in the Standing Orders. In my respectful submission, the ambiguity ought to be resolved in terms of the broadest disclosure and the widest and broadest kind of questioning possible.

Thank you very much.

MR. HANCOCK: Madam Chairman, once again I would urge members to vote against this motion. I do believe that it affronts the parliamentary democracy that we have and the responsibility of ministers to be forthright, to bring forward answers to the questions that are asked. If there's a need for detailed questions which provoke detailed responses, I don't know of any of my colleagues in this government who are adverse to receiving those questions and getting full, detailed responses back. There's absolutely no need for members to wait until this committee sits to ask questions. In fact, it's my understanding that we're up to about 160 on the Order Paper with written questions and motions for returns. When I canvassed my colleagues to determine whether or not this was a broadening approach by the opposition to get information, I've discovered that in fact there's a flood of requests to all ministers' offices – well, not all, but the ones I asked – to get information.

I would suggest to you that if the purpose is to get full and

complete answers, then provide the questions that you want those full and complete answers to, but don't undermine the authority of ministers and the responsibility of ministers to be responsible for their estimates and to provide the answers and to be responsible and accountable for those answers.

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

MS LEIBOVICI: Thank you, Madam Chairman. I appreciate the opportunity to speak to the motion that the hon. Member for Calgary-Buffalo has put forward. I've listened with much interest to the arguments: the arguments that deal with the authorities, the arguments that deal with the undermining of the minister's responsibility, the arguments that outline what the intent or the reading of the intent of 56(4) and 66 are in conjunction with the authorities. Quite frankly, I am amazed at the way this has been contorted into an undermining of ministerial authority. This has, quite frankly, nothing to do with undermining ministerial authority. It has to do with ensuring that the committee has the ability and the authority to do what it has set forth in Standing Orders and under *Beauchesne*.

3:50

If I can refer the chair to *Beauchesne* 852, where it says: "Only the committee can make a decision as to which witnesses should be called." It does not say in *Beauchesne*, Madam Chairman, that it is the authority and the responsibility of the minister to make that decision. It says very clearly that it is "only the committee" that can make that decision. If we look further, to 858 – and the minister himself used, I believe, a clause similar to this when he indicated about Senators – it says in here:

Whenever it is desired that a Senator should give evidence before a committee, it is customary for the Chairman to request the Senator to come to the committee.

Now, it's my understanding that the minister is not the chair of the designated supply subcommittee. There is a reason that the ministers are not the chairs of the designated supply subcommittees. In fact, it is the chair that calls the witnesses; it is not the minister. So in reality this has nothing to do with undermining ministerial authority; it has to do with the provision of information.

It surprises me that this government looks at the request and the questions that we have asked on behalf of constituents and people across this province and have asked for answers and then they stand and say: oh, we're surprised that there's this floodgate of questions that have been put forward. Well, there's a floodgate of questions because, quite frankly, there is a closure that has been put on providing information to the people of this province, and it's time that this government recognizes that that is the case. If we were to do a percentage of the amount of questions and motions for returns that have been answered, I'd be surprised if it's 50 percent.

When we look at the designated supply subcommittee, which in my case will deal with at least \$3 billion to \$4 billion worth of expenditures on behalf of taxpayers, it is only reasonable that the individuals that have been asked to come forward to act as witnesses should be there to answer questions as well as the minister. There is no reason why they should be excluded. If one were to just read – and any person without a legal background could quite easily follow the wording that is in 56(4) – what the wording says is that "a Designated Supply Subcommittee," subcommittee, Madam Chairman, not minister, "may request of the appropriate member of the Executive Council." So it's the subcommittee who requests of the minister. That is what we are saying in this motion, that the committee requests summoned witnesses through the chair of the

subcommittee. So if we follow this slowly: the subcommittee makes the request through the chair to the minister.

So as we have done in our letters, both the Member for Edmonton-Riverview and myself, what we have done is we have written letters to the chairs of the subcommittees requesting that in fact there be witnesses that can attend the designated supply subcommittees. I put forward that one of the reasons that it's through the member of the Executive Council is because it's likely that there is time off to be required perhaps of the witnesses to attend.

If we are to look further to section 66, where in fact what is contemplated is actual payment of those witnesses before the Committee of Supply, naturally that payment would have to come from somewhere, so the Clerk of the Assembly is in fact authorized to pay the witnesses. The reason I think the minister is requested is because of the day-off provision. But it is not up to the minister to make that request; it is up to the subcommittee to make the request.

So we have followed the proper procedures. The motion is appropriate the way it is written, and the fact remains that there is no reason to deny this motion or to deny this request. In fact, the witnesses can be summoned; they can be requested to appear before the supply subcommittee. It is very clear, Madam Chairman, that that is exactly what it says, and that is the procedure that we have followed.

To say that this is undermining ministerial authority, to say it is only the minister that can make the request is patently wrong. It is wrong in terms of the interpretation of this particular clause. If we are going to interpret clauses according to interpretations that do not follow the words of the clauses, then in fact why do we have Standing Orders? Why do we spend time to ensure that the Standing Orders are written in a certain way so that there is the ability to ensure that there are procedures that are followed in this Legislative Assembly?

Too often we find that the Standing Orders are being manipulated to suit the purpose of government rather than ensuring that there's a fair, level playing field between the government and the Official Opposition. Quite frankly, Madam Chairman, I think it is time that that stopped.

Thank you very much.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Ellerslie.

MS CARLSON: Thank you, Madam Chairman. I am provoked to enter into debate this afternoon on this motion because of the comments of the Government House Leader. He is this afternoon a full participant in this government's standard practice of, like my colleague from Edmonton-Meadowlark said, manipulating information to serve the purposes of the government. There is no doubt that what he has done is taken several instances of usual process and lumped them together to achieve the end he wants, which is neither, I would say, parliamentary nor democratic.

We're asking for access to information here, and this is what should be available to us in the budgetary process prior to our taking a vote on the budget. In fact, that is not a process that has ever been open or transparent, as this government alleges repeatedly. We have many, many examples of this.

The Government House Leader talked about our opportunity to put written questions on the Order Paper. Well, he knows full well that not only do those questions seldom ever get answered, but he knows full well that there is absolutely no opportunity for us to put in questions to the government on the budget process in time for them to even get on the Order Paper before we start this debating process on the budget, never mind have the minister actually answer

the question. For him to use that as one of his reasons in debate here is foolhardy at the very least. There is no doubt that it is a system that doesn't work in that regard at all. We can't get it on the Order Paper in time. We certainly will not get an answer in time even if we ever ultimately do get an answer. So for him to say that that's an option open to us isn't possible at all.

He says that this undermines the ministerial authority of the ministers to answer questions. Well, we know full well in the six years that I've been in this Legislature, that few ministers answer questions in debate or in a timely process or in fact ever, Madam Chairman. So for him to say that it undermines . . .

MR. SAPERS: Hear, hear.

MS CARLSON: Hear, hear. That's right. It's a fact. We've been here. We've heard it. We know that they don't answer the questions. We know for sure they don't answer the questions in time for us to debate them. So for him to use that excuse is nothing more, once again, than an excuse.

Chairman's Ruling Relevance

THE DEPUTY CHAIRMAN: I've listened for approximately five minutes here, and I cannot see any relevance of what you're debating here that has to do with the motion. We have a motion in front of us that was brought forward by your Opposition House Leader, and I would certainly hope that we can deal with the contents of the motion.

4:00

MS CARLSON: Madam Chairman, I need clarification, then, because I am responding to comments in debate that the Government House Leader made, and I did not hear him being called out of order in terms of relevance. In that regard I would expect clarification.

THE DEPUTY CHAIRMAN: A particular motion has just been recently introduced. If I recall correctly, the Government House Leader spoke very, very little on this particular motion, in fact said basically what he said in less than a minute.

This motion is identifying a number of people you would like in attendance at a designated supply subcommittee, and thus far as part of your debate I haven't heard any reasons why the committee should in fact endorse this motion. So I'm asking you to please stick within the confines of this motion. It is 4 o'clock on Thursday afternoon, and I do think that it is important that we proceed.

Debate Continued

MS CARLSON: Madam Chairman, I think that my comments have everything to do with the House leader's comments about ministerial authority and everything to do with why we need to call these people before the committees. This government always says it's open and transparent. It's only open and transparent if we can get access to the information. We can only get access to the information if we can call witnesses, because in fact we don't get answers from the ministers. So I think that my comments have everything to do with what's happening here. If we're talking about provision of information and access to it, then the ability to call witnesses so that ministers have people at their fingertips who can assist them in answering the questions if they don't have the level of detail is very important.

In fact, I'll use environment as an example, because that's an area that I know probably best in this Legislature. We also expect to call witnesses in the designated subcommittee of Environmental

Protection, Madam Chairman. Why? Because we need answers to questions, and I know the minister doesn't have a level of comfort with the detail.

Chairman's Ruling Relevance

THE DEPUTY CHAIRMAN: Hon. member, I'm going to interrupt again. What we're discussing here is a designated supply subcommittee of Health. I don't see anywhere on this motion where it talks about Environmental Protection. All right? Now, let's stick with what's in front of us.

MS CARLSON: Madam Chairman, once again, I need . . .

THE DEPUTY CHAIRMAN: Are you arguing with the chair?

I don't know why you're talking about Environmental Protection. We're talking about Health.

MS CARLSON: I was using an example that relates to the designated subcommittee of Health. I know that in discussion with my colleague who is the critic for this area, we talked about access to detailed information that we know the minister doesn't have. Whether it's in Environmental Protection or Health, the subject of the debate remains the same.

MR. SAPERS: He talked about the Senate, for goodness sake.

THE DEPUTY CHAIRMAN: Hon. member, for the benefit of Edmonton-Glenora the speaker did not mention anything about the Senate when he was dealing with this motion. That was the previous motion. The hon. Government House Leader was talking about the Senate during the first motion, that we did have a standing vote on and that was defeated.

Let's get on with the business before us and debating this current motion to do with Health.

Debate Continued

MS CARLSON: With regard specifically to the motion requesting witnesses to come to Health, Madam Chairman, I am saying it is fundamentally important for us to get the answers to the questions, to have access to experts in the field. There is no doubt that ministers cannot be experts in any particular field because of the breadth and scope of the information that they need to have access to. In fact, if they're going to give us detailed and relevant answers to those questions, which we believe are necessary, before we can enter into debate and then in fact vote in those proceedings, then we need to be able to call those witnesses.

If I can, I want to go back to your earlier comments, Madam Chairman, where you were giving me direction, and I would like to refer you to page 372 of *Erskine May: Relevance in Debate*. It specifically says here that "the precise relevance of an argument may not always be perceptible." So in the short term I would say that my comments were entirely relevant and did come back to the point in order, which was calling witnesses in debate. If the chair wants to enter into debate on that instance, then I would certainly be open to that but not in her position as chair.

So back to calling these witnesses. We have seen ample evidence in debate here about why the critic for Health, the Member for Edmonton-Riverview, needs to have access to these experts in the field to get the questions answered. There has been lots of documentation for that. We have seen the Government House Leader repeatedly going off target and off topic in terms of defending why

the government is not prepared to do that. I think it is a defence of not being open and accountable, and that is something that I want my constituents in this province to know, that this government is not prepared to defend their answers or in fact to even provide them.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you. The Government House Leader was very brief in his remarks to this motion. I'll be even more brief and succinct.

The Government House Leader in his remarks mentioned that there are several instances when questions may be put to the government. I just wish that the government seized upon each one of those as an opportunity to provide answers. That hasn't been the case so far, and it appears that it's going to continue to not be the case.

[Motion lost]

head: Main Estimates 1999-2000

Labour

THE DEPUTY CHAIRMAN: I would ask the hon. Minister of Labour to please proceed.

MR. SMITH: Thank you very much, Madam Chairman. It is a pleasure for me to continue from where we left off last night. There were certainly some important questions asked, and in light of the comments made by members today in putting forth the motions, it's very clear that they're looking for key answers to key questions. I'm pleased to be able to provide detailed information to those questions, particularly those that started last night. They're very important, and we have worked diligently through the wee hours, attended caucus this morning, have worked hard and worked long, and we have been able to deliver I think some very pertinent information to the Assembly and to the subcommittee.

Madam Chairman, the March 17 discussion talked about the year 2000 preparations and what is going on with computer systems in the Department of Labour. They've talked about the structure of the Department of Labour's information management, how we've handled it. We've contracted out; we've done a number of things.

In response to the question regarding systems development needs for 1999-2000, let me say that the Department of Labour has developed an entire information technology strategic plan and steering committee to manage systems operations and development including Y2K, or year 2000, requirements. Madam Chairman, we have planned and committed the necessary resources to ensure that systems are fully compliant by September 1999. Progress to date indicates that that target will be achieved.

We have worked with the delegated administrative organizations to ensure that plans and resources have been committed on their part to ensure that they are fully compliant as well. These commitments have been made, and we monitor progress, as we do in much of everything in our department. Based on progress reports to date, we expect that the DAOs, the delegated administrative organizations, will meet their targets and be fully compliant. The Department of Labour's efforts in addressing the year 2000 issue have been endorsed by the chief information officer, yet another endorsement to the Department of Labour.

4:10

We have available documents which outline our plan and our

assessment of the project and of course our actions and our course of action to resolve the Y2K issue. These documents of course will be made available through a motion for a return, and I will refer back to some of the questions that were brought up yesterday. It's funny how they managed to coincide with written questions that are already before the House, and we'll talk to those too.

Also, Madam Chairman, yesterday in discussions regarding the Alberta Boilers Safety Association backlog of inspections, there was an interest expressed about the extent of the backlog. Of course pleased after diligent work done by members of the department last night through the wee hours of the morning and through important meetings held this morning, they were able to confirm and report the following statistics based on March 1, 1999, reports. There were more than 40,000 overdue vessels in October 1996. There are now about 22,853 vessels with inspections overdue. This represents 28 percent of the total number of vessels registered in the province, an astonishing 81,824.

You would know, Madam Chairman, just from your own experience with the machinery and equipment tax and the wonderful report of progress that you've delivered from your constituency of Lacombe-Stettler on the progress of the E-3 plant by Novacor Chemicals. I was meeting with Joe Bryant, the new manager from Amoco, who said that the Amoco plant is moving ahead and that they look forward to using that same skilled workforce, providing that same type of expansion numbers that have been reported over the past two or three years.

The number of vessels overdue over the past five years is more than 13,528, which represents 16.5 percent of the total number of vessels. In terms of high-risk or high-exposure vessels, those which could affect public safety, there are only about 70 vessels overdue for inspections. Remember, we started talking about a total population of 81,824. What's the number we're now reporting overdue for inspection? Seventy vessels in the high-safety, high public risk area. Down, down, Madam Chairman. I can see the exclamations of delight for the diligence of delegated administrative organizations from members here, who have listened to empty debate for so long. Now that they're hearing meaningful information, they're responding with interest and diligence.

Madam Chairman, the ABSA's main priority in dealing with the backlog will be working with these 70 vessels for the next period. As we carefully reviewed the questions asked last night and looked at the details – and the staff worked with excellent lighting thanks of course to wide power availability in this province, but they were working under halogen lights into the wee hours of the morning looking for responses. They looked at yesterday's discussion of estimates, and a question was raised: how was the department responding to the Auditor General's 1997-98 report concerning the consolidation of reporting entities, i.e. delegated administrative organizations, within the department's financial statements? As a matter of fact, it's been an interesting question for members here as well.

They've said: well, don't always use the term "delegated administrative organizations"; just use the term "DAOs" for the convenience and paucity of time. As we on this side of the House value time in this House, we'll just continue to refer to them as DAOs.

The DAOs do not use taxpayer funds for their operations. Let me repeat: the DAOs do not – underline "not" – use taxpayer funds for their operations. These DAOs under generally accepted accounting principles, Madam Chairman, issue their own financial statement and their own annual reports. This, of course, the Labour critic knows, with his Legislature Library card and members here who also have a key interest in the Department of Labour. I see them down in the Legislature Library a lot. I can see those bookish colleagues of mine

right behind me right now – formerly welders, formerly in the trades, good contributors all – and they indeed look for these DAO reports that they know are published and tabled in the Legislature. As a matter of fact, they say: “Gee, I’ve been able to find this information. I know what’s going on in Alberta. Therefore I don’t have to waste the valuable time of the House asking these questions.”

The DAOs are managed and receive strategic and policy directions from their boards of directors, the people whom these organizations affect the most. Labour only works in consultation with the DAOs in recognition of their authority. Including the DAOs within the ministry’s statement, Madam Chairman, I’m sure you would agree, would add unnecessary complexity and confusion for readers of our financial statement, especially as these organizations do not utilize our revenues/expenses and they acquire and manage their own assets.

As part of the broader government position, Madam Chairman, with regard to reporting entities involving Health, Advanced Education, for example, the government is reviewing this issue with the Public Sector Accounting and Auditing Board, affectionately known as PSAAB, with a view to changing the policy interpretation in order to recognize entities outside the ministries, such as those discussed above.

Of course during this examination in the wee hours of the morning, Madam Chairman, we did find the question that arose about what sorts of policies or procedures we’re using to monitor the performance of delegated entities to ensure in fact that there are satisfactory results and that they are in compliance with the safety codes. Of course everybody in the House is aware that the Member for Leduc is in charge of a safety codes review. As a matter of fact, I think he’s assiduously applying himself to studying his safety codes review now in the House. We look forward to substantial and substantive progress from the member.

Madam Chairman, I will report to you that Labour has made substantial progress in achieving its objectives, as was noted by the Auditor General in the 1997-98 report. We’ve adopted a risk-based approach to monitoring the performance of delegated entities, ensuring that we are strategic in our planning and that we manage high-need requirements. That’s how you manage with scarce resources; that’s how you manage with effective resources. That boils down simply to good management.

The quality and contract management operation in Labour, Madam Chairman, has developed policies and process that address monitoring performance of the DAOs and contracted accredited agencies. Labour is currently meeting with other delegated entities to develop policies and procedures to further assist us in monitoring their activities. We are focusing our efforts and working with rural municipalities to achieve a co-operative monitoring framework that supports the framework. That is something that we’re concerned about. We want to ensure that it’s co-operative and that it does support this.

[Mr. Clegg in the chair]

It’s important to us, Mr. Chairman, and that’s of course why we’re doing it. We’ve worked hard on that. From that, Labour has monitored results based on about 40 percent of the 321 accredited municipalities and is expected to complete monitoring of the remainder by July 31, 1999. Performance results are being compiled; monthly reports produced by April 30, 1999. Not far off. As a matter of fact, knowing the good health you’re in, sir, I know you’ll be here for that. The monitoring of the approximately 100 accredited corporations is scheduled to begin in May ’99, with estimated completion by December 31, ’99.

Mr. Chairman, as we were going through the issues of the day, we did come across an important question about people. In fact the Department of Labour is a people department. There have been questions about why we refer to people as customers. Well, we just see customers as individuals inside the department, outside the department, that deal with the department, that expect a valuable exchange. A valuable exchange sometimes costs money, and sometimes it doesn’t. That’s known as a transaction. With a transaction you have a vendor and you have a customer.

MRS. SLOAN: Are you planning to go for the PC leadership? It looks like you are.

MR. SMITH: The question was asked if I’m applying for the PC leadership. I don’t see any vacancies, Mr. Chairman. I’m sure there’s no need, and particularly after today’s events, it’s going to be a long, long time before that job is put open to competition. But the member’s interjection is welcome.

4:20

She interrupted me, Mr. Chairman, and I was on a very important issue. I know they never want to talk about people, but people are the most valuable resource, not only inside the Department of Labour but outside of the Department of Labour. That’s why we’ve worked very, very hard with our customers. We like the response from them. We like the work that they’ve done.

Now, for example, they do such a good job, that we had at one time 69 occupational health and safety officers, in 1993-94. Today we have 58. But we know that because of the expansions incurred in the areas of Lacombe-Stettler, Fort Saskatchewan, the areas throughout this great province, companies are paying much more attention to occupational health and safety. Mr. Chairman, because of our customer-focused attitude, because of the work that we do, we find that we are a fertile raiding ground. Indeed it is no longer a slight to have “government of Alberta” on your resume. It’s considered an asset. It’s considered value. It’s considered a good thing. Somebody else, I think, in the States used to say: it’s a good thing. It is a good thing to have experience in occupational health and safety on your resume from the Department of Labour, and in fact I know of eight who have already been snapped up by the private sector and are working today.

The difference of 11, Mr. Chairman, is explained by an alternate service delivery . . .

Point of Order Questioning a Member

MRS. SLOAN: Would the hon. minister entertain a question?

THE ACTING CHAIRMAN: Yes or no?

MR. SMITH: Yes. Absolutely.

THE ACTING CHAIRMAN: Okay, hon. member. Go ahead.

Debate Continued

MRS. SLOAN: Thank you, Mr. Chairman. I’m wondering if the hon. Minister of Labour would care to respond, with respect to occupational therapy, to the contradiction between his department’s waxing eloquent in that area and the cuts that have been made by that very same area in the departments of Health and Social Services impacting not only people with disabilities but children with disabilities.

MR. SMITH: A good question, Mr. Chairman, because it recognizes occupational therapy.

**Chairman's Ruling
Proximity to the Microphone**

THE ACTING CHAIRMAN: Hon. minister, before you answer the question. I've had a note or two. Everybody in this House wants to send this *Hansard* out to their constituents because of the good job you're doing. But you wander out and you turn around. So if you'd just keep on the mike. I know that everybody is so interested in sending them out to their constituents. Would you just stay? A little bit is okay but not turning around.

MR. SMITH: Wise and sage advice from a wise and experienced leader. Thank you, Mr. Chairman.

Debate Continued

MR. SMITH: The member asked a good question about occupational therapy, because it's recognized as an important profession. As a matter of fact, it's administered in the Department of Labour by the professions and occupations department. It is a growing area of treatment; it's recognized as therapeutic. As a matter of fact, Mr. Chairman, if we were today talking about the estimates of the Department of Health, the Department of Family and Social Services, I would be in there in a heartbeat, in a shot. But I'm listening to the response and the lead from the advice given by the previous chair, the Member for Lacombe-Stettler, who turned to the Member for Edmonton-Ellerslie and said, "Relevance" and said "Stay on the topic." That's exactly what I intend to do this afternoon: stay on the topic of the Department of Labour and the good estimates by the good people in the good department in this good province.

Mr. Chairman, we were talking about alternate service delivery for mining inspections, which is now contracted. We know by the work that we've done and the analysis that was done that there's no chance of a Westray-type mine disaster ever occurring in Alberta. Training and education are different. We've seen the advent of safety associations, training by postsecondary institutions, and we have not reduced service or quality levels. In fact, the rate of workplace injuries has gone down since 1994, as is clearly detailed in performance measurements.

In addition, the rate of work-related deaths investigated by the department is about the same as it was in 1993-94. The rate is far, far lower, Mr. Chairman, than it was in the late '80s, early '90s. Because a workplace death is so tragic, we would ideally strive and are certainly striving to work towards zero. It seems that zero fatalities in the workplace is impossible to achieve, but we will not give up hope, nor will we quit expending our efforts to achieve that goal.

In response to a question, Mr. Chairman, dealing with the number of employment standards officers we currently have and how that compares to the 1993-94 operations, I am pleased to report the following. After much searching late at night and in the wee hours of the morning and being able to deliver key and important and germane data to this committee, we have 40 officers compared to 41 in 1993-94, a slight reduction of about 2 and a half percent. Two and a half percent, Mr. Chairman: basically the difference in average weekly earnings for last year, the difference in compensation levels for MLAS. In fact, the Premier said: be happy to settle collective agreements with nurses, doctors, lawyers, and the like employed in the public sector in union agreements at 2 and a half percent. So we can hope that that 2 and a half percent number lives on in the lexicon of Alberta government.

MR. JACQUES: How much?

MR. SMITH: Two and a half percent; 2.5 percent. An important number and a number that could work, a number that allows a Minister of Health to put his resources in frontline services. Those are important numbers. I think the Premier mentioned them. I know that the ministers of Education and Health have. I hope that we again can work with this 2 and a half number.

We have seen under employment standards – in fact, they're up for a Premier's award of excellence, Mr. Chairman – a slight reduction as a result of improved program efficiencies, increased education, and improved communications with clients such as I alluded to last night: a joint federal/provincial phone counseling squad. I invite everybody who's got some time – I know just by what I saw this afternoon that people will have time on their hands – to get over to the call centre at Sterling Place and watch what happens when they field over 10,000 calls a month and bring them into a single, integrated high technology based call centre. It's good work by good people doing good things. [interjection] Ten thousand. Hard to believe; isn't it? And we're not open Sundays. That's weekdays only. Interestingly enough, we do staff up, because on Mondays we find that we get more calls than before.

So, Mr. Chairman, with that, I'm pleased to be able to fill in those important pieces of information for the committee. Thank you.

MRS. SLOAN: Well, let it be shown on the record that the hon. Minister of Labour has chewed up 50 percent of the time provided this afternoon for Labour estimates. I think that's an expression of his commitment to Albertans to be transparent and open and to allow the Official Opposition as representatives of members of this province to pose questions with respect to the Labour estimates.

I did, however, in listening with rapt attention to the minister's comments this afternoon, find a couple of things particularly interesting. The topics in particular that the minister chose to talk about, in my mind, did not touch on the realities of the labour sector in this province in virtually any sense. We know that over the course of this government's term primary trends in labour have been towards low-paying, part-time, casual jobs, particularly for women, that there has been an undue emphasis on training employees rather than on education and which has been accompanied by unplanned and ravaging cuts to our education systems across this province. Inherent in those trends, Mr. Chairman, we have also seen a deskilling and deprofessionalization of the workforce in Alberta.

Now, I found it particularly interesting this afternoon that the minister didn't talk about nor does his business plan provide any analysis of the impact of his government's policies between 1993 and 1997 when they effectively cut the public sector across the systems of Social Services, Health, Education, Justice, Community Development, et cetera, ravaged those departments with unplanned workforce layoffs, which has now, coincidentally, resulted in a critical shortage of professionally trained and educated professionals in most of our public service. The business plan, the minister's comments this afternoon, the key performance measures say nothing about that. There is no analysis that perhaps subsequent governments could learn from.

[Mrs. Gordon in the chair]

If you're going to undertake to restructure a system, what is the impact on the workforce, and how does that affect the quality, efficiency, and effectiveness of the services that you provide to the citizens of your province? The hon. minister did not comment on that this afternoon, and I doubt that he commented on that last

evening, Madam Chairman. That's truly unfortunate and really an abdication, I think, of the responsibilities that he is appointed to assume.

4:30

The other matter that I did not hear any reference to, again, in his statements or in the business plan and budget were issues relating to equality: equality within workplaces, equality in gender pay equity. If I am mistaken and there is some minuscule reference made, I would have to have the hon. minister point that out to me. But I do not see, as an example, in the key performance measures that we even identify equity in the workplace as something that this government or that his department is even alive to.

Further, there is no analysis in the Department of Labour about the Vriend decision and what impact on labour, employment standards, the practices of the labour board that decision does have. Why would that not be included as something within the last fiscal year of your department that you looked at, analyzed, and determined what steps needed to be taken? It's not here. I do not see a reference in any aspect of this business plan that that was a consideration. Quite frankly, Madam Chairman, given the thousands, perhaps millions of dollars that have been expended by this government prior to the judgment by the Supreme Court with respect to the Vriend case and since, surely once again they would want within their departments and particularly the Department of Labour to provide some analysis that would guide future departments in that regard. But there is nothing there.

Further, there is no analysis or mention of the status of workplace morale in this province, and in this respect I am appalled. Once again, linking back to the impact of this government's own cuts to the public services in this province, what they have created is not only a crisis in qualified personnel but a severe crisis with respect to the declining morale, the rock-bottom morale that exists in our public institutions in this province. The minister obviously didn't feel that that was of any importance this afternoon to talk about, to raise in his report, or to instruct members of his department to give any consideration to.

Why would that not be? Are we not concerned about the people that are within our public service ranks, that provide services directly to citizens of this province on a daily basis? It's, quite frankly, because this government didn't care in the first place. Their plan consisted of one objective. That objective was to eliminate the deficit, pay down the debt. Whatever damage, whatever casualties occurred in achieving that goal were really secondary.

The fourth omission in the department's report and which garnered no mention was any interdepartmental initiatives that this government may have taken. We know that harassment is rampant within departments in this, and I will provide an example this afternoon that is proceeding, is not currently but is in the process of going to the courts, where a department of this government has instructed a public servant that they cannot contact any MLA. That individual is not allowed to write or phone or communicate in any form with an elected representative.

MS BLAKEMAN: Even as an individual citizen?

MRS. SLOAN: Even as an individual citizen.

MS BLAKEMAN: Nothing to do with their work?

MRS. SLOAN: No, nothing.

The department is well aware of the case, and they've chosen to maintain their position. Thankfully, the public servant that we are

speaking of is unionized, and he is receiving the assistance of his union in taking that to the courts. I wish him good luck, because it is high time that harassment and the subliminal discrimination that is placed on employees in this province to not speak out, the gag policies that have been in place and ignored – that is something that has to be challenged, and I wish this person well.

The Minister of Labour as well did not mention and most certainly has to be aware of the gag policy that has existed in Family and Social Services for at least the last five years. We have had further examples of social workers and other employees within that department not being allowed to participate in any form in critiquing what changes might be made to the provision of services in child welfare or social services in general. Those types of things are not provided, and I guess if I were the Minister of Labour, I would be looking at the other departments of this government and would be advising them if I saw them undertaking actions that in my opinion were not alive to the spirit of equality and democracy and perhaps were really rooted in discrimination. But I don't see any evidence that that is in fact something that this minister is prepared to do. It certainly wasn't something that was part of the annual report.

Further, just to speak to a different topic under that same heading, there is no report on the compliance of other departments with the Employment Standards Code or safety standards. Why is that? Do you in fact give guidance to your colleagues on the front bench with respect to that? If violations occur, what steps does the hon. minister take?

MR. SMITH: They're all unionized.

MRS. SLOAN: Well, no. In fact, they're not. They aren't. The hon. minister is indicating that they're all unionized. It's not the responsibility of the unions, Madam Chairman, with due respect, to be out monitoring whether or not the government is complying with their own standards of safety and employment. The unions exist to collectively represent their membership in the interests of collective bargaining, and in that respect it's very unfair for the minister to suggest to the contrary.

We have seen a number of violations outside the public sector over the course of the last year. Buffet World is a significant one, where young people of our province, minors in some degree – I believe there were cases of youth who were employed by this employer who were being exploited, and that is not mentioned. Buffet World or any other employers who violated any aspect of the Employment Standards Code were not mentioned in this business plan, and there is no indication of what is being done to ensure that within that sector, whether it's the restaurant sector or any other sector, this department is out mentoring employers, be they small, medium, or large, about what standards are and about what they need to be ensuring they comply with.

Now, I'd like to turn to the key performance measures and have a bit of fun, Madam Chairman, with respect to this component of the business plan. I think it's one of the best examples of reverse measuring that I've ever seen. Of course, reverse measuring could be linked with reverse thinking and reverse leadership, but I'll leave it to the hon. members and the citizens of this province as they read the *Hansard* on this particular debate to determine that for themselves.

As an example, the key performance measure Lost Time Claim Rate

represents the risk (or probability) of disabling injury or disease to a worker during a period of one year's work. The rate is expressed as a percentage [of] 100.

Madam Chairman, how I long for the old days when we used to have

clear, transparent accounting. Why would the minister not say that a key performance was the number of workers in the province who have been disabled by an injury or a disease in the last year? Not some obscure, twisted, spun measure that gives you a rating of – let's see; we've got here '97 – 3.4, which also has the emphasis of the "lowest rate recorded in Alberta." I mean, this is so appalling.

4:40

I have to publicly on the record say that there are at least 17 – and I'm going to say 18 – members of this Assembly that extend to workers in this province who were injured or disabled in the last year our sympathies and acknowledge them in this Assembly, not try to hide them under some label that would say that we have minuscule injuries or disabilities in this province in the workplace. It is an affront and an insult, Madam Chairman.

Further, a second key performance measure.

The percentage of collective bargaining negotiations which avoid a work stoppage (strike or lockout). – provides an indication of labour stability.

Well, I am all for mutual gains bargaining. In fact, I've participated in more than one round using that concept where employers and employees sit down at a table and in a very reasonable fashion try and find an agreement. In many cases, in the majority of cases they are successful in doing so. But, again, why would we try to hide the number of times and the increasing incidence, I might emphasize, where collective bargaining in this province does result in a work stoppage or strike?

Now, I have to say on the record that this province has one of the most regressive policies with respect to strikes in Canada and has taken away the right to strike from many, many employees. That being said, the policy with respect to strike action is regressive as it exists, but here we have a performance measure that indicates that 98.3 percent of the time in Alberta collective bargaining works. Well, that's great. You can continue to report that, but why don't you report how many times it doesn't work and we end up having a work stoppage? I'm sure that there are many employers, particularly employers in this province that have had to go through a strike, that would like to see that acknowledged by the Department of Labour. It's not even acknowledged in the business plan, the types of things that have to be undertaken to ensure safety is maintained and essential services are provided in the event of a strike action. Yet again the motto that is alive and well, Madam Chairman, in the Department of Labour appears to be: denial, denial, denial.

Now, this is the absolute tops for ambiguity: "The number of complaints registered with Employment Standards for investigation, as a percentage of Alberta's workforce." Let me read that again. "The number of complaints registered with Employment Standards for investigation, as a percentage of Alberta's workforce." As a result we get the figure of 0.58 percent. Surprise, surprise. Is that a realistic measure? Does that reflect the reality? I say: no, it does not. But then again, the objective is not to reflect the reality in the Department of Labour, Madam Chairman. It clearly is not. Finally, the last – well, I could go on on this point, but I think I have made my point quite clearly.

Pensions is another area that is of paramount concern to employees in this province. Under the goal of ensuring "the equity and security of private pension benefits," we see the performance measure is

the percentage of private sector defined benefit pension plans having solvency ratios equaling or exceeding 0.9.

It doesn't say .9 of what. I'm not sure if that's .9 percent of the workforce or a percentage.

Indicates success in safeguarding the pension entitlements of plan members.

Well, lo and behold, here we've got a '97-98 result figure of 69 percent. So only 69 percent of the pension plans that this department reports on have solvency ratios equaling or exceeding .9 percent. Well, how many private-sector employers don't have pension plans? Would that ever have been considered as a key performance measure? Obviously not. The question is: why not? Why not?

Again, one of the most favourite key performance measures, just to touch on it in conclusion in this area, is "the percentage of FOIP requests completed by government public bodies in 60 days or less," the target being 95 percent. The result recorded in the business plan is 90 percent.

Now, I seem to recall – and the minister can correct me if I'm wrong – that in this session of the Legislature he was in fact questioned about documents in the Department of Labour that related to pine shakes. There was a period of time; 1995 I think was the time in question. There was, according to his statements, no record through 1995 of any correspondence or material within his department relative to pine shakes. Then, as I recall, as the questions and the record would show, lo and behold, a record came out of Economic Development that was from the Department of Labour. So the reality yet again, Madam Chairman, didn't comply with the . . .

THE DEPUTY CHAIRMAN: Hon. member . . .

MRS. SLOAN: Oh, the hon. minister, I'm sure, talked at least over his 20 minutes. I have, though, finished my remarks, and I'm quite pleased to take my seat.

Thank you.

THE DEPUTY CHAIRMAN: The hon. Minister of Labour to respond.

MR. SMITH: Thank you so much. Let me again thank not only the Member for Edmonton-Riverview but also the critic, the hon. Member for Edmonton-Strathcona, the Member for Edmonton-Gold Bar, Edmonton-Manning, and the other good-thinking people who are concerned with Alberta who have commented on the Labour estimates, Madam Chairman. I do move that the committee rise and report.

THE DEPUTY CHAIRMAN: Having heard the motion by the hon. Minister of Labour, does the committee concur?

SOME HON. MEMBERS: Agreed.

MRS. SLOAN: A point of order, Madam Chairman.

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

Point of Order Clarification

MRS. SLOAN: My understanding, Madam Chairman, according to the House leaders' agreement of this afternoon, is that we had an hour of debate on the Labour estimates.

THE DEPUTY CHAIRMAN: The chair has to respond to a motion that is brought forward, and I'm responding to the motion brought forward by the Minister of Labour.

MRS. SLOAN: Well, with due respect, Madam Chairman, I was rising on a point of order as the minister was making the motion, so it was occurring simultaneously.

THE DEPUTY CHAIRMAN: Hon. member, the Minister of Labour had the floor at the time. I asked him to respond, which we have done all week in relation to – you spoke, and he was responding to your questions. I'm not responsible for what he says, and I have to acknowledge that he did move that we rise and report.

DR. PANNU: Madam Chairman, on the point of order. I had requested and informed you that I would want to be the next speaker on the list, and I had assumed that you would proceed with that understanding. You recognized the minister. I was up at the same time, but you recognized the minister, although I had informed you beforehand that I would want to speak.

THE DEPUTY CHAIRMAN: A couple of things, hon. members. The chair must sit here and listen to the debate and do what every hon. member in this committee wants the chair to do. What we have done and what I have done in my committees this week is allowed a member to speak, and then I've requested and asked the minister responsible whether in fact they want to reply. That is exactly what I did here. Certainly I would have carried on and asked for more members, and he probably would have responded again, but he has made a motion that is before the committee at this point in time.

4:50

MRS. SLOAN: Madam Chairman, you have not responded to my point of order, and if in fact you're ruling . . .

MR. SMITH: Citation.

MRS. SLOAN: The ruling is the House leaders' agreement as of this afternoon.

THE DEPUTY CHAIRMAN: Hon. member, right now I'm not going to take your point of order, because we are presently dealing with a motion that was brought forward by the Minister of Labour. I will certainly deal with your point of order after. The chair wishes to state for this committee that I do not get involved in negotiations or what happens between various House leaders. I do not get involved with that.

MRS. SLOAN: Let me state for the record that the hon. Member for Edmonton-Strathcona was on the list to speak, as was the hon. Member for Edmonton-Centre, and the chair's ruling has in essence not permitted them to speak on the Labour estimates this afternoon. Thank you.

THE DEPUTY CHAIRMAN: Hon. members, as I stated – and I think everyone here can agree to this – all week long a member has delivered the debate, sometimes up to 20 minutes, and then I've asked the minister responsible if they wish to reply. I am not in a position to decide exactly what the minister responsible will say. We have a motion before this committee that we have to deal with. Hon. members, you know, particularly the hon. Member for Edmonton-Glenora, that a motion to adjourn is always in order. So I think right now we need to deal with the motion that is before us.

MR. SAPERS: Would you recognize me?

THE DEPUTY CHAIRMAN: No. I'm going to deal with the motion that is before the committee.

MR. SAPERS: I was simply going to ask the mover of the motion, given the controversy, if he would withdraw, which he could.

THE DEPUTY CHAIRMAN: Hon. member, that isn't in keeping with what the hon. member has moved, and I'm going to deal with that.

MR. SAPERS: Well, perhaps the minister wasn't fully aware of the agreement and isn't fully aware of the importance we attach to Standing Orders, which allow the Leader of the Official Opposition to designate a department for detailed review on a Thursday afternoon. The few minutes that we've had do not constitute a detailed review.

THE DEPUTY CHAIRMAN: Hon. member, I'm going to rule that I have a motion before this committee.

Debate Continued

THE DEPUTY CHAIRMAN: We are now going to deal with the motion before us. The hon. Minister of Labour has moved that we now rise and report. All those in favour?

SOME HON. MEMBERS: Aye.

THE DEPUTY CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: It is carried.

[Several members rose calling for a division. The division bell was rung at 4:52 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mrs. Gordon in the chair]

For the motion:

Broda	Jacques	Severtson
Cardinal	Johnson	Smith
Clegg	Klapstein	Strang
Coutts	Langevin	Thurber
Doerkson	Lougheed	Trynchy
Ducharme	McFarland	Yankowsky
Friedel	O'Neill	Zwozdesky
Hierath	Renner	

Against the motion:

Blakeman	Gibbons	Sapers
Bonner	MacDonald	Sloan
Carlson	Pannu	
Totals:	For – 23	Against – 8

[Motion carried]

[Mrs. Gordon in the chair]

THE ACTING SPEAKER: The hon. Member for Dunvegan.

MR. SAPERS: Madam Speaker, the member was rising, waiting to be recognized before you vacated the chair.

THE ACTING SPEAKER: There are no points of order during a standing vote.

MR. SAPERS: Yes, as a matter of fact, there are. But I would like to exercise my right. While you were still in the chair, I was . . .

[Several members rose calling for a division. The division bell was rung at 5:07 p.m.]

THE ACTING SPEAKER: Hon. Member for Edmonton-Glenora, the chair has recognized the hon. Member for Dunvegan.

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Gordon in the chair]

MR. SAPERS: But that would be inappropriate, because while you were still in the chair, I rose to . . .

For the motion:

MR. CLEGG: Madam Speaker, the Committee of Supply has had under consideration certain resolutions of the Department of Labour, reports progress thereon, and requests leave to sit again.

Broda	Johnson	Severtson
Cardinal	Klapstein	Smith
Clegg	Langevin	Strang
Coutts	Lougheed	Thurber
Doerksen	McFarland	Trynchy
Ducharme	O'Neill	Yankowsky
Friedel	Renner	Zwozdesky
Jacques		

Madam Speaker, I wish to table copies of resolutions considered in Committee of Supply on this date for the official record of the Assembly.

Madam Speaker, I wish to table copies of a resolution agreed to in Committee of Supply on this day for the official records of the Assembly.

Against the motion:

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

Blakeman	Gibbons	Sapers
Bonner	MacDonald	Sloan
Carlson	Pannu	

SOME HON. MEMBERS: Agreed.

Totals: For – 22 Against – 8

THE ACTING SPEAKER: Opposed?

[Motion carried]

SOME HON. MEMBERS: No.

[At 5:19 p.m. the Assembly adjourned to Monday at 1:30 p.m.]

THE ACTING SPEAKER: So ordered.

