

Legislative Assembly of Alberta

Title: **Thursday, May 6, 1999** 1:30 p.m.

Date: 99/05/06

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon. Let us pray.

From our forests and parkland to our prairies and mountains comes the call of our land.

From our farmsteads, towns, and cities comes the call of our people that as legislators of this province we act with responsibility and sensitivity.

Lord grant us the wisdom to meet such challenges.

Amen.

Please be seated.

Hon. members, before calling on the first member for an introduction, I'm pleased to acknowledge that this Saturday is the 13th anniversary of three of our colleagues who were first elected to the Legislative Assembly of Alberta in the general election of May 8, 1986. Today we might want to congratulate the hon. Provincial Treasurer, the hon. Minister of Energy, and the hon. Member for Dunvegan.

head: Introduction of Visitors

MR. AMERY: [remarks in Arabic]

Mr. Speaker, it is with great honour and pleasure that I introduce to you and through you to members of this Assembly four visitors seated in your gallery. Three of them have traveled all the way from Lebanon to help the Muslim community celebrate its 100 years of settlement in this great province of ours. Seated in your gallery, His Eminence the Grand Mufti of the Bekaa province, Sheikh Khalil Almais; next to him, His Honour Judge Abdul Rahman Sharkiah, judge of the Islamic Court of the Bekaa province; next to him is Imam Taleb Jomaa; and the president of the Muslim association of Edmonton, Mr. Khaled Tarabain. We also have another gentleman, and he's related to the Grand Mufti.

Mr. Speaker, His Eminence and his party have visited Edmonton, Calgary, Lac La Biche, and Slave Lake, and they are very impressed with this province and its people. His Eminence will be meeting with the Premier today after question period.

Now I would respectfully ask His Eminence and his party to rise and receive the warm welcome of the Assembly.

head: Presenting Petitions

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

MS BLAKEMAN: Thank you, Mr. Speaker. With your permission I would like to present a petition signed by a number of residents of Edson. They are urging

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

This is an SOS petition.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, would like to present a petition to the Legislative Assembly. It says:

We the undersigned citizens; physicians and registered nurses of

Alberta petition the Legislative Assembly to amend Bill 24: Traffic Safety Act to legislate the compulsory wearing of bicycle helmets for all Albertans of all ages.

It's signed by 150 health care workers.

head: Reading and Receiving Petitions

THE SPEAKER: The hon. Member for Calgary-Buffalo, are you on? All right; you just made it.

MR. DICKSON: Thanks very much. I wasn't quite fast enough.

Mr. Speaker, I'd ask that the petition that had been introduced on April 26 with respect to education funding levels be now read and received, please.

THE CLERK:

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

MRS. SLOAN: Mr. Speaker, I rise and ask that the petition I tabled last week be now read and received.

THE CLERK:

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

head: Tabling Returns and Reports

MR. JONSON: Mr. Speaker, I wish to table with the Assembly today seven copies of the Department of Health's responses to questions raised on March 22, 1999, in supply subcommittee and questions raised April 12, 1999, in the 1999 main estimates debates.

THE SPEAKER: The hon. Minister of Labour.

MR. SMITH: Thank you, Mr. Speaker. I would like to table today five copies of the 1998 annual report for the Appeals Commission for Alberta Workers' Compensation and five copies of the Appeals Commission for Alberta Workers' Compensation Three Year Strategic Plan, 1999 to 2001. This is the first three-year plan ever done by this agency. It shows a commitment of the independent quasi-judicial organization, and it's where those who disagree with WCB decisions go for resolution.

MS EVANS: Mr. Speaker, today I wish to table the responses to the first 150 questions to Municipal Affairs during the designated subcommittee of supply. More will come at a later date.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. I'd like to table five copies of a report prepared by physicians and nurses of Alberta. The statistics in this report reflect the benefits of bicycle helmet usage and the grave consequences paid by those who choose not to follow the safety practice.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I rise today to table a listing of six long-term care reports, continuing care reports that the Minister of Community Development had requested the other day.

Thank you very much.

MS BARRETT: Two tablings today, Mr. Speaker: five copies of a news release from the Ontario government dated March 3, 1999, and five copies of a letter that I wrote on April 8, 1999, to the College of Physicians and Surgeons urging them to not proceed to provide legal framework for the establishment of for-profit hospitals in Alberta.

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

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to table five copies of the August 1998 newsletter of the Premier's Council on the Status of Persons with Disabilities. It's called the *Status Report*. It's sent out quarterly to 6,000 members of the disability community and support organizations. This issue outlines the revised mandate and structure of the Premier's council. It's available if interested Albertans want to call 1-800-272-8841.

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

MS CARLSON: Thank you, Mr. Speaker. Today I have three tablings. The first is a letter from Brune Sinneave, who's opposed to Bill 15. He's sending his letter to the Premier.

The second is from Randal Glaholt, who is also opposed to Bill 15 and wishes the Premier would pull that bill.

The third is a letter from the Canadian Parks and Wilderness Society, who are proposing amendments to the Natural Heritage Act that they hope the Minister of Environmental Protection will take under serious consideration.

1:40

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

MR. MacDONALD: Thank you, Mr. Speaker. It's a pleasure to rise this afternoon and table the appropriate number of copies of *Sir Austin's Page*. It is a newsletter from Austin O'Brien high school in the constituency of Edmonton-Gold Bar. When we hear of a lot of troubles in high schools, this certainly isn't one of them. They raised \$20,000 for Balkan relief in less than 48 hours.

Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. With your permission I have the appropriate number of copies of a further 17 amendments to Bill 35. These 17 amendments, bringing the total now to 50 I believe, will make sure that Bill 35 captures all fees and other charges levied by regional health authorities.

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

MR. BONNER: Thank you, Mr. Speaker. I beg leave to table five copies of letters to the hon. Premier. These are from Zorica Knezevic, Bob Blaxley, and also Lloyd Noga. These are to the Premier and express their strong opposition to Bill 15.

Thank you.

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

MR. WHITE: Thank you, Mr. Speaker. I rise and beg leave to table three letters from Albertans. The first one is to the Premier from George Newton, and his wish is that the Premier would reconsider the "government's whole approach to wilderness protection and conservation."

The second is to all government members and says to consider "once again my opposition to the bill," the Natural Heritage Act, from Jeremy Keehn.

And the third is from Dr. Steve and Linda Overell. They're very concerned that the Natural Heritage Act "will not provide the protection for our natural environment in Alberta."

Thank you, sir.

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

MR. SAPERS: Thank you, Mr. Speaker. I have another tabling. It's a good-news/bad-news tabling, I guess. I'd like to table the appropriate number of copies of a response to a freedom of information request for documents from Economic Development and tourism relating to the refinancing of West Edmonton Mall that were assembled in 1994. The good news is 159 pages; the bad news is that 79 of them are blank and 33 of them happen just to be newspaper articles.

head: Introduction of Guests

MR. JACQUES: Mr. Speaker, on behalf of my colleague the hon. minister of transportation and the Member for Grande Prairie-Smoky it is my pleasure this afternoon to introduce to you and through you two groups of students who are here today to observe question period. We have six grade 9 students from the Rosedale Christian school in Crooked Creek. They are accompanied by a teacher, Ms Brenda Isaac, and parents Mr. Rob Wohlgemuth, Mrs. Monica Wohlgemuth, Mrs. Linda Wohlgemuth, and Mr. and Mrs. Bignold.

Also, Mr. Speaker, we have 10 students in grades 1 to 6 from the Maranatha Christian school in Fox Creek. They are accompanied by their teacher, Mrs. Henrietta Henry, and parents Mrs. Brenda Bisson, Mr. Robert Kerr, Mrs. Dianna Iddings, and Mr. Duane Squire.

I would ask them to rise and receive the traditional welcome of this Assembly.

THE SPEAKER: The hon. minister responsible for children's services.

MS CALAHASEN: Thank you, Mr. Speaker. Today I'm really pleased to introduce to you and to Members of the Legislative Assembly 18 students from the community of Cadotte Lake. Cadotte Lake is 550 miles north of here, and of course, as you know, in my constituency I have 45 communities in an area of 90,000 square kilometres. They come from, I would say, right in the very middle of my constituency. They drove all that way to be able to come and see and listen to what we're doing here in the Legislature. They are joined by teachers and group leaders and parents: Rodger Woolridge, Doreen Chow, Frank Carifelle, May Cardinal, and Madeline Noskey. I'd ask that they all rise and receive the warm welcome of this Assembly.

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

DR. MASSEY: Thank you, Mr. Speaker. On behalf of the Member for Spruce Grove-Sturgeon-St. Albert it's my pleasure to introduce to you and through you to members of the Assembly visitors from Camilla school. There are three teachers, Ms A. Langford, Mrs. E.

Markowski, Mrs. L. Cust, and parent Mrs. Hengen and 30 students. They're in the public gallery, and with your permission I would ask them to stand and receive the traditional welcome of the Assembly.

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

MR. DICKSON: Mr. Speaker, thanks very much. I'm absolutely delighted this afternoon to be able to introduce to you and through your good office to our colleagues in the Assembly one of the most impressive young Albertans I've encountered. He's a former vice-president of the University of Alberta Students' Union, current president of the Alberta Young Liberals, and just a keen observer of the political activity in this province. I'd like all members to recognize Mr. Gurmeet Ahluwalia as he stands and receives the customary warm greeting of members of the Assembly.

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

MR. LANGEVIN: Thank you, Mr. Speaker. It is my pleasure today on behalf of my friend and colleague the Member for Whitecourt-St. Anne to introduce to you a group of 21 students from the grade 6 class of Darwell school. They are accompanied today by a teacher, Mr. Ken Slade, and also by four parents: Mrs. Evelyn Lewis, Mrs. Sharon Kettleton, Mrs. Dorothy Carlson, and Mrs. Cathy MacIntyre. I'd like to ask our visitors, who are seated in the public gallery, to please rise and receive the warm welcome.

head: Ministerial Statements

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

Crime Prevention Week

MR. HAVELOCK: Thank you, Mr. Speaker. I rise today to inform you and my colleagues in this Legislature that this Saturday, May 8, 1999, marks the kickoff to Alberta Crime Prevention Week, which runs through May 14.

On Saturday afternoon in Calgary I will have the very great honour of presenting 12 outstanding Albertans with Alberta Justice crime prevention awards. These Albertans have donated countless hours to crime prevention programs such as Block Parent, Block Watch, Crime Watch, People Against Impaired Driving, and Citizens on Patrol. These people have fought against crime and fear in their communities by working together with the police to make their neighbourhoods safer places to live. They've been able to make a difference.

Mr. Speaker, as we approach the new millennium, it's becoming more and more evident that we all must accept responsibility for preventing crime in our neighbourhoods. Events of recent weeks that have challenged the very core of our community spirit must be thwarted at every turn. In fact that's the theme for Alberta Crime Prevention Week '99, Crime Prevention: It's in Your Neighbourhood. This theme is meant to outline to Albertans that much can be gained by working together in a lawful way with neighbours and friends to address problems that can crop up in our communities.

We all have a responsibility to do what we can to make our homes and communities safer places for us and for our families. Barricading ourselves in our homes isn't the answer, nor is leaving the sole responsibility for our safety to the police. We must work together to make sure the strong, safe society we hold dear to our hearts in this province is maintained and improved.

There are many excellent crime prevention programs in existence that provide a framework for our efforts, and new programs are just a good idea away from getting started. The time has come to get

involved in preventing crime in our communities. Alberta Crime Prevention Week provides a good place to begin.

I encourage all Albertans and all members of this Assembly to urge their constituents to contact their local police service and find out how Crime Prevention Week is being celebrated in their communities. We have much to learn.

Thank you, Mr. Speaker.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, would like to recognize the hundreds of volunteer Albertans for their outstanding work in crime prevention. Without this commitment Alberta communities would not be as safe as they are.

May 8 to 14 is Crime Prevention Week, and there are a number of activities sponsored by the Alberta Community Crime Prevention Association and Alberta Justice that are intended to educate Albertans on crime prevention strategies. I would like to congratulate the winners of the Alberta crime prevention awards and look forward to their continued support in the years to come.

1:50

Mr. Speaker, crime prevention does not just include target-hardening. It is a much broader concept. It includes addressing issues such as those outlined in the social problem index. Alberta's index is the worst in Canada. This government is very efficient at fulfilling its fiscal responsibility but is very inept at its social responsibilities. We know that modern societies are judged successful when they achieve both.

If this government were serious about crime prevention, it would ensure that early intervention programs are adequately funded, target youth with learning disabilities, increase the number of counselors in schools, provide full funding for kindergarten, and provide accessibility to mental health waiting lists. The children who fall through the cracks and those that are most vulnerable will fill our young offender institutions and adult prisons.

You see, Mr. Speaker, it's not good enough to be just tough on crime. You've got to be tough on the causes of crime.

Thank you.

head: Oral Question Period

THE SPEAKER: First Official Opposition main question. The hon. Member for Lethbridge-East.

User Fees

DR. NICOL: Thank you, Mr. Speaker. On Tuesday, November 2, 1994, the Provincial Treasurer said:

I can say very clearly that even on items like fees and charges for delivery of services, all of those have to receive full approval by the minister responsible.

Last Thursday the Premier said that delegated administrative organizations were not included in the government's user-fee review because none of the fees go into the general revenue fund. My questions are to the Premier. Why would the government user-fee legislation exclude over \$27 million in delegated authority user fees when the government in fact approves those fees by regulation?

MR. KLEIN: Well, Mr. Speaker, there is nothing to prevent us from looking at those fees, but all the fees that we plan to look at in the formal sense are those that are now frozen by legislation. The question last week alluded to the tire board and the recycling fee that is attached to tires and how that fee is handled. I indicated at that

time that it doesn't go into general revenues and is not included in this particular mix.

DR. NICOL: Thank you, Mr. Speaker. Again to the Premier: the Alberta Boiler Safety Association charged \$7.5 million in fees in 1997-98. Their expenses were only \$6.4 million. When they raise a \$1.1 million surplus, why is that not being reviewed by this committee?

MR. KLEIN: Well, again, Mr. Speaker, there's nothing to prevent us from looking at those fees. I mean, there is a multitude of fees that are outside of the regulatory regime that covers the 800 fees that we plan to look at.

You know, if the hon. member wants to look at any of the fees, whether they're fees associated with delegated authorities or any other institution in government, send me a note. We'll have a look at them.

DR. NICOL: Thank you, Mr. Speaker. Do I understand that to be a commitment on the Premier's part that if we ask him to include all of the DAO fees in the legislation, he will agree to do that?

MR. KLEIN: Mr. Speaker, I'm sure that some kind of an amendment would have to be made if the legislation were to cover . . .

MS LEIBOVICI: Is that a commitment?

MR. KLEIN: No, that's not a commitment at all, Mr. Speaker.

You know, as I said, if the hon. member wants us to look at fees that are outside the regulatory regime which has now been legislated to freeze those fees, send us a note, and we'll have a look at those that he wants us to look at.

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

West Edmonton Mall Refinancing

MR. SAPERS: Mr. Speaker, the government's involvement in the West Edmonton Mall refinancing is becoming a case study in scandal micromanaged resulting in losses to taxpayers that are already exceeding \$152 million. There are now new documents that shed a disturbing light on the sequence of events that followed the Premier's directive that no agreement between the Alberta Treasury Branch and the private-sector Gentra be finalized. My questions are to the Premier. Why doesn't the Premier finally just do the right thing: call a public inquiry into this fiasco so that the public can evaluate this government's legacy of scandal, secrecy, and obstruction?

MR. KLEIN: Well, Mr. Speaker, certainly this matter has been referred to the Auditor General vis-a-vis the involvement of politicians at the time. He found that there was no inappropriate involvement by politicians.

Mr. Speaker, the hon. member asks for a public inquiry. Well, there are numerous public inquiries going on as we speak. Those are inquiries that eventually will lead to trials where there will be examination and cross-examination. If the hon. member wants to spend his time in the courtroom, as a member of the public he's welcome to go down to the courthouse, as indeed are other members of the public, and watch all of these events unfold in a public forum.

MR. SAPERS: Given that neither the Auditor General's report nor

any of the court proceedings dealt with many of the documents which were tabled in this Assembly earlier this afternoon, including a document containing the minutes of a 1994 agenda and priorities meeting, will the Premier confirm that that March 21, 1994, agenda and priorities meeting was the meeting that finalized the strategy to kill the private-sector deal in favour of an Alberta Treasury Branch solution which has cost taxpayers \$152 million and counting?

MR. KLEIN: Mr. Speaker, you know, this hon. member is absolutely obsessed with this. Virtually everything I had in my possession was turned over to the Auditor General. He conducted a full and thorough examination of this particular matter, and once again I repeat: he found no evidence whatsoever of inappropriate behaviour on the part of any politician.

MR. SAPERS: Another issue that was not dealt with in the inconclusive Auditor General's report would be the explanation of an April 19, 1994, meeting. How would the Premier explain that April 19 meeting between his former deputy Premier and high-ranking officials in Gentra that ironed out Gentra's final negotiating position on the West Edmonton Mall refinancing?

MR. KLEIN: Mr. Speaker, I have no idea, and basically, again . . . [interjections] Are they finished? Are you finished? Right? Okay?

Mr. Speaker, again I reiterate and repeat that all documents relative to this issue that were requested by the Auditor General were turned over to the Auditor General. All documents that have been FOIPed by the Alberta Liberals and that are covered in the freedom of information and protection of privacy legislation have been turned over to these people. Numerous documents, I'm sure, from the Alberta Treasury Branch, from various departments of government, from the Ghermezians have been turned over to the myriad of lawyers now working on this issue, and perhaps they'll be included in the court actions as those actions unfold.

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

MR. SAPERS: Mr. Premier, given that you have not released a list of any of the documents that you supplied to the Auditor General and the Auditor General has not released a list of the documents that he was provided, Albertans will never be certain what documents have been given and which documents have been hidden. Will the Premier admit that not one of the four pages of documents from the March 21, 1994, agenda and priorities meeting contains a business case for killing the Gentra deal? Will you at least admit that?

MR. KLEIN: Mr. Speaker, I'm simply going to say that everything the Auditor General asked for he received through the course of his investigation. Perhaps they could have been part of the statutory declarations issued by myself and others involved in this particular matter. So there's going to be ample opportunity for a good full-scale public investigation of this matter. That investigation will take place through the courts. I can think of no other better way to have this matter handled.

2:00

MR. SAPERS: Albertans can.

Mr. Premier, why does an August 26, 1994, handwritten note from the office of the former Minister of Public Works, Supply and Services say: wants Ken to tell Dinning what to do?

MR. KLEIN: Mr. Speaker, I don't know. My God. You know, I

deal with on average 400 pieces of correspondence per day in this office, per day, and a lot of them are handwritten notes.

Mr. Speaker, I get handwritten notes from members of the Liberal Party. The one piece of correspondence I remember quite well was a piece of correspondence from the hon. Member for Edmonton-Meadowlark, who wrote me urging this government to protect the mall. I do remember that letter.

MR. SAPERS: I'll try one more time, Mr. Speaker, just one more time. Why doesn't the Premier come clean once and for all and admit that his Alberta solution was code for the strategy to kill the private-sector Gentra deal in favour of a government-brokered deal that has already cost taxpayers \$152 million and is destined to cost us even more?

MR. KLEIN: Mr. Speaker, this is all before the courts right now. I don't know if any of these allegations are true. This is a matter that is now between the Alberta Treasury Branches and Triple Five Corporation and various subsidiary companies associated with that corporation. There is a dispute. The case is being litigated. Also, the former superintendent of the ATB is involved. All of these issues are being litigated.

I would ask the hon. member to do the right thing, and let the judicial process unfold.

Private Hospitals

MS BARRETT: Well, Mr. Speaker, didn't I get the warm fuzzies this morning when I woke up and read in today's newspapers about the cozy kinship between the Alberta Premier and Ontario's Premier. But I tell you what. There's one thing I like about the Ontario Premier, and that is that his government is phasing out pre-medicare's for-profit hospitals and won't let any new ones get started. My question today to the Premier is this: why is he refusing to follow the lead of his Ontario cousins and acknowledge that – and they even say this in their own news release – for-profit hospitals are incompatible with medicare? Why doesn't, then, the Premier declare them simply off-limits in Alberta?

MR. KLEIN: Well, again I'm confused by what the hon. member is saying by for-profit hospitals. I don't know of any in the province at this particular time.

What we want to do and the whole objective of Bill 37 is to protect the public health system, Mr. Speaker. Unfortunately, these people would not let the legislation proceed. They've tried to block it. Every move that we've tried to make has been blocked by both the Liberal opposition and the NDs. This was legislation that would have protected the public health system, and they didn't want it.

MS BARRETT: The blue-ribbon panel said that's what you guys were up to.

Why is the government content to let the College of Physicians and Surgeons accredit private for-profit hospitals through the backdoor – and they're building the framework for this right now – instead of the government declaring one way or the other: are private hospitals allowed or are they off-limits?

MR. KLEIN: Mr. Speaker, again, I don't know that statement to be true. I will, however, have the hon. Minister of Health supplement.

MR. JONSON: Mr. Speaker, first of all, relative to the Ontario situation I don't know why we would be discontinuing something we haven't got in the first place. They have a somewhat different situation historically in Ontario.

With respect to the College of Physicians and Surgeons they are

developing a set of guidelines, which as I understand it will ultimately be in regulation, pertaining to what can and cannot be safely provided in a clinic setting outside of a hospital, or to reverse it, they're establishing the procedures and the conditions that are met only by a hospital. Therefore, those procedures have to be offered within that particular setting, Mr. Speaker, and that is proceeding.

MS BARRETT: Well, Mr. Speaker, I've renumbered my Bill 204 to government Bill 39, put hon. Mr. Klein on it. I'll have it sent over by the page. Will the government, will the Premier now agree to sponsor sections 9 and 10 of this bill, which declare for-profit hospitals off limits categorically?

MR. KLEIN: Well, send the bill over. We'll have a look at it. I'll in turn send it on to the hon. Minister of Health and ask him to prepare a draft response for me.

THE SPEAKER: Before I call on the hon. Member for Calgary-Fish Creek and then the hon. Member for Edmonton-Riverview, let me convey an apology to the hon. Member for Edmonton-Highlands. The hon. member was first elected to this Legislative Assembly of Alberta in 1986 as well. Congratulations.

The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Riverview.

Education Funding

MRS. FORSYTH: Thank you, Mr. Speaker. Several of my constituents and teachers have raised questions on how this government is funding students with special needs. The School Act clearly spells out the fact that these students are entitled to an education, but boards are saying that with government capping, they are not receiving enough funding to meet certain special needs. All of my questions are to the Minister of Education. The Calgary board of education states that their funding for students with severe emotional behavioural disabilities is currently capped at 919 students. The board states that current programming is being provided for 1,495. Mr. Minister, where is the money to come from to cover this difference?

MR. MAR: Thank you, Mr. Speaker. The way that we grant money to school boards for students is on a per capita basis, but that sometimes implies when the boards talk that they spend the same amount of money per student. We know that that's not accurate. What school boards in fact do is pool the dollars that are allocated to them.

Under the current funding framework the majority of instruction funding goes to school boards on a per student basis according to their student enrollment. This is a fair and it is an equitable way of distributing the money for boards throughout the province of Alberta, but then what boards will do is upon receipt of the instruction funding in a block, they can pool those moneys together to determine how it is spent on an individual student need basis. They do have the flexibility to decide where the funding will be allocated to meet the individual needs of their students.

So, Mr. Speaker, commencing in September, we will be providing school boards with nearly \$12,000 for each eligible student with a severe physical or mental disability – this was a 30 percent increase over last year – roughly \$9,200 for students with severe emotional behavioural disorders, and of course members will know and recall that a portion of the basic instruction grant for all students is targeted to programs for mild and moderate students and gifted and talented students.

The short answer to the hon. member's question is that school boards pool their moneys to meet the individual needs of students.

MRS. FORSYTH: Thank you. Given my understanding that English as a Second Language funding for the CBE has been capped at 4,477 while they are currently providing programming for 6,356, where is the money to come from to cover this difference?

2:10

MR. MAR: The same short answer for this, Mr. Speaker, is that school boards will pool that money. We do provide English as a Second Language funding for students for a period of three years, and after this time it's important for those students to become part of the mainstream group of students. We did increase funding significantly for ESL in the 1998-99 school year to include a category for Canadian-born students that have English as a Second Language needs. We worked very hard with each school board to determine the number of additional children who would qualify for this reinvestment. The student count was done as at March 1, 1998, and the ESL budget for the current fiscal year is \$45.2 million.

With respect to the Calgary board of education in particular, Mr. Speaker, for the 1998-99 school year, Calgary board of education's ESL funding amounted to roughly \$3 million. Prior to the program's expansion their funding was only \$1.7 million. So it was a very significant increase in ESL funding in the city of Calgary.

MRS. FORSYTH: Thank you. I understand the pooling concept, Mr. Minister, but are you looking at anything to alleviate the pressures created by capping funding at set levels?

MR. MAR: Well, Mr. Speaker, this is an issue that has come up during the consultation phase of the funding framework review conducted by the hon. Member for Grande Prairie-Wapiti. If that review committee does recommend at some point that adjustments need to be made in the funding framework to address these funding areas, it's my undertaking that the government will respond appropriately. We are on record as saying that we will address the priority areas in education and maintain the integrity of the funding framework.

Child Welfare

MRS. SLOAN: Mr. Speaker, a ward of the government is found dead in an apartment. A 10-month-old child dies of malnutrition. Children with mental illness who may be thinking of suicide or homicide wait up to half a year to be seen for the first time. It has been proven that the social and health factors experienced by children when they are young form the basis of their actions when they become teenagers and adults. My questions are to the Premier. Why has this government failed to recognize their basic responsibility for children?

MR. KLEIN: Mr. Speaker, we haven't failed. Indeed we put a tremendous amount of emphasis on children and protecting children, especially those in need.

I'll have the hon. minister responsible for children's services respond.

MS CALAHASEN: Well, Mr. Speaker, I think it's very important to be able to articulate to Albertans what we've been doing with children's services. First of all, we have provided an opportunity through the redesign process for Albertans to take over control and responsibility of children and families in their communities.

Secondly, Mr. Speaker, we have the Alberta children's initiative.

The Alberta children's initiative has three goals: that we keep children safe, that we keep children healthy, and that they are successful at learning. We have some really great opportunities for us to be able to look at some items, and I want to bring those up because I think it's really important when we look at some of the initiatives that we have.

One is the student health initiative, Mr. Speaker, something that has never happened before. We are now working together on an integrated manner between departments.

Secondly, Mr. Speaker, FAS/FAE. When we talk about the problems that children go through and when they are going through a number of issues that they have to deal with, FAS and FAE can be at the bottom of this. I'm very pleased that my hon. colleague the Family and Social Services minister has been spearheading that FAS/FAE and has in fact had 600 people who have been involved in that conference in Calgary.

Mr. Speaker, another one that I think is really important is children's mental health. Children's mental health is an area that we have to look at in order for us to be able to do things that are required prior to a crisis.

We've got some wonderful things happening in this province, Mr. Speaker, that I'm very, very proud of. I want to commend those departments that have been involved, because they have given their all to do this.

MRS. SLOAN: Mr. Speaker, how are the statements by the Premier and his minister consistent with a six-month waiting list for suicidal and homicidal children?

MR. KLEIN: Mr. Speaker, this is all part of the programs that we are offering through the various children's initiatives, programs just mentioned by the hon. minister.

Specific to that question, I'll have the hon. minister respond.

MS CALAHASEN: Mr. Speaker, I'm not exactly sure what we're talking about in terms of a six-month waiting list. Maybe what we have to be able to look at is where those waiting lists are. Is it through children's mental health? If it is, then we have to look at what we have to do to be able to put structures in place, and that's exactly what the children's mental health task force is attempting to do, to see how we can do that.

Mr. Speaker, if it is in schools and if it's something that we have to do within the schools, the school boards and the community at large are responsible to make sure that whatever happens, we have them involved in the decision-making, and that's exactly what we're trying to do.

Mr. Speaker, if it is talking about the community at large and how we can help families who really need that help, then we have to look at how the regional authorities will be involved to make sure that they are involved in integrating services at the community level with the integration of the communities that are really truly at the heart of some of the issues that are being mentioned here.

MRS. SLOAN: Mr. Speaker, how are the statements of the Premier and his minister consistent with the net decrease in the number of early intervention programs in this province?

MR. KLEIN: Mr. Speaker, again I reiterate that we have two departments of government directly involved with providing children's services. As a matter of fact, it was the initiative of this government, this Premier to create a special ministry without portfolio responsible for only children's services. So there is a litany of programs available for children.

Again, I'll have the hon. minister continue with her list.

MS CALAHASEN: Mr. Speaker, this is really important, because I think that when we talk about what the needs of the community are, the community brings these forward. Early intervention programs, an example. ALERT in Lethbridge: Lethbridge Police Service, the Chinook health region, school division no. 4, school division no. 51, Family and Social Services Family Centre, Provincial Mental Health Board, family and adolescent children's services, University of Lethbridge athletic department. This is one program.

The other program that I want to mention is the new parents' program called the Calvary Community Church. This program, Mr. Speaker, has so many partners: pastor, Calvary Community Church; Mill Woods public health centre; Mill Woods PATCH Place. These are dealing with early intervention for kids, and these are people coming together.

When we're talking about partners, another one is Calgary Family Connections: R. B. Bennett school, Calgary health services, Calgary Catholic Immigration Society, Parents and Children Together, Calgary Healthy Start.

These are really good programs that involve the community, that involve the organizations. Mr. Speaker, this is where the community needs to be commended for what they've done.

THE SPEAKER: The hon. Deputy Government House Leader.

MR. HANCOCK: Point of order.

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

Protected Ecological Areas

MR. ZWOZDESKY: Thank you, Mr. Speaker. Ensuring the environmental health of our province is important and essential to all of us, and balancing the pressures of demands for more resource exploration and/or development activities with environmental protection is, of course, very challenging. Therefore many of my constituents are rightfully concerned about the special places program, and some are even worried that our provincial government may have wrapped up this program short of its goals. So I have some questions to the hon. Minister of Environmental Protection. What is your ministry doing in follow-up to the special places program, and what assurances can you give specific to the achievement of environmental protection goals identified?

MR. LUND: Thank you, Mr. Speaker. The special places program is not complete. When we started on the program in 1995, we said that we wanted 80 percent of the nominations in by the end of 1998. We also felt that the work of the PCC would be completed by that time, the great work that they're doing. Over a period of time we're very fortunate to have in this House as a matter of fact two people that chaired it: the hon. Minister of Municipal Affairs and the hon. Member for Livingstone-Macleod, the person who chaired it most recently.

2:20

In about last August we extended the life of the PCC by three months. We felt that would give them enough time to complete their work, and they did. They did just a marvelous job. But the process of the designation has taken somewhat longer than we anticipated. We had wanted it to be complete by the end of '99. We will not have it complete by that time, but it is ongoing. So we haven't wound up the program at all.

We're very pleased with the progress. As a matter of fact, in the designations we have increased the area that is protected in the

province by some 68 percent, and it now brings us to be the province with the second highest percentage of protected land in their province. So we're very proud of the process. We're very proud of the areas that have been designated.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Given that many of these special places are far away from my constituency of Edmonton-Mill Creek, what assurances can the minister give us that local special places are also being identified and protected?

MR. LUND: Well, Mr. Speaker, the hon. member may be aware that just yesterday, as a matter of fact, we designated an area out near St. Albert. It's the Big Lake natural area. This is a very important wetland that we are now protecting. The local committee there did just a super job. It was chaired by a member from the MD of Sturgeon, and the city of St. Albert, the city of Edmonton, and the county of Parkland all participated along with a number of people from the public. We were able to accept their recommendations, so now it is a special place.

MR. ZWOZDESKY: My final question is to the same minister, Mr. Speaker. What assurances can that minister give us regarding special sites that are currently recommended for approval, and are there any impediments to them actually becoming designated as special places?

MR. LUND: Well, Mr. Speaker, currently there are about 55 sites that are in some level of going through the process. The area that we are really concerned about currently is the grassland. We need some more sites to complete the representation in there. The objective of the program to start with was that we would by the end of the program have in our protected areas representative samples of the six natural regions and 20 subregions, and in the grassland we are suffering. However, if the Liberals would co-operate with us and allow us to continue with Bill 15, we could then move on the whole issue of the grasslands.

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

MR. LUND: But when they have announced that they're going to filibuster and stop the bill from moving, we have great difficulty. That grasslands is sitting there, but we need the bill. We've got no way to move without getting that legislation, Mr. Speaker.

Workers' Compensation Board

MR. BONNER: Mr. Speaker, there are reports that the government is considering the privatization of the Workers' Compensation Board. My questions are to the Minister of Labour. Will the minister confirm that his government is considering the privatization of the Workers' Compensation Board?

MR. SMITH: Mr. Speaker, if this member is withholding reports that he says he has, it would be incumbent upon him to enter them into debate. I'm very interested in looking at the reports. Bring out the reports.

MR. BONNER: Mr. Speaker, will the minister confirm that drumming up support for the privatization is a reason that the WCB consistently refuses to settle at least 15 percent of their claims, especially to severe and long-term clients?

MR. SMITH: Mr. Speaker, there is no attempt by this ministry to

drum up support for an industry organization that is a nonprofit insurance company, that is run completely with employer dollars, not one cent of taxpayer dollars. What we have is a competent set of legislative rules that allow the WCB to administrate over 120,000 files, 35,000 claims, to work very well at 87 percent worker satisfaction, and to realize that it still has work to do and hills to climb on severely injured and chronically injured workers.

MR. BONNER: Mr. Speaker, can the minister tell Albertans what will happen to the over \$3.5 billion in assets – that's \$3.5 billion in assets – the WCB manages if in fact the WCB is privatized?

MR. SMITH: Mr. Speaker, again I would ask the member to look very closely at what privatization means to him. If you have an organization that has employer dollars, that is responsible for its destiny and its operation and it has a governance board that is put in place by public competition, I think he would probably be quite proud to be a part of a company that has that \$3.5 billion in assets. If he would carefully read the Workers' Compensation Act and the amendments of 1995, he will know exactly how the \$3.5 billion worth of assets are administered today and will be administered tomorrow.

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

School Construction

MR. CAO: Thank you, Mr. Speaker. Teachers and parents of students in schools in my constituency are very concerned about the space closure in their schools. My question is to the Minister of Education. Could the minister tell Calgary constituents: what are the funding components for school facility operation and maintenance in Calgary?

MR. MAR: Mr. Speaker, the province funds all school boards of the province of Alberta for plant operations and maintenance. In the example of the Calgary board of education the total was \$50.6 million, and that would include utilities, caretaking, and general maintenance. Also, we provide funding for a building quality and restoration program. In the case of the Calgary board of education that would have totaled \$7.2 million for the current fiscal year. Schools also receive dollars for upgrading and modernization projects in career and technology studies. For the Calgary board for 1999-2000 it will be \$8.5 million.

We also established, Mr. Speaker, for the use of school boards throughout the province a \$10 million innovation fund that can be used to support innovative and creative school capital projects such as multi-use facilities where a school might also be a public library, a recreation complex, and a community centre. Another example would be the developer-built school that was done in the Hamptons in northwest Calgary, where the Calgary board of education and a developer with the co-operation of the Department of Education worked to build a kindergarten through grade 3 school.

Finally, Mr. Speaker, another example of an innovative project might be a community-funded school.

MR. CAO: Thank you, Mr. Speaker. My first supplemental question is also to the same minister. Can the minister explain to the Assembly how the funding components will help the Calgary board of education? It has asked for \$100 million in new capital projects.

MR. MAR: Well, Mr. Speaker, I'd first of all like to say that the

entire budget for capital throughout the province is \$140 million, so it would be unrealistic for the Calgary board to expect \$100 million of that \$140 million.

When it comes to requests for building new schools, the School Buildings Board does take into account the local jurisdiction's overall utilization rate of their existing facilities. Also, Mr. Speaker, school capital projects in the province are categorized according to very specific criteria. First of all, the highest priority criteria is the health and safety of staff and students. Secondly, if there's a critical need for new space to accommodate student enrolment where there are no alternatives available, then we will also look at that as a very high priority.

2:30

Mr. Speaker, clearly we cannot afford to build new school buildings in school jurisdictions where there are schools that sit half empty. We must use taxpayers' dollars effectively. Once our school buildings branch receives a project request from a school board, it will make sure, first of all, that the health and safety issues are dealt with, that critical need for new space is dealt with, and then in the case of modernization and such those do fit also very high on the list of criteria for capital project approvals.

MR. CAO: Thank you, Mr. Speaker. My last question is also to the same minister. To ensure that community-based programs such as day care, special programs, and family resource services continue to be accessible to school facilities as part of the school utilization, what can CBE do to improve accessibility to the new school funding, Mr. Minister?

MR. MAR: Well, Mr. Speaker, if a school board has excess space but it leases that space to a nonprofit or community group or they bus their students to another nearby school or if they use their facilities for other private or public facilities or they amalgamate in closed surplus school facilities, those are alternatives that school boards can look at. Certainly this is an important issue in Calgary, as identified by the Calgary board of education review.

I know, Mr. Speaker, that the Calgary board of education has an option, as an example, of selling schools that are not being used. I'm aware of a private school that has expressed an interest in purchasing an underutilized school in the city of Calgary. The Calgary board of education could use the proceeds from such sale for the purposes of capital projects in new areas where they do need more facilities. So I think that would be an appropriate thing for the board to consider at the local level.

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

Education Funding (continued)

DR. MASSEY: Thank you, Mr. Speaker. The opposition continues to receive protesting e-mails, faxes, and letters from parent groups and school boards about the inadequate funding of programs and deteriorating school accommodation in parts of the province. Dealing with the department or with the School Buildings Board leaves them feeling angry and frustrated. My questions are to the Minister of Education on behalf of the Grimshaw high school parent council. Can the minister advise them as to when their school will no longer have to fund-raise to ensure that their science classroom and the resources are at least comparable to urban high schools?

MR. MAR: Mr. Speaker, this is a situation that is a pattern that has

emerged with the members of the opposition side where they pick one school out of 1,500 or 1,600 schools and expect me to be able to answer a question. If they're actually being constructive about this, they would bring the matter to my attention rather than make an attempt to bring publicity to it in this particular venue.

MR. BONNER: You still have an opposition.

MR. MAR: Not much of one, Mr. Speaker. Nonetheless, I'll attempt to answer the question.

In many circumstances, Mr. Speaker, where I've looked into these situations raised by members from the side opposite, they present to us half the information and expect us to be able to fill in the gaps for them. Well, it's very difficult to do.

With respect to Grimshaw a parent should not be fund-raising for essential program needs in a school. If they are, they should be asking their school board trustees why that is the case. Because the hon. member has brought this matter in Grimshaw to my attention, I'll be happy to look into it for him, but to be able to provide an answer to him based on one situation out of 1,500 schools is an unreasonable request.

DR. MASSEY: Thank you. Mr. Speaker, given that we have alerted the minister to schools in Edson, Calmar, and Exshaw, will the minister now agree to visit with me those schools to see what the conditions are like and to see if the parents' word can be trusted?

MR. MAR: Mr. Speaker, the hon. member knows that I have visited personally hundreds of schools in this province. I'm always happy to undertake to continue my visits to schools. In many cases there are legitimate issues that are raised by people when it comes to certain conditions that may exist in a school, and we'll undertake to do everything to ensure that the priorities are met in our capital projects. As I indicated earlier in response to the hon. Member for Calgary-Fort, the priority is, first of all, health and safety.

You know, Mr. Speaker, as an example, the hon. member perhaps a month ago raised the issue of R.I. Baker school and exposed beams that were in that school. What he failed to mention was that the approval of that project had gone ahead. Time and time again these issues come up, half the story is told, in some cases the situation has already been addressed and in fact fixed, yet people would be left with the impression, if they believe the member from the side opposite, that in fact these problems were not being dealt with. It is in fact not the case.

DR. MASSEY: Thank you. I still haven't had an answer as to whether he'll visit the school with me.

If parents, Mr. Speaker, can't have their concerns answered by the minister or his department or the School Buildings Board and they can't address those questions through the opposition in this Legislature, then just where are they to go for answers?

MR. MAR: Mr. Speaker, the process is very clear. School boards put together their priority lists for capital projects. It is through school boards that parents in a particular school may be able to express their concerns, and those school boards do prepare a list of priorities that are within their school jurisdictions.

Do we satisfy every single request that is put forward by a school board? No, we don't. We do it on a priority basis. As I indicated, health and safety issues are number one. Critical need for new space is number two. Essential modernization is number three.

In this province, Mr. Speaker, last year when school boards put forward those requests for capital projects, every single request for

health and safety needs was satisfied. Every single request for critical need for new space was satisfied. Many of the cases of essential modernization were dealt with, not all of them but many of them. Some are deferred until future years. Also, there is a category for noncritical need for new space. In some cases those can be satisfied as well.

Mr. Speaker, our school buildings branch is doing a very good job. I would point out that not only was our capital budget \$140 million for capital this year; in addition to that we had \$100 million that was as a result of additional surplus moneys. That was applied to school capital. That went to things like CTS programs. It went to dealing with increased costs of school construction. It dealt with a number of things including a modernization grant that went to school boards on a per capita basis. That gave school boards a great deal of flexibility to address exactly the kinds of issues that are raised by the hon. member.

THE SPEAKER: The hon. Member for West Yellowhead, followed by the hon. Member for Edmonton-Calder.

Tourism Marketing

MR. STRANG: Thank you, Mr. Speaker. Over the past year the transition to the new tourism marketing framework has caused much uncertainty in West Yellowhead as well as the rest of Alberta's tourism industry. Tourism operators who rely on international marketing efforts to attract visitors have told me that they are concerned that this uncertainty had a negative effect on the total volume of overseas tourism to Alberta in 1998. Could the Minister of Economic Development tell the Assembly if the value of international tourism to Alberta decreased in 1998?

MRS. NELSON: Mr. Speaker, I can report only through the third quarter of last year as we haven't received the final results for the full year, but through the third quarter, we have a substantial increase in the number of tourists visiting and dollars spent by international visitors to the province of Alberta. In fact what I can say is that for the first three quarters of 1998 \$512 million was spent in the province of Alberta compared with \$475.7 million in the prior year. So I think one could assume that if you add in the fourth quarter, when the actuals come in, our tourism uptake in the last year compared to the previous year for international travel was up significantly.

2:40

MR. STRANG: Thank you, Mr. Speaker. My first supplemental question is to the same minister. With the value of the Canadian dollar being relatively low compared to the U.S. dollar, has there been an increase in U.S. visitors to Alberta in 1998?

MRS. NELSON: Yes, Mr. Speaker. Alberta, like many other Canadian provinces, has enjoyed the influx of our close neighbours in the United States coming into Canada and into Alberta to enjoy the recreational facilities that our province has to offer. In fact, the increase last year was substantial. In the first three quarters of the year we well surpassed the entire year that was prior, and we expect again, once we have the final results in from the fourth quarter for 1998 from the industry, that we will see there has been a major influx of American visitors to the province of Alberta.

Albeit the dollar has helped tremendously in attracting people to Alberta, I think quite frankly that the resident campaign that was launched and the relationship between the Alberta/Montana programs helped profile Alberta as a place to come and visit and to spend their American dollars. So it has been very successful.

MR. STRANG: Thank you, Mr. Speaker. My second supplemental question: could the same minister tell the members of this Assembly what the annual budget for national parks is with the international marketing under this new tourism framework?

MRS. NELSON: Well, Mr. Speaker, in the framework that we have set forward, we have a number of components. Naturally, through the Strategic Tourism Marketing Council a contract will be let to do international marketing for the entire province. But, in addition to that, the province has been broken out into tourism destination regions. Each region will supply their own marketing profile for that region, and that will fit into the overall marketing plan for the province. Roughly \$6 million will be spent on international marketing. In addition to that, each tourism destination region has the ability to spend another \$250,000 profiling their own elements or their own venues that they want highlighted in that marketing scenario.

The hon. Member for Calgary-Egmont is working this year with the individual tourism destination regions to help them get their marketing schemes and their plans into the overall strategic international marketing plan. So we're anticipating a good return. The overall budget for tourism promotion, Mr. Speaker, has been increased this year by 55 percent.

head: Statement by the Speaker

THE SPEAKER: Hon. members, before calling on the first of three hon. members to participate in Members' Statements today, might I just ask all hon. Members of this Legislative Assembly to join with me in extending a very happy Mother's Day to all of the mothers in the province of Alberta this weekend. Perhaps those of us who still are blessed with a mother will take an opportunity to visit, and if unfortunately our mother is no longer with us, we will remember her. Perhaps we will remember what our mothers always taught us about courtesy to one another, about good manners, about listening to people and not always talking, about avoiding heckling and needless chattering and all those other things, and to focus on the good things that mothers always tell their children.

Secondly, hon. members, when the hon. Member for Edmonton-McClung was reintroduced into this Assembly, we indicated that the date of her first election was 1986 as well. She was also one of that election class of 1986.

Thirdly, hon. members, as there were a number of hon. members who did pass some notes with respect to this, the surrender in Europe was signed on May 7, 1945, and VE Day was celebrated the following day, on May 8, 1945.

I also want to point out to all hon. members of the Assembly that all of the pages last evening participated in the fifth annual page speech competition. Independent judges viewed them and listened to them, and I was told that they were absolutely outstanding speeches that were presented by our pages. Among the 1999 winners, tied for third place were Simone Godbout and Janine Melnichuk. Howard Yeung placed second. Daniel Novak placed first with a very stirring speech. Now, what I'm going to do in the next several days is ask the various House leaders for an opportunity, perhaps after Routine and perhaps next Tuesday or next Wednesday, and ask that Daniel Novak be invited to present his speech in the Assembly to all hon. members of the Assembly.

Before proceeding with the recognition of the first of three, I would like to call on the hon. Member for Medicine Hat with an introduction, if that meets with the okay of everybody.

HON. MEMBERS: Agreed.

head: Introduction of Guests
(*reversion*)

THE SPEAKER: Hon. member.

MR. RENNER: Well, thank you very much, Mr. Speaker. It's a real pleasure for me to introduce to you and through you to Members of the Legislative Assembly a group of students and parents who have driven up from Medicine Hat to join us today. It's a rare experience when I get an opportunity to introduce guests. It's a six-hour bus drive from Medicine Hat, and I really do appreciate the commitment of the teachers and parents and of course the students in coming up to visit us.

I'd also like to take this opportunity, Mr. Speaker, to congratulate all of the students and express my appreciation for the fact that I noticed they've been up there since just about 2 o'clock, and they have probably taught a good number of members down on this level how to behave in the Legislative Assembly.

I would like to introduce to you in fact the principal of Crestwood elementary school, Mr. David George. He's accompanied by teachers Mr. Wade Lawson, Karen Shaw, and Gary Ziel. Also along on the trip are parents Mr. Doug Hanna, Mrs. Janet Milne, Mr. Jeff Thompson, and Mrs. Maureen Prince and drivers Mike Rae and Gordon Pasiciel. Can I ask these people from Medicine Hat to rise and receive the traditional warm welcome of all Members of the Legislative Assembly.

head: Members' Statements

THE SPEAKER: Hon. members, in 30 seconds I'll call on the hon. Member for Leduc.

2:50

Arbor Day

MR. KLAPSTEIN: Thank you, Mr. Speaker. Today is Arbor Day in Alberta, a day set aside to create environmental awareness by planting a tree for future generations. Arbor Day, a time-honoured tradition, has pioneer roots in our province dating back to 1893. Around the world countries and cities celebrate different dates to coincide with planting seasons.

In Alberta May 6 has been designated as the day this year to distribute 100,000 Colorado spruce, white spruce, Scotch pine, or lodgepole pine seedlings. These seedlings from Alberta Agriculture, Food and Rural Development are distributed by TransAlta to our elementary schoolchildren and 4-H clubs. In the areas not served by TransAlta, municipalities and nurseries distribute and plant seedlings and trees to celebrate Arbor Day. Through these co-operative conservation efforts our young Albertans get to experience the joy and wonder of planting a tree. Most families can identify at least one tree that their children planted years ago as well as tell a story about it, a story that for some reason makes everyone smile and reminisce about the tree and their then young children.

Trees beautify our environment, provide shade, attract birds, absorb greenhouse gases, and provide oxygen and shelter for wildlife. Arbor Day is a wonderful educational message about the value of our forests and the environment. Taking the Alberta government commitment to environmental sustainability to heart, I would like to take this opportunity to urge my fellow government members to plant at least one tree, shrub, or ground cover this month in your own yard or community. Forests and our green ecosystems are an important part of our lives. Arbor Day is a good day to remind us of this.

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

International Nursing Week

MRS. SLOAN: Thank you. Competent and compassionate, educated to deal minute by minute with pain, illness, and death, attuned to cope with emergency yet also adept at managing routine, they bring to the job a level of commitment that outstrips the usual 9 to 5 employee mentality. Few are off their feet more than an hour during 12-hour shifts. None go home from work free from the stress, life-and-death decisions, charting, exhaustion, the raw nerves among the conflicting personalities in the workplace. This modified description by Sarah Jane Growe crystalizes the professional existence of registered nurses. It is also a tribute to the spirit of nursing personified by thousands of men and women across Alberta who sign RN behind their names.

I am proud to wear the RN pin developed by the AARN to promote the identity and recognition of registered nurses and to pay tribute today to our profession as we celebrate International Nursing Week. Because of the nature of their work, registered nurses feel the negative effects of band-aid solutions now being used to cover consecutive years of underfunding. Undaunted they sacrifice themselves, despite a critical shortage amongst their own ranks, to ensure Albertans receive the care they need. They deserve a government that will value and acknowledge them for their tireless and caring contribution to our system and people. They also deserve to work in a system that incorporates their skill, insights, and solutions in decision-making at all levels. In this respect, my colleagues, friends, and mentors, we are still united.

Thank you.

Griffin Manor

MS KRYCZKA: Mr. Speaker, I'm very proud to rise in the Assembly today to tell you about the most unique show home in Calgary, make that in Canada, and it's located within eyesight of my home in Calgary-West. The Griffin Manor was named after the griffin, Ernest Manning's well-known mascot. It is a 2,400 square foot, two-storey home and is listed at a sale price of \$295,000.

The Griffin Manor is unique in two ways. First, it was completely designed by a group of students from Ernest Manning high school as part of their business education partnership with Shane Homes, and second, the actual design is very unique and stunning. The Griffin Manor has been very appropriately described as the house the kids drew, and it is almost exactly what came off the design tables of the students.

I was extremely pleased to be part of the official opening of the Griffin Manor last Friday and to see firsthand the excitement and pride of many of the 120 students who had worked on the project in various areas of the school curriculum, whether involved in the design, estimating, construction, and now marketing of this home. Cal Wenzel, president of Shane Homes, and Shane Wenzel, marketing director, provided staff and tradespeople as part of this unique partnership program.

There are many key people whose vision and belief in the potential of our young people needs to be acknowledged: Derald Fretts, until recently a teacher at Ernest Manning and presently co-ordinator of corporate partnerships for the Calgary board of education; Janice Bamford, Ernest Manning's partnership co-ordinator; Les Kiffiak, drafting teacher and curriculum leader of technology and learning at Ernest Manning; and Scott Blakeman, partnership co-ordinator and marketing co-ordinator of Shane Homes.

The Ernest Manning/Shane Homes partnership has indeed showed students that building trades are a viable career option. Serving a dual purpose, it helped the students and the school with their work experience and apprenticeship programs as well as provided a future

pool of expertise their industry can tap into. Another very significant bonus is that profits from the sale of the Griffin Manor will be given to the high school's Griffin Foundation for scholarships, special projects within the school, and to provide funding for future partnership projects.

I heartily congratulate everyone involved in this very unique business/education partnership. Your journey into uncharted territory has been a true success. You're surely all winners.

Thank you.

head: Projected Government Business

THE SPEAKER: The hon. Opposition House Leader.

MR. DICKSON: Thank you, Mr. Speaker. I'd ask and invite the Government House Leader to share with us the anticipated government business in the ensuing week, please.

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I'm happy to do so. As always, projected government business will change with progress during the week, but we would anticipate that on Monday, May 10, under Government Bills and Orders for second reading we'd deal with Bill 28, Bill 32, Bill 30, Bill 35, and thereafter as per the Order Paper. At 8 p.m., in Committee of the Whole, Bill 34, Bill 12, Bill 22, Bill 23, and Bill 15.

On Tuesday, May 11, under Government Bills and Orders for second reading, at 4:30 p.m. Bill 31. At 8 p.m., under second reading, Bill 25, and under Committee of the Whole Bill 37, Bill 34, Bill 23, Bill 22, Bill 12, Bill 15, and as per the Order Paper.

On Wednesday, May 12, at 8 p.m., under Government Bills and Orders for second reading, as per the Order Paper based on progress on Monday and Tuesday; under Committee of the Whole Bill 31, Bill 34, Bill 16, Bill 22, Bill 23, Bill 12, and Bill 15.

On Thursday, May 13, under Government Bills and Orders, Government Motions, Motion 20; second reading as per the Order Paper based on progress Monday, Tuesday, and Wednesday; and for third reading Bill 20, Bill 24, Bill 26, and Bill 16, and as per the Order Paper.

THE SPEAKER: Points of order.

The Government House Leader.

Point of Order Exhibits

MR. HANCOCK: Thank you, Mr. Speaker. It's with some regret today that I rise under *Beauchesne* 501 and 502 to raise a point of order with respect to exhibits in the House. I say that it's with some regret because I have to admit that quite often I prefer the silent interjections by sign rather than the verbal interjections of the hon. Member for Edmonton-Riverview. I would have to also admit that some of my members have indicated that they'd prefer the signs to be larger. Well, I won't comment on why.

However, section 501 under *Beauchesne* does indicate that "Speakers have consistently ruled that it is improper to produce exhibits of any sort in the Chamber." There has been a proliferation of signs. They started with one sign. They've varied.

MR. WICKMAN: Steve West started it.

MR. HANCOCK: It may have been started on this side of the Chamber; it may have started on the other side of the Chamber. But

under *Beauchesne* nobody has raised the question before. I'm raising it now, Mr. Speaker, and I would invite you to rule out the use of exhibits on either side of the House as it's not allowed under the rules of debate and the rules of order of the House. The fact that one person may have used an exhibit in the past does not make it right to continue to do so. Perhaps there can be too much of a good thing. They were amusing, they are still amusing, but they are inappropriate, and I'd ask you to rule them out of order.

MR. DICKSON: A number of observations, Mr. Speaker. My first reaction is that the Government House Leader should lighten up and appreciate an attempt to bring some levity into what otherwise is a very solemn proceeding. I thought we were taking the advice of Rod Love.

Mr. Speaker, the points I want to make. Firstly, the Standing Orders are not particularly helpful here. There is no express reference to exhibits or some kind of material such as referred to. But one might look at Standing Order 2, that charges you, sir, with basing any decision that's not otherwise specified or codified in the Standing Orders "on the usages and precedents of the Assembly and on parliamentary tradition." I have to tell you that from my particular vantage point here I've very much enjoyed throughout the entire spring session our friend the Minister of Energy, who has had a wonderful tag that he gets out. I've always taken it as a useful reminder to all of us in terms of: no more taxes. If the Provincial Treasurer had been able to see it, maybe we wouldn't be dealing with Bill 35 now. In any event, the point is this, that the Standing Orders aren't helpful.

3:00

If one looks at *Beauchesne* – and I wish my friend had referred more specifically to 501 through 504 – what you would find is what's been proscribed as "boxes of cereal," "potatoes," a sample of grain, and I'm not sure there's been any suggestion that we've seen those potatoes or boxes of cereal or samples of grain here, what's being referred to as a tag.

It seems to me, Mr. Speaker, that this would be captured by *Erskine May*. If my friend and you, sir, would look at page 389, it's noted that aside from weapons – they say that words are powerful instruments; I'm not sure we'd characterize them as a weapon. One might have regard to this quote:

Members have been permitted to display articles (but not weapons) to illustrate an argument in a speech, but the Speaker has said that all Members should be sufficiently articulate to express what they want to say without diagrams.

So we can all try harder to rely on heightened verbal communication.

I must tell you, Mr. Speaker, that the precedent has been set by a member, one of the senior members of this Assembly, the Minister of Energy, who's been here far longer than I can keep count. It would seem to me that he's done it, and we've accepted it in the spirit in which it was intended. Frankly, I'm disappointed that the Government House Leader doesn't share that sort of tolerance for those kinds of reminders.

Those are the observations I wished to make, sir. If you are going to make some direction, I'll undertake on behalf of my caucus that we will not bring potatoes, we will not bring boxes of cereal, nor will we bring weapons into the Assembly.

Thank you very much.

THE SPEAKER: The hon. Minister of Energy on this point of order.

DR. WEST: Yes. I have to speak against it also. Mr. Speaker, I have for probably the last two to three years on the way walking in and walking out held up something like this. It was actually part of government policy that I was referring to here: no more taxes, no more debt. I do find that some of the ones being held by the

opposition are a bit trivial. Today they don't focus on anything. I saw one today referring to a personalized thing to a member, and I think that's going a little too far. But I have to admit that I have pushed the Assembly to its limits as far as using this here: no more taxes, no more debt. It has been tolerated over the last couple of years.

THE SPEAKER: The hon. Member for Edmonton-Riverview on this point of order.

MRS. SLOAN: My hon. colleague has identified the citations on this particular issue, and I support his submissions in that regard. I have heard both your remarks, Mr. Speaker, and the remarks from government suggesting that heckling should be not commonplace in this Assembly. I've attempted to provide a silent cue card of sorts to the government. I would not consider it a prop or an exhibit.

We have also over the course of the last two years, as has been acknowledged and admitted by the hon. Minister of Energy, seen the precedent well established that this type of thing has been tolerated throughout the course of question period. Mr. Speaker, it seems to me that the government would like to have their cake and eat it too in this respect. They'd like us to be quiet, but when we are quiet and use an alternative form, they object to that as well.

So with those remarks I will conclude. Thank you.

THE SPEAKER: The hon. leader of the third party in the House.

MS BARRETT: Mr. Speaker, thank you. How could I resist getting involved in this fantastic point of order? When I can agree with both the Liberal opposition and the Minister of Energy, I cannot resist. I'm sorry, but not with the hon. Government House Leader.

Mr. Speaker, as one of the few people in Edmonton who is in possession of one of the last bricks of the Calgary General hospital, which I have displayed in this Chamber, I must say that I look forward to a liberal decision in this regard, considering the citations made by the hon. Member for Calgary-Buffalo.

THE SPEAKER: The hon. Member for Edmonton-Mill Creek on this point of order.

MR. ZWOZDESKY: Thank you. I have to confess that I, too, have on occasion held up the odd sign or slogan or other artifact, all in good fun and all in good taste and not wanting to hurt, maim, or slander anyone, especially anyone present. However, I do feel that there is a certain ebb and flow to the proceedings that are going on here, and in recognition of the fact that you yourself, Mr. Speaker, are bringing more and more decorum on a daily basis to this House, I would urge that we support the point of order, if only to put a stop to this type of fun that occurs on occasion on both sides of the House.

The concern that I would have is not knowing where it is going to end. To what size might some of these pieces of paper that contain slogans grow? What other artifacts and/or items of a fun nature might make their way in here? You could be setting an interesting precedent that might not bode well for this House and the proceedings that we all take so seriously in it. In the long run it might not bode very well for that particular process. So I would urge your favourable consideration on a ruling so that we can set this straight once and forever. I will personally do whatever I can to abide by that.

Thank you.

THE SPEAKER: Well, hon. members, a number of citations have been referred to: *Beauchesne* and Standing Orders. It's very, very clear that the decorum of the House is paramount, and the decorum

of the House must be enforced by the chair. In this regard there have been a number of discussions with respect to this matter in previous times. In fact, *Alberta Hansard* will record that beginning on April 29, 1987, the then Deputy Chairman of Committees provided a ruling in that regard. Rulings occurred on May 4, 1988, April 16, 1992, and then again in a series of other rulings.

The fact of the matter is that perhaps intelligence, common courtesy, and common sense should be the prevalent rule that we should have with respect to this. So let me say the following. There's absolutely no doubt at all that in some venues and some places children will be children. This is not a place where I see any children.

Number two, members should govern themselves for the most part. I think we're dealing with honourable people, all who have come a long way to get here and had to do one incredible amount of work to get into this place. I might say as well that having arrived here, then the decorum and the sincerity and the integrity and the honesty that individuals approached their job with in front of their constituents – certainly they brought those gifts of honour and integrity with them, with respect.

I'll say one other thing. A very wise and sage parliamentarian, a friend of mine who's no longer with us in this world, once reminded me a long, long time ago: it's a lot easier to talk your way out of this place than it is to talk your way into this place. If hon. members would like me to provide specific references of former members who are no longer here, evidence to basically show the conduct in this Assembly, some of this conduct not lasting more than 30 seconds to one minute, the most brutal 30 seconds to one minute of their life, a clear association of what they did in this Assembly never once believing that the consequences would be as horrendous as they turned out to be – the history of Alberta clearly shows a number of those examples. There are some individuals who rose in this House at various times, attempted to use the opportunity given them one particular time, and quickly found out that the experience that they had on that particular day was not shared by very many people outside of this particular Assembly.

3:10

I find it interesting as well that comments were made with respect to heckling. I believe that in essence what we're here to do is exchange ideas through debate. Not one person on the point of order raised today even mentioned the word debate and the exchange of ideas through the exchange of the mind and finding the highest form of exchange, the utilization of the words. Heckling will never be ruled out in a parliament, but heckling in the form of catcalling, nattering and chattering, and the simple one- or two-word phrases or grunts or noises hardly rises to the top.

Now, if heckling had wit, if heckling had satire, if heckling had humour, or if heckling had a point, hey, that would be wonderful. Unfortunately, in the two years that I've sat in this chair, I can't recall one occasion where I've ever heard any heckling that met the criteria of wit, humour, or satire that would have fallen within the classics that may have been found in heckling.

Perhaps in recent Canadian history. There's a great little book that was written a number of years ago that dealt with phrases that were found in various parliaments across the country of Canada. Perhaps hon. members will want to get a copy of this little book called *The Great Canadian Book of Insults*. They would discover some remarkable phrases used by parliamentarians, not phrases like: "Ah, sit down," "Ah, who cares?" "Ah, where do you come from?" "Ah, do you think anybody cares?" "Ah, you've been here too long." I mean, this is brilliant heckling. This is really, really high-quality heckling.

A former Prime Minister of the country of Canada, the Hon. Mr. Trudeau, one day was being heckled in the Canadian House of

Commons, and he was responding to a question. He was responding to the questioner, and at one point during the phrase he said to the hon. member: I see that the hon. member disagrees with what I have said; I know because I can hear the hon. member shaking his head. Now, it took a pause for a few people to catch on to what he'd said. It may be the same case today; I don't know. But the fact of the matter is that was humorous, that was filled with satire, and that was filled with wit.

One might also find another book, *Great Political Speeches of the 20th Century*, and would find a remarkable number of interjections or hecklings found in the tradition of Sir Winston Churchill. I really believe that within the hon. members in this Assembly there are people who have that brainpower to rise to that particular thing. That kind of interjection, that kind of heckling would be quite remarkable because it would be quite stunning, and it would really be refreshing, really, really quite refreshing to see this sort of thing happen. Hon. members, no one is ever going to rule out interjections. It's how many you have. Fifty-two interjections in four minutes? I can't believe that any one of them would ever come to that point.

So let's get on now with the fruit really, I guess, of the question in terms of the point raised today. It had to do with exhibits. Clearly, clearly, clearly it's up to the hon. members, I really believe, to patrol and control themselves. I will interject from time to time. I have very deliberately not interjected, because the one exhibit that was used in this Assembly on one day would have fallen into a national debate that I as the chairman of this Assembly chose not to become embroiled in. All hon. members will recall that some time ago in the Canadian House of Commons a particular group in the Canadian House of Commons put on their desks a flag. That is an exhibit. Several days later some hon. members put another flag in the Canadian House of Commons. That was an exhibit.

An uproar occurred after the Speaker of the Canadian House of Commons did what the rules said that he should have done: remove the exhibits from the Canadian House of Commons. But the headlines were: Speaker declares no flags allowed in the Canadian House of Commons. The first one was motivated by a flag of a particular province. The second one was motivated by the national flag. Then the Speaker was severely criticized for outlawing the existence of Canadian flags in the Canadian House of Commons, and no citizen was prepared to listen to the reasons why.

We had in this Assembly not very long ago one hon. member stand up and put a flag on his desk. It was a government member. It was a government member, a member of Executive Council. This chairman could have on that day stood up and said, "Please remove that flag from this Assembly," following through with what *Beauchesne* says. This chairman chose not to do that. This chairman let it go, because this chairman did not want to see the Legislative Assembly of Alberta become embroiled in a national campaign that said: the Legislative Assembly of Alberta also tosses out Canadian flags from itself.

Now, I don't know what motivated the hon. member of Executive Council that day, but it had something to do not with the debate on Canadian nationalism. It had something to do not with the debate, not with the debate on what was going on in the House of Commons. It had something to do with a relative of his who was also involved in the Canadian House of Commons. That was an opportunity exercised by an hon. member at a given time, but there was a reason why this chairman chose not to come forward with that.

In the last number of months the hon. Minister of Energy has very dutifully, almost on a regular occasion, several times a week, taken out his little placard, flashed it out, flashed it out, big smile on his face, every time he didn't like the answer coming or every time he wanted to make a point. Not one member of the opposition raised that as a point of order, nor did I ever receive one memo, one

handwritten note, or one phone call from any member of the opposition. Not one. Not one.

In recent days it seems that the hon. Member for Edmonton-Riverview, though, has arrived with her placard, and the day that the hon. Member for Edmonton-Riverview arrived with her placard, I started getting all kinds of memos and notes from government members saying: "Whoa, how can that be? Stand up and rule it out of order."

Now, the rules will apply to both. The rules can simply not apply to one. If a government member, in this case a member of Executive Council no less, a leader of the people, comes in with his placard and puts it out and it elicits no response, yet on the other hand a member of the opposition, who's not a member of the government, puts out a placard but it elicits all kinds of response, including now an interjection today by the Government House Leader on a point of order, methinks we've been here just a little too long. But that's secondary to the point that's raised here.

Okay. Bottom line. Bottom line. If you feel that you have integrity, if you feel that you have honour, and if you feel that you don't want to go back to your little school kids with your little placard the next time you meet with them and tell them: "Hey, I'm really, really proud to be your MLA. I'm really, really proud to be in your school. I want you to know that in our Assembly we pray on a daily basis. We have good manners. We refer to everyone else as an hon. member. We listen to everyone else. We don't heckle. We don't catcall. We don't swear. We don't call them names. We don't put them in corners and play games with them. But, oh, by the way, I do have a placard that I flash periodically and feel mischievous about the response" – well, if you want to do that, you go ahead and do it. But I don't believe any of you would have the courage to walk into that classroom and give the two speeches, the one about integrity and the other one admitting to some of the behaviour that does occur here on a daily basis. But it's your choice.

3:20

I will say this. If you want decorum enforced, you're going to have to participate in it. One of the key things about decorum is you do not turn your back to the chair. What the chair does not know is what's on the placard, and at that point the chair will become very, very interventionist because the chair has no idea what's being said or written. If it's a personal barb that's personally destructive, then that's not right, that's not fair, and that's not good. If this is as far as the wit and the brainpower goes, to having placards you buy down at 7-Eleven or somewhere else, if that's the way you deliver the message, have the courtesy of at least sharing it with the chair so that the chair is aware of what this devastating message is all about.

A point of order, the hon. Member for Calgary-Buffalo.

Point of Order Abusive Language

MR. DICKSON: Mr. Speaker, I was just going to make an observation. Standing Order 23(j) requires that members refrain from using "abusive or insulting language of a nature likely to create disorder." In the exchange in question period when the Minister of Environmental Protection was responding to a question – now, I haven't been able to get the Blues. He was speaking of Bill 15, the Natural Heritage Act. My rough paraphrase was that it was words to the effect of: if the Liberals would co-operate in bringing the bill forward – and he went on to say some other things. I don't have a note of the rest of it.

I find this is the kind of language that will create disorder, because if you look at the context of this, Bill 15 was given first reading on March 1. It was given second reading not until March 10, after only three speakers. It has been on the government list of projected business on Thursday on certainly March 2 and March 4. We can go

through April 21, April 28. It's always the last on the list, it's instructive to note. If you look at what the Government House Leader has pronounced now, Bill 15 is at the tail end on every evening. It's the very last bill brought up.

I think it does create all kinds of havoc in this Assembly for the Minister of Environmental Protection to stand up and suggest in some way that the opposition is preventing the bill from coming forward. It's the government that determines what's on the Order Paper, and I just wanted that chance, Mr. Speaker, to set the record straight.

Thank you very much.

THE SPEAKER: The hon. Minister of Environmental Protection on this point of order.

MR. LUND: On this very point of order, Mr. Speaker. I find it really interesting how, when the truth is told, they get all excited and make points of order. The fact is that the hon. Member for Edmonton-Ellerslie has stated publicly that they are filibustering the bill. That's all I was referring to. The fact is that by their actions, they are preventing the special places program from moving forward, and that's all I was responding to. It creates great difficulty for me and the department to move forward on the special places program, which they pretend that we need. At the same time, they're preventing us from moving ahead because they want to filibuster on the bill. It kind of surprises me, because as I mentioned before, it's a point of public record that neither of the critics nor the leader voted against it in second reading. That's on the public record. So I am quite surprised that they now have decided to filibuster. I guess the special interest groups really got to them.

THE SPEAKER: The hon. Member for Edmonton-Centre on this point of order.

MS BLAKEMAN: On this point, Mr. Speaker. I am also responding to the comments made by the hon. Minister of Environmental Protection. I did not get a chance to speak to this bill at second reading because the minister moved it before many of us who were rising to speak or interested in speaking could be called upon to do so. I have been patiently waiting for the government to bring forward Bill 15 on the Order Paper so that indeed I may speak to it.

It's interesting that the word "filibuster" has been used. I think we have to actually get the bill up and into Committee of the Whole before that is possible, and seeing as the government puts it on the Order Paper but has not – and I can't be exact about this. But the bill hasn't actually come on the floor for debate for Committee of the Whole. So far from preventing the passage of this bill or the movement forward of this bill, the government hasn't put it forward where we may be able to debate it and move it on.

Thank you, Mr. Speaker.

MR. HANCOCK: Unfortunately, Mr. Speaker, I do feel a need to respond to some of the comments, and I do apologize to the House. I don't normally bring points of order forward, and the reason why is clearly evident today. It uses up far too much of the House's time.

On this point of order, Mr. Speaker. We schedule the business of the House in order to accomplish, in a most efficient and effective manner, the business that needs to be accomplished by the House. It was made clear in an article that I read in the newspaper that on Bill 15 the opposition would be talking forever. I can't verify the veracity of the quote, but the newspaper did use the word "filibuster," that it would be talked out and that every effort would be made to keep Bill 15 from passing.

That's fair. That's one of the tools that's available to the opposition, but then in the process of scheduling business for the most

efficient and effective use of the House's time, I have to take into account that once we get into debate on Bill 15 in committee, we're likely going to be there for some period of time. So it makes sense, Mr. Speaker, to schedule it as the last order of business in the day, and then we can spend whatever amount of time we want to spend on it at that point in time. In fact last night we did get to it, and one of the members of the opposition spoke to it. It did happen to be midnight by that time, so there wasn't a lot of desire in the House to stay until much later in the evening.

Mr. Speaker, there's nothing wrong with doing it that way, and there's certainly, directly on the point of order, nothing wrong with the Minister of Environmental Protection alluding to what has been said publicly about a strategy that the opposition is going to undertake in the House.

THE SPEAKER: Well, hon. members, the use of the word "filibuster" is an appropriate parliamentary phrase. Filibuster may apply to government members, opposition members, any members, all members if they choose to do it, so we had a little clarification there.

Before I call Orders of the Day, hon. members might want to know the following. A government member once said to Tommy Douglas, and I quote: you're such a pipsqueak, I could swallow you whole. Mr. Douglas responded: yup, and if you did, you'd have more brains in your belly than you have in your head.

head: Orders of the Day

head: Government Bills and Orders

head: Third Reading

Bill 36

Gaming and Liquor Amendment Act, 1999

MRS. NELSON: Mr. Speaker, I'm pleased to move third reading of Bill 36, the Gaming and Liquor Amendment Act, 1999.

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

MR. WICKMAN: Yes, Mr. Speaker. I do want to wrap up debate on the bill at third reading.

MRS. NELSON: No, I wrap up.

3:30

MR. WICKMAN: The minister wraps up. I want to make my final comments on Bill 36. In second reading and committee stage, Mr. Speaker, I was the only one to speak. Now, as we're in third reading, there are some other members that do want to make some comments for the benefit of the minister, some positive thoughts that they want to pass on to the minister to help her reflect as she works towards developing policy that is referred to in the bill; in other words, the policy being passed from the gaming commission to the minister's office. But before other members speak, I do want to conclude my remarks.

[The Deputy Speaker in the chair]

Now, remember, Mr. Speaker, to the minister, that the comments that will be coming are going to be useful, positive thoughts, because when we look at the big picture, exactly what Bill 36 is about, Bill 36 deals with nine municipalities in Alberta. It does not deal with the big picture in terms of the VLTs. It doesn't tell us what's down the road. It doesn't tell us: will there be plebiscites? It doesn't tell us what opportunities citizens will have in terms of feeding into the future of the VLTs in their communities. The minister telling us that the ability in the bill to give her the power to set policy sounds fine. Except it's sort of like letting the fox in the henhouse and saying,

"Trust the fox to do the honourable thing," and I'm not always sure that the fox would do the honourable thing, particularly if the fox is a blue fox.

Nevertheless, Mr. Speaker, as the months go by and policy does develop, the minister is going to have to address those questions. The minister is going to have to address what happens to the plebiscites down the road, what happens to municipalities that may have voted to retain the machines or may decide now they no longer want them.

Mr. Speaker, I maintain that when this bill is passed – and it will be given third reading today. I don't see any reason why it won't, and it will be given Royal Assent as early as next week. The question of course to the minister then is – and I don't expect her to respond, but she can respond – how quickly will those machines be removed? When will the directives take place and so on and so forth?

But even at that stage, Mr. Speaker, I have to be very, very concerned what's going to happen. The minister is convinced that the legislation is airtight. Well, to a degree. I shouldn't say airtight, but it's fairly solid from a legal point of view if there is going to be a legal challenge. I think without question we're all aware that notice has been basically served that the bill is going to be challenged. There's a great deal at stake from municipalities like Wood Buffalo in terms of the dollars that are realized to those municipalities, realized to the government and to the residents in Wood Buffalo that may want to continue to play the VLTs that will go to other municipalities to do it. So there are a number of factors that are going to motivate the hotel operators in I believe more than one municipality that the bill addresses that will launch immediate legal action.

Now, what happens from there is going to be up to government. If the position of the government at that time, if the response at that time is like we've seen in the past where the Premier will stand up and say: well, the machines will be removed within seven days provided there are no legal challenges – in other words, all legal matters have to be settled before the machines will be removed. If that is to happen, then you are inviting the hotel operators to challenge. You're inviting the process to go on for a number of months if not years. Because as that happens, as I pointed out before, the coins continue to flow into the government coffers and into the coffers of the hotel operators. So it becomes very, very important that the government rules with a firm hand on this one.

If there are threats of legal challenges, the government can't bend and say: okay; the machines can operate. The minister is convinced that the contracts become void and null at that particular point. However, a lawyer may go seek a court injunction and get a court injunction granted within a matter of 24 hours. That doesn't prevent the minister from doing that. Then what is the next step?

This process has gone on now for two years in that one municipality alone. If it continues to go on, those residents are simply going to throw up their hands in frustration. They are going to have lost total faith in the political process, the so-called democratic process that gives them the right to challenge government and the right to have some participation in the lifestyle as to what happens in their own communities.

Now, I just want to read a couple of comments into the record that have been passed on to me by legal experts. Let me just say – and I'm reading into the record that which was passed on to me to do: the government has represented that this bill closes a loophole in the law; in fact the difficulty with the government's position on VLT plebiscites over the last two years was that there was no law in place to provide Albertans with what the Premier had promised; essentially what happened was that the Premier and Minister West assumed that they had all the power to do anything they wished in respect of VLTs regardless of the fact that the Legislature had

established an independent commission to be responsible for VLTs.

Then it goes on: this bill is a retroactive attempt to justify what the government should have known was an unauthorized exercise of power. Then again: rather than providing a framework for a future democratic process, the legislation is entirely silent on plebiscites; there's no guarantee that there will be another plebiscite in the province of Alberta.

Now, those are words that are spoken by legal experts that are serving notice that they intend to pursue the matter. Again, I hope that the minister has her ducks in order, that there are plans in place to deal with those challenges, and that we're not simply going to maintain the status quo in terms of what has happened in the past and become the laughingstock from that point of view.

Now, I just want to retrace a bit of the history because this is my last opportunity, of course, to speak on Bill 36. When we look at the VLT plebiscites, we've got to go back to 1995, when the Lotteries Review Committee made several recommendations, including:

Communities should be able to decide by plebiscite to prohibit VLTs in their community. Through the Municipal Government Act, people could petition their local council to hold a plebiscite on the issue. The Government of Alberta would honour the outcome of such a vote.

Government accepted this recommendation, agreeing to honour such votes. Since the Lotteries Review Committee's recommendations were made and accepted, 40 communities in Alberta have held VLT plebiscites. As a result of those plebiscites, we now narrow it down to the seven municipalities referred to in the bill.

Let's talk about the five Alberta communities holding plebiscites in 1997. Rocky Mountain House: what happened there? Voted in favour of removal. The retailers applied for an injunction to stop removal. The injunction was dismissed and the VLTs removed. That was a win for the government, a solid win.

Sylvan Lake voted in favour of removal. The VLTs were removed. Again a win for government.

Barrhead. The residents by a very narrow vote voted to retain the VLTs, the only municipality at that particular time to do it in that year of 1997. That's the democratic process. They chose to keep the machines.

We look at Lacombe. Voted in favour of removal. The court declares the vote invalid.

The classic of all classics, of course, is Wood Buffalo. Voted in favour of removal. The retailers challenged the municipality's jurisdiction to hold the VLT plebiscite. The challenge unsuccessful. Retailers challenged the Alberta Gaming and Liquor Commission's authority to remove the machines. Challenge successful.

So now we have six municipalities voting to remove the VLTs in the vote of 1998, including Canmore, Coaldale, Lacombe, Stony Plain, the county of Lethbridge, the MD of Opportunity, and of course Wood Buffalo and the two that I referred to, Rocky Mountain House and Sylvan Lake, makes the total of nine that are referred to in the bill.

So as I wrap up here, Mr. Speaker, which I intend to do because there are other members of this caucus that realize this is their opportunity as well to speak on Bill 36, again I wish the minister would have been able to incorporate the two amendments into the bill, at least one of them, and that one in particular was the one dealing with the right of a municipality to hold a resolution in case the bill did fail because of a court challenge. Then the municipality could simply pass a new resolution and get the thing done. It's got to be done. One way or the other the democratic process has to be upheld, and those communities that have voted to remove the VLTs have to see it happen.

Secondly and very, very importantly from here is: what does the minister do with this authority that will be given to her under the bill in terms of setting policy? I know we as opposition will not have the

opportunity to feed into the making of that policy, but we do have the opportunity come the fall session, come the spring session next year to question the policy, to make sure that the minister has brought forward sufficient policies that are going to address the ongoing concerns of Albertans when it comes to the plebiscites for VLTs, when it comes to the whole question of the widespread gambling that has occurred, when it comes to the question of the proposed four reserves, for example, that could be granted authority to hold casinos, the testing of slot machines at certain fairs this year.

3:40

It's such a complex, such a big jurisdiction that there has to be such skill at crafting that policy. It's not just normal policy. As that policy is developed, again we know in the background there are millions and millions and millions, hundreds of millions of dollars at stake. If you look over a five-year period, we're talking billions of dollars, and when we talk about that type of money, we know that municipalities, we know that hotel operators aren't going to just sit back and say: okay; we accept what government has done on our behalf. If the avenue is given, if the avenue is provided, if the tools are there so that they can challenge and reap the rewards of that challenge and the result of ongoing revenue, they're going to do it.

On that note, Mr. Speaker, I'm going to conclude my remarks, and very sincerely I wish the minister good luck in the future handling of this particular matter, because she's in, I believe, great difficulty.

THE DEPUTY SPEAKER: Might we briefly revert to Introduction of Guests?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed?

head: Introduction of Guests
(reversion)

THE DEPUTY SPEAKER: The hon. Minister of Community Development.

MRS. McCLELLAN: Thank you, Mr. Speaker, and thank you to the Assembly for permission to perform this introduction. We have with us today Florence Edward. She is from England. She is visiting our province. She's sitting in the public gallery, and interestingly Florence was born the year we became a province. We're delighted to have you visiting with us today, and please accept the very warm welcome of this Legislature.

head: Government Bills and Orders
head: Third Reading

Bill 36
Gaming and Liquor Amendment Act, 1999
(continued)

THE DEPUTY SPEAKER: The hon. leader of the New Democratic opposition.

MS BARRETT: Thank you, Mr. Speaker. As usual my comments will conform to my height.

AN HON. MEMBER: Great; you're done.

MS BARRETT: That's it. I'm done.

In supporting this bill, I also lament the fact that the government policy is not contained in the legislation. I understand through conversations that I've had with the minister that the policy will be set out reasonably soon. I look forward to that policy being uttered

by the government, and I look forward to the continued respect for democracy inasmuch as I'm hoping that future plebiscites will be honoured by the provincial government.

I have to confess. I played a VLT once. This is too funny. Listen to this. My brother and I were up in the north end and I said: I've never played one of these; can we go in? He said: sure. I said: I hate them. You know, they're winking, blinking, nodding, and I used to play in a trivia group, and we always looked for places that didn't have them because they were yapping at us all the time. But, anyway, finally I decided that I wanted to try one, so I get up there, got my quarter, and do you know what? I didn't know what to do.

The reason I'm telling this story is that it will be two weeks ago today . . .

MR. WICKMAN: You hit the jackpot.

MS BARRETT: No, I didn't hit the jackpot. Two weeks ago today I was at the credit union cashing some refund cheques. I ended up with a couple of hundred bucks and I said: oh, boy, I wonder if that will get me through the weekend. And then I thought: what a terrible thing to think, because there are people who really are addicted to VLTs, and I'll bet you a couple of hundred bucks wouldn't get them through the weekend. I have heard the stories of people who've literally lost family members to VLTs. But I've always come down on both sides of the issue because I also know that gambling takes many forms, and VLTs are just one. It's an old social problem, shall we say? It didn't commence with VLTs.

That having been said, I revert now to the contents of the bill, which, of course, I agree with because those people should have their democratic decisions honoured and the government should be enabled to do that. Even though I couldn't believe the Court of Appeal decision six weeks ago that said the government didn't have the right to tell the Gaming and Liquor Commission what its policies were – this bill now facilitates that – I honestly can't believe that any organization is going to try to create a Charter challenge out of this. To them I say, and not with a lot of sincerity, good luck.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'm glad to be able to have an opportunity to speak briefly to Bill 36, the Gaming and Liquor Amendment Act, 1999, in third reading. I'm sure this bill will pass with alacrity by the look of things, but I just wanted to make a few comments.

The bill appears to be doing essentially two things: one, returning control over the Alberta Gaming and Liquor Commission gaming decisions to cabinet and, secondly, removing the VLTs from those municipalities that voted to have them removed. I'm in support of that. I just wanted to make one point around that.

You know, I like to give credit where credit is due, and when this government does it right, I like to say so. I think this is a move in the right direction, but I have to qualify that a bit this time, because frankly the communities that the VLTs went into never asked for them. There was no consultation with them. They just went in. When the communities asked to have them taken out, they couldn't get them taken out. So the government is attempting to correct that with this legislation so that they have the power to have them removed. That's appropriate, I think.

The second thing that's come up, and my colleague from Edmonton-Rutherford spoke to it. In third reading we're trying to discuss the effects that the bill will have. I think a number of us have already received information or correspondence from people indicating that they are indeed going to attempt court proceedings, which I would find unfortunate, because again in having to defend it, it's taxpayers' dollars that are having to defend that.

One I received, anyway, asked that I bring forward a few of their points, and I'm happy to do that on their behalf. The first point that they would like made is that there was no law in place to follow through on what the Premier had promised. That's partly a reference, I think, to the news release in October, in around that time after the VLT votes. Fair enough. We've all discovered that, and this bill is attempting to fix that.

I know that certainly a person that corresponded with me is feeling that the bill is a retroactive attempt to justify things. I prefer to see it that a mistake was made and the government is doing its best to put things in order and move forward. Again, fair enough.

But one point that has been raised – and I will bring it forward, but I disagree with it – was saying that this will allow a patchwork, that it would be treating individuals that live in different municipalities differently. I think there's an argument against that in that this is something that an individual would know about and could control. For instance, if you didn't like water or you didn't like lakes, you wouldn't be moving into a community in which there was a large lake nearby. So if you don't like VLTs and you're well aware that there are not going to be any VLTs in places like Rocky Mountain House, Sylvan Lake, Lacombe, Wood Buffalo, Canmore, and some of those ones that passed in the election of October of '98 – you know that those devices for entertainment are not available in those locales. So go to a different place. If you don't want to move there, then don't move there. It's well known where these are available and where they are not. I don't see this as depriving Albertans of some sort of human rights because there aren't VLTs available for them in any given municipality.

3:50

Another issue I've heard raised a number of times around this that I struggle with personally – and I suspect that this will be raised as a result of this bill passing – is when I hear some of the owners and operators of hotels saying that if they didn't have the VLTs in their hotel, they would go broke. I struggle with that, and I guess I question it. I'm not going to come down hard on one side or the other. Frankly, what are they in business to do? If they are in business to gamble, then I would respectfully suggest that they apply for a casino licence and open a casino. But if they're in the business of operating through whatever process is applicable . . . [interjection] Oh, dear. I'm raising the blood pressure of the minister.

If they're in the business of hotels or entertainment and bars, that's what they're supposed to be doing. If that doesn't give them the total income they need to be in business, I don't know that the entire subsidy from VLT revenue – I'm not a businessperson, but that doesn't look like good business sense to me. If they truly need VLTs in order to make a go of it, then they should probably be in the casino and gambling business. It's a personal opinion on my part.

AN HON. MEMBER: And you think that's okay?

MRS. NELSON: They don't see it as a subsidy.

MS BLAKEMAN: Yeah. They may not see it as a subsidy, but in fact that is what it is. Again I'll stress that this is personal musings and a personal opinion, but I suspect that we will hear these issues raised again.

Finally, I understand that the amendments that were put forward by the hon. Member for Edmonton-Rutherford were not accepted. If the minister can find some way, any way of being able to incorporate at least the idea of these amendments at some point, I would urge her to do so, because there is an inconsistency with any policies that would be made under section 1, I think it is, and I think any resolutions or bylaws passed by a council should not be inconsistent with this bill. In other words, it should be honoured, whatever future decisions they want to make.

Secondly – and this I have heard from people that live in

Edmonton-Centre – if there are court challenges, I think it's only fair that the operation of the machines cease while the court challenge goes on. I think there would be examples of activity being suspended during a court case in a number of other areas. I find it very odd that the machines continue to work in communities that have asked for them to be removed, and then there's been a court challenge and the machines keep going. So they've had, you know, two years or six months or whatever more of having the machines in the community while the battle is fought out. So I guess I'm coming down on the side of the individuals living in the municipalities.

That's the bulk of my comments here. As I said, I just wanted to fill in a few points that I was asked to raise and points that constituents of Edmonton-Centre had made comment to me on in the past. I do urge the minister to do something to try and incorporate the ideas behind the amendments that were put forward by the hon. Member for Edmonton-Rutherford, and I will join with him in extending all best wishes to the minister in the future around any activity or action that is expected from this bill.

With those few short words, Mr. Speaker, I will take my seat. Thank you.

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

MR. SAPERS: Thank you, Mr. Speaker. This bill has certainly been a long time coming. I've been following the whole question of VLTs in this province for quite some time, even before I was an elected member. It's dawned on me that there's sort of a roller coaster of policy and a roller coaster of emotion that goes along with video lottery terminals or video slot machines in Alberta. It really must be said that the government I think has tried to be clear in the last little while, has tried to put its stamp on what will be a provincial policy, and bringing forward this particular bill was some attempt at that clarity.

Unfortunately, though, Mr. Speaker, it has resulted in some more of that roller coaster, maybe even an extra loop in that roller-coaster ride, because there's been some confusion. There was the confusion between the minister and the Premier about what it really meant and on the plebiscite and whether it's binding or not binding and whether there'll be other plebiscites. We've had competing or dueling legal opinions on plebiscites: whether there'll ever be another one again and what it means. There have been questions raised about why the government would set up a commission and say that it was arm's length but then try to reach in and direct its decisions or take away some of its power. Then there was discussion about whether or not the commission really was arm's length and whether or not it was just an agent of government or an extension of government policy.

So for those who play VLTs who enjoy the recreation of them, those who unfortunately may be addicted to them, those who are fundamentally opposed to them, and those businessmen and women who have invested in facilities so they can offer VLTs, the confusion still exists in the minds of all of those Albertans.

I have to join to a certain extent with my colleague from Edmonton-Centre in raising the question about what business government is in when it comes to VLT policy. Is it in the business of providing a recreational opportunity to Albertans at the same time that it's in the business of generating a new revenue stream? Is it in the business of subsidizing small hotel operations around the province? Or is it a little bit of both?

Now, part of the debate that I certainly haven't heard, Mr. Speaker, is the recognition that in fact in many communities where there are a few restaurants or hotels and in those restaurants or hotels there are VLTs and the owners of those hotels and restaurants and lounges rely on the VLT revenue to help their own operating bottom line, their own cash flow – there has been very little debate about

whether that is an appropriate economic development or stabilization or diversification strategy, but it's clear that that's what's happening.

Now, it could be that it happened by default. It could be that the government never intended to provide this kind of support to select businessmen and women in several small communities. Or it could be that it was quite intentional. As a member of this Legislature I can't tell which because I can't find it anywhere in government documents. I can't find in government policy statements and legislation and business plans a statement that says that we're going to support the hotel industry or the hospitality industry this way. So I continue to be confused and puzzled about what it is that the government is doing.

MRS. NELSON: Don't strain yourself.

MR. SAPERS: The Minister of Economic Development advises me not to strain myself. It's late in the week, it's been a long week, and I'm trying not to strain anybody, Mr. Speaker, but I'm struggling to understand what the minister's intent and the government's intent is in this regard.

Of course another confusion that I have – and I tried to get some information from the Alberta Treasury Branch. You might be interested in this, Mr. Speaker. I wrote the CEO of the Treasury Branch. I said: could you give me an idea of your loan portfolio to the hospitality industry? Can you give me an idea of what the exposure is of your commercial loans portfolio as far as lending money to hotels and lounges and restaurants for the specific purpose of them doing renovation or expansion so that they could house gaming machines? Unfortunately, they said they couldn't provide me that information because they just don't keep a register that way of the loans apparently.

But there is a sizable amount of money that's been lent through Alberta Treasury Branches to hotel and restaurant/lounge operators, and that's not a bad thing at all, Mr. Speaker. I'm glad the ATB was there for them when they needed some capital. Again, my question is – and it may not be so much the case now since the ATB has been set up as a Crown corporation and has its own board of directors. But were we using one department of government really to help prop up what another department of government was doing without that department of government saying that that's what the point was of what they were doing?

4:00

MR. SMITH: No, that's you. What do you know that we don't know that you know that you don't know?

MR. SAPERS: Ah ha. The Minister of Labour is being witty again. I know that's a struggle for him, Mr. Speaker, but he's doing his best to keep us all focused, and that's good. I think the question he posed was: what does he know that I don't know? Well, I would doubt a thing, but that's for him to tell us.

So I see this connection of Treasury Branch funding perhaps going into this industry and the government making a decision, but quietly making the decision, to support the industry. Again, Mr. Speaker, I'm not standing here today and saying that this was all wrong. I just wish, if that were the case, that it was made manifestly clear that that was what was happening, and then we could evaluate it. We could set some performance measures around that kind of subsidy. We could take a look at what the goals would be of doing that. We could take a look at how effective that was compared to perhaps some other economic development strategies. But because nobody really comes clean on the issue, we're robbed of that opportunity to seek out some accountability and some answers.

I still maintain that the government would have been much better served if they had taken some good advice and had gone to a simple,

single provincewide question, a simple plebiscite, and then the answer would have been clear. Albertans would have had a choice to speak with one voice, and we would have been able to determine clearly what the beliefs and the feelings were. Then there would be strong direction by this government to take some action. But the government chose not to do that, and it was sort of piecemeal, bit by bit: we'll ask a question here; we won't ask a question there; we'll allow a court challenge here; we'll stifle one there. This just could be me being cynical, Mr. Speaker, but it seems to be that perhaps there was a decision made, maybe behind closed doors in cabinet one day, and of course you and I weren't there. The decision was made, and they said: well, let's keep this issue confusing; let's make sure that there's not a single provincewide question; let's make sure that it's not a simple-to-understand question.

MRS. McCLELLAN: Is that not a point of order? Is that not casting aspersions?

MR. SAPERS: No. I'm steering far clear, Mr. Speaker, of Standing Order 23(h), (i) and (j), because I don't think that any member individually of the government front bench would be devious. But I think something happens to them collectively when they get into that oxygen-deprived chamber called the cabinet room. I think that's when it happens.

Again, I'm just wondering out loud whether or not there was this decision made: we're going to keep this messy instead of neat because we really don't want to give up that revenue stream, we really don't want to have to say to our friends in the hospitality industry, "Sorry; you can't have that gaming revenue anymore," and we really don't want to make it look like the critics of government were correct when they said that the government has become far too addicted to and reliant on this kind of revenue.

Now, the real irony to all this is that I'm in the position where I now have to decide whether to support this bill at third reading. I've had some lawyers in my constituency who have been involved in acting for the hospitality industry call me up and say: you know, we hate this bill; this is heavy-handed; it's autocratic; it's antidemocratic; we hate this bill. I've had some other lawyers get in touch with me and say: you know, this is exactly what the government needed to do, and this is exactly going down the right path. Then I've had some members of the hospitality industry tell me to just leave it alone, to say nothing, that the best I could do is just leave it alone because the minister has worked hard trying to build some consensus and correct some deficiencies. I've had other advocates who have come to me and said: don't give up the fight; we still believe that VLTs are a shameful way for government to raise revenue, particularly the amount of revenue they have become reliant on, and don't give up the fight; please continue to give voice to our concerns.

So what it comes down to, Mr. Speaker, is that because of all this confusion and because of all this uncertainty and because of the variety of input I've received, I'm afraid that I can't be supporting the legislation. I had hoped that we could have helped amend the bill to some extent to save it. My colleague from Edmonton-Rutherford tried. [interjection] I've made the Minister of Economic Development's day apparently, because I think she takes it as an error in judgment on her part if she and I agree on something. But I know that's not true, because we've had talks about our children and some other issues, and this being so close to Mother's Day, I wouldn't argue with her on many of those issues.

But I'm afraid that when it comes to VLTs, Mr. Speaker, I will continue to argue with her and look forward to the day that the government either takes our advice or they find themselves on the other side of the House here listening to the will of Albertans.

Thank you very much.

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

MR. MacDONALD: Thank you, Mr. Speaker. I've listened with interest to the debate that has occurred here this afternoon and also last evening between the hon. minister and the hon. Member for Edmonton-Rutherford. I was disappointed when one of the two amendments of the hon. Member for Edmonton-Rutherford was not accepted by this Assembly.

When we talk about Bill 36 and we talk about the gaming and liquor industry in this province and the issue around video lottery terminals, there's not a community in the province, I think, that doesn't have some sort of electronic gaming within walking distance. I think I would be safe to say that 70 percent of Albertans, within a comfortable 10-minute walk from their home, can probably encounter a VLT or other electronic device. The growth has been dramatic. We all know that since 1991-92 the revenue that's been generated has been dramatic, but this bill is proof that there was no long-term planning done. I can't fault this government, because all governments across North America, it seems, are looking at gaming as a way of raising revenue without having to go on a public platform and saying: yes, we have increased taxes, or we want to increase taxes.

There are some people who have a very strong opinion on video lottery terminals and a strong opinion on the effect that they have on communities, particularly on some members of those communities, some vulnerable members of those communities that seem to have a problem or a compulsion. Whether this bill is going to address that and smooth everything out, I'm not so sure.

4:10

We all know – and I'm assured by my hon. colleague from Edmonton-Rutherford – that eventually somewhere in this province a lawyer is going to be employed or have a file regarding this specific legislation. Now, we all know about the court case in the Court of Queen's Bench, and there was a ruling, of course, that the Alberta Gaming and Liquor Commission could not remove VLTs in communities that voted for VLT removal for two reasons, Mr. Speaker. The Alberta Gaming and Liquor Commission was not acting independently in making its decision but rather based its decision on the direction of the government and the outcome of community plebiscites. The second reason: there is no legislation authorizing the Alberta Gaming and Liquor Commission to consider or follow government policy or community wishes.

When we think of a community, I think we have to think of the community of Rocky Mountain House. And whenever we think of Rocky Mountain House, we've got to think of Leslieville. The argument was that if the VLTs are going to be removed from Rocky Mountain House, then there is going to be a hospitality industry spring up literally overnight in Leslieville. People are going to travel that distance to maybe have conversation with their friends, have dinner, maybe have a couple of drinks, and maybe play some VLTs because they're no longer going to be able to do it in Rocky Mountain House.

MR. LUND: A point of order.

THE DEPUTY SPEAKER: The hon. Minister of Environmental Protection is rising on a point of order. You have a . . .

Point of Order Questioning a Member

MR. LUND: Yeah, 459 *Beauchesne*. I wonder if the hon. member would entertain a question.

THE DEPUTY SPEAKER: Would the hon. member entertain a

question? You just have to say yes or no. You don't have to give a reason.

MR. MacDONALD: Mr. Speaker, may I give a reason?

THE DEPUTY SPEAKER: Well, hon. member, you're at third reading of a bill. You're supposed to confine your remarks to the contents of the bill; not what it meant, what might have been, could have been, should have been, but on the contents of the bill. So then when you get into something else, we begin to stray even further from the directions for how we deal with third readings. That's why the comment was made to you, hon. member, that if you wish to entertain a question, say yes, and the person will then ask his question and you can answer it or whatever. If you wish to say no, no reason need be given so that we don't enter into a debate on the reason.

MR. MacDONALD: Mr. Speaker, no. The citation, I believe, that the hon. member referred to is wrong.

Debate Continued

MR. MacDONALD: Now, Rocky Mountain House voted in favour of removal of the VLTs, as I talked about earlier, and the retailers applied for an injunction to stop the removal. The injunction was dismissed. The VLTs were removed. This was a plebiscite, and this plebiscite led to this bill. Hopefully everything will be ironed out.

My hon. colleague from Edmonton-Rutherford in his remarks cautioned the Assembly and cautioned the hon. minister that perhaps there are some legal challenges to this. Now, time will tell. But there needs to be an understanding, Mr. Speaker, that we're giving the hon. minister here the authority to give policy direction to the Alberta Gaming and Liquor Commission. This, of course, is going to be an example of time will tell. We'll find out what's going to happen here. It will also return control of Alberta Gaming and Liquor Commission policies to the government of Alberta.

Now, I don't know what we're afraid of. I don't know whether we're afraid of referendums, afraid of individual communities having votes. We might not like the outcome. They may oppose government policy or norms of the day. I know that at some point some hon. members may have difficulty with an opposition or an opposing point of view, but everyone is entitled to their opinion.

The VLT issue across this province. I observed last summer many people who were organizing to get the appropriate number of names so that, yes, the VLT issue could be on municipal ballots in last October's municipal elections. They told me that, for the first time, they disagreed with their government. Going through communities, going to shopping centres on Saturday mornings, going to sports events that attracted large crowds to stand there with their clipboards and get signatures: this was their expression of discontent with how we are dealing with the entire issue of VLTs.

In closing, Mr. Speaker, I am going to watch and I'm going to see who was right in this debate, the hon. minister or the hon. Member for Edmonton-Rutherford, regarding the legal challenges that this bill will or will not promote.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Economic Development minister to close debate.

MRS. NELSON: Thank you, Mr. Speaker. I do want to make some comments on this bill in closing, and I'm going to answer a few of the questions that were raised on the other side, which I don't normally do. However, I'm going to do it anyway because I think this is important. It has been a very long process to get to this point.

The hon. members are quite right: it's been two long years of having this issue come hopefully to an end.

I do want to make a comment. I appreciate the comments from all members opposite, particularly Edmonton-Rutherford on how he believes in the democratic process and that it must be upheld. But I do want to remind him that all communities in this province had the opportunity to ask the question in their local community. For 70 percent of our population in the province, their communities asked the question either on the ballot in October or on previous ballots. The other 30 percent chose not to because it wasn't an issue for them or for a variety of other reasons. So in essence the entire province had a look at this question. As a result, there were communities that said: we vote to keep the machines in our community. That was their choice. There were also those communities that said: we choose to have these machines removed.

The direction that our Premier and my predecessor had given, made public in January of 1997, was that the wish of that community by a single-vote majority would be honoured through municipal process. Some members have alluded to the process that was put in place in the local community. Some communities said that there had to be a petition; others said that there did not. But all the way through, Mr. Speaker, we maintained our position that the results of those votes would be honoured.

There was a lot of talk throughout the whole process and again today about what the impact of this will be. Well, in those communities that voted to have those machines removed, I could probably say I would agree that there likely will be some challenges. But there will also be a financial impact not only on those communities but on those businesses and the people that are employed in those businesses, and that is a result of the wish of that community. I hope it won't be too large because no one wants anyone to have that burden of not having the ability to maintain their establishment. But I, too, like some of the members opposite, have heard of where businesses will go down, people will lose their jobs. Those communities that voted to remove these machines are going to have to deal with those issues, because it's through their own determination that this has occurred. We were only honouring their wishes at the polls.

4:20

There's been a lot of talk on this question, and quite frankly this is probably the most difficult bill I have ever brought forward to this Legislature. I didn't bring it forward without a lot of evaluation, assessment, and concern over the impact. I agree: this bill was brought forward because our existing legislation was flawed. It was identified in the court that there was an error, and it had to be corrected. Now, probably one of the things our Premier is so famous for is that if there's an error, you stand up and say that there's an error and here is the solution to correct the error. He's instilled that in this caucus, that it's not wrong to say that there's an error and here's the solution.

That's what this bill is all about, to correct something that was in error, which was clearly identified by Madam Justice in the court ruling. She was correct; there was an error. But we're not afraid to stand up and say that and provide the solution at the same time, so I think I have to applaud my caucus for being able to do that.

Throughout this process there's been a lot of innuendo. In this last stage one of the members said that the Premier and I were on opposite sides. The Premier and I have never been on opposite sides of the equation on this or any other issue. What occurred was that an overzealous reporter from the *Edmonton Journal* played a little game on a lead into a story. If you read the *Calgary Herald* lead-in and you read the *Edmonton Journal* lead-in, they were two different lead-ins. I was way over in the quote, and I asked the guy: how do you get one interview and have two different lead-ins, two different swings to a story from the same interview? He said: that's the way

it goes. And I said: well, I hope you realize what you're doing; you're playing a game here, and I don't appreciate it.

So I don't rely upon the media to get a story out because they bend it, twist it, shape it whatever way sells. It's the headline. They played a pretty good game here last week trying to knock everybody off target, but it didn't work. I can tell you that I am never offside with the Premier. I never have been, since 1992 and prior to that, so don't count on it.

Anyway, I guess what I would say in closing is that I can only give this House the assurance that I have put everything I can into trying to make sure that this a smooth transition and that there is limited legal challenge there by going through this bill. We believe we've covered the flaws that were identified by Madam Justice. Mr. Speaker, we have in all sincerity put the elements we believe will carry this forward and put this issue to rest.

I'm going to leave the hon. members with one thing. Each has said that they honour the democratic process. Each has said that they honour the democratic process at the local level. Well, please remember that there were communities that voted yes and there were communities that voted no. You can't have it one way or the other. You must honour both sides of the equation if you're going to honour the democratic process.

So with that, Mr. Speaker, again I will move third reading of Bill 36 and thank the Legislature for their support on this bill.

[Motion carried; Bill 36 read a third time]

Bill 7
Alberta Health Care Insurance
Amendment Act, 1999

THE DEPUTY SPEAKER: The hon. Minister of Health.

MR. JONSON: Mr. Speaker, thank you. I'm pleased to move third reading of Bill 7, the Alberta Health Care Insurance Amendment Act, 1999.

Bill 7 is designed to ensure – and I just want to reinforce this – the efficient operation of the Alberta health care insurance plan by giving the minister the authority to make necessary regulations. Specifically, Mr. Speaker, Bill 7 gives the minister the authority to make regulations which stipulate how claims must be submitted, who may submit claims, and to whom payment must be made. Bill 7 also includes authority for making regulations which prohibit a physician or a dental surgeon from charging patients directly, and it authorizes the minister to withhold payments for claims not submitted in accordance with the regulations. Penalties for contravening such regulations are set out in the bill.

Mr. Speaker, specifically, the proposed amendments provide for regulations that will ensure the uniform use of the electronic billing system by physicians in the province. Alberta Health currently processes around 600,000 claims per week, almost all of which are submitted electronically. Bill 7 allows the government to protect the Alberta health care insurance plan from the administrative nightmare that quite frankly would be created should large numbers of claims be submitted on paper, either directly by physicians or by their customers, rather than electronically. It allows government to protect Albertans from being required to pay large sums of money out of pocket for extended periods of time if physicians decide to bill patients directly rather than submit claims to Alberta Health.

I think the merits of Bill 7 are clear, Mr. Speaker. However, I would like to describe to members and emphasize to them the actual content of this bill, as there are many rather misleading statements regarding the content of the bill that have created some confusion. First of all, Bill 7 has followed the normal legislative process and

should be a surprise to no one. On February 10, 1999, a news release was issued identifying this piece of legislation as something government would be proceeding with in this session of the Legislature. Bill 7 itself was not introduced until February 18, 1999. Second reading did not occur until March 1, and Committee of the Whole debate proceeded on March 8.

4:30

Another area that I think is important to emphasize is that the concept of mandatory electronic claim submission is not new. In 1995 a project was started to rewrite the claims benefit regulation. At that time the Alberta Medical Association was advised of government's intent to include in the regulation a provision which would allow the minister to state who must submit claims and in what manner the claims must be submitted – in 1995, Mr. Speaker.

This amendment was not made to the regulation pursuant to advice from Alberta Justice that it was unclear whether or not there was sufficient authority in the Alberta Health Care Insurance Act to make this regulation. The bill before us now provides that authority in the act.

[Mr. Herard in the chair]

Mr. Speaker, there has also been a suggestion that the government intends to use Bill 7 to create HMOs. I don't know where that idea came from, but this government has no intention to create HMOs through Bill 7 or any other action. There is nothing in the provisions of Bill 7 remotely connected with HMOs, and to suggest such an intent I think is rather misleading.

Mr. Speaker, it must be stressed that Bill 7 itself does not implement any new claim submissions or payment scheme. The bill only provides authority for the Minister of Health to make regulations regarding the submission and payment of claims, including the authority to regulate patient billing. The bill does not give the minister the authority to regulate how physicians practise medicine. In fact, the bill limits the regulation-making authority to the claims submission and payment process.

In summary, there are no substantive provisions in Bill 7. The substance will come in the regulations to be developed under the authority of Bill 7, and with the passage of Bill 7 I am prepared to personally commit that government will consult with affected stakeholders, they certainly being represented in the largest part by the physicians, on the development of any regulations. Bill 7, Mr. Speaker, is simply giving the government the authority required to make the regulations to ensure the efficient operation of the Alberta health care insurance plan. We're constantly looking for ways to improve the role we play in the provision of the quality of health care for Albertans, and Bill 7 is a step in that direction.

On another occasion I'm sure that if the situation were reversed and we were even thinking, even said a word about removing our electronic billing system, there would be great, great concern not just from physicians but from the general population from every part of Alberta. It is a system that is efficient and effective, not absolutely perfect but certainly well accepted as being the way to go for these payments in Alberta.

This system is one which ensures that Albertans receive the insured services they need without being out of pocket for the cost and ensures that physicians receive prompt payment for the work they do. This legislation will help us to ensure that our efficient and effective system is fully put to work.

I recommend passage at third reading, and I welcome any further discussion on Bill 7, the Alberta Health Care Insurance Amendment Act, 1999.

Thank you, Mr. Speaker.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I listened intently to the minister's remarks. It's been a long time since I've heard such a load of malarkey in this Legislative Assembly. The reality is that what we have in front of us is a bill that does dishonour to the democratic process that we see within this Legislative Assembly and is in fact a betrayal of the trust that doctors have put in this government, have invested in this government.

What we have seen is a direct attack on the ability of doctors to perform their practice in a manner that has been historic over a number of years, although the minister has tried to allay the fears of the medical profession with some of his fine words. Some of them, which I wrote down, were that he would "personally commit" to consulting with the regs. My question back to that minister is: why would the profession trust this minister? In fact he did not have the common courtesy, nor did his department, to consult with those individuals that would be most affected by this legislation and in fact, other than a recent meeting that was held, have not had any in-depth consultations with regards to Bill 7.

This is directly on the bill, Mr. Speaker.

Speaker's Ruling Third Reading Debate

THE ACTING SPEAKER: Hon. member, while I recognize that you are speaking around the bill, we are in third reading. Your debate would have been quite appropriate in other sections; for example, when we were thinking about the principles of the bill. Perhaps your comments should have been made then. What we have before us now is a bill in third reading. Please refer to the bill and speak to it and not everything else.

Thank you.

Debate Continued

MS LEIBOVICI: Mr. Speaker, in developing the bill, what is the most important aspect of this bill is the trust relationship between the government and the medical profession, and what we have seen here is a lot of talk about teamwork, a lot of talk about consulting with caregivers, about rebuilding a health care system that has been destroyed. What we have is an appalling lack of understanding in promoting and ensuring that one of the key health caregivers in this province, the profession of medical practice, is recognized and is treated with respect. That is what Bill 7 is about. It is a lack of respect for the medical profession.

What we have seen is the fact that instead of building a good relationship, there is an attempt to destroy that relationship. Although the Minister of Education did the right thing with Bill 20 when a similar situation occurred with the Alberta teachers, what in fact we are seeing is that the Minister of Health did not. So we see a bunch of fear mongering on behalf of either the minister or his public relations expert or the Premier that indicates that if in fact this bill does not pass, what will happen is – and if I can just find some quotes in here as to what's going to happen – that our public health care system as we know it today will be destroyed. The actual quote from the Premier is: "We're trying to protect the public health system as we know it today," and if Bill 7 does not pass, our public health care system will be destroyed. What we've had from Mr. Garth Norris is a quote that indicates that what may in fact happen if the bill is not passed is that the doctors might use the ability to direct bill to negotiate and put patients at ransom.

Now, really, Mr. Speaker, do we have so little respect for the doctors within our province to think that they would actually put patient care below their own needs, that in fact they would go

against their very oath that indicates that patients in their care come above all else? I would hope that that is not the level to which this government has stooped. In fact what we are seeing in Bill 7 is an utter lack of understanding of what the needs are.

What really surprised me was that I also had faith in the minister, when he brought this bill into the Legislative Assembly, that in fact it was what it was on paper. When I look at his comments and I look back to when he said, "Think for a moment what might happen to the health care insurance plan and its patients if the electronic claims system wasn't used and instead invoices on paper were submitted," I had no idea that what he was trying to do was negotiate with the doctors through the Legislative Assembly and through Bill 7. That in fact looks like what is happening.

The reality is that there is a concern about HMOs. Where the concern comes in is that the bill does provide the power to make regulations.

Speaker's Ruling Third Reading Debate

THE ACTING SPEAKER: Hon. member, again I must remind you that we are in third reading. I've looked through the bill, I've read it again, and I don't see anywhere in there where there are people quoted. I think you need to confine yourself to what is between the front page and the back page, please.

4:40 Debate Continued

MS LEIBOVICI: That's exactly right, Mr. Speaker. If Mr. Speaker remembers, if he looked through his mail at the MD-MLA Contact of March 17, 1999, which deals with the bill and in which the AMA looked very, very closely at what was between pages 1 and 2, he will recognize that Bill 7 is a solution in search of a problem, that in fact

Bill 7 will not solve any problem, but it could create a major one – it could be the stepping stone for Alberta Health to behave like an American HMO (health maintenance organization) . . .

With Bill 7, Alberta Health can impose "other matters the Minister considers necessary for the proper administration of the Plan." The department's motto could become: "Do as we say, or we won't pay."

That's exactly what's in the bill.

The legislation has been described as "an important component of the government's health restructuring." If it is so important, why didn't the department consult with those affected? Bill 7 came as a complete surprise to physicians. What is the goal of this restructuring? Where does Bill 7 fit into the overall plan?

Bill 7 is not necessary, and does not deserve 3rd reading.

We will give the minister the opportunity, when we bring in amendments to Bill 7, to defer the bill and do the consultation that is required in order to ensure that the bill does what the minister's hoping the bill will do.

Speaker's Ruling Third Reading Debate

THE ACTING SPEAKER: Hon. member, I don't know if I'm confused or if you are. The opportunity to amend this bill has passed. We are now in third reading, and you have what you have. For the third time, please confine your remarks to the bill, or I will call another speaker.

MS CARLSON: Mr. Speaker, on that point I would refer you first to 13(2) in Standing Orders and also to *Beauchesne*. If you were to go to page 214, citations 731 to 736, which talk about amendments in third reading . . .

THE ACTING SPEAKER: Excuse me. Are you rising on a point of order?

MS CARLSON: I'm responding to your comments to the member who had the floor.

THE ACTING SPEAKER: I don't need your comments.

MS CARLSON: Under Standing Order 13(2) I am asking you to explain your ruling, because we have a difference of opinion in terms of third reading.

THE ACTING SPEAKER: I have explained it already. We are in third reading, and in third reading debate doesn't have the same latitude as it has in second reading, when you're talking about the principle of the bill. Most of what was being said was dealing with the principle of the bill and was also dealing with amendments that perhaps should or should not have been made or whatever.

Those stages are past. What we have is third reading now, which is the bill itself. The comments must remain on the bill.

Thank you.

Debate Continued

MS LEIBOVICI: My comments are specifically to the bill, to the way the bill was put forward, to the words within the bill, and to the outcome if this particular bill is passed in its current form. There is the opportunity for amendments in third reading, whether it's a hoist or a reasoned amendment or both, so I have provided the minister with the opportunity to either look at the bill and decide what he wishes to do or recognize that those amendments will be brought forward in this house, Mr. Speaker.

The reality is that if the preferred approach is co-operation and collaboration with Alberta Health, then what needs to happen is that this bill needs to be looked at in concert with those thoughts. What we have is a bill that does not address, I believe, what the concerns are of the minister. In fact, when the minister spoke, in his opening remarks he indicated that the merits of the bill were clear. In fact the merits are not clear. What is clear are the demerits of the bill. If he had listened and discussed and heard what the medical profession is saying, he would understand fully what that is about.

He indicated in his opening remarks that the legislative process was also clear. As I have indicated, I did not recognize that the government's way of operating was to introduce legislation into this Legislative Assembly without having a full discussion with the stakeholders so they were aware of legislation that was coming into this Assembly so that they could have input into it. What he also indicated in his opening remarks was in fact that the former Alberta Health Care Insurance Act did not provide perhaps the ability for the department to make regulations and to ensure that claims could be submitted electronically. The reality is that almost 99 percent of claims are submitted electronically. So if there was a problem with the system, where is that problem? The 1 percent that is not submitted electronically is because of the fact that those have to be submitted through paper. There is no other way to submit those. There may be a small handful of doctors who actually bill. So that could not have been the problem that this bill wished to address.

The other fact is that when you look at what the Alberta Health Care Insurance Act said before it was amended, it said very clearly that "the minister may make regulations . . . respecting the rates of benefits" and "respecting the manner in which benefits are to be paid." Those regulations are in the hands of the minister now, so he can in fact say that we wish to have the benefits provided electronically.

There are, I think and I believe, having heard what the doctors in this province say, other motives at work in putting this bill forward, and if at least the minister had the decency to bring that forward, I think we would at that point in time have some open discussion with

the doctors in this province. The reality is that at no time would a physician in this province deny treatment to someone. Currently they do not deny treatment if you do not have your Alberta health care paid up, if you are not insured under Alberta health care. Why would they do it if all of a sudden this was not the method of payment prescribed? So other than fear mongering, there is no other reason that is logical that can be put forward as to why this bill should be passed in its current form.

As I indicated, if everyone pulls their March 17 MD-MLA Contact, they will see what the real reasons are. If anyone is missing their copy of that contact sheet, I will be more than glad to provide it, or you can phone the AMA directly, and they will be more than pleased to provide it as well.

The letter to the Premier that was tabled in the Legislative Assembly – and I tabled that letter from the president of the AMA – also outlines specifically what the problem is with the bill and how it is viewed as a direct attack on the physicians within this province. Not only a direct attack but, by passing this legislation, physicians in this province will be seen as criminals. I do not believe that the minister in this province would want to have that happen. I do not believe that anyone on the front benches and anyone on the other benches would want to have that happen.

So I ask you – and you will have a weekend to think about this – to very seriously consider: what is the purpose of this bill? Why is it so important? Why would you go against the wishes of the medical profession? I see that there are some ministers who are nodding, so I'm sure they will reflect on this over the weekend. The reality is that if there is such opposition from the physicians – and you can all phone your family doctors. They will know about this bill. Tomorrow when you're in your constituency offices, phone up your family doctors and ask them what they think. Ask them what this bill does to their professional integrity. I think you'll be surprised at the answers.

The reality is that patients will never be denied care. If anyone in this Assembly thinks that would happen, then I think you should give your head a shake.

The reality is that if the government wishes to negotiate, this is not the way to do it. Do it across a table. Do it in dealing with their fees and their structures, but don't do it through using the Legislative Assembly. That is not the appropriate way.

4:50

There are other issues with regards to this particular bill that I know will be brought up by many of my colleagues, but the fundamental issue is the lack of consultation that's occurred, the mistrust that this bill will bring forward, and the mistrust that this bill shows of our physicians in this province. If in fact we want to have a health care system that is second to none in Canada, this is not the way to do it.

The MLAs in this Assembly have been requested to reconsider not only by the Official Opposition but by the physicians themselves. The minister still has a chance to look at amending, withdrawing, holding the bill until the fall session – I understand there may be a fall session – and trying to address the concerns of the physicians. So there is no reason at this point in time, as 99 percent of the physicians use the electronic billing method right now and as there are no negotiations on the fee schedule for at least another year or so, that this bill needs to be put in place in this manner. There is more than enough time to reflect, to change, to look at what the real principles are behind the bill.

As I said, I trusted the minister when he said it was purely housekeeping. On the face of it, it is more than housekeeping. It is a fundamental restructuring of the system by which physicians are paid within this province, and for this fundamental change to occur without any consultation and without any consideration of the

impact I think is totally abhorrent. As a result, I cannot support this bill, I will not support this bill, and I will provide every opportunity for the minister to look at how those changes can be made.

There are other individuals – and I have tabled some of their letters within this Legislative Assembly – who have also requested that this bill be rejected. There are physicians from across the province who are aware of the implications and are not in agreement with this particular bill. I believe that there may still be the opportunity to mend those fences that have been broken in the introduction of this particular bill. This is not one that I believe the government should be stubborn on. This is one that if there is to be movement, it can occur quickly. It can occur under the direction of the Minister of Health, and perhaps the Minister of Labour would like to advise him on the development of good relations within this province.

It is surprising, given the Minister of Health's former role as the president of the ATA, for him not to recognize how important it is to have trust in a relationship with a professional group. The physicians are not a trade union. They do not bargain as a trade union, but at least as a group of professionals they need the respect that is not being accorded to them at this point in time.

With those remarks I will adjourn debate, and I'm sure we will continue next week. Thank you.

THE ACTING SPEAKER: The hon. Member for Edmonton-Meadowlark has moved that we adjourn debate on Bill 7. All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: Carried.

head: Government Bills and Orders
head: Second Reading

Bill 32
Assured Income for the Severely Handicapped
Amendment Act, 1999

[Adjourned debate May 3: Mrs. Sloan]

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

DR. MASSEY: Thank you, Mr. Speaker. I'm pleased to have an opportunity to join in debate on Bill 32, the Assured Income for the Severely Handicapped Amendment Act, 1999.

[The Deputy Speaker in the chair]

Mr. Speaker, the bill will eventually have my support and the support of our caucus, but that support is not without some rather serious reservations that have been raised by some of the AISH recipients. I have one of those recipients who's been a visitor to our constituency office on a rather regular basis since the first news broke that there were going to be changes to the AISH program. The initial visits were those of a handicapped individual who was extremely alarmed at what was going to happen as word of those first changes spread and it looked like there were going to be some dramatic cutbacks in the program and some dramatic changes that would affect AISH recipients in a negative fashion. That individual has continued to consult with us on a regular basis and, in fact, took the opportunity to outline on a couple of pages some of the concerns with the bill as seen from his perspective.

At this stage of the bill we're concerned with the principles of the

legislation, and some of those principles are where this constituent's concerns arise. One of the principles that seems to underlie the legislation is that the AISH program needs much more fiscal definition, and a large part of the bill is devoted to outlining and detailing specific actions that support that principle and further the kind of fiscal control over AISH recipients. The constituent went on to talk about the specifics that he thought supported his view that this was a bill that was concerned to a great extent with fiscal concerns. He's not the only one that I've heard from who has indicated that he was very appreciative of the increase in the monthly allowance. He found himself in a difficult position because he didn't want to be seen as looking a gift horse in the mouth. He was very concerned that the members of the Legislature, when they were considering the bill, considered very carefully how much \$855 a month can purchase for someone that has to depend on that kind of income to pay the rent, to buy groceries, to buy clothing, and to try to live any kind of a life. I think most of us here, if we were forced tomorrow to each live on that amount, might find it a very difficult task. So while he was appreciative of the increase, he really hoped that there could be some measure, some process of regularly reviewing that allowance and making the allowance much more in keeping with the realities, the kinds of expenses that these individuals face on a regular basis, just the business of living and trying to keep together rent, food, and clothing, how much of their time is occupied because of the limits on what they have to spend.

5:00

This constituent is rather a remarkable AISH recipient, I believe. He's gone to a great extent to try to further his education. He has a diploma from NAIT that he's managed to gather over a number of years, and I think he has taken very seriously the principle in this legislation that would have AISH recipients engaged in the workforce as much as they could. The bill tries to point AISH recipients in that direction, but he has made a great attempt.

Again, one of his comments when he was talking about the bill is that he hoped that as we entertain looking at the principles, we would keep it in the back of our minds how very difficult it is for an AISH recipient sometimes to find work. He brought in, for instance, to the office something close to 100 applications that he had submitted to various employers in the city and related the experiences he had had. He would send out a resume, and he would gain an interview. As soon as they saw that he was handicapped and that because of his handicap there were certain constraints on how he would be able to participate in the workforce, the air immediately chilled, and he found himself being sort of ushered out of the office – politely, but still ushered out – never to hear from the firm again. He actually had made some complaints to the Human Rights Commission about his treatment at the hands of some of those employers.

So the principle in the bill that AISH recipients as far as possible should be in the workforce I think is one that he was very supportive of, but he also wanted to remind us that for AISH recipients it's not as simple as gaining some skills and then going and trying to gain employment.

The second financial concern that he had – and that goes back to the principle underlying the bill concerned with fiscal definition – was of course the one that's received a great deal of public attention, and that's the asset testing. He does have some assets that he's managed to hold together, and he has some questions about the future reviews of those asset limits. He asked about the setting of the \$100,000: on what basis was that number arrived at? He related the fears of his family in trying to put together a lump sum of money that, after the parents were gone, would look after this individual should he become more incapacitated or should there be future changes to the program, such as the ones we saw flown when this bill was first considered.

So there's a concern out there about the \$100,000 limit and

whether a recipient could live on the interest on that money should there be future cutbacks by governments to the program or things that we can't quite now foresee. It was a concern of his and continues to be a concern not only of his but I think of all AISH recipients and the responsible parents and trustees who are trying to provide for them in the future.

He had questions that I haven't heard answered yet about insurance settlements, those recipients who are the benefactors of insurance settlements that exceed \$100,000. What actually is the status of those settlement packages? Are they included in the \$100,000 limit? He asked about trust funds and, again, a concern about the thrust of the bill to focus on the financial position of AISH recipients. When we get to the detailed debate on the bill, we will be able to, I think, raise some of those specific items, and the minister will have an opportunity to respond to us.

He was concerned about the reviewing of candidates' abilities. He indicated and quite bitterly that he still thinks that discrimination of the handicapped is a fact of life and that people receiving AISH programs are subjected to discrimination that is not always recognized when legislation like this is put in place. He made the comment several times about how difficult it was to apply for and gain employment.

Another principle – and I'm not sure it's a principle, but it's sort of an overriding idea that seems to permeate the bill – is that the minister and the director need sweeping powers to deal with recipients. If you read through the individual sections of the bill, it really does give the director and the minister tremendous power over the lives of AISH recipients. That's fine if we have in place ministers of the Crown and public servants who have the best interests of the AISH recipients in place, but if you were to ever have in place a punitive administrator, it could be very, very hard on AISH recipients. So there's some question about the provisions in the bill, that principle that the director and the minister need that kind of detailed control over the lives of recipients.

A number of other questions about the principles of the bill, Mr. Speaker. It's sort of the underlying notion that the vulnerable have to be supervised very, very carefully. I recall doing some work in the women's shelter a number of years ago and doing some reading on the history of society helping vulnerable peoples and reading some discussions at that time of the difficulty that we as a society have in determining how much the vulnerable should receive of our help and always the reluctance, the notion that if they received too much, then that will take away their motivation to help themselves.

That sort of refrain has gone through the literature on helping vulnerable people, this tension between people wanting to help but saying: oh, we can't do too much, because then they won't be motivated. It's sort of a curious tension when you really start to think it through, because if that were true, then people who were very rich would be the least motivated people in the world, and that just doesn't seem to be the case. It is a tension that runs through this bill that there has to be limits, that they have to be well defined, that you have to control every aspect of an AISH recipient's life or you're not being accountable to the public. That's one of the principles, principle five, on page 1 in the preamble. The government is "committed to balancing the needs of persons who receive handicap benefits with accountability to the taxpayers." I think that embodies that tension very, very well, and it should make us pause in terms of what we do in the name of accountability and what we do to these people that are on AISH.

With those comments as we're looking at the underlying principles in the bill, Mr. Speaker, I conclude my remarks.

5:10

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

MR. LOUGHEED: Thanks, Mr. Speaker. I'd like to take this opportunity to discuss Bill 32. As the chair of the Premier's Council on the Status of Persons with Disabilities I feel that it's one of my responsibilities to report on behalf of the council the thoughts and feelings that we received from the disability community and also council members regarding the impacts of this act.

To begin with, Mr. Speaker, I wish to acknowledge the commitment that the minister is showing in acknowledging and acting upon the information and discussion that was presented by the majority of the stakeholders. In its ongoing commitment to provide policy development, advocacy, and evaluation in the field of disability for Albertans and Canadians, the Premier's council values these amendments and sees many of its recommendations outlined in our position statement of January 1999. These are reflected in the changes.

In addition to the increase in benefit payments, the council has heard from the community that perhaps the two most important parts of the legislation are the initiatives allowing extended medical benefits and the rapid reinstatement policy for individuals who leave employment and have to return to the program. The former is crucial for persons with disabilities who live with a higher cost of living than some due to their increased medical costs, and the latter provides motivation and security for those individuals to return to work. Prior to the amendments this opportunity did not exist, and many individuals could not risk employment for fear that their efforts would be unsuccessful and they would be left without support.

These amendments are seen by the community as a dedication by the province to support the national commitment to persons with disabilities as articulated in the In Unison document. This vision is based on values of equity, inclusion, and independence. The provisions to increase benefits, provide extended medical coverage, and implement rapid reinstatement for consumers are congruent with this initiative to respect persons with disabilities in the three conceptual building blocks identified by In Unison, those being disability supports, employment, and income.

A preceding document entitled Equal Citizenship for Canadians with Disabilities: The Will To Act was published in 1996 by the federal task force on disability issues. It identifies within some fundamental conditions that Canadians with disabilities believe to be essential. The first point reads that Canadians with disabilities want a country that demonstrates vision and leadership, common principles, and values for disability issues. Our province is a leader, Mr. Speaker, and will continue to be a model for the rest of the country as we demonstrate our commitment to reflect the needs of the community we serve.

Part of that leadership is the ability to communicate in common language, and in this respect the Premier's council approaches this next point. In reviewing the act, I'm concerned with the language that is used when communicating the needs of persons with disabilities. Appreciating that this legislation was written over 18 years ago, the term "handicap" is used throughout the act, referring to a person's benefits and disability interchangeably.

Prefacing these remarks, Mr. Speaker, I should say that the message from the community came loud and clear that no one wished for the name of the program to be changed. The feedback received by council was that stakeholders were comfortable with the acronym and that changing the name left doubt and fear about program implications.

It was not an acceptance of the term "handicap," however, as this term when applied to individuals has become derogatory. It is with this concern in mind that I would invite discussion about this issue. Recognizing of course that the amendment act is not meant to offend, the Premier's council believes that by updating the terms, the community would better relate to the act and would evaluate the legislation based upon its content and merit rather than reacting to

the language. The AISH Amendment Act is legislation intended to serve Albertans with disabilities. The Premier's council advises that such legislation should reflect the individuals represented if community support for the bill is to be seen.

One practical strategy to advance this legislation is to amend the regulations, which also speak in somewhat outdated language, and while the council sees this as imperative, Mr. Speaker, it also emphasizes the fundamental principles on which those regulations are built. This foundation must be conveyed in language that's accepted and used by persons with disabilities, not labels and terms that today represent barriers. The implications are that the word "handicap," found throughout the act, should be changed to reflect the word "disability."

The Premier's Council on the Status of Persons with Disabilities recognizes and employs the following definitions as they are defined by the World Health Organization's International Classification of Impairments, Disabilities, and Handicaps.

The definition of disability is this:

A "disability" is caused by a mental, physical or sensory impairment, or combination. It is likely to continue and may result in a loss of ability to function in major areas of life activities, such as self-care, receptive or expressive language, learning, mobility, and self-direction.

On the other hand, the definition of handicap that we utilize is this:

A "handicap" is not a condition or person but an environmental, social, or attitudinal barrier such as a lack of awareness that limits or prevents an individual from fully participating in everyday activities and opportunities that we all expect and accept in life.

As chair of the Premier's council, Mr. Speaker, I would once

again like to thank the minister for his department's commitment towards improvement in the status of persons with disabilities. The Premier's council encourages the minister to seek further input on this matter from the stakeholders with whom he met and committed to ongoing consultation. In suggesting these amendments to Bill 32, the council has intended to provide proactive discussion. Such benefits are achieved in co-operation with the department for Albertans with disabilities.

Thank you, Mr. Speaker, and I would move adjournment of debate.

THE DEPUTY SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan has moved that we adjourn debate on this bill. All those in support of this motion, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY SPEAKER: Those opposed, please say no.

SOME HON. MEMBERS: No.

THE DEPUTY SPEAKER: Carried.

The hon. Deputy Government House Leader.

MR. RENNER: Thank you, Mr. Speaker. It's been a long and productive week, and I would suggest that the Assembly do now adjourn. We can go back home until Monday at 1:30.

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