

## Legislative Assembly of Alberta

Title: **Wednesday, April 21, 1999** 8:00 p.m.

Date: 99/04/21

head: Government Bills and Orders  
 head: Committee of the Whole  
 [Mr. Tannas in the chair]

THE CHAIRMAN: Hon. members, I'd like to call the Committee of the Whole to order, and we'll try and abide by the usual convention of one person standing and talking at a time or sitting and talking at the same time.

### Bill 33 Appropriation Act, 1999

THE CHAIRMAN: Does anyone have any comments, questions, or amendments to offer? The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Well, thank you very much, Mr. Chairman. I am pleased to take the opportunity to speak to this appropriation bill. You know, years ago when I was new in here, the Treasurer would stand up and say: "Aah, you're going to vote against this, are you? Are you not supporting paying wages? Are you not supporting all these extra things that we did?" You know, back then I was a little intimidated, if you can believe that, but times have changed. I've gotten a little smarter. Now I figure that this appropriation bill is really just typical of the lack of planning that this government has. Because suddenly we're saying: okay, we need a little more money now for this and this and this. And fair enough; we're going to grant supply for payments of different things, and of course it's necessary, and of course it's going to go through.

I'm just wondering as we go through this Appropriation Act what has been taken into account. What has been taken into account in this? I want to give you an example of right now what I don't think has been taken into account in this. I'm just going to use one example, and that's education. Are we going to be back here in the fall with supplementary estimates? Absolutely, we're going to be back here. You know why? Because we love being here, and they love me. We know that. That's been said by the minister. But it's because over the summer and by September every MLA on the opposite side is going to get a wake-up call from parents, and they're going to say: "You know what? Our board is now talking about fund-raising to the extreme. We're going to need endowment funds like the university or hospitals. We're now talking about calling big companies to help fund us because education can't make it."

In the fall when supplementary estimates come in and more money is allocated to education, I'll praise the government. I really will, and I won't say that I told you so even though I could. I'm not going to do that, because I really do feel their lack of planning is once again going to bring them to the table, and they're going to say: "You know what? We totally blew it on education. We totally did."

MS OLSEN: They won't say that.

MRS. SOETAERT: Oh, they will. They'll say that. They'll say that.

You know what? Today I listened during question period. I did listen. People wonder sometimes if I do, but I truly do listen. I heard the minister saying: we gave them a 2 percent increase in education this year. A 2 percent increase. Now, let's just compare that to those of us in the Assembly. We just got a 5 percent increase. In fact, we get a cost of living without going to the table, without

going to mediation, without increasing our constituency size, without saying you have to sit on more committees. We got that raise. It's funny now that they give 2 percent to education, yet we know that with wage increases with staff, with teachers, with principals, with paraprofessionals, with librarians, they're going to need more than a 2 percent increase just to equate to the cost of living. So how do you think they're going to function on that? They're not going to. They can't do it.

It was an interesting letter I read today from a principal who said: right now I'm making \$37 more than I did in 1992, take-home. Granted different things have cost more, CPP and all those other things you take off a cheque. But actual take-home for this principal from 1992 is \$37 more. Then a teacher, who doesn't get the increments of administration, got \$500 less take-home than that teacher got in 1992. So how do you think they're going to resolve that? It's no doubt they have to give their teachers at least a 4 or 5 percent wage increase. They have to, yet they're boxed in with this year's budget. So as they give that increase, no doubt class size is going to rise and we're going to lose teachers.

I was at two schools this week in my riding for reading week. Those of you who aren't close to your constituencies don't get the bonus of showing up for reading week, I realize, unless on Friday. I was there early this morning. The one school is going to lose two and a half teachers and have the same amount of kids. They offer wonderful programs; in fact, French immersion, English, and a Christian program all in one school, a phenomenal school, and they're not going to be able to do that. Yet next year they're going to lose two and a half teachers with the same amount of kids, if not more. Now, if you have ignored that as a government -- and you have as a government -- you're very foolish.

I heard one teacher say today: if we give them a hand up in kindergarten -- do you know how many kids come to her class hungry? Yes, we can say: "You know what? That's the parent's responsibility." Sure we can say that; it is the parent's responsibility. But in the real world it doesn't happen all the time. [interjection] I live in the real world, and you know what? My kids are fortunate. They go to school well fed, as I'm sure yours do, hon. Member for Redwater, but you're blind if you think every child has the bonus that your children and my children do.

MR. BRODA: No, I'm not.

MRS. SOETAERT: You don't think you're blind, Member for Redwater? Have a look in your constituency. I'll show you some people in your constituency that go to school hungry because I've taught them.

### Chairman's Ruling Decorum

THE CHAIRMAN: Thank you for bringing this to our attention, Spruce Grove-Sturgeon-St. Albert. There are a number of people who are engaged in lively conversation, and you're welcome to do that outside the Chamber. So if we can kind of remember that we're here to hear various sides of the debate on the Appropriation Act, let us do that. If you wish to enter into the debate, then wait your turn. I will recognize you and let you have your chance to say whatever it is that you sort of feel the need to say. Right now the only person that has the floor is the hon. Member for Spruce Grove-Sturgeon-St. Albert, and hopefully in her speaking she won't engage others, nor encourage them, to enter into a dialogue that is not part of the system.

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

### Debate Continued

MRS. SOETAERT: Thank you, Mr. Chairman. I was talking about the realities in education and children going to school hungry, and that's the reality of the real world. When I taught at Sturgeon comp, a lot of those kids came from the riding of Redwater. I remember trying to track down one kid and saying: you never do your homework. You know what his friend said? "How can he? He sleeps in the culvert at night, Mrs. Soetaert. He's been kicked out of his home." You think that's not the real world, but it is, and it's not one I like to see.

Certainly the best place to catch those kids is in the school, and if we don't help them there, we are fools. You know what? I'd love as a teacher to walk in to 30 kids who are bright kids, who come from homes that care about education, who feed them in the morning, and who at night say: "Have you done your homework? Are you ready to go to hockey? Are you ready to go to baseball? We can do all kinds of things." But you know what? Not all kids are like that, and a government that doesn't see that is blind. If they can't afford to properly give those kids a hand up, you know where we'll be paying for it? In the justice system. You bet we'll be paying for it there.

So, Mr. Chairman, I have to say that, yes, I realize this bill has to go through, and yes, I realize that funding for some of these things of course is required, but I'll tell you the planning in this is abysmal. There have been more supplementary estimates come to the floor of this Assembly than ever before in the last few years with this present Treasurer. I can't believe I'm saying this, but I hope in the fall there's another supplementary estimate that addresses the reality in education, that addresses the reality of crumbling buildings, that addresses the reality of short-staffed schools, and that addresses the reality that we have hungry kids that go to school and we have kids that do need special programs. They really do. Because if we spend one wise dollar on them now, we won't be spending \$7 on them when they're older and in the system. So I must say, Mr. Chairman, I'm disappointed that that certainly is not addressed in this appropriation bill.

8:10

I've got to tell you something else that I don't see addressed in this bill that I really would have liked to have seen addressed. Just this evening I got a call from a constituent who needs to get physiotherapy. She now has to pay for it. If she wants to go and see the physiotherapist that she's been seeing for years, she has to pay for it because she happens to live in the Aspen regional health authority, in Cardiff, which is near Morinville, in fact once again in Redwater's constituency. Lots of problems over there. I don't know if it relates to their MLA or not. I'd never say that, but I've never had this many disgruntled calls from that area since that MLA got elected. [interjection]

THE CHAIRMAN: Order. The hon. Minister of Labour can enter into the debate later on, but right now we have a point of order from the hon. Member for St. Albert.

#### Point of Order

##### Allegations against Members

MRS. O'NEILL: Mr. Chairman, a point of order under Standing Order 23(h), (i), and (j), imputing false motives and misrepresenting constituents and also allegations against us as a government. I just find it quite inappropriate in this Chamber, where we should be engaged in a debate with respect to the bill that is before us.

THE CHAIRMAN: The hon. Member for Edmonton-Norwood on the point of order.

MS OLSEN: On the point of order. I don't think there is a point of order here, Mr. Chairman. Under section 494 we talk about the "acceptance of the word of a member." The hon. Member for Spruce Grove-Sturgeon-St. Albert has had some experience and some phone calls about what's happening in another constituency, and we have to take that at face value. We went through that earlier today in this Legislature. *Beauchesne* 494 says:

It has been formally ruled by Speakers that statements by Members respecting themselves and particularly with their own knowledge, which this hon. member has,

must be accepted. It is not unparliamentary temperately to criticize statements made by Members as being contrary to the facts; but no imputation of intentional falsehood is permissible.

And there was no intention to promote anything that was in fact false. It's the perception of this member, the hon. Member for Spruce Grove-Sturgeon-St. Albert, and what her contacts have been with constituents from Redwater and how she's acting on their behalf and what she sees. So I don't believe that in fact there is a point of order.

THE CHAIRMAN: The hon. Member for Redwater might have something to add to this.

MR. BRODA: Yes.

THE CHAIRMAN: On the point of order.

MR. BRODA: On the point of order, Mr. Chairman. Allegations that I'm not doing my job in my constituency are false. I do everything possible, and the member opposite probably does get phone calls, but I also get them from her area too. I do not make allegations that she does not work in her constituency. So on that point of order I don't think that's appropriate.

THE CHAIRMAN: Hon. member, on the point of order, succinctly.

MRS. SOETAERT: Yes. Thank you, Mr. Chairman. Actually I never said that he wasn't doing his job. I said that I seem to be getting a lot more calls with problems from his riding since he's been elected. I didn't say that he wasn't doing his job. I just said that I get more calls than ever before from his riding. I didn't even start on the other side of St. Albert. So really there is no point of order. I am speaking about the reality of this government, the lack of planning and what's happening because of this government.

THE CHAIRMAN: Hon. members . . . [interjections] That includes the front bench. [interjections] Hon. members of Her Majesty's government, let us have some decorum in here.

We're trying to deal with a very serious issue that has been raised by the hon. Member for St. Albert. We have pretty free rein in a budget debate, which we're having now, but once we begin to move beyond that and infer, depending on how directly you want to take it, that maybe someone else who is also an hon. member, also elected by the people in the constituency, is doing or may not be doing such a good job and that's why I'm getting all the calls, I think that begins to border on inappropriate taste in debate. I don't think that has anything really to do with what we're talking about, which is the Appropriation Act for all the money that we intend to expend as a Legislature in the next fiscal year. Those kinds of things I think really are inappropriate, and in that sense I think the point is well made.

However, in attempting to get to this, we get a lot of unseemly

comments being made by both sides of the House and the side that I've already reflected on in particular. I wonder if we could return to the merits or the lack thereof of the Appropriation Act. If you wish to say that things are bad in education or any of the other things and what they should be doing, that's perfectly within the regime. But I think when you border on talking about how other members may or may not be doing such a good job, that by implication you are, then I think that's probably just going a little bit beyond what's necessary. So if we could stick with that, then I've ruled.

If you wish to take any of those comments back, then that's up to you, hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Thank you, Mr. Chairman. I didn't actually say that he wasn't doing a good job. If I actually said those words, I will retract them. I'm anxious for the Blues, because I didn't say that. I just said that I've had more calls as of late, since he's been elected.

#### Debate Continued

MRS. SOETAERT: Now on the bill, on the merits of the bill or the lack thereof. Regretfully I don't have much time left, Mr. Chairman, and I know people are sad to hear about that.

I must say that one thing this bill does not address as well and that I'd like to take a moment to talk about is transportation in this province. If we don't take care of our infrastructure, we're in for another real mess. Just as the infrastructure of schools has not been cared for over the last three years instead of maintaining and taking care of it, now we've got a real mess on our hands with schools all over the province that need major work. That's going to take a major injection of dollars. Now we've got a highway infrastructure that's starting to look the same.

It's interesting. I was talking to a former Transportation employee who's been retired for a while now. He said: you know, we used to have a 25-year plan, until politicians would stick their little hands in there and muck it all up. Now, I can't believe that would happen with this government, but I'm afraid it has. So, you know, if we'd actually stick to a plan, didn't do any political favours, vote buying -- not that I'm saying that happens, but it appears that way with pavement sometimes -- if this government would actually stick to a plan and look at safety and use in this province and what's happening, especially up north with all the resources coming south, I think some of those highways would be long in place and would be serving our province much better than highways to nowhere except to maybe buy a few votes. That's wrong, and that kind of planning . . .

THE CHAIRMAN: The hon. Minister of Transportation and Utilities is rising on a point of order or a point of clarification.

#### Point of Order Imputing Motives

MR. PASZKOWSKI: A point of order.

THE CHAIRMAN: The citation?

MR. PASZKOWSKI: Imputing motives: Standing Orders 23(h), (i), (j).

THE CHAIRMAN: I'm familiar with them, yes.

MR. PASZKOWSKI: The indication was that there was a 25-year plan and that politicians have intervened and destroyed the 25-year plan. This is certainly imputing that we as politicians have altered

what supposedly is some sort of plan, that I have never heard of, that I have never been aware of, that there has never been, and therefore imputing that indeed politicians are creating a situation that's not tolerable for the department.

8:20

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

MRS. SOETAERT: Mr. Chairman, I did not impute that the minister had done it, but we all know that in the past there have been driveways paved by this government. I don't mean it personally against the minister, but certainly there has been political interference in the construction and the designation of highway pavement in this province. That's no secret.

THE CHAIRMAN: Well, the hon. minister naturally is wanting to defend the work of his department, but I think when he cites as his objection 23(h) -- it says "makes an allegation against another member" -- there was no member cited, as there was in the previous little interchange where we were pretty specific about what member we were talking about. Section 23(i), "imputes false or unavowed motives to another member." [interjection] No, no, we'll get to (j). You cited all three, so perhaps I should be able to review all three. The only issue there is "uses abusive or insulting language of a nature likely to create disorder." Now, that becomes like beauty in the eye of the beholder. Certainly I can see why the hon. member who is in charge of Transportation and Utilities would want to set the record straight, and you have the perfect right to do so, to address that, as soon as the hon. member concludes her 20 minutes or whatever time she uses.

It's not a point of order unless it is "abusive," and indicating that there was a plan 25 years ago or whatever is hardly abusive. If you wish to put the record straight, then you're invited to speak -- not now -- when the hon. member is finished.

The hon. Member for Spruce Grove-Sturgeon-St. Albert on the Appropriation Act.

#### Debate Continued

MRS. SOETAERT: Thank you, Mr. Chairman. I'll try to be really a kinder, gentler me so that people aren't cranky for the rest of the evening. Except, other members tend to enjoy it.

So through the chair on the Appropriation Act. I know I only have a few short minutes left, but I have to say that what this bill did not address, once again, is municipal downloading. Do you know that the mayors and reeves of the area I represent are saying: "Isn't it nice they can pay down their debt faster? We have to raise taxes here." Well, as the Treasurer always says, there's only one taxpayer. I don't care which pocket it comes out of.

DR. WEST: That's a bunch of hooley.

MRS. SOETAERT: The Minister of Energy says that it's hooley. Well, he mustn't talk to his reeves and mayors very often. Mind you, I've only had one call from the Wainwright area, and it was a transportation issue, so I won't go there.

I do want to say that those municipalities have truly felt this crunch. They continue to be downloaded on, and wouldn't it be nice if they could do a little appropriation bill in the middle of their year of planning that says: we just need to spend a couple more million here, here, here, and here, and we'd like you all to pass it. That kind of planning would certainly be shunned by the Minister of Energy, would certainly be pooh-poohed by the Minister of Energy. But

somehow it's fine to have that kind of hodgepodge planning within his own government, and that's what happened.

You know, we'll end up passing this. It'll end up going through, because the reality is we need it to make the world go round and the world of government in Alberta. The reality is it's a poor, poor job of planning. Living in the situation we do in this province, with a government that can't plan, I really do hope that in the fall, in supplementary estimates, there will be education dollars, not slotted to computers and not slotted for this program or that program but given to that elected board to spend as they see fit for their constituents, which are our children, which I think are sadly neglected right now. We will pay the price if we don't care for them now, and I know many people in this Chamber, on both sides of the House, know that in their hearts. I don't know why they're ignoring it by their actions.

Thank you, Mr. Chairman.

THE CHAIRMAN: The hon. Member for Medicine Hat.

MR. RENNER: Thank you, Mr. Chairman. I would like to move that we adjourn debate on consideration of Bill 33 and that progress be reported on Bill 33 when the committee rises and reports.

THE CHAIRMAN: The hon. Member for Medicine Hat has moved that we adjourn debate on Bill 33 and that when the committee rises, progress be reported. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

head: Private Bills

head: Committee of the Whole

### Bill Pr. 1

#### National Bond Insurance Corporation Act

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

MRS. O'NEILL: Thank you, Mr. Chairman. I move that Bill Pr. 1 be amended as follows. Each member, I know, has had a copy distributed to their desk. It reads as follows.

- 5 The corporation shall not commence business until
- (a) the amount of capital stock required by section 34 of the Insurance Act has been fully subscribed and paid, and
  - (b) the corporation has obtained a licence under the Insurance Act.

This is an amendment that was recommended by the committee, and I so move.

Thank you.

THE CHAIRMAN: The hon. Member for Edmonton-Riverview on amendment A1.

MRS. SLOAN: Thank you, Mr. Chairman. I have the amendment before me. The amendment and the discussion with respect to this bill at committee was rather interesting. It's difficult to contain the debate on this particular subject to just the amendment this evening, but I will attempt to do that.

In essence, the National Bond Insurance Corporation Act was an act that came to Private Bills seeking authorization to operate and incorporate an insurance company or provide insurance for the national home warranty program. These programs were to offer insurance to new homeowners against the costs of structural and other repairs.

Some of the history was that in 1991, at the urging of a number of Alberta homebuilders, an insurance broker entered the home warranty industry, and this step was taken after the market had been researched and was accomplished with the co-operation of a Canadian insurer and consultation with the provincial superintendent of insurance. In 1995 the warranty program achieved the recognition of the Canada Mortgage and Housing Corporation, and simultaneously a recognition was achieved that the program operating name be changed to the national home warranty program. In 1995 the programs, which were offered by an Alberta-based company, started offering coverage in other provinces.

What initiated this bill was that in 1998 the parent company or Canadian insurer that underwrites the national products was purchased by a large American company, which caused some concern for the . . .

8:30

THE CHAIRMAN: The hon. Member for St. Albert on a point of order.

#### Point of Order Relevance

MRS. O'NEILL: Thank you, Mr. Chairman. Speaking to *Beauchesne* 459 as to relevance to the amendment that we are discussing here.

THE CHAIRMAN: On the point of order, relevance.

MRS. SLOAN: I would submit, Mr. Chairman, that there is not a point of order. In fact, what the Member for St. Albert is doing this evening appears to be unnecessarily delaying the debate and the progress of debate on this bill. This is coming to the Assembly for debate. We have an amendment to the bill before us. I think it's certainly relevant, sir, for all members in the Assembly to have some knowledge about the background of the bill, and that was simply what I was providing in my statement. How can we vote on an amendment when we don't know the reality of what that amendment or the submission in the first place was to accomplish?

Thank you.

THE CHAIRMAN: I would say, hon. member, that it is assumed that members are aware of the bill. [interjection] Between the chair and members as opposed to across the aisle.

Hon. member, are you with us?

MRS. SLOAN: I am.

THE CHAIRMAN: Okay. It's fair to assume that all hon. members are aware of the nature of the bill, so the hon. Member for St. Albert is quite correct in saying that if you're dealing with an amendment, you must deal with that amendment and not the generalities of the bill, no matter how well intended your edification of the rest of us may be. Those are in fact the rules. If we could attend to them, and then if you wish to explain after, when we're dealing with the whole bill, you may do so at that point. Strictly speaking, her point of order is a point of order.

The hon. Member for Edmonton-Riverview on amendment A1.

### Debate Continued

MRS. SLOAN: Thank you, Mr. Chairman. To proceed with the business of the Assembly, then, with respect to the amendment, the amendment is being made to the section of the bill that relates to the commencement of business by this new entity, the National Bond Insurance Corporation. In essence, the amendment is stipulating that in order to commence business

- (a) the amount of capital stock required by section 34 of the Insurance Act [will have to have] been fully subscribed and paid, and
- (b) the corporation [will have] obtained a licence under the Insurance Act.

The business of this corporation, Mr. Chairman, is to in essence market home warranty programs to Albertans and potentially to other citizens perhaps in other provinces.

I don't believe the hon. member introducing the amendment said that there was unanimous consent for the introduction of this amendment in the Assembly, so in that respect I think the debate should have fairly broad parameters this evening. In the Private Bills Committee we certainly did have some considerable discussion about some of the implications involved in this application. We asked questions about what would happen to current warranties. If this company is allowed to commence business, what would happen to the existing warranties offered by the parent company, who now no longer have a provincial base in Alberta? Their provincial base has now become incorporated under a different entity. That's the reality of this application. [interjection] We are definitely talking about the amendment. We're talking about this corporation commencing business. What are the implications of that?

The amendment's focus is very narrow. It's saying that the requirements are capital stock and a licence, but I think there also needs to be a recognition in this Assembly that there are broader implications, and those include the impact that this will have on citizens and how the operation of this company will affect their ability to either maintain or to apply for warranty insurance.

In the committee debate we did discuss as well: was the original parent company aware that this application for status was being made? The petitioners were not able to clearly answer that question. I don't believe that we actually got a written response in relation to that.

There was a question about the liability risk corporately or individually for warranty holders with this application, and had due consideration been given to that? Now, it would appear that with the amendment additional protection is attempting to be secured by capital stock having to be paid, a licence being obtained under the Insurance Act. I'm not entirely sure -- and the sponsoring member didn't elaborate on the reasons in her introductory remarks -- why these things were not incorporated in the original bill. They seem to be generally fairly standard procedurally. Why would those requirements not have been simply a matter of course that would have been initiated right from the onset so that we would have had the opportunity to have given consideration to them in the committee process? That information is not available to us at this stage.

I believe that when the original submission was made, the initial capitalization for the National Bond Insurance Corporation was \$5 million, and it was indicated to us that this had been raised through a provision of nonvoting common shares to an American merchant bank. Discussions had taken place for the purpose of increasing capital or the provision of reinsurance should either be required. The bank at that time and the shareholders were confident that the vertical integration to Alberta of underwriting responsibility and profit would both strengthen a proven insurance product.

Now, the amendment doesn't stipulate -- and this is one of the

difficulties I think with the way in which this government writes laws. There are references made back and forth between various acts, so in essence a general citizen reading the amendment to the bill would read 5(a) and say "the amount of capital stock required by the Insurance Act has been fully subscribed and paid," but what exactly is the amount of that stock? Why not just put in the amount? Or is that something that is subject to change depending on who the petitioner is or what the nature of the business is that the corporation intends to market?

I would suggest that it would be more transparent to actually have the amount in the act, and that way citizens are aware of what kind of capital . . .

THE CHAIRMAN: Hon. member, we're dealing with the amendment. If you want to make comments with regard to the adequacy of other acts . . .

MRS. SLOAN: No. I'm not speaking about other acts, Mr. Chairman. I'm speaking about this bill and the amendment to the bill. There's already a precedent in the bill in fact. In section 3 we actually cite a figure: "The capital stock of the corporation shall be \$3 000 000." So why, then, in section 5, when we're talking about what requirements must be met in order to commence business, would we not similarly say that the amount of capital stock required is this amount rather than saying the capital stock required is the amount "required by section 34 of the Insurance Act." All I am pointing out are the inconsistencies with directly citing what capital is required in an earlier part of the act and in the amendment leaving it for someone to find in the Insurance Act.

We had a number of other issues discussed at the committee stage that are in relation to the corporation commencing business. One of the difficulties I think with the current philosophy, if you will, in the committee is that we have not had as members of that committee full or broad parameters to receive or consider information during the initial process of debate. Many of these questions which I've recited this evening in the context of the amendment were in fact asked during the debate on this bill at committee.

8:40

The general tenor, if you will, of the discussions was that there was a sense, not amongst members of the opposition but other members of the committee, that we should just rubber-stamp these applications, that our function was just simply to go through the procedure, kindly greet petitioners, minimize the questions asked, and rubber-stamp the applications. There was some lively debate about that in the committee.

THE CHAIRMAN: On the amendment, hon. member.

MRS. SLOAN: Absolutely. On the amendment.

One of the difficulties now as we reach this stage is that many of the questions that we asked in that earlier process have not been answered. It leaves certainly this member in a position where I would have liked to have been afforded answers to the earlier questions, had some opportunity to consider them, consider them in the context of the amendment the government is now making to section 5, and proceeding accordingly.

The reality is, I believe, Mr. Chairman, that the petitioners are certainly proceeding in good faith and seeking procedural approval, but our role in the process in my opinion should be to examine these applications on the merits of the citizens' interest, and if in fact the process does not allow all of the aspects of the bill, whether it be the micro or the macro aspects, to be explored, to be debated, and for

members to have those issues responded to, then I think it's fair to have a discussion -- and perhaps the House leaders will -- about how the process of private bills actually works and is constructed.

I believe this is the only amendment to this bill that's coming, if I'm correct in recalling the committee discussion. While I think that to a degree it does represent and serve the citizens' interests, I'm wondering whether or not any consideration was given to bringing additional amendments to the bill to address the other issues surrounding the liabilities that were discussed in the committee as well. I assume not, given that they're not before us.

THE CHAIRMAN: We're only dealing with amendment A1, hon. member, right now.

MRS. SLOAN: Which is about commencing business, and the reality is, Mr. Chairman, that the government's intent will be to pass this amendment and . . .

#### **Chairman's Ruling Private Bills**

THE CHAIRMAN: Hon. member, as I understand it -- and I stand to be corrected if I'm not correct -- this is a private bill. It is not a government bill. Now, perhaps the sponsor of the bill happens to be a government member just as there are opposition members who sponsor other bills. You have characterized it a number of times as being a government bill. It's my understanding that it is not, and this is not a government amendment.

MRS. SLOAN: I don't believe I said that it was a government bill. If I did, I did so incorrectly. It's sponsored by a government member, but I'm completely aware that it's a private bill.

THE CHAIRMAN: Okay. On the amendment, then, hon. Member for Edmonton-Riverview.

#### **Debate Continued**

MRS. SLOAN: Okay. Thank you for that interjection.

Now, as I indicated at the onset, I have been for the last two years a member of Private Bills and have found it an interesting process to, I guess, contemplate with how little information the government expects members of this committee to just rubber-stamp applications. I think even the petitioners recognize that as elected officials we should have some entitlement to information and to have our questions answered. But that doesn't always seem to be top of mind to the government members on the committee.

Mr. Chairman, I think that I have covered the areas of particular concern to me this evening, and with those thoughts in mind I will conclude my debate. Thank you.

[Motion on amendment A1 carried]

[The clauses of Bill Pr. 1 as amended agreed to]

[Title and preamble agreed to]

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

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

#### **Bill Pr. 3 Consumers Insurance Company Act**

THE CHAIRMAN: Our next item for consideration is Bill Pr. 3, Consumers Insurance Company Act. The sponsor of that is the hon. Member for Edmonton-Centre. We have, then, a proposed amendment to this.

The hon. Member for Calgary-Currie.

MRS. BURGNER: Thank you, Mr. Chairman. In the spirit of an open and co-operative House I would like to move that Bill Pr. 3 be amended as follows: under A, section 4, by striking out subsection (3) and substituting the following:

- (3) The company shall not commence business until
  - (a) the amount of capital stock required by section 34 of the Insurance Act has been fully subscribed and paid, and
  - (b) the company has obtained a licence under the Insurance Act.

Mr. Chairman, I believe the documents have been circulated to the House, and I move the following amendment.

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

MRS. SLOAN: Well, thank you, Mr. Chairman.

MR. RENNER: A point of order.

THE CHAIRMAN: A point of order before we begin speaking? It may be a point of order in terms of procedure.

#### **Point of Order Debate on Private Bills**

MR. RENNER: It's a point of order, Mr. Chairman, and I refer members to Standing Order 100. I recognize that the hon. member is perfectly within her rights as a member of this Assembly to enter into debate on private bills, and it doesn't directly offend the Standing Orders. What it does do is offend the traditions of this House. This House has a Private Bills Committee that is a committee appointed from members of all parties. The purpose of Private Bills Committee is so that members from all parties can attend the hearings, can attend all of the meetings of the Private Bills Committee, can ask all the relevant questions of the petitioners, and then that committee makes a report. The chairman of that committee reports back to the Assembly. The tradition of the House is that the report from the committee is accepted by members.

We have basically delegated the work of this Committee of the Whole to the smaller subcommittee, the Private Bills Committee. I recognize that these are debatable motions. I'm not arguing the member's right to debate. What I'm saying is that she is not honouring the traditions of this House by debating the bill ad nauseam.

8:50

MR. SMITH: Revisionist.

THE CHAIRMAN: The hon. Minister of Labour wishes to add to the comments? You stand in your place then.

The hon. Member for Edmonton-Ellerslie on the point of order.

MS CARLSON: Yes, Mr. Chairman. There is no point of order. While most of the time it may be most customary for this House to pass private bills in a fashion that's different from other bills, in fact

there have been many precedents in this Legislature since I've been elected where private bills are brought here to be debated. In fact, the very protocol was followed this time as has been followed in the past. When there are dissenting members on the committee who raise concerns, the committee can expect those concerns to be raised once again in the larger venue of the Legislature, where all members can participate and where the public can come and view the debate, if they so choose to, and then can participate by letting us know what their concerns are while they're here listening to the debate.

So to the visitors that we have this evening, if you also have concerns about this bill, be sure to let us know, and we will carry them forward here this evening.

There is no point of order, Mr. Chairman. They are trying to obstruct the progress that could have been made this evening by these repeated non points of order. We would like to carry on with the debate on this bill, which all of us now will be participating in.

THE CHAIRMAN: On the point of order, Calgary-Currie.

MRS. BURGNER: Yes, Mr. Chairman. As vice-chair of the Private Bills Committee I would like to just bring the attention of the House to the fact that a number of the debates that occurred when we were in Private Bills dealt with the clarification of issues, the responsibilities of the legislation, the role of the various intervenors on behalf of the legislation, and those were debated and brought forward with majority consent.

I just feel, reiterating the point of order raised, that in fairness to this Assembly the Private Bills Committee did consider a number of the issues that have been raised, and we have brought forward this amendment with the support of the Private Bills Committee. I just feel as vice-chairman of that committee that it's incumbent to put that before the House. [interjections] Losing is losing.

THE CHAIRMAN: Hon. members, if somebody is rising on a point on order, it is virtually impossible for even the chair to hear with all of you people being so helpful. Please, stop being that helpful, and rise in your place in your time when it's your turn. Shouting her down doesn't really add to this.

We have a point of order raised by the hon. Member for Medicine Hat. It's a legitimate point of order in that it's speaking to the customs of the House. The objection to that is also legitimate in that there are some precedents for it to be debated. It is an interesting exercise this evening on private bills because traditionally they have been dealt with thoroughly at committee, where they have the research capabilities and all the rest of it, and anyone, as the Standing Order said, who has issue with it may appear at those committees.

Now, at this late stage to then begin discussing the whole issue of process of the Private Bills Committee in the midst of committee stage is strange to say the least, but debate is permitted. If someone wishes to rise and move that we adjourn debate on this particular item and go on to other things, that's within the parameters of the committee. But right now we have before us an amendment to Bill Pr. 3, the amendment as proposed by the hon. Member for Calgary-Currie on behalf of her colleague the hon. Member for Edmonton-Centre, and that's what we're going to discuss until some other event takes place.

The hon. Member for Calgary-Currie.

#### Debate Continued

MRS. BURGNER: Thank you, Mr. Chairman. I would just then conclude my comments by simply saying that, as you have wisely

outlined, we have a process for dealing with private bills. We have public hearings. The minutes are circulated. We are knowledgeable as members of this Assembly, even though a select group of us are a part of that committee.

The issues that have been raised have been raised. They have been debated by the members of the Private Bills Committee, and they're brought before you in the process of the amendment that's in front of you. If the chair wishes to open the debate again, I think it just compromises the integrity of that particular group, but so be it, Mr. Chairman. I simply felt it was appropriate to state on behalf of the Private Bills Committee that this was given very thorough discussion.

THE CHAIRMAN: The hon. Member for Edmonton-Riverview on the amendment.

MRS. SLOAN: I'm assuming that the dubious point of order has been dealt with and we can get on with debating this amendment. Am I correct?

THE CHAIRMAN: Yes. You are correct. I don't know if it was a dubious response to the point of order, but the chair did rule on it and recognized the hon. Member for Calgary-Currie to make her comments on the amendment. Next is yourself to make your comments on amendment A1 to Bill Pr. 3.

MRS. SLOAN: Just to begin, Mr. Chairman, I think it's fair for the hon. Member for Medicine Hat to point out that past practice has been that in most cases private bills are not debated in full in the Assembly. However, as elected officials I don't think we should be restricted from pointing out some of the areas or questions that were not answered to the committee's satisfaction while in the public Assembly.

On this particular amendment, Mr. Chairman, we are dealing with a company that has not even been formed. The applicant was not present at the committee. Legal counsel came. The solicitor submitted to us as committee members -- and let me just cite directly from the transcript -- that in fact the applicant was in the process of negotiating the semblance of an agreement with other investors in another province, and there was a possibility that they might establish a business branch in Alberta.

But the reality is that the company that's applying for this status under the Consumers Insurance Company Act, which we're amending this evening to indicate that before they commence business they must have a certain amount of capital stock and they must obtain a licence -- the reality is, Mr. Chairman, that this corporate entity does not exist. So the points of concern that were raised at the committee related to: why is an application being made when the entity has not been formally established?

Now, what is of interest is that the petitioner cited in a letter to the committee that he had previously applied in Ontario for status "to provide loans to terminally-ill policyholders secured by a collateral assignment on their life insurance policies." That's what we're talking about: policies being offered to terminally-ill citizens secured by collateral assignment on their life insurance. He cited that as an interest that he'd explored previously in Ontario. In Ontario what happened . . .

THE CHAIRMAN: Hon. member, the chair is having some difficulty following some of the reasoning. You're saying that this company doesn't exist. Precisely what it is that we are here to do is to form that company by passing the legislation or defeating it. I'm having difficulty following how we were talking about amendment

A1 which, to read it, deals with, under A, section 4 by striking out subsection (3) and substituting the following:

- (3) The company shall not commence business until
- (a) the amount of capital stock required by section 34 of the Insurance Act has been fully subscribed and paid, and
  - (b) the company has obtained a licence under the Insurance Act.

That's what we're dealing with, not some of these other things.

9:00

MRS. SLOAN: Okay. Let me try and establish more concretely the background citing from the discussion at the committee relative to this.

THE CHAIRMAN: Hon. member, I think that if you have an argument with the process, then there are ways to do it other than on an amendment to one of the private bills that's in front of us.

MRS. SLOAN: Procedurally, Mr. Chairman, what I'm saying is: why are we at a stage of debating an amendment to a bill to incorporate a company when the solicitor representing the petitioner advised us at the committee stage that this entity was only in the process of negotiating the purchase of a small . . . life insurer in another province with the intent of possibly having [an] office in Edmonton, but certainly having a subsidiary of the life insurer in Edmonton.

The solicitor said:

The Bill was constructed as generally as possible as the petitioners did not know specifically what participation would be involved and wanted to ensure that the Bill took away as many restrictions that might impede the development of the business as permissible.

That's what the solicitor told us at the committee. It's not my words. It's the words of the solicitor.

My comment this evening relative to the interests of the citizens in this province is given the fact that the superintendent of insurance -- we as committee members were not afforded complete information about how this entity was going to be established, what the parameters of their business would be. It seems to me, number one, that it's premature to be amending the bill and, number two, even having a debate about formalizing this company at this stage and particularly so, Mr. Chairman, when what we're talking about is life insurance or some type of arrangement where terminally ill people, potentially -- because we don't know, but we do know from the applicant's previous correspondence that he had an interest in offering some type of financial loan or arrangement to terminally ill people and somehow that might be secured with their life insurance policies. Down the road when this company becomes established and is out marketing this to my constituents, I don't want to be caught off guard by a constituent who says: well, you know, hon. Member for Edmonton-Riverview, you had the opportunity to debate this in the Assembly back in April of '99, and I looked up the *Hansard*, and I didn't see that you raised any concerns about it.

Really what is the problem with raising concerns about it at this stage? We were not afforded complete information, and it was because the applicant couldn't give us complete information because the negotiations weren't complete. So why, then, proceed with the formalization of an act in this House for an entity that does not yet exist? That is the point that I'm making and the point on which I'm contesting the amendment of the act this evening.

Just further emphasis on that point is that there was discussion with the petitioners and the superintendent of insurance about whether or not viatical type insurance is an approved type of insurance for companies in Alberta; whether there are . . . insurance companies in Alberta that provide this type of insurance [currently]; whether only life insurance companies can offer [this type of]

insurance; what the primary focus and secondary focus of the proposed company would be; what market the proposed company is looking to serve; whether it is possible for an entity to make a petition when it is not yet formalized.

Exactly what I was just speaking about, and whether the Committee has been provided with all available information or if further information would be forthcoming; and whether the company has been established elsewhere following the applications to establish in Ontario and British Columbia.

I just don't approve of making laws, Mr. Chairman, in the dark. That is in essence what I am being asked to do this evening. I'm being asked to vote on an amendment to a bill when I've raised questions about the implications, the liabilities, the legalities of something that doesn't yet exist, and I have not had those things answered to my satisfaction.

Let it be on the record that I will not be supporting the amendment, I will not be supporting the bill, and should there be a discussion by the House leaders at some stage about how our process of private bills can be more comprehensive, then I will be most certainly making my thoughts and recommendations known on the procedural aspects of that at a later time.

Thank you, Mr. Chairman.

MRS. BURGNER: Mr. Chairman, I think it's very important to leave this House with a clear understanding of the process. Let me identify for those of you . . .

THE CHAIRMAN: On the amendment.

MRS. BURGNER: On the amendment, absolutely. But the hon. member has raised some questions of the legitimacy of this amendment based on the process of private members' bills. Let me just assure you that we have the responsibility under this legislation to allow for the incorporation of an insurance act. If that bill meets the requirements of incorporation, then under the superintendent of insurance the details of the unfolding of that company meet certain requirements and obligations, and the licensing and the opportunities for that company to participate in active business trading is done under that superintendent.

In fact just to clarify, if you look at the amendment, we are replacing section 4(3) of the act, which says:

The company shall not commence business until the amount of capital stock required by section 34 of the Insurance Act has been fully subscribed and paid.

We have added a diligent amendment to that by simply saying:

- The company shall not commence business until
- (a) the amount of capital stock required by section 34 of the Insurance Act has been fully subscribed and paid, and
  - (b) the company has obtained a licence under the Insurance Act.

Mr. Chairman, I want to clarify for the House that the hon. Member for Edmonton-Riverview, who has brought this private bill forward, has been supportive of the due diligence process of the private member's bill process, and I do not want to leave any hesitation in this House that due diligence has not been done by the Private Bills Committee. I recommend support of the amendment as tabled.

Thank you, Mr. Chairman.

MRS. SLOAN: Well, I was finished, Mr. Chairman, but the hon. member just prompted me to speak again. I did try and emphasize what the nature of this business was intended to be: some kind of entity that was going to enter into a business providing insurance of some kind, whether it's to terminally ill policyholders or otherwise. To me there's not a lot of distinction between that and offering private health insurance.

I have stated my concerns at the committee stage about the



incremental way this government appears to be setting up a process for corporate entities to offer private health insurance in this province. It's all very ambiguous, and just as I've outlined tonight, this application is very ambiguous. We don't have all the background information. Who's to say that the hon. members -- certainly the last hon. member to speak to the bill may not even have an interest in seeing Alberta offer private health insurance at some stage.

9:10

To me we should be having a debate in this Assembly that broadly debates the aspects of these applications, and that is the point I was attempting to offer in this debate, that we have not had the opportunity to receive formally the information about what this company's business plan entails, and I don't believe the superintendent of insurance at this stage has received the business plan of this entity, because it has not reached that stage. So to talk about the amount of capital stock that has to be raised or a company obtaining a licence in my opinion is a procedural step that hasn't fully addressed all of the issues that should be publicly and openly addressed before the application is even formalized.

Those are my additional thoughts, Mr. Chairman.

[Motion on amendment A1 carried]

[The clauses of Bill Pr. 3 as amended agreed to]

[Title and preamble agreed to]

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

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

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

**Bill 14**  
**Municipal Government Amendment Act, 1999**

MR. KLAPSTEIN: Mr. Chairman, I would like to move government amendment A2, which has been circulated to all members. I won't go through the time of reading it, but I would like to speak to it.

Mr. Chairman, I am pleased to move amendment A2 to Bill 14. In doing so, I wish to recognize the due diligence and good work of the members for Edmonton-Norwood and Edmonton-Manning. They, through constructive criticism, brought forward the issue which is the substance of this amendment.

The amendment that is proposed to Bill 14, the Municipal Government Amendment Act, 1999, is being done to enhance enforcement provisions regarding derelict properties. It is proposed that an amendment to the bill be made which would allow municipalities to register a caveat under the Land Titles Act in respect of an order issued by the municipality to remedy dangerous and unsightly property. The proposed House amendment would also include conditions for the removal of the caveat.

The effect of the proposed amendment would be to enhance enforcement by registering the order, to provide a notice for prospective purchasers of such property, and to ensure that the

municipality does not have to start the process over when a derelict property is sold. This will help protect the interests of the community in maintaining and promoting a safe and healthy environment for its residents.

THE CHAIRMAN: Any comments? The hon. Member for Edmonton-Norwood on amendment A2.

MS OLSEN: Thank you. Sorry for my inattentiveness, Mr. Chairman. I rise to speak obviously in support of this amendment, an amendment which was well supported by the city of Edmonton in the city's attempt to work with in fact myself and some other community members to try and control some of the problems in some of the inner-city communities regarding derelict housing. I would like to thank the hon. Minister of Municipal Affairs for working co-operatively with us.

My community has a high number of boarded homes, and those homes have been declared derelict. My community has suffered what many inner-city urban communities suffer from, and that is a level of incivility, Mr. Chairman, that reduces property values. It makes it difficult for the communities to come back and revitalize, so I think this amendment will be very helpful in the community's efforts to revitalize the entire community. Certainly crime rates are associated with levels of incivility, and certainly the livability rates in a community are based on all of those factors, so I am very happy to see the minister agree to bring this forward.

What this amendment will also do is that when a caveat is registered, it will help the community deal with the issue of houses that are set out to be demolished. In fact, if a house is sold and the house has been declared derelict and has a demolition order against it, then the demolition order is still maintained until the new owner brings the property up to standard or in fact follows through with the demolition order. It also allows for a discharge of that caveat should the new owner or even the existing owner comply with the conditions under the demolition order. So I'm very pleased, as I said before, to see this amendment.

I guess the other thing I keep thinking about is that Calgary and Edmonton have similar communities that have these problems, as do some of the rural communities, I'm sure. So it's not just an issue that is, you know, Edmonton based; it's an issue that does occur around the rest of the province.

So I urge all members of the Assembly to support this amendment. Thank you.

[Motion on amendment A2 carried]

MR. KLAPSTEIN: Just a couple of brief comments. I'd take the opportunity to thank the members of the opposition that worked with us in bringing into place some major improvements to the Municipal Government Act. It should serve all our municipalities well.

Thank you.

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

MS OLSEN: Sorry about that, Mr. Chairman. I guess one of the other things that was brought forward and I'm not sure whether it was addressed -- it certainly wasn't addressed through our amendment -- was the ability to regulate the problems around the use or user of the building or property, but I think that may be covered in this caveat.

I think what I'd like to address is this whole notion of urban sprawl. You know, it seemed to be a municipal issue. Communities are moving out farther and farther and farther, and I've said in this

Assembly before that there are many communities that are launching growth control programs. Seattle, Washington, has a huge problem in relation to growth and has tried many experiments and introduced different types of programs to deal with that issue. The argument is: should we control growth or should we not?

One of the things that I would like to have members of the Assembly think of when they're talking to their councillors and reeves and mayors is revitalizing those inner-city environments. There are well-built communities; that's where some of the schools are. You know, in most cases it becomes a gentrification process, but it doesn't have to be that way. We can talk about some of the communities such as Glenora and Highlands that have stable, older neighbourhoods that have a level of civility that draws families with young children to the community. They have the infrastructure and the base that is somewhat relished by families, and they don't have to live out in some of the suburban areas.

I think that if we can take steps such as the minister has to offer some consolation to the homeowners that live in the inner-city environments through the work that she's done with me, that will help our downtowns and our inner-city neighbourhoods see a regrowth, and we won't have to be too concerned about where the next suburban area is going to be, how far out and how many more schools we have to build.

9:20

I can think of Savannah, Georgia. When I was there a few years back, they had started a revitalization program, and some of those old homes were being bought by folks who were remodeling and renovating them or bringing them back to their historic character. Some of those homes were 10,000 square feet. It was a wonderful project. It cleaned up the neighbourhood, and the environment became a very pleasant place to work. Those are just some of the things I think we should be thinking about as we talk about growth in cities.

Calgary has a great area that's coming along: Inglewood. I've worked and been involved with some of the folks that have come and gone through that historic foundation for a number of years. Those folks in fact have worked very hard to revitalize that community. They've got a ways to go. The Edmonton-Norwood area, we have a ways to go, but at least the revitalization zones -- the people on those boards are talking. They're having some interaction. There have been some exchanges. The health of those communities can only be enhanced with legislation such as this.

With that, Mr. Chairman, I'll take my seat and look forward to any further discussion.

[The clauses of Bill 14 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

### **Bill 15 Natural Heritage Act**

THE CHAIRMAN: Are there any comments, questions, or amendments to be offered with respect to this?

The hon. Minister of Environmental Protection.

MR. LUND: Thank you, Mr. Chairman. We've done a lot of consultation on Bill 15 since it was . . .

MR. WHITE: Certainly not on this side of the House.

MR. LUND: Well, Mr. Chairman, the hon. member just said it wasn't on that side of the House. I have on five occasions offered to meet with members of that caucus to talk about Bill 15. They refused to meet with me to talk about it. So, please, don't give me that nonsense, because that is not the case. [interjections]

THE CHAIRMAN: Hon. members. Hon. Member for Edmonton-Calder.

MR. LUND: I am sick and tired of hearing this nonsense about their not having had a chance to see anything, because they refused to meet with me, Mr. Chairman. The NDP met with me.

### **Chairman's Ruling Decorum**

THE CHAIRMAN: Hon. member, can we just wait a moment? Hon. Member for Edmonton-Calder, if you wish to speak to this, please do so when the hon. minister is finished.

Hon. Minister of Environmental Protection, on the bill.

### **Debate Continued**

MR. LUND: Thank you, Mr. Chairman.

MRS. SOETAERT: Mr. Chairman, point of order.

THE CHAIRMAN: The hon. Member for Spruce Grove-Sturgeon-St. Albert is rising on a point of order on the chair?

### **Point of Order Allegations against Members**

MRS. SOETAERT: No. On the minister. When he said that there's been no co-operation, that's 23(h). He's made an allegation against members on this side. The first time that we have seen these amendments is tonight as they are delivered. The minister expects us to debate these tonight? That's a very arrogant thing to do, and it's rather presumptuous to think that we will just agree to these without having seen them prior to five minutes ago. That is not called democracy. I resent it, and I think the minister should apologize. That's allegations against members, no co-operation, and the first time we've seen the amendments is now.

THE CHAIRMAN: Hon. member, the chair had admonished the minister for the debate that was flowing back and forth contrary to parliamentary procedure, and I would take it that that would be sufficient. If you wish to characterize later on what level of co-operation you have been able to effect or how you've been ignored, please do so. But right now we're on Bill 15, the Natural Heritage Act.

### **Debate Continued**

MR. LUND: Well, thanks, Mr. Chairman, for your good guidance.

The fact is that we have done a lot of consultation. We've met with a lot of people. We've met with the NDs, and we have come to the conclusion that there is some misunderstanding about the bill. We feel that there are some things that we can do through the amendments to clear up the misunderstanding. What we will be doing tonight is introducing these amendments and then adjourning the debate so that the members can have an opportunity to look at them. I can assure the hon. members that these amendments do not change the principles of the bill, so all of those that voted for it at

second reading can feel very comfortable that this is not changing the principles, but it does clarify a number of things.

Mr. Chairman, as is customary, I would like to handle all of these amendments as one amendment. We'll just go through them quickly and outline what they are. In section 1(1) we're talking here about an amendment that would put in a definition for "air cushion vehicle." The reason for that, Mr. Chairman, is that this definition wasn't in Bill 15. It talked about the Highway Traffic Act. The Highway Traffic Act in fact is going to be repealed and another act come in, so we have to define it in here.

You don't want me to go through section by section?

THE CHAIRMAN: No, no. I'm not interfering with your process, but for form's sake would you move it? Then we can discuss it.

MR. LUND: Okay. Sorry about that. I was provoked early in the discussion, so I was somewhat led astray.

THE CHAIRMAN: Just move the amendment.

MR. LUND: So I will move these amendments, Mr. Chairman, and now continue with the description.

THE CHAIRMAN: Just another interruption on that. This amendment in the seven pages will be known as amendment A1.

Mr. Minister.

9:30

MR. LUND: Thank you. Moving on to section 1(1)(b), we're adding a clause in there so that in fact when we talk about the Crown, we're talking about the Crown in right of Alberta as well as the Crown in right of Canada.

Moving then to section B, which amends section 6(2)(b), we're going to put in the word "prescribed" after "issue." There was some concern that the directors could issue a permit and, that under that power, could actually issue a permit for something that doesn't fit with this act. So it'll have to be a prescribed permit, and those will all be described in the regulations.

Moving down to section 10(1), this is permits again, and it's what the director can do. We have to strike out the word "otherwise" in 10(1)(a). Then in section (b) we have to add "but for the fact that this Act allows it, or a general activity that encompasses it, under a permit" after "Act". So, in other words, once again the only permits that can be issued are those that are prescribed in the act.

Then we've got to move over to section 20. We've talked about the landscape, and many people raised the issue that "landscapes" is probably not a good definition, and we should be using the word "heritage" as opposed to landscapes. So there are a number of sections there that will be amended with that verbiage, and that you'll find in section 20(a), (b), (c), and (d).

Moving on to section 21(4), we talk about there being an area that is withdrawn from a land base, is withdrawn from a designated area, that it must be replaced with equal or better quality land, but in Bill 15 we put in: "those 4 kinds." We really want to make sure that it's the kind that was withdrawn. So if something is withdrawn from an ecological reserve, it will be replaced with land that is similar or better from an ecological reserve, not something from a park for example.

Moving down to section 22, instead of saying an "ecological reserve, wildland park, provincial park or heritage rangeland", we're using the word "area."

In section 22(a)(1)(ii) we're going to strike out "such a designated" and substitute "an."

Moving on down to section (b), we'll be striking out "and" at the end of clause (d) and adding the following after clause (d): "(d.1) state where further relevant information, if any, may be obtained." This is where we're dealing with advertising, the public notice situation, so that people make sure they can get it.

Then we get into the major clarification, Mr. Chairman, and it's dealing with sections 25 and 26. In section 25 what we're going to be doing is talk about what is currently in position now, "in an ecological reserve, wildland park, provincial park or heritage rangeland" as far as the forestry act is concerned, and what we're saying is that there will be no commercial logging in those areas. There's nothing grandfathered. The minister will withdraw any disposition or quota right at the time of this act coming into place or as soon after as is practicable. Currently there isn't commercial logging occurring in designated areas, and there won't be in the future.

Moving on to section (2), we're talking there once again about "an ecological reserve, wildland park, provincial park or heritage rangeland," and here we're dealing with the mines and minerals other than petroleum and natural gas. These are privately owned minerals. What we're saying is that "the Minister responsible for that disposition shall ensure, as far as is practicable, that the disposition is withdrawn, cancelled or otherwise terminated at the earliest possible time." What we're getting at there is that there must be a plan worked out so that they in fact will be withdrawn. Some of these dispositions have been there for many years, they haven't been exercised, and we need to terminate those as early as possible.

Then section (3):

Where there is a designation of an area in which there was, immediately before the designation,

- (a) a petroleum or natural gas disposition under the Mines and Minerals Act or a disposition providing access in relation to such a disposition,
- (b) a disposition under the Public Lands Act . . .
- (c) a permit allowing grazing . . .

the Crown remains bound by that disposition and, in the case of such a grazing permit, by any subsequent permit renewing rights existing under the original permit referred to in clause (c), and neither the designation nor anything in this Act is to be taken as affecting rights acquired by any person under such a disposition except to the extent that the disposition is lawfully suspended, withdrawn, cancelled, exchanged or otherwise terminated or is amended by agreement between the disposition holder and the Minister responsible for the disposition.

In other words, we will honour those, but there will be an attempt to phase them out.

Section (4): "The Crown shall not renew a disposition referred to in subsection (3)(a) except with the written approval of the Minister" responsible for that disposition. In other words, the minister responsible for the Mines and Minerals Act will try to work that mineral out of the designated area.

9:40

Moving on to section 5:

Notwithstanding any other law but subject to subsection (3), all dispositions, other than a grazing lease described in 26(1)(f), that are in effect immediately before an area is designated after the initial set of designations made in conjunction with or following the commencement of section 21(1) and that relate to the use or occupation of the surface of land become dispositions under and subject to this Act, to the extent that they cover land within an area. So, in other words, there will be a mechanism for phasing all of these dispositions out.

Then in section (6) we're dealing with what's happening under the Provincial Parks Act, the Forests Act, the Public Lands Act:

... other than a grazing lease under section 26(1)(f), continue in full force as dispositions under and subject to this Act as if issued under this Act until they would have expired under that other act.

So some of these will have to run their course, but as soon as the minerals or the well site have expired, it will be claimed and put back in.

Now, dealing with new dispositions once the act comes into place, section 26(1) clearly states that there will not be any commercial logging; there will not be

... any disposition, permit, licence, timber quota or other authorization to enable any resource extraction or industrial activity or access to any such activity.

Because of what section 25 said, there are some exceptions that we will have to deal with. In 26(a) we talk about access that may have been required to accomplish what was mentioned in section 25. Then we're dealing with private land that has to be accessed through an area. That would be another exception. Also, "a disposition in a recreation area allowing prescribed activity that has no potential for significant impact."

THE CHAIRMAN: You have one minute left.

MR. LUND: One minute. Oh, wow, just one minute left. Well, okay.

I'll leave those, but it clearly describes how all of these various things can happen.

If my time is up, I guess I'll just have to adjourn debate for tonight, and we'll come back to it at a later date.

THE CHAIRMAN: The hon. Minister of Environment Protection has adjourned debate on amendment A1 to Bill 15, the Natural Heritage Act. All those in support of this motion to adjourn debate on this bill, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried. Bill 15 is now adjourned.

**Bill 17**  
**Quality Assurance Activity Statutes**  
**Amendment Act, 1999**

THE CHAIRMAN: The hon. Member for Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Chairman. I think the opposition has some amendments that they want to bring forward. I'll just let them do that at this time, and we'll hear them out and debate them and vote on them.

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

MR. DICKSON: Thank you very much, Mr. Chairman. Bill 17 is a bill that I had supported at second reading in principle, but I'd raised some concerns at the time. I'd back up and say that in the current Alberta Evidence Act there's always been provision for a particular kind of quality assurance review and records that are made available in the course of a quality assurance review.

The best example I can think of is that if a child at the children's hospital goes in for an ear infection and then dies because of a cardiac arrest or something, typically what happens is there is a

critical incident review committee made up primarily of physicians and sometimes other people. What they do is bring together records and so on to find out what went wrong and to make sure that it doesn't happen again. I think every member can recognize there's a huge and compelling interest in finding out what happened and making sure that there's not an unsafe procedure or process or operation.

What's happened in the past is that there's been provision under the Alberta Evidence Act that provided some measure of protection. The concern is that when the Freedom of Information and Protection of Privacy Act was made to apply to regional health authorities in the fall of 1998, October 1 in fact, there was a period of time when there wasn't adequate protection. I know the Member for Banff-Cochrane and the Member for Bonnyville-Cold Lake will remember the first couple of meetings of the committee dealing with freedom of information. I raised this concern at that point in the Calgary region. The critical incident review committee was all set to dissolve itself because physicians could not feel comfortable in being frank and candid for fear that their candid commentary or input might in fact sour relationships they had in the hospital, with colleagues and so on.

That's the reason this kind of a bill was essential, and that's one of the reasons why I supported it at second reading. But there were principally two concerns I had with it at second reading. The first one had to do with what constitutes a quality assurance committee. My concern is that when you look through, you see a very long list of committees. Firstly, anything appointed by a regional health authority, which would cover, frankly, most of them in the province; something covered by the Alberta Cancer Board, the Provincial Mental Health Advisory Board, the board of an approved hospital, or the operator of a nursing home. Now, all of those matters, Mr. Chairman, one would understand and expect that that would be covered. The concern came where we saw on the second page that a quality assurance committee could also be something "designated by an order of the Minister of Health as a quality assurance committee for the purposes of this section."

What happens is this. We have to understand that this is an extraordinary kind of protection or provision, because what it does is it effectively says that the normal rules for disclosure, the normal freedom of information rules don't apply if it's a quality assurance committee. There are two competing interests here. On the one hand, it is important that a health system and a health management authority be able to find out if there's some kind of a systemic problem in the children's hospital and be able to identify it, take remedial action, and resolve it so nobody else's health is at risk. That's important.

But there's a competing value as well, and the competing value is the right of citizens to know. In a province that doesn't have legislated whistle-blower protection -- speaking on this amendment, Mr. Chairman -- in a province where in fact there has been something of a culture of secrecy, certainly I think the Calgary regional health authority . . .

9:50

THE CHAIRMAN: Sorry to interrupt you, hon. member. The chair had not realized that you had moved the amendment, so we'll accept that you have or that you're about to and that this is amendment A1.

MR. DICKSON: Yes. Thank you very much, Mr. Chairman. I got so carried away with the merits of the amendment that I forgot the formalities, so thanks for reining me in.

The point I wanted to make is that what's askew in this bill unamended is that we're not attempting to assign some important

weight to the public's right to know, so that's the other element here. My concern at second reading with the bill was that we certainly protect the health care professional who may participate in a quality assurance review.

MRS. SLOAN: And the minister.

MR. DICKSON: And the minister. The minister is certainly going to always be protected -- that's first and foremost -- but what we've neglected is the public's right and interest to know what went on.

If I use that example again of the child who goes in for an ear infection and dies with a cardiac arrest in the Alberta Children's hospital, as important as it is that we find out if there's some systemic problem and enable people to speak frankly about it, we also have a problem. The Minister of Labour I know is paying close attention because this has a huge impact on the freedom of information act. As the Minister of Labour will well know, we also have an interest in terms of making sure that some light is brought to dark corners. And if there are bad practices, if there are instances of inadequate supervision . . .

MRS. SLOAN: Or inadequate staffing.

MR. DICKSON: . . . or inadequate staffing, a very common problem in Alberta hospitals in spite of the herculean efforts of our health care professionals because of lack of management support and so on, problems happen. We want to ensure that the cloak of secrecy is not thrown over all serious problems in acute care hospitals, in the hospital setting. That's the balance we're trying to achieve.

Now, the reason for the amendment. I defy the Minister of Labour, the Member for Banff-Cochrane, or the Member for Bonnyville-Cold Lake, who have been part of this debate and have long experience with it -- in fact, I feel a little nostalgic every time I see the Member for Bonnyville-Cold Lake sitting in the nether regions, because he and I spent some time on a health information panel. I think we did some good work, member, through the chair, but you know, our work isn't finished. We have an amendment here which will help to move us to that point that we left unfinished last year, Mr. Chairman. I'm looking for some support from . . .

MR. SMITH: You're talking yourself out of a good dinner.

MR. DICKSON: I refuse to be bribed, Mr. Chairman.

Mr. Chairman, I notice we have conferring on this very amendment at this very moment the Minister of Labour, the minister responsible for the Freedom of Information and Protection of Privacy Act, and the Member for Bonnyville-Cold Lake, who has some recognized expertise in the area of health information, consulting with the Member for Banff-Cochrane, who also is one of the veteran members of the FOIP panel. I'm not sure what the Member for Calgary-Fort's contribution is to this exercise, but there's no question that we have lined right up there -- and the minister responsible for chairing the panel.

Anyway, Mr. Chairman . . .

MR. SMITH: What are you talking about?

MR. DICKSON: I'm trying to drum up support, Mr. Minister, through the chair, for an amendment, the merit and value of which may not be readily apparent to someone on a casual reading of the amendment.

MR. SMITH: Silence can be construed as support.

MR. DICKSON: Oh, Mr. Chairman, if only it were so. If only it were so.

Anyway, the amendment. Getting directly to the point -- and I know the Member for Red Deer-South is way ahead of me on this one. The proposal is to delete that section which allows the Minister of Health to designate by a simple order, not even by a regulation subject to the Regulations Act but to designate by a mere order, any committee to be a quality assurance committee.

The concern is this. If something happens in a medicare clinic, if something happens in a doctor's office, if something happens in HRG, our private hospital, it would be too easy for a minister, to avoid political embarrassment, to rush in, sort of bring the shroud of secrecy over all the proceedings, and designate this thing a quality assurance committee. Now, some may argue that would never happen, but I'm a bit suspicious, and I want to ensure that that can never happen. That's the reason this amendment is brought forward. It still allows an enactment so the minister, the government can in a bill designate any committee, but at least we'll have a debate about it. The order happens secretly, silently, without the benefit of any public debate, so it's not good at all.

Those are the reasons why I'm moving this amendment. If the Member for Red Deer-South, the sponsor of the bill, or the Minister of Labour, with the arsenal of tools he's got, or the Member for Bonnyville-Cold Lake or the Member for Banff-Cochrane disagree with the amendment, I expect that they're going to be able to lay those reasons out. I'm looking for some reasons. If they have problems with the amendment, let's get them on the table. The Member for Calgary-Fort, if he has any difficulty with the amendment, share it with us now.

Thank you very much, Mr. Chairman.

THE CHAIRMAN: Whoa. For the record, the chair does not recall hearing that the hon. Member for Calgary-Buffalo moves this amendment. Did you do so?

MR. DICKSON: Mr. Chairman, I specifically moved the amendment A1, which provides: to move that Bill 17 be amended in section 1(2) by striking out the proposed section 9(1)(b)(iii).

Thank you very much.

THE CHAIRMAN: Thank you.

Red Deer-South on the amendment A1.

MR. DOERKSEN: Thank you, Mr. Chairman. On the amendment A1 I will make just a few comments in asking the Assembly to defeat this amendment. I would point out to the hon. member -- first of all, I appreciate the great amount of expertise he has in this area. Probably the amount of work he has done in this area far exceeds the amount of work that I have done, and his input into this has been appreciated. I would point out that the existing section 9 of the Alberta Evidence Act is basically carried over in these amendments under the Quality Assurance Activity Statutes Amendment Act. I would just like to note for the record the committees that have been designated under the existing section 9 of the Alberta Evidence Act, just to give some assurance to this Assembly of the kinds of committees that are currently designated.

I'll just read what they are, Mr. Chairman. There's the Quality Care Committee of the College of Physicians and Surgeons. There's the Advisory Committee for Impaired Physicians of the medical staff of the Foothills provincial general hospital in Calgary. There's the Perinatal Morbidity Review Committee of the Northern and Central Alberta Perinatal Program Advisory Committee, the Physician's Assistance Committee of the medical staff of the Calgary General

hospital, and the Ambulance Medical Review Committee. There are three medical committees of the Alberta Medical Association: the Committee on Reproductive Care, the Committee on Anaesthetic and Operative Deaths, and the Committee on Hospitals. And that's it. So the assurances are that this is not a section that is used without regard for the intent of the bill, and I think that that assurance will carry on.

Again, as a reminder and to answer some of the concerns that actually arose out of second reading, Bill 17 of course arose from the recommendations of the Steering Committee on the Health Information Protection Act. From that steering committee a legal working group was formed which had members representing the College of Physicians and Surgeons, the provincial health authorities of Alberta, the regional health authorities, the Alberta Law Reform Institute, Alberta Justice, and Alberta Health. This particular legal working group was of the view that the restriction of the scope of quality assurance activities through the definition coupled with the need for designation by the highest level of governance in an institution was sufficient protection to guard against the proliferation of quality assurance committees, and further continuation of the minister's ability to designate was recommended to address newer type quality assurance activities that, while not expressly described within the legislation, would be consistent with the sphere and intent.

10:00

We feel, Mr. Chairman, that there's a need for some limited flexibility to support the retention of the minister's power in the carryover of this provision from section 9 of the Alberta Evidence Act into the quality assurance.

With the those comments I would urge the Assembly to reject this amendment.

THE CHAIRMAN: The hon. member for Edmonton-Riverview on amendment A1.

MRS. SLOAN: I am rising to provide my wholehearted support for the amendment provided by the Member for Calgary-Buffalo this evening. I think it is most certainly relevant and strengthens the bill from the public's perspective, Mr. Chairman.

The reasoning or rationale for this bill's introduction, in my opinion, is dubious at best, Mr. Chairman. It seems to me that as the purpose of the act is spelled out, quality assurance activities will mean

- (a) the purpose of which is to study, assess or evaluate the provision of health services with a view to the continual improvement of
  - (i) the quality of health care or health services, or
  - (ii) the level of skill, knowledge and competence of health service providers.

In the context of where we are today in the system, and given the way this particular section 9(1)(b)(iii) is currently in the bill, the minister could decide in the context of the registered nurses currently negotiating a collective agreement that those activities are a matter or an issue which has some impact on the quality of health care or health services and perhaps including the level of skill, knowledge, and competence of health service providers. Without the amendment proposed, he could in fact decide that a quality assurance committee should be struck to examine perhaps the role of the United Nurses of Alberta, the role of registered nurses in the collective bargaining process, what relationship that has to the provision of service in institutions.

This is so broad and so vague that the interpretation of what these sections actually mean and how they could be applied is highly,

highly questionable. I think in that respect the hon. Member for Calgary-Buffalo is saying that this particular section has got to go. Otherwise, we leave it open to be interpreted and potentially to be misused by a government if they have a particular ideology or bent that is not embodied by the professionals or the citizens receiving or providing health care services in the province.

The other aspect that's relevant to this. I think it's hilarious that the minister could establish a committee to examine under his watch the level of skill, knowledge, and competence of health service providers. Why, then, are we debating the Health Professions Act in this Assembly, Mr. Chairman? The establishment of colleges is to further entrench the regulation of professions for the protection of the public. Why would the minister think that it should be additionally required that we have a provision that allows him to establish a committee willy-nilly to examine skill, knowledge, and competence of health providers? Is that not duplication? Is that not government interference in an area where there are already entities formally established by law to provide that service on behalf of the public? How exactly would this be applied with respect to professions and for what purpose?

Let's say for the sake of argument that we have a particular employer, a private, for-profit employer in the province, Mr. Chairman, that wants to provide a level of service by a lesser qualified classification of providers. Let's say that the Minister of Health on a certain day believes that that private, for-profit entity should have the ability to do that. So in a backroom type of fashion, to facilitate that occurring, the minister establishes a quality assurance committee with the co-operation of this private, for-profit provider and sets about to construct something that would advance the utilization of lesser qualified providers in this particular setting.

Now, we know that currently the majority of care -- that majority is decreasing under the watch of this government -- in the health system is provided by regulated employees or professionals in the majority of cases. There is, however, an ideology that exists in some aspects of this government and certainly within some aspects of the private sector that the private sector should be able to determine and provide services in a cheaper, less regulated fashion. It seems to me, given the vagueness of this act, that there could be an application of these sections to further that type of agenda in this province. In that respect I think the amendment this evening in a sense does that, is accountable to the public, offers more transparency. It eliminates the power of the minister to be able to establish a committee without it being fully transparent to the public.

So I can't understand the opposition to the amendment. I would think that any duly elected member of this Assembly would want to have the constituents, their constituents and the citizens of this province, fully aware of what such committees, in this case such quality assurance committees, were being struck to accomplish.

Those things being said, however, Mr. Chairman, I'm fundamentally still opposed to the bill and these particular sections under debate, supportive of the amendment because I don't believe the intent is sincere. If in fact we were sincere in this province about truly achieving quality assurance, then we would adequately fund the provision of public health care in the province and ensure that those entities delivering services and the providers delivering services were valued and supported in doing that.

The unfortunate and regrettable reality is that that is not the case. We've seen not only the quality but the safety of our health care deteriorate rapidly under the watch of this government. That's the reality that they don't want to talk about. I think it would be most interesting to establish a quality assurance committee that would investigate the appropriateness of the allocations from the Treasury Department to provide for an adequate level of public service in

health care, in education, in municipal infrastructure, in the environment.

What's really become muddled, Mr. Chairman, is that we've lost our sense of public accountability in that, and we've allowed a particular partisan ideology to govern those decisions. So I suppose with the right kind of leadership this type of provision in the law in a narrow sense could be useful, but I just don't see a relevant application of these types of provisions when the reality is that the entity that's driving the vehicle is perfectly prepared to allow the vehicle to deteriorate, to ignore its needs to be serviced, to ignore the needs it has for maintenance, support, additional employees in the system.

**10:10**

They're prepared to allow the system of health care and health services generally to deteriorate as they pursue the elimination of the debt and a potential tax reduction in this province. So why hoodwink the public into thinking we actually care about quality assurance in health care when all the while, while our right hand is madly and furiously advertising the bill and its quality assurance proposals, our left hand is in Treasury rapidly withdrawing the funding that will allow that quality assurance to be achieved, Mr. Chairman?

That's the context of the debate. That certainly establishes the relevance of the amendment, and I would urge all members to support the amendment this evening.

Thank you.

[Motion on amendment A1 lost]

MR. DICKSON: You know, Mr. Chairman, not only did I think that might happen, but that's why I saved my best amendment for the second one. The first amendment certainly served to take the temper of the mood of the room, and now I'm pleased to deal with the second amendment. I'm not sure whether that's been distributed. Oh, it's in the process of being distributed.

THE CHAIRMAN: So tell us a little bit about it before you move it.

MR. DICKSON: I'd be happy to do that, Mr. Chairman. Thank you for the invitation.

You know, I'd mentioned before -- and once again the Member for Bonnyville-Cold Lake will correct me if I misstate what I remember from our steering committee on health information. One of the things we did early on was recognize that there's a whole lot of information that passes as health information, and much of it is absolutely essential to the efficient working of Alberta Health. We have to know how many people have diabetes. We have to know how many people have heart disease. We should know how common liver failure is. That's the sort of statistical information we need to be able to design our health care system.

Now, there's another kind of information, though, that I call personal health information, and this is not anonymized statistical information. This is the information that says what Gary Dickson's blood type is and goes through and lists whatever ailments I have, if I had attempted suicide, if I'd had an abortion, the kinds of issues that I'd regard as very personal information. I may share it with my physician because that's important to my getting quality health care. I may consent to the information being shared with a medical specialist because that's still within the therapeutic relationship. But I tell you, Mr. Chairman, I'd sure get angry to think that my information is now being shopped around 17 regional health authorities, the Provincial Mental Health Advisory Board, the

Alberta Cancer Board, Alberta Health. Alberta Health has 631 employees. Oh, Jane Fulton isn't there anymore. Maybe it's 630 employees now. I don't know who of those people in the health system are going to be able to access the information about my health. The Member for Bonnyville-Cold Lake was very keenly concerned about this.

Before I talk about that further, Mr. Chairman, I think all members have received a copy of the amendment now. I'm moving the amendment, which in the first part amends section 1(2) as follows. In the proposed section 9(1) by renumbering clause (a) as clause (a.1) and by adding the following before clause (a.1):

(a) "personal health information" means any information, whether oral or recorded in any manner,

(i) about the health of an individual, including the past, present or future physical or mental health of that individual,

(ii) about any health service that is being provided or has been provided to an individual,

and this will be of interest to the Member for Calgary-Fish Creek,

(iii) about the donation, by an individual, of any body part or any bodily substance of that individual or information derived from the testing or examination of any body part or any bodily substance of that individual, or

(iv) about an individual that is collected before or while a health service is provided to that individual or incidentally to any health service being provided to that individual.

The B part of the amendment I'm moving is by adding the following after the proposed section 9(5):

(6) If a quality assurance record provided to a quality assurance committee includes personal health information . . .

And this is the key part. I say parenthetically:

. . . then the committee shall ensure that such record is either destroyed or returned to the person or body that furnished the record in such a way that the confidentiality of the personal health information is maintained.

So I'm moving that amendment, the A and B parts, as one amendment. If we can make that A2, Mr. Chairman.

THE CHAIRMAN: This amendment shall be known as A2.

MR. DICKSON: Thank you.

Now, I started referencing our colleague for Bonnyville-Cold Lake, and the reason I did that is I remember that that member in particular was on the health steering committee. I think our proceedings were supposed to be confidential, so I won't say what was said, but I'd like to pay tribute to the Member for Bonnyville-Cold Lake because he always brought a sort of very commonsense approach to health information. He would often ask and say: "What's the impact on my constituents in Bonnyville or Cold Lake, in the triregion? What's the impact on those people going to be?" I think this is an amendment which speaks to that.

What happens is if personal health information about any of us, Mr. Chairman, is turned over to one of these quality assurance committees in a health care setting, the normal rules of freedom of information are suspended. They don't apply. That's fine for the purpose of the quality assurance committee, but once the quality assurance committee has completed its review of the records and information and then makes its recommendation or finding, the issue then is: what happens to these records? They've been taken out from under FOIP, so they're naked. They're without protection.

Why is this serious? Well, two recent incidents in the Calgary region, region 4, really bring home the impact of this. The CRHA was busy demolishing the General hospital. The Member for

Calgary-Cross is a graduate, I think, of that excellent nursing program at the old General hospital and is probably very proud of it. When those mental health records were discovered this summer, she probably knew the very room where they were found. She probably spent countless hours looking for files in that very room in the old General hospital as a young nursing student.

Mr. Chairman, the problem is that those records were never properly destroyed. They were never properly dealt with. They were simply found on the floor of a room by a demolition crew. I've talked with a gentleman whose information, whose records were strewn about on the floor, and that individual shared with me consensually the records. If that had been my record, I would have been absolutely outraged. I would have been concerned. I would probably never have been able to get elected.

MRS. SLOAN: Couldn't he sue?

10:20

MR. DICKSON: Well, in fact there may be litigation that comes from it.

The point is that that was a problem. What did the CRHA do? Well, they did a report which refused to assign any blame, and maybe this is the modus operandi of the current government: assign no blame in terms of administration. You can blame university speakers, you can blame nurses' unions, you can blame teachers and health authorities, but you never assign blame within the 17 government departments. But they told us they were going to address that, that they were going to bring in policies to protect personal health information. So what happens? Just a couple of weeks ago we find that it's happened again. It's happened again that a stash of personal health records was uncovered. They were blowing around somebody's backyard. Once again, we have the CRHA saying: "Whoa, this is not very good. We're going to do an investigation. We've got to find out what went wrong." Well, after the incident seven or eight months ago, we understood that they had addressed the problem. We understood they had procedures to make sure it doesn't happen.

Anyway, the reason for the amendment is this. After the quality assurance committee finishes with a record that contains personal health information -- if it doesn't contain personal health information, it doesn't matter what happens to it -- then the committee has an obligation to see that the record is "either destroyed or returned to the person or body that furnished the record" but in a way that respects the confidentiality of the patient information. A pretty basic proposition: protect the privacy, the confidentiality of patient information. That's the reason for the amendment. It's just as simple as that.

There may be some who will say: well, we may have personal health information legislation that's going to deal with that. Well, we remember Bill 30 that came in two years ago, in the spring of 1997. The government was badly beaten up not just by the opposition but by the Alberta Medical Association, by the Privacy Commissioner, Mr. Robert Clark. There were huge concerns about it. The government then, on October 1 of 1997, said that all the health records would be taken out from under FOIP for a two-year period. Well, now what's happening is it looks like we're going to have to extend it for a further year. So right now there is no legislated protection other than one little provision in the Hospitals Act that protects patient privacy.

This is one of those things. I know the Minister of Labour frequently is on record talking about the importance of protecting privacy. Well, Mr. Chairman, you know, I rarely have the opportunity to address the man who really has under his thumb the entire

apparatus of the freedom of information act. If there should be in this Assembly a champion of freedom of information and protection of privacy, it should be this individual, the Member for Calgary-Varsity, the Minister of Labour.

Mr. Chairman, I hope he's had a chance to confer with the Member for Red Deer-South, sponsoring this bill, because I'm very, very anxious that the government accept this amendment. If they choose not to accept this amendment, what does that tell us? Well, I'm going to hold my fire on that because we want to hear what the sponsor of the bill has to say about it. We want to hear what the Minister of Labour has to say about it. Then we may have some further observations. That's the reason for the amendment.

Mr. Chairman, those are the points I wanted to make. I invite the sponsor, Red Deer-South, to reach into his heart, to think back to the declarations of the importance of privacy. I know he would not want to do anything to embarrass the Minister of Health. I know he wouldn't want to do anything to embarrass this paragon of privacy protection, the Minister of Labour. I know that he has a very bright future in the Conservative caucus. He's going to be anxious not to derail his future career plans by standing up and saying he wouldn't accept a positive amendment like this.

I'm ready to start pounding my desk, hon. member. I'm ready to start pounding my desk, and we're going to start inundating that member with congratulatory notes. All he has to say is: I accept this amendment; I encourage my colleagues to accept it.

Thank you very much, Mr. Chairman.

MR. DOERKSEN: Well, Mr. Chairman, I wouldn't know what to say or what would happen if I took that member's recommendation, as now recorded in *Hansard*, about the possibility of my future and presented it along with my résumé, as to whether that would enhance it or not. One can only presume.

It is my recommendation, however, Mr. Chairman, that this proposed amendment will also, regrettably, not be approved in this Assembly this evening. Bill 17, which is of course the bill we're on, amends the Alberta Evidence Act and also amends the Freedom of Information and Protection of Privacy Act. The amendment proposed would form part of the Alberta Evidence Act, which is not the appropriate place for statutory provisions dealing with how personal information should be handled.

Mr. Chairman, the focus of the proposed amendment is such that records should be disposed of forthwith after an investigation of an incident. Giving rise to a report could also be problematic in that quality assurance records and recommendations could have a longitudinal benefit; that is, a report about an incident may be useful in relation to future incidents. Therefore, an arbitrary rule requiring destruction of aspects of quality assurance records after a specific period of time may be counterproductive.

On the other hand, if the focus of the amendment has to do with existing or future quality assurance committees inappropriately dealing with the health information such that inappropriate disclosure occurs, that is a problem that doesn't appear to exist at this point. Neither the steering committee on the Health Information Protection Act, of which the hon. member is a member or was a member, nor the legal working group that I referred to earlier in my comments on the previous amendment saw any indication that past or present quality assurance committees had dishonoured the trust and confidence placed in them through inappropriate disclosure of confidential information.

Mr. Chairman, the legal working group also recognized the need to balance limiting disclosure of identifiable health information and the benefits from sharing of such information amongst quality assurance committees. The legal working group recommended that



the sharing of identifiable health information amongst quality assurance committees should occur on an anonymous basis. This kind of requirement will be included in health information legislation.

I would suggest to the member that when the health protection legislation comes before this House again at some subsequent point in time, it would be another appropriate time for him to raise these issues with the Assembly.

With that, Mr. Chairman, I do urge the House to reject this amendment.

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

MRS. SLOAN: It's completely unbelievable, Mr. Chairman, that this Assembly would not ratify an amendment that protects the confidentiality of personal health information in the context of this act. I am absolutely astounded that the sponsoring member is recommending opposition to this amendment.

We in fact are debating the establishment of these quasi quality assurance committees, the merits of which I've already questioned in my previous comments on a previous amendment. The reality is we don't even know, Mr. Chairman, how the committees themselves will be comprised, what the qualifications of the people sitting on them will be, and whether or not there is justifiable reason for those individuals to be looking at the personal health information of citizens of this province.

10:30

Mr. Chairman, if I were to take this act and apply it and propose a scenario that my personal health record would be subject to this committee's review and potential distribution and analysis, I in no uncertain terms at this stage, with the information offered to me this evening, would want my records to be accessible to this type of committee. I would challenge any member in this Assembly to go on record if they're prepared to allow their personal medical records to go before a committee that we don't know how will be comprised, we don't know what the composition of qualifications will be . . .

MR. DICKSON: A very broad mandate.

MRS. SLOAN: Extremely broad mandate. Broad is putting it kindly. I think vague and a bit suspicious are perhaps more accurate.

I would not want my records to be open to this type of committee in any respect or circumstances, nor would I want any records of my family members to be subject to this type of analysis, because the government has not adequately defined how this committee will operate. The hon. Member for Calgary-Buffalo is attempting to more concretely establish what the parameters of their responsibilities will be, and the reality is that the government won't accept the amendments even when the amendments relate to the most personal of information. That takes my disrespect of this government to an even lower level, Mr. Chairman. I don't see any members taking up the challenge to say that they'll stand up in this Assembly and say their records could be subject to review by this type of committee.

I think if we're prepared to vote opposing this amendment and vote in favour of the act as it's now written, then we should be able to go on record and say: I am confident and satisfied and comfortable with my personal health information being subject to the scrutiny of these committees. Even if members would like to put up their hands on that question, it would be most entertaining, but I don't see any members saying that that's something they would be comfortable with, Mr. Chairman. The reality is that that is in fact how the act could be implemented, how the minister could choose

to interpret the act. The members of this Assembly, once the act has passed, would have no further entitlement to debate or stop or restrict that process.

So I'd ask the hon. members to reconsider opposition. I don't see that the amendment as it's proposed in any way does anything but protect the public's interest and ensure that the committee, however it's comprised, respects the confidentiality of this type of information. As the member pointed out, we've had the experience of personal health information blowing around in the wind in this province and literally being picked up on the street. Given that reality, it would seem to me that we should be this evening even more alive to providing more safeguards to prevent that type of thing from happening.

The other thing that I think is interesting with respect to this. As I read the proposed act, there's really no time line surrounding how many meetings would be required of the committee and what in fact would be the process of deliberations they would undertake to determine improvement of the quality of health care or health services or the continual improvement of the level of skill, knowledge, and competence of health services providers. Another vague aspect is that there's really nothing defined. I suppose it could be defined in regulations, but we don't know what the process will be for the functioning of this committee and how information of a personal nature will be utilized. Would the scenario be, say if the committee was comprised of a variety of interests, some of which are not health based or professional based -- an additional amendment, I suppose, could be that information of this nature is only permitted to be viewed by a certain component of the committee that has the professional and ethical expertise to examine that and make a decision.

MR. DICKSON: Sure. What about where a mechanical engineer is brought in to give us advice on an air pump or something or a ventilator?

MRS. SLOAN: Absolutely. It could be that we'd have a mechanical engineer that's being brought in to give technical advice or analysis about the operation of a ventilator. That particular person on a committee could not, in my opinion should not be entitled to review the personal information of a patient that might have been receiving care at that particular time.

The reality is that because this is so vague, the scenario would be that the information would be completely wide open to be viewed by anyone, interpreted by anyone who happens to be appointed to this committee.

I'm hoping that the member will reconsider or at least have the decency to go on record as saying that he'll consult the minister further on this amendment before we proceed with concluding debate and voting on the amendment. I think this is very serious. We do have the Minister of Labour, who is responsible for the freedom of information and protection of privacy, and we haven't heard a commitment to explore or perhaps apply or embody the tenets of this amendment in the bill from that minister. So we can only expect the worst, Mr. Chairman, because we don't have any solid commitments on the record. I know that poses serious concerns about the protection of personal health information in this province in the context of this act.

I am hopeful we'll hear further debate from the government side on the amendment and we'll hear some reconsideration or at least a desire to take it back to the minister for consideration. With those thoughts, Mr. Chairman, I am concluding my debate. Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Chairman. Actually, I'm not going to speak too long to this amendment because I think . . . [interjections] I could change my mind. It is my right.

I do think my two colleagues have spoken very eloquently on this. If our information was secure and we hadn't had instances in the past where people were finding very personal health records flying around our cities and in the backs of yards and up against fences in the wind, then I wouldn't worry too much about this, but it's already happened. I don't think there is any one of us here who isn't concerned about that. We certainly should be. This amendment is a step to prevent those things happening. That's what it does.

You know what? It's been proven before that amendments here work. In fact, just last night my colleague from Lethbridge-East carried the ball for the government once again and put forward a very good amendment to an amendment, and it worked.

SOME HON. MEMBERS: A good amendment.

MRS. SOETAERT: This is a good amendment, a very good amendment. In fact, I think the Member for Medicine Hat is going to support this, because he just said "good amendment."

I am urging everyone to please look at this. Don't say no just for the sake of it. If you really want, you can take it back to some bureaucrat so that they can have a good look at it and they can say yes. You know, sometimes legislation is hard to understand, and maybe you haven't had much of a chance to look at it. So if you want to just adjourn debate for a while or something like that so that the bureaucrats can have a real good look at it and say: my gosh, we forgot to put that in; those good Liberals helped us out again. I bet you that's what would happen. So if you're not going to support it, maybe take it back to some bureaucrats who can read this and say: good idea; we'll support this amendment. We'll go for it because I think we all should be concerned about health records and the protection of privacy, and this will address that. It's a good amendment to address this.

So thank you very much, Mr. Chairman, for that opportunity.

10:40

THE CHAIRMAN: The hon. Member for Edmonton-Norwood, while other members take their feet off their desks.

MS OLSEN: Thank you, Mr. Chairman. I, too, rise to support this amendment. This amendment, I think, has some very, very critical elements in it. We're talking about personal health information, whether oral or recorded in any manner. I don't know. I mean, I'm sure there are many of you who have access to or have had access to personal files of individuals. I know the hon. Member for Edmonton-Riverview as a nurse would have seen files of patients, and the hon. Member for Calgary-Buffalo in his law practice would have all sorts of information about people. I as a police officer had a lot of information and access to a lot of information that most people didn't.

One of the things that I always wondered about is the protection of that information. In fact, I had a fellow bring a computer into my office. That computer, that hard drive had information from the government on it. I plugged it in, and it was quite incredible. This was a computer the individual had bought at an auction for five bucks, and he got five bucks plus a whole pile of information. So I'm quite concerned that when we have amendments like this, we have to be seen to be taking these very seriously. This is a good

amendment. This calls for the protection of personal health information. We had discussions this morning in Public Accounts about privacy in relation to registries and what kind of information was being bought and sold by registries and what kind of training the registry people were getting in relation to this.

So, quite frankly, I think serious consideration should be given to this, and I'm surprised that the hon. Member for Red Deer-South, who brought forward this particular bill, wouldn't in fact see this as a bona fide good move on behalf of the Liberals. Just because we bring it in doesn't mean that it's not any good. So I would in fact like this Assembly to consider this particular amendment and all the elements that apply to it.

Thank you, Mr. Chairman.

MR. DICKSON: I just wanted to make the observation, Mr. Chairman, that I listened to the comments of the bill sponsor in outlining his objections to the bill. The reality is that we're going to see a health information law that's going to come back. It was introduced in '97. It may come back in 1999; for sure it'll come back in 2000, if not. I want to give every member a chance. I don't want anybody to be embarrassed at having to accept this in the context of another bill, having voted against this. So I just want to flag the fact that members should look. If they really think that privacy makes sense, this is an amendment they should be supporting. If you don't think the confidentiality of patient information is significant, then by all means vote against the bill.

Thank you very much, Mr. Chairman.

THE CHAIRMAN: Ready for the question?

SOME HON. MEMBERS: Question.

THE CHAIRMAN: We have, then, for our consideration amendment A2 to Bill 17 as proposed by the hon. Member for Calgary-Buffalo. All those in support of amendment A2, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: It appears to be defeated.

[Several members rose calling for a division. The division bell was rung at 10:45]

[Ten minutes having elapsed, the committee divided]

[Mr. Tannas in the chair]

For the motion:

Carlson	Olsen	Soetaert
Dickson	Sloan	White

Against the motion:

Boutilier	Fritz	O'Neill
Broda	Hancock	Paszkowski
Burgener	Klapstein	Pham
Cao	Kryczka	Renner
Clegg	Lund	Severson
Day	Magnus	Smith
Doerksen	Marz	Strang

Ducharme	Melchin	Tarchuk
Dunford	Nelson	Trynchy
Evans		
Totals:	For -- 6	Against - 28

[Motion on amendment A2 lost]

[The clauses of Bill 17 agreed to]

[Title and preamble agreed to]

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

SOME HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

The chair would beg your indulgence. On Bill 15, the Natural Heritage Act, the chair neglected to remind the hon. member that when the committee rises and reports, it reports progress on Bill 15. All those in agreement with that motion, please say aye.

SOME HON. MEMBERS: Aye.

THE CHAIRMAN: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE CHAIRMAN: Carried.

**Bill 33**  
**Appropriation Act, 1999**  
*(continued)*

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

MS OLSEN: Thank you, Mr. Chairman. This is the first opportunity, I believe, I've had to speak on this, so I've got about 12 pages of information that I want to impart to the other caucus.

In reality I want to talk about municipal infrastructure, and one of the things that I'm concerned about is the lack of, you know, long-term stable and predictable funding or a funding framework that municipalities can live by. They have suffered the downloading and the off-loading of this government for about six years now. What needs to happen is that there has to be some certainty in how they conduct their affairs from the civic end.

**11:00**

We end up having no deficit, and that's fine. But the regional health authorities have deficits. School boards have deficits, which means schools have deficits. The first regional children's services authority up and running has a deficit. All the government has done is take that money and off-load their problem onto somebody else. We now see the same things happening from the municipal end.

[Mr. Clegg in the chair]

I'm going to talk a little about the policing grant that used to exist. There used to be in this province a policing grant of about \$33 million. Edmonton received about \$10 million and Calgary \$10

million, and the rest of it was spread around the province to municipal policing agencies. That money no longer exists. It's not given to municipalities in the same form, through an unconditional grant. That money today if you adjusted for population and inflation would be about \$37 million, and I think that money would have been put to good use in municipal police departments. Unfortunately we don't see that happening.

The RCMP have a deficit. The RCMP in this province have highlighted a couple of reasons for that deficit, but one I'd like to point out is the amount of money they had to spend on the ecoterrorism issues in the north. We have not at this point seen any conclusion to that. I would suspect that somewhere down the road we will. It's just another example of different organizations having to do more with less, and I'm concerned about the levels of police funding in this province.

You know, you can say that you're tough on crime, but you can't be tough on crime unless you're tough on causes of crime. They go hand in hand. In order to do that, you have to be willing to look at the social economy. Economists don't just base, you know, the health and livability of a society on economic policies. They also look at the social well-being of a society's citizens. That's not what's happening here.

If we were to say that we wanted to get tough on crime, that's great. We can put the bad guys in jail given that the policing agencies have the money to do that. If we want to say that we want to get tough on impaired driving, then policing agencies have to have the dough to do that. In order for us to see some successes in that respect, the government has to make some sort of commitment. If we want to say that we're tough on causes of crime, that means that we have to put some money into early intervention programs, and those early intervention programs start when a child is very young and in fact may start prenatally with the mother, who may be an at-risk parent, may have come from an at-risk family herself.

So that all contributes to the whole tough on crime, tough on causes of crime notion, and that's something that communities are having difficulty doing because of municipal off-loading. Again, government downloads to the municipalities, who download to its agencies, who download to citizens that are now volunteering in the community to try and meet the needs of a community. You have to know, Mr. Chairman, that a community's livability directly correlates with the level of incivility in that community.

You know, I discussed here in this House last week the need to increase the per capita ratio for police officers in this province. If we did 1 in 25, that would give us roughly 1,000 police officers, which would bring us roughly to where we were in '91-92 before the municipal police grants were cut. The economic viability of a community is not just based on growth and low taxes; it's based on livability as well. So if a community is not viewed as a safe place to live, then maybe companies won't invest and move their firms to that particular city because they can't offer a good quality of life to its citizens.

I think, Mr. Chairman, that in my view that is all a result of municipal downloading and not looking far enough, not looking at the long view. You know, this government works on one- to three-year business plans. Somebody alluded earlier to there being a 25-year plan for transportation. Well, I think that kind of thinking needs to exist. You need to be able to make some assumptions on growth; you need to be able to look ahead and have a broader view of what is going on in your society.

We talked about the transportation aspect. Well, our transportation plan at this point is based on the same business plans as everybody else in the government, how other ministries set up their plans. It's a one- to three-year business plan. That's all fine and dandy for the short term, but what about the long term? What about

the long-term infrastructure in this province? We're not addressing that. We're not looking at long-term, stable, predictable funding for municipalities to address the transportation issues.

The minister has done a great job and has looked at the whole issue of the north/south trade corridor, but it's going to cost money to maintain that. I'd like to know what the plan, what the forecast is 20 years down the road for that same highway. What does the government anticipate spending on it? Who are their partners going to be? Partnership seems to be a big thing for this government. I'm not looking to have Arkansas-style roads, because Arkansas probably has the worst roads in North America. At the rate we're going, we're going to destroy the existing infrastructure, and it's going to be very difficult to come back and restore what's there. So I think the government needs to look at that.

I think the government also in its budget has been highlighting its \$600 million investment in schools and education in this province. Again, that's all very nice, but that's a responsibility this government has, and they shouldn't be pounding their chests for doing it. As a taxpayer in this province with a son who is in the school system, my son deserves the best possible education he can get, and I shouldn't have to worry about whether I should send him to a private school to try and get that education. He should be able to get a good education three blocks down the road from where I live. But you know what? His school has a \$55,000 deficit. Those kids don't have enough books to take home. Those kids have to share textbooks. This is the reality. The reality is that this government can't sit back and say they're putting students first when they're putting schools and students and youth in those situations.

You know, the bottom line has to be the youth and the kids in this province. The bottom line isn't necessarily in the race to pay off the debt the fastest way we can. That's nice; that's great. That would be the ultimate, but we can't do that at the cost of looking after our youth.

#### 11:10

I think that whole mentality has contributed to the labour issues in this province. We have strikes and threats of strikes. We have ongoing strikes. We have great economic growth in this province, but what we don't have is a happy workforce. Until we can achieve that, you're not going to have the social needs and the economic needs working together. You're going to constantly be hitting bumps on the road. So I think it's incumbent on this government when they're making their financial decisions that they don't just use an accountant's perspective on how the books should look but they use an economic perspective and economic policies, and those policies do not exclude the social well-being of a community, and that's what this government has done. There is no balance. It's one side, and quite frankly it isn't going to work.

The model that this government was very fond of throwing out was the New Zealand model. We know that New Zealand is heading into deficit positions, that New Zealand is rethinking where they are because it wasn't the right thing to do, and they've had to make some shifts. You can't reform a system without a plan. New Zealand has found that out.

You can't reform the education system without deciding what quality education is. You have to set the benchmark. You have to say: "Here are the standards. This is what we want our children to learn. These are the kinds of buildings we want them to live in. This is the equipment we want them to be able to have. This is how we're going to fund it." You don't just do what this government does: cut and then throw dollars back; cut and then throw dollars back. You'll never make up the difference in the loss, and the cost to our children in an education system that is funded that way is far too great.

The other issue is health care: throw money back; throw money back. We still have sectors in the health care system that are not happy. You have to decide: what is good quality public health care? It's fine for the Premier to stand in his spot in this House and say: well, how much money is enough, or how much money should I give? That's not going to solve the problem. The Premier needs to sit back and say: what is a quality health care system? You design the system, and then you fund it. You don't do it the other way around. You can do that, and you can tell how good your system is by measuring it against some measurable outcomes: how have you reduced the waiting lists in the hospitals? If we look to the U.K. and look at the Labour web site, they can tell you and they can show you exactly how many people are off their waiting lists and how many beds they now have.

It's time that this government took a serious look at how they're managing the money this province brings in and how they reconcile their economic policies and their accountants' measure with the social structures that exist and recognize that there is a role for government, and that role is to provide public services to the citizens who are the taxpayers. It's acknowledging that every person in here who is an elected individual has a responsibility to the constituents that elected them and has a responsibility to ensure that good government does its job. That job is not to look at the citizen as a customer and at all these services being provided because they're a paying customer. They're citizens, and they should be viewed as citizens. They pay taxes, and those taxes allow them to have the services that should be provided: public health care, public education, a social safety net.

In this province the other thing we have to do is acknowledge that there are people who are not going to be able to look after themselves. Yes, there are people who have drug addictions and alcohol addictions. It's all very fine to say: let's put them into a treatment program. But you know what? Many times they will fail, and many times we have to say that it's our responsibility to look after those people who cannot look after themselves. It's not just to say: look, you didn't make it through the treatment program and you didn't get a job and therefore we're going to cut you off.

I remember that the summer before I got elected, there was a fellow who had been enrolled in numerous courses. When I went to arrest him for about the third time after he beat up his spouse, I went into his house and he had all these diplomas plastered on his wall. I said, "Well, gee, the government has put you through all these programs." He said: "Yeah, they have. I haven't actually completed one of the programs, but I got my certificates anyway." So that tells you how successful a lot of those programs are to some of the people out there.

You have to look at who is being put into the program and for what reason. There are many folks out there who benefit very well from a lot of programs the government has and do succeed and do move on, but that doesn't mean to say that those who don't succeed should be just written off and we should just ignore them. Those people need our help, and that's what we're here for. That's our job as elected officials: to look after those vulnerable people.

It's not to say: you're on welfare and you're chewing up the taxpayers' money, and we're just going to kick you off. That's not how we should be treating citizens in this province. It's not so that we can just fill all those programs with layers and layers of bureaucracy so that those people who aren't necessarily capable can't access them, because their level of frustration gets so high, they don't know how to communicate and therefore they're left hanging. These are the people who fall through the gaps.

I think we have to acknowledge that we're here, that government exists for a reason. I can almost bet that there isn't any business out

there that would run their business like a government, and I'm not so convinced that any government should be running their institution as a business. We haven't seen that as the model that's going to be fitting for the citizens of the province. As I said, you can look to other countries around the world and see where some of those failures are. You might want to pick up the last issue of the *Economist*; it identifies a number of models. Every single one of those models doesn't just address the economic issues; it also addresses the social issues. Good, productive countries that have high productivity and high economic growth also have a very healthy society, and they have policies that look after their citizens.

With that, Mr. Chairman, I would take my seat and probably come up with something else in all these pages of good stuff later.

11:20

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

MRS. SLOAN: Thank you, Mr. Chairman. Well, at this late hour it is still worthy to provide some debate on the billions of dollars that are proposed for approval in Bill 33. I believe this is my first opportunity to speak to the appropriation bill in this fiscal year, and I'm looking forward to providing some thoughts in that respect.

In essence, because I have not been present for all the previous debate, I think it's important to provide on the record the total amount of expenditures being requested by the government in the context of this bill: \$13.1 billion in operating expenses and capital investment for government ministries; \$176 million in nonbudgetary disbursements; \$769 million in payments through the lottery fund. These operating expenses include administration and program expenses, salaries, supplies, grants, and amortization of capital assets. Capital investments include the cost of construction, purchase of provincially owned land, buildings, equipment, highways, bridges, dams, and other assets. The nonbudgetary disbursements basically embody the exchange of cash for another form of asset.

I guess the dilemma this evening, Mr. Chairman, is that we are being asked to approve this expenditure. I had the privilege this year -- and it was a privilege -- of being part of three designated supply committees: Family and Social Services, Health, and Environmental Protection.

MR. DICKSON: And you did a great job, too, on every one of them.

MRS. SLOAN: Thank you very much.

I very much enjoyed reviewing the business plans of those three departments, looking at the similarities and some of the vast differences in how ministries are approaching the development of their business plans, their performance measures, and the allocation of expenditures. I can't say that I was overly satisfied with the level of planning. I think citizens in the province have been led to believe by this government that because they've embodied a three-year business plan approach, there is in fact a very detailed plan in place for the provision of services. The reality, Mr. Chairman, is that is not true.

Similarly, it is not true that there is a detailed summary of measurement in place within the respective ministries. Speaking from the Department of Family and Social Services perspective, it has been an ongoing source of irritation to me to look at the performance measures of that ministry, many of which embody positives while ignoring the negatives and not reflecting the true reality of the issues or the nature of the programs being offered by that department or the citizens that are in circumstances such that

they require those types of programs or services. Speaking from that experience, it's very difficult as a member in this Assembly to say that we've got a process in place that's going to provide the expenditure of this money and the outcome of that will move us closer towards meeting these defined objectives, goals, and performance.

Some of those types of things that are becoming so much the norm in the province are the increasingly long waiting lists in health care; the increasing size of elementary school classes; the increasing number of jobs that are low paying, no benefits, minimum wage; the declining level of social support that is available, whether it's through AISH or SFI; the declining number of programs that are available without making these vulnerable people jump through multiple hoops at a variety of levels and continually having to open themselves to scrutiny or to justify why they need support. All those types of things are not embodied in the performance measures.

They are not in my analysis of at least three departments issues that this appropriation is going to address, because the government's focus has been narrowed in the context that our number one objective as government -- and I'm paraphrasing what I think I've continually heard the government say. The number one priority is to eliminate the debt, and that objective seems to run roughshod, to steamroll over all other obligations or responsibilities this government might have to the province as a society, as a representative of the citizens of the province. So we have a lot of money poised to be spent and not a lot of planning, accountability, measurement, or depth in place for us to really evaluate how effective the expenditure of that money was.

The previous speakers this evening have talked about how there has been an increasing trend for the use of supplementary supply bills under the watch of this government and particularly under the watch of this Provincial Treasurer. I don't want to emphasize that again, but I think, though, it is important to emphasize that in our analysis of the business plans overall this government, despite its maintaining that it's so accountable and so efficient, has in fact missed 122 performance targets in its business plans over the past two years alone. In just the last two years. That doesn't to me, Mr. Chairman, embody much of a success rate, and oddly enough we didn't see the government really debating that very much in the designated supply committees. We have an approach in this current government where we just don't want to acknowledge where those failed targets are missed, nor do we want to analyze why they were missed and attempt to do something about it. That's very regrettable.

I would like to just turn to a couple of other themes in debating the appropriation bill this evening, and I'm going to be speaking both in terms of some specific areas as well as some other general themes that have occurred to me. The first one I'd like to talk about is the whole application of the appropriation bill to this government's appalling approach to the review and reform of the AISH program in this province.

We have known for some time -- it's certainly been very apparent to me since my election in 1997 that the tight-fisted approach this government has taken in social services, the ruthless cuts that were made with no consideration for the outcome or welfare of the citizens affected has in fact cost them big time. The Premier stands up almost consecutively in question period and says: how much money is enough for health care? The reality is that one of the contributing factors to health care costs increasing in this province is this government's very own approach to the reform and reduction of social service provisions in the last five years. We've seen welfare virtually stripped to not even the bare essentials. In fact, what we've heard over the course of the last few days in this

House is the reality that we have over 90,000 children in the province right now that are living an existence where they are hungry, not having their nutritional needs met. I didn't see in this appropriation bill that we would be providing for the allocation of money to fund school lunch programs in this province.

11:30

So when the Premier says, "Well, why are health care costs going up, and how much is enough money," the reality is that that's going to continue to be the mantra of this government. If they deny children the basic developmental needs, food being a primary one, they will grow up to be young adults, to be adults that do not have optimum health, are not optimally productive, and as a reality have to use the health care system more. It is simple, simple fact.

MR. DICKSON: It should be self-evident.

MRS. SLOAN: Well, it should be self-evident, but unfortunately it seems to take a long time for those types of things to sink in with this particular government.

Just stepping back to AISH for a moment, we have known that the rates have not been adjusted for inflation. They haven't been adjusted for the high costs of rent; they haven't been adjusted for increasing utility rates. All of those things taken into consideration, we see this government today still saying: well, we've decided we're going to increase the AISH benefit, but we're not going to do it until October. While tonight, Mr. Chairman, we're being asked to approve \$14 billion in expenses, none of those will in fact embody the addressment of inadequate provision for AISH recipients or for single mothers on welfare or for seniors who are relying on government assistance who have also had to cut costs because of increasing rates, user fees, et cetera.

The record I think is obviously the same in health care. This has been discussed many times in many different contexts in this Assembly. We've had the erosion of the health care system, the off-loading, if you will, of those costs onto individuals, families, and private, for-profit providers in the future perhaps. Again, linking that back to the outcomes, the facts are very clear. If this government chooses to take our health system down a road in this province that embodies a for-profit, private component, they are only going to guarantee, Mr. Chairman, that health care costs in this province will increase and will increase astronomically.

That particular reality is not one which the majority of Albertans support. In fact, what we know is that the province's rating on health care has declined to only 56 percent. The government's target, I believe, is still being maintained at 75 percent. The failure to receive needed care has increased to 8 percent in 1997-98. The target this government holds to is 3 percent.

[Mr. Tannas in the chair]

Ease of access to health services has declined from 80 percent to 73 percent in the past four years. The target established by government is 80 percent.

Similarly in education. The percentage of parents and public who believe high school graduates are prepared to enter postsecondary education and training has declined to 49 percent and 52 percent respectively. Further, the percentage of the public satisfied with the information they received from the province on how their money is spent in our schools has declined to only 33 percent. A 33 percent satisfaction rate, Mr. Chairman: not something I'd be overly proud of, not something I'd want to go out and really pound at the doors during an election. It's not a great record.

We had members of the day care community in the Assembly this afternoon. They've talked with me now on a number of occasions, met with the Leader of the Official Opposition and shared with her, actually met with the Member for Lethbridge-East and shared with him as the resident MLA.

MR. DICKSON: Did they meet with the ministers?

MRS. SLOAN: You know what the funny thing is? The only minister in this government that formally had agreed to meet with them was the minister of science and technology.

AN HON. MEMBER: How much notice did you give them?

MRS. SLOAN: They had over two weeks' written notice, more than enough time. Certainly the minister of science and technology availed himself of the opportunity to meet with them. That's the kind of value and respect or lack thereof, really, that this government shows to citizens, blue collars, in this case extremely undervalued and underpaid professionals, that should be given due consideration and due time in this process.

One of the issues that they raised with me was the continued resistance by this government to addressing the appallingly low rates of pay for qualified day care providers in this province. One of the women, who is an owner and operator of a day care in this province, indicated that she's only making today \$2 more per hour than she made 15 years ago when she started as a provider of child care in the system. All of the providers talked about, in terms of take-home salary, earning less than \$10,000 a year. Can you imagine? They own and operate a business providing child care, and they are taking home after expenses about \$10,000 or less a year. That is for providing public day care that complies with the regulations of this government. What we've seen -- and it is not in this bill, Mr. Chairman -- is that there's no allocation of an operating allowance to day cares in this province because the government has deemed that that's not a priority.

There are so many other areas where that same analogy could be applied. You know, we've heard this government say that they're committed to the children's initiative and establishing a framework for the provision of quality children services. It's almost like they have a split-brain syndrome, because while they're saying that, vocalizing it, on the other side they're cutting all of the supports to allow for businesses like day cares to provide quality, regulated service to children in this province. The additional contradiction is that while licensed day homes still receive an administrative allowance to support their operations, Mr. Chairman, the operators of day cares do not. There's no explanation for that. It's appalling, and there will be a price to be paid at some later date.

That's really, I think, the summary of my debate this evening, that this government continually takes the short-term rather than the long-term view of budgeting, of planning, of performance measurements. It makes for a good example, Mr. Chairman, of the type of government that members on this side of the House would not be emulating on that day in the future when we have the privilege of serving as government members in this Assembly. It'll be a good benchmark. It'll be a very good benchmark to make sure we are far, far away from. That's something that I look forward to. I certainly feel as though I as an opposition member have been successful in prodding the government to raise their bar in a number of areas, and I think that's one of the primary purposes of being in the opposition. I am most grateful this evening, Mr. Chairman, to have the opportunity to debate the bill and offer those comments for all members' consideration.

Thank you.

11:40

MR. DICKSON: Mr. Chairman, you know, I think this is a sad moment, and I can't tell whether I'm sadder because yesterday we lost Spencer Dryden, the drummer in what used to be known as Jefferson Airplane and later Jefferson Starship. That was a big loss. It was a wonderful group, and as I was walking over here this evening, I could remember the magic of Jefferson Airplane and Gracie Slick and Spencer Dryden. So I was sad about that, Mr. Chairman.

MRS. BURGNER: Gracie Allen. Grace Slick.

MR. DICKSON: Grace Slick. Well, that's right. When you're 50 years old, Calgary-Currie, they all sort of run together.

Mr. Chairman, the point I wanted to make is that I'm so sad that the Jefferson Airplane drummer left us, but I'm also sad that when it comes to education funding, we haven't been able to measure up.

Last night the Member for Calgary-Egmont tried to make the point that the expenditures of the Calgary board of education were somewhat out of whack. Why has he not talked to Steve Cymbol? Why has he not talked to his colleague from Calgary-North West? They did the review. What they determined is that the Calgary board of education is compliant with all of the funding requirements of Alberta Education. Why is it that members of the Calgary Conservative caucus want to persist in this fiction that the problem is with the Calgary board of education when the problem continues to be with the Department of Education and inadequate funding?

I think, Mr. Chairman, this continues to be a significant problem. We may be in a work action in the city of Calgary in terms of the public education system . . .

THE CHAIRMAN: I hesitate to interrupt the hon. Member for

Calgary-Buffalo, but under Standing Order 61(4) I must put the question proposing the approval of the Appropriation Act on the Order Paper for consideration by the Committee of the Whole.

Does the Committee approve the following appropriation bill, Bill 33, Appropriation Act, 1999?

[Motion carried]

MR. HANCOCK: Mr. Chairman, I would move that the committee now rise and report progress on Bill 33 and all the other bills we had under consideration this evening.

[Motion carried]

[Mr. Clegg in the chair]

MR. TANNAS: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following: bills 17 and 33. The committee reports the following with some amendments: bills Pr. 1, Pr. 3, and Bill 14. The committee reports progress on the following: Bill 15. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: All those in favour of the report, please say aye.

HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, if any? Carried.

[At 11:48 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

