

## Legislative Assembly of Alberta

Title: **Wednesday, November 17, 1999** 1:30 p.m.

Date: 99/11/17

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon and welcome back. I would ask members to remain standing after prayers so that we may pay tribute to our former colleagues who passed away since we were last in the House.

As we commence proceedings today in this Assembly we ask for divine guidance so that our words and deeds may bring to all people of this great province hope, prosperity, and a vision for the future. Amen.

### **Mr. John Edward (Jack) Butler October 21, 1916, to November 4, 1999**

THE SPEAKER: On Thursday, November 4, 1999, John Edward (Jack) Butler passed away. Mr. Butler represented the constituency of Hanna-Oyen for the Progressive Conservative Party. Mr. Butler was first elected in the election held on March 26, 1975, and served until March 14, 1979.

During his years of service in the Legislature Mr. Butler served on the Select Standing Committee on Private Bills, the Select Standing Committee on Public Affairs, the Select Standing Committee on Public Accounts, and on the special committee reviewing the Ombudsman Act.

### **Mr. Laurence Decore, QC June 28, 1940, to November 6, 1999**

THE SPEAKER: On Saturday, November 6, 1999, Laurence Decore, QC, passed away. Mr. Decore represented the constituency of Edmonton-Glangarry for the Liberal Party. Mr. Decore was first elected in the general election held on March 20, 1989, and served until March 11, 1997. He was leader of the Liberal Party from October 8, 1988, to July 15, 1994.

During his years of service in the Legislature Mr. Decore served on the Select Standing Committee on Law and Regulations, the Select Standing Committee on Privileges and Elections, Standing Orders and Printing, and the Select Standing Committee on Public Affairs. Mr. Decore played a significant role during 1993 in bringing about major changes to the Standing Orders, the parliamentary rules followed in the Alberta Legislature.

With our admiration and respect there is gratitude to members of their families who shared the burdens of public office. Our prayers are with them.

In a moment of silent prayer I ask you to remember hon. members Jack Butler and Laurence Decore as you have known them. Rest eternal grant unto them, O Lord, and let light perpetual shine upon them. Amen.

Please be seated.

head: Introduction of Visitors

MRS. McCLELLAN: Mr. Speaker, I'm pleased to introduce to you and through you to members of the Assembly the ambassador of the Czech Republic, His Excellency Vladimir Kotzy. He is accompanied by his wife, Mme Kotzyova and also our honorary consul of the Czech Republic in Calgary, Mr. Lubos Pesta. We want to welcome on behalf of the members of the Assembly his excellency on his first official visit to Alberta.

Mr. Speaker, the Czech Republic is one of the most advanced

transforming economies in Europe and is one of our newest NATO allies. We are looking forward to a continued and strong relationship with the Czech Republic and opportunities for Alberta companies. I would ask all of the members of the Assembly to give our very honoured guests a very warm and traditional welcome.

MRS. GORDON: Mr. Speaker, I would like to introduce to you and through you Leighton and Beverly Decore, brother and sister-in-law of the late Laurence Decore. I would ask Mr. and Mrs. Decore to rise in the Speaker's gallery and be recognized by all members of the Assembly.

MRS. McCLELLAN: Mr. Speaker, I'm honoured today to introduce to you and through you to members of this Assembly three members of the late Jack Butler's family. I am so pleased that they are able to be here today to join us in paying tribute to Jack. Seated in your gallery are Elaine Butler, daughter-in-law, and two of his granddaughters, Susan Butler and Kim Braden. Please join with me in providing our guests with the warm and traditional welcome of this Assembly.

head: Presenting Petitions

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

MS BARRETT: Okay. Thank you. I have a petition today in support of the government "banning the establishment of private, for-profit hospitals so that the integrity of public, universal health care may be maintained." It's signed by 243 Albertans.

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

DR. PANNU: Thank you, Mr. Speaker. I have two petitions to present. The first one is by the Provincial Injured Workers Coalition Society. There are 1,641 signatures here, and all the signatories to the petition are requesting the government to hold public input into the WCB.

The second petition is a petition signed by 226 Albertans, and this has to do with their deep concerns about underfunding of the public health care system which is jeopardizing the very future of publicly funded and universally accessible public health care systems.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to present a petition signed by 70 constituents of Calgary who would like to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools. Thank you.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. It's my pleasure to introduce a petition signed by 62 people from Calgary very concerned about the level of funding of education. They are called the SOS parents, and they are urging the Legislative Assembly

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

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

MS CARLSON: Thank you, Mr. Speaker. Today I'm presenting a petition put together by the SOS parents signed by 73 people who reside in Calgary who 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.

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

MR. WICKMAN: Thank you, Mr. Speaker. I table a petition with 67 signatures of persons from Calgary which reads:

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.

Thank you.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, have a petition to table in support of the SOS parents urging "the Government to increase support for children in public and separate schools."

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

1:40

MR. SAPERS: Thank you, Mr. Speaker. It's my pleasure to present to the Assembly a petition signed by 76 residents of Calgary and Airdrie who petition the Assembly to do as follows:

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

We the undersigned residents of Alberta . . .

[interjections]

THE SPEAKER: The hon. Member for Edmonton-Glenora has the floor.

MR. SAPERS: Thank you, Mr. Speaker. And on behalf of Albertans I'll continue.

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

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

MRS. SLOAN: Good afternoon, Mr. Speaker, honoured guests. I am pleased this afternoon as well to table petitions signed by 72 Calgarians in support of public education in Alberta.

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

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

MR. DICKSON: Thanks, Mr. Speaker. I also have a petition to introduce signed by 65 Calgarians in the constituencies of Calgary-Nose Creek, Calgary-North West, Calgary-Glenmore, and Calgary-Varsity 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, and aging schools.

Thank you very much.

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

DR. NICOL: Thank you, Mr. Speaker. I also have a petition from 73 residents of Calgary requesting the government to increase funding and

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.

Thank you.

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

MR. WHITE: Thank you, Mr. Speaker. I rise to table a petition from 68 Calgarians that urges

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.

Thank you, sir.

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

MR. BONNER: Thank you, Mr. Speaker. With your permission I beg leave to present two petitions today. One urges

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.

The second petition, Mr. Speaker, is signed on behalf of 317 Albertans from Edmonton, Leduc, Slave Lake, Mundare, Sangudo, Hinton, Stony Plain, Red Deer, Olds, Wetaskiwin, and St. Albert urging the government to hold

an independent public inquiry of the Worker's Compensation Act, including an examination of operations of the WCB, the Appeals Commission, and the criteria for appointments to the Board.

Thank you, Mr. Speaker.

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

DR. MASSEY: Thank you, Mr. Speaker. With permission I'd present a petition signed by parents in southeast Calgary 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.

Thank you.

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

MS OLSEN: Thank you, Mr. Speaker. I, too, have an SOS petition signed by 72 Calgarians that states:

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

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

MR. GIBBONS: Thank you, Mr. Speaker. I beg leave to present a

petition on behalf of 80 Calgarians asking the Legislature to urge the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools.

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

MR. MacDONALD: Thank you, Mr. Speaker. I also would like to table on behalf of 64 Calgarians a petition organized by the Save Our Schools parents. They are urging the Government to increase funding of children in public and separate schools to a level that covers increased costs due to contract settlements, curriculum changes, technology, and aging schools. Thank you, Mr. Speaker.

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

MRS. MacBETH: Thanks, Mr. Speaker. I beg leave to table a petition as well on the issue of public and separate schools and the note by the parents from Calgary who have signed this petition that they are "exhausted by endless fundraising for basic educational materials and services." That brings to a total 1,126 Calgarians who have signed these petitions in the last while. Thank you.

head: Reading and Receiving Petitions

MRS. MacBETH: I ask that the petition that stands in my name, Mr. Speaker, be read now.

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.

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

MRS. SLOAN: Thank you, Mr. Speaker. I rise and ask that the AISH petition tabled by myself on May 4 be now read and received.

THE CLERK:

We, the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to hold widespread public hearings involving as many existing clients as want to be heard before making any changes to the Assured Income for the Severely Handicapped program.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I ask that the petition standing on the Order Paper in my name now be 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.

MS BARRETT: Mr. Speaker, I'd ask that the petition I filed in May of this year 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: Notices of Motions

THE SPEAKER: The hon. Leader of the Official Opposition on a Standing Order 30 application.

MRS. MacBETH: Thank you, Mr. Speaker. I beg leave to propose the following motion to the Assembly to be considered at the appropriate time today:

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, to prevent the further privatization of health care in Alberta by placing a 180-day moratorium on any new or expanded private health care facilities in Alberta until the government brings in legislation [that's appropriate to] banning private . . . hospitals.

THE SPEAKER: The hon. Member for Edmonton-Highlands on a Standing Order 40 application.

MS BARRETT: Yes, Mr. Speaker. Pursuant to Standing Order 40 I'll be asking for the unanimous consent of the Legislative Assembly to debate the following matter of urgent and pressing necessity:

Be it resolved that the Legislative Assembly, in light of the refusal by *Calgary Herald* management to negotiate a fair first collective agreement with its unionized employees, urges the government and the Liberal opposition to cancel its subscriptions to the *Calgary Herald* for the duration of the current dispute . . .

[interjections] Hey. Not doing so is taking sides.

. . . and directs the Legislative Assembly Office to do the same.

I have sufficient copies, Mr. Speaker.

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

DR. PANNU: Thank you, Mr. Speaker. I rise on a point of privilege. [interjections]

THE SPEAKER: The hon. Member for Edmonton-Strathcona has the floor.

DR. PANNU: I rise on a point of privilege, Mr. Speaker. I refer you to Standing Order 15(5).

A member may always raise a question of privilege in the Assembly immediately after the words are uttered or the events occur that give rise to the question, in which case the written notice required under suborder (2) shall not be required.

Mr. Speaker, my submission to you is the following . . .

THE SPEAKER: That's all right, hon. member. We'll deal with the Standing Orders and the privilege motion at the conclusion of question period, when we get to Orders of the Day, prior to that. You've given notice.

DR. PANNU: Thank you, Mr. Speaker.

head: Introduction of Bills

**Bill 40**  
**Health Information Act**

MR. JONSON: Mr. Speaker, I'm pleased to rise today on behalf of the Member for Calgary-Lougheed to move first reading of Bill 40, the Health Information Act.

Mr. Speaker, the purpose of this legislation is to ensure that the rules concerning the collection, use, and disclosure of health information are clear to everyone involved. The Health Information Act will strike the right balance between protecting privacy and making sure that health information can be used carefully and appropriately to improve health care and the management of Alberta's health system.

Further, Mr. Speaker, if I might, in the acknowledgment of the importance and also the complexity of this bill I will be providing to all members of the Assembly a briefing package on this particular piece of legislation.

Thank you, Mr. Speaker.

[Motion carried; Bill 40 read a first time]

THE SPEAKER: The hon. Member for Calgary-North West.

1:50

**Bill 41**  
**Regulated Accounting Profession Act**

MR. MELCHIN: Thank you, Mr. Speaker. I request leave to introduce Bill 41, the Regulated Accounting Profession Act.

This bill will streamline the existing legislation regarding accounting and standardize regulatory processes across the province.

Thank you.

[Motion carried; Bill 41 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 41 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

**Bill 42**  
**Alberta Stock Exchange Restructuring Act**

THE SPEAKER: The hon. Member for Calgary-Mountain View.

MR. HLADY: Thank you, Mr. Speaker. I beg leave to introduce Bill 42, the Alberta Stock Exchange Restructuring Act of 1999.

This bill will enable the merger of the Alberta and Vancouver stock exchanges into a new expanded national junior stock exchange. This restructuring will not only streamline operations; it also confirms Calgary's growing importance as a major business centre in Canada.

[Motion carried; Bill 42 read a first time]

THE SPEAKER: The hon. Government House Leader.

MR. HANCOCK: Thank you, Mr. Speaker. I move that Bill 42 be placed on the Order Paper under Government Bills and Orders.

[Motion carried]

THE SPEAKER: The hon. Provincial Treasurer.

**Bill 43**  
**Fiscal Responsibility Amendment Act, 1999**

MR. DAY: Mr. Speaker, just as from time to time the planets align themselves for maximum gravitational effect, so time, circumstance, and good management have aligned themselves for a maximum effect in our monetary position. I'm happy to announce that with

introducing an amendment to the Fiscal Responsibility Act, which is Bill 43, we have had such an alignment. We will join hundreds of corporations and businesses in Alberta, Canada, and in fact internationally to realign our revenue projections in the light of a very significant increase in the oil and gas price. This allows us to flow \$600 million this year through to our municipal partners who have asked for this to deal with the significant growth pressures in Alberta.

[Motion carried; Bill 43 read a first time]

**Bill 44**  
**Insurance Statutes Amendment Act, 1999**

MR. DAY: Mr. Speaker, on behalf of the Member for Calgary-Lougheed I am introducing Bill 44, which is the Insurance Statutes Amendment Act, 1999.

This amendment will allow the effects of the act to be equalized between and to common-law spouses.

[Motion carried; Bill 44 read a first time]

head: Tabling Returns and Reports

MRS. McCLELLAN: Mr. Speaker, I'm tabling a letter that was written to the Hon. Lloyd Axworthy, Canada's Minister of Foreign Affairs, reiterating the concern of Albertans on the ongoing tragedy which has gripped the people of Burma for so many years under the military dictatorship.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I would like to table five copies of a document, a report prepared by the Calgary Status of Women Action Committee. This is a review and record of the impact of the low minimum wage and social assistance levels on women. It's entitled Watering Down the Milk: Women Coping on Alberta's Minimum Wage.

MRS. MacBETH: Mr. Speaker, I thought it would be helpful to table a very useful article on the costs of care and administration at for-profit and other hospitals in the United States which was recently published in *The New England Journal of Medicine* which certainly documents the case of private versus public care and the relative costs of each.

THE SPEAKER: The hon. Minister of Infrastructure.

MR. STELMACH: Thank you, Mr. Speaker. As agreed to on March 24, 1999, I am pleased to file with the Assembly eight copies of my response to Motion for a Return 14.

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

MR. HANCOCK: Thank you, Mr. Speaker. Today I'm pleased to table with the Legislature for the records of the House the government of Alberta statement of regret and the comments with which I introduced it that were issued as a result of the recent announcement of the settlement of the sterilization cases.

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

MR. DICKSON: Thanks, Mr. Speaker. I have five different tablings. The first one is copies of a report from Families Allied to

Influence Responsible Eldercare. This is a report that analyzes legislation in other jurisdictions with respect to long-term care residents, particularly those with dementia, and what we have to do to improve standards in this province.

The second tabling is copies of the privacy code that was adopted by the Canadian Medical Association at their annual meeting in Yukon in 1998.

The third tabling is the analysis that has been done by the federal government in terms of why health information legislation must deal with the private sector in response to Bill C-6.

The next tabling is an exchange of correspondence with the hon. Minister of Health and Wellness including his undertaking in March 17, 1998, to hold a number of public hearings throughout the province to discuss the next draft of the health information legislation prior to passing the legislation. We're still waiting, Mr. Speaker.

The last one is from my web site web manager, which indicates that of the last 98 people that responded to the question, 65 percent of them thought that the Provincial Treasurer should pay his own legal expenses.

Thank you very much.

MR. JONSON: Mr. Speaker, this afternoon I have two tablings. First of all, I would like to table with the Assembly copies of the government's policy statement on the delivery of surgical services. This tabling outlines the government's commitment to the principles of the Canada Health Act, a publicly administered and publicly funded health care system in this province for all Albertans.

Secondly, Mr. Speaker, I would like to table with the Assembly copies of the final report of the long-term care review, entitled *Healthy Aging: New Directions for Care*. This particular study is a very significant one and I think will provide direction to government for the continued emphasis and priority that we place on long-term care for our aging population.

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

MRS. SLOAN: Thank you, Mr. Speaker. I have three tablings today. The first two relate to the injustice of a current strike occurring at the *Calgary Herald*. I would like to table copies of the statement made by local 34M and local 115 in relation to their issues and why they are on the picket line.

The second tabling is a column that was recently published in the *Globe and Mail* titled "Shame on Southam: the relentless pursuit of ever-fatter profit margins at the *Calgary Herald* has put the future of a great Canadian newspaper at risk."

The third tabling is a copy of a paper that was presented by the Hon. Monique Begin. The Future of Medicare: Recovering the Canada Health Act Medicare was presented at the University of Ottawa, and it as well may serve as a bit of educational material for this government in their pursuit of private, for-profit health care.

Thank you.

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

MR. BONNER: Thank you, Mr. Speaker. I beg leave to table five copies of a study by an injured worker from Calgary outlining the major problems with the WCB faced by approximately 15 percent of the seriously injured workers. He not only outlines the problems but also suggests solutions and changes to the act that would be required to reinstate the power to legislation which was intended by the Meredith principle.

Thank you.

2:00

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

MR. LANGEVIN: Thank you, Mr. Speaker. As chairman of the Standing Committee on Legislative Offices it is my pleasure to make two tablings today. Firstly, I'd like to table five copies of the report of the Chief Electoral Officer on the Senate nominee election which was conducted on October 19, 1998. Copies were distributed to members on September 8, 1999.

Secondly, Mr. Speaker, it is my pleasure to table five copies of the annual report of the Auditor General of Alberta for the year 1998-99, which is submitted pursuant to section 19(4) of the Auditor General Act. Copies were also distributed to members on October 5, 1999.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to table this afternoon on behalf of Mr. George Rondeau, a resident of Bonnyville, Alberta, a letter that he has sent to the Chief Medical Examiner urging an investigation into the tragic death of his son in the oil patch.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I have a pair of letters to table today. The first one is a letter from me dated August 20 of this year to the Minister of Human Resources and Employment, in which I requested the minister to establish an independent public inquiry into the WCB, and this letter certainly suggested terms of reference for such an inquiry.

The second letter is the minister's kind reply to my letter dated September 8, in which he in detail replies to every one of the points that I raised in my letter, but very disappointing to me he turns my request down.

Both of these letters I table. Thank you.

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. I rise today to table four copies of the Alberta Apprenticeship and Industry Training Board 1998-1999 annual report.

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

MS CARLSON: Thank you, Mr. Speaker. Today I am tabling the appropriate number of photographs from Cindy and Doyle Booth showing their home next to the municipal landfill in Ryley and the impact of litter and seagulls with the accompanying potential for water contamination on their homestead.

THE SPEAKER: Hon. members, I have four documents as well to table. First of all is the annual report of the Ethics Commissioner covering the period April 1, 1998, to March 31, 1999.

The second is the report of the Office of the Chief Electoral Officer and the financial statements that were required on or before March 31, 1999, in accordance with the Election Finances and Contributions Disclosure Act, *Revised Statutes of Alberta 1980*.

Third, the Freedom of Information and Protection of Privacy Act, chapter F-18.5 in the 1994 statutes, requires the annual report of the Information and Privacy Commissioner. This covers the period April 1, 1998, to March 31, 1999.

The fourth document is the report of the Ethics Commissioner into allegations involving the Hon. Stockwell Day, Provincial Treasurer

and Member for Red Deer-North, dated November 15, 1999. This report was distributed to members on November 16, 1999.

head: Introduction of Guests

THE SPEAKER: The hon. Minister of Learning.

DR. OBERG: Thank you very much, Mr. Speaker. It gives me great pleasure today to introduce four people that are seated in the Speaker's gallery. The first needs no introduction in this Legislature, however. He is Mr. Jim Horsman, former MLA for Medicine Hat and present chancellor of the University of Lethbridge. He is accompanied by Dr. Craig Swenson, senior regional vice-president of the northwest region for the University of Phoenix; Mr. Charles Seigel, senior vice-president for government affairs of the University of Phoenix; and Ms Sylvia Holcomb, director of government and regulatory affairs, Implementation and Advisory Group Ltd. I would ask that they rise and receive the warm welcome of the Legislative Assembly.

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

MR. HANCOCK: Thank you, Mr. Speaker. Today it's my pleasure to introduce to you and through you to all members of this Assembly 71 energetic and studious grade 6 students from Earl Buxton elementary school in my constituency of Edmonton-Whitemud. They are accompanied today by their teachers Ms Margo Cahn, Mrs. Karen Patterson, and Ms Shandell Switzer and two student teachers: Ms Gillian Chen and Ms Lisa Kendall. They are seated in the members' gallery, and I'd request that they please stand and receive the warm welcome of the House.

MR. MAGNUS: Thank you, Mr. Speaker. It's my pleasure today to be able to introduce to you and through you to Members of this Legislative Assembly three very bright, dedicated, and ambitious students from the University of Calgary who frankly risked life and limb on those wet roads to get up here today. Their names are Sarah Ng, Lanny Westersund, and Kelly Goss. I don't see them in the members' gallery. I'm hoping they're in the public gallery behind me, and I'd ask that they stand and receive the warm, traditional welcome of this House.

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

MR. BONNER: Thank you, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly 50 members of the Disenfranchised Widows Action Group. They are still seeking resolution to their issue and are patiently awaiting, even after a 30-day extension, answers to their reference questions. They're in the members' gallery, and with your permission I would now ask them to stand and receive the traditional warm welcome of the House.

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

MR. LOUGHEED: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the Assembly 44 students from James Mowat school in Fort Saskatchewan. They're accompanied by Mr. Allan Borys, Mr. Ted Fellows, Mr. Wayne Rettmer, Mr. Gary Titosky, and Mr. Randy Fluker. They are in the members' gallery. I'd ask them to rise and receive the warm welcome of the Assembly.

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

MS BARRETT: Mr. Speaker, thank you. I'd like to introduce two strong supporters of public medicare, Bev Dick and Karen Craik, representing the United Nurses of Alberta. They are also here today in support of four other people I'm pleased to introduce in the public gallery: Jeff Adams, Lisa Dempster, Wendy Dudley, and Gordon Lee. These are people who are representing the unions who would be happy to go back to work if they could get a fair first contract with their employer, the scab newspaper, the *Calgary Herald*. I'd ask everybody to join me in welcoming our guests to the Assembly today.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. I had the distinct pleasure of meeting a few people earlier today that were members and supporters of FAIRE, Families Allied to Influence Responsible Eldercare, and with your permission I'd like to introduce to you and through you to members of the Assembly a few of that group. Could I ask Ann Tarras, Marion Zimmerman, Pat Winter, Bev McKay, Jerry Pitts, Ann Penman, Margaret Atkins, Flo Dow, and Betty Evans to please rise and receive the warm welcome of the Legislature.

2:10

THE SPEAKER: The hon. Member for Leduc.

MR. KLAPSTEIN: Thank you, Mr. Speaker. I'm delighted to introduce to you and through you to the members of the Assembly two persons seated in the members' gallery. Rob Dunseith, who is a constituent of ours and is the president of the PC Party of Alberta, is accompanied by Marilyn Haley, the executive director of the PC Party of Alberta. I would ask them to rise and receive the warm welcome of the Assembly.

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

MR. DICKSON: Thank you, Mr. Speaker. I wanted to introduce a number of other guests who came up, members of FAIRE. That includes Nancy Millar, a well-known Alberta author, Olga Scarpari, Marnie and Barry Fisher, Jim Cairns, Rose Kostyniuk and her grandson Joshua, Verna Smith, Ann and Murray Tarras, Marion Zimmerman, and one of the chief organizers of the FAIRE group in Calgary, Bev McKay. I'd invite those Albertans to stand and receive the customary warm welcome of the Legislative Assembly.

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

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, have some members and supporters of FAIRE, Families Allied to Influence Responsible Eldercare, to introduce. If they could please rise and receive the warm welcome of the House, they are Walter Huzar, Dianne Holowisky, Betty Diamond, Garde Rahem, Nick Sommer, DeEtta Montgomery, Janice Bauer, Murielle Steadman, and Lorraine Fiske. Thank you.

head: Ministerial Statements

THE SPEAKER: The hon. the Premier.

**Mr. Laurence Decore, QC**  
**June 28, 1940, to November 6, 1999**

MR. KLEIN: Mr. Speaker, thank you so very much. Today as we begin the fall sitting of the Legislature, I rise on behalf of the government caucus to express our profound sorrow on the passing of Laurence Decore, a man who brought honour and dignity to this

Assembly and to this great building. I wish to express our heartfelt condolences to the Decore family, which has lost a husband, father, brother, and uncle. I hope they know that our prayers are with them. I also extend sympathies to the members of the Liberal opposition, for whom Laurence Decore was a colleague, a leader, a mentor, and a friend.

Over the last several days I've seen and read media reports of various members of the opposition, past and present, reflecting on their memories of Laurence. These reflections moved me deeply. They reminded me of the inner strength and quiet dignity that Laurence brought to this House, especially during the period when he fought through pain and disease to continue serving his constituency and his party. The memory of his strength reminds me of the great honour bestowed upon each of us in being asked to serve our province. The memory also reminds me that the values and beliefs we share as elected officials unite us much more strongly than issues that divide us. That strength, that utter commitment that Laurence showed to the institutions of democratic government throughout his career will be among his most enduring legacies.

Laurence's legacy extends far beyond these walls. The people of Edmonton and many other Albertans will always remember Laurence's humour, his compassion and dedication. The outpouring of feelings by so many Albertans in the days since his passing demonstrates the tremendous affection and respect people had for Laurence Decore, and this affection and respect will remain as strong tomorrow as they are today.

On a personal note, I wish to add that I, too, have fond and lasting memories of Laurence Decore. Our political careers brought us together on many occasions. Some of those occasions were serious and adversarial, and others were joyous celebrations, celebrations that brought two cities together in the spirit of sport. But regardless of the nature of the moment I had an abiding admiration for Laurence, his dignity and intellect, that made each of those occasions fulfilling.

So today, a day of beginnings, I join with all my colleagues in saying goodbye to a former member whose contributions to this Assembly and this province continue to reverberate through all of our deliberations. And I say thank you, Laurence, for what you brought to this building, to each of us who serves here, and to the men and women who work here. You will be missed, but you will never be forgotten.

Thank you. [applause]

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

MRS. MacBETH: Thank you, Mr. Speaker, and thank you very much to the Premier for his very thoughtful and kind words about Laurence Decore. Laurence Decore served this Assembly, served our city, served our province in an exemplary way. He was truly a leader, a champion, and a friend to many. I join with the Premier in extending my very deepest sympathies to the Decore family and the many, many Albertans and Canadians who loved him.

One of the things that I think is most important about Laurence Decore's legacy is that he inspired a tremendous loyalty and friendship for all who knew him. Those friendships lasted a lifetime and were evident in the small church in central Edmonton that he called home and that he worshiped in so long and that was such a major part of his life.

But I think that Laurence Decore has left his mark on Canada as well as Alberta not only through his efforts to recognize in the Charter of Rights and Freedoms, which protects the equality of all Canadians, his fervent belief in that fundamental value of Canada

and his efforts to ensure that not only would Canada be recognized as a country where there was an equality of two cultures that came together to found Canada, but Laurence will be remembered and his legacy will reflect that the multicultural nature of Canada is reflected in that Charter as well. His work to ensure that section 27 in that Charter of Rights and Freedoms today is very largely attributable to his tenacity, his commitment, and his love of Canada.

As leader of the Alberta Liberal Party I follow in Laurence's shoes, but on behalf of the Official Opposition I want to say thank you to the Decore family for sharing a husband, a father, a brother, a brother-in-law, a loved one with all of us in public life. Our thanks go as well to the many colleagues who served with Laurence, to staff in the Official Opposition offices who knew him, to the many, many people across Alberta who rose to express their sympathy and condolences upon his passing. Let us all give thanks for the example that he left our province.

Thank you.

THE SPEAKER: Hon. members, at moments like this it would be most appropriate to offer an opportunity to the leader of the third party to participate in this eulogy tribute, but to do so requires unanimous consent of the Assembly. Would any member be opposed?

The hon. leader of the third party.

MS BARRETT: Mr. Speaker, thank you. On behalf of the New Democrat opposition, the Alberta New Democrats, and the constituents of Edmonton-Highlands and Edmonton-Strathcona I would like to add my voice to the growing chorus here in the Legislative Assembly who praise our former colleague, Laurence Decore, with whom I served as well for several years.

Many of Laurence's fine qualities have been mentioned today, and they are all worthy of mention. However, in the years that my path crossed Laurence's, one stood out and always impressed me, and that was Laurence's commitment to multiculturalism and ethnic diversity. He was mayor of Edmonton throughout the 1980s, when our city's ethnic makeup began to change dramatically as immigration patterns changed, and our city was lucky to have a mayor who welcomed these new Canadians with such enthusiasm and support.

His commitment to diversity carried over to the political realm, where Laurence had an unending respect for the democratic process and the difference of opinions that comes with that. Both Edmonton city hall and this House are institutions that were made better by the presence and participation of our late friend, Laurence Decore. I'm particularly happy that his family members could be here today as well as the family members of Mr. John Butler, a former member of this House who passed away earlier this month.

I would like to express my sincerest respect for both late MLAs and acknowledge that I believe firmly that anyone who runs for public office and serves his or her community in this manner is worthy of respect and so are their families.

#### Mr. Jack Butler

October 12, 1916, to November 4, 1999

MRS. McCLELLAN: Mr. Speaker, hon. members, I'm honoured today to rise to pay tribute to a respected Albertan, a former Member of this Legislative Assembly, a constituent, and a dear friend, Jack Butler, from Youngstown, Alberta.

Jack was born on October 21, 1916, at Solsgirth, Manitoba, and traveled west to Alberta at the age of 15 and, incidentally, traveled west to Alberta by horseback. He initially settled in the area of Lundbreck in southwestern Alberta, where he was a forest ranger for many years and operated a sawmill. While working hard and

making a life for himself, he met and married Kathleen. Together they raised four sons, who continue to contribute to the legacy that Jack built and developed in this province.

In 1951 he moved to the Youngstown area, where he was a horned Hereford rancher, running about 500 cows. Jack, as many knew him by, always felt at home on his horse, in an auction market, or at a bull sale. He was active as a member of the board of governors of the Western Stock Growers' Association and is a founding member of the Central Alberta Research Association. Jack Butler was a member of this Assembly for the Hanna-Oyen constituency, as it was known then, from 1975 to '79, and, Mr. Speaker, you outlined a number of his accomplishments during that time.

2:20

What I want to say is that he represented his constituency with dedication and with panache. He brought his down-to-earth common sense and honesty to this Assembly, and I was proud and honoured when he seconded my nomination on November 3, 1987, in Youngstown, Alberta. All Jack asked of me when he offered to second that nomination was that I not forget the people and the values of the area that I was hoping to represent. That was Jack. He was truly a what-you-see-is-what-you-got kind of a guy. Whether you asked for his advice or his opinion, he was always prepared to provide his comments, a very dedicated man to the agricultural community and the land of the special areas. It is ironic that Jack was on his way home from a bull sale when the motor vehicle mishap occurred on Thursday, November 4. Jack was 83 years old. He will be very much missed by his family and his loved ones.

Mr. Speaker, on behalf of the government of Alberta, past and present colleagues, our condolences are extended to Jack's wife of 59 years, Kathleen, and sons Walter, Melvin, Donald, and Gordon and their families. His dreams, aspirations, and values will live on through his children, his grandchildren, and his great-grandchildren.

Thank you.

head: Oral Question Period

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

### Private Health Services

MRS. MacBETH: Thanks, Mr. Speaker. Albertans have said over and over and over again that what they really want is strong, public health care in this province. They have categorically rejected on at least two occasions the Premier's scheme for expanded private hospitals. Why is the Premier defying the will of people of this province?

MR. KLEIN: We, like the Liberal opposition and the ND opposition, support strong public health care. We support it. As a matter of fact, Mr. Speaker, fundamental to the legislation that we plan to introduce next spring is government's commitment to Albertans and the parameters of the Canada Health Act, an absolute, unequivocal, no-argument-about-it commitment to the Canada Health Act: committed to universality, committed to excellence, committed to comprehensiveness, committed to accessibility, committed to portability, committed to public administration of the system.

Mr. Speaker, what we want to do – and this is what they can't get through their heads. They want to prolong suffering; that's what they want to do. They don't mind people waiting six or seven or eight months for hip replacements, for ophthalmology procedures. They don't mind that at all. They are telling the Alberta public that it's all right to suffer.

Mr. Speaker, we want to increase accessibility; we want to create choice so that people can end their suffering under the publicly funded health care system as we know it today.

MRS. MacBETH: Well, Mr. Speaker, the Premier blew up the Calgary General, he sold the Grace, and he's mothballed the Holy Cross. That's what he's done to public health care.

Mr. Speaker, why does the Premier now want to subsidize private hospitals, or rather should I say: surgical services requiring an extended stay? Why does he now want to subsidize private hospitals with taxpayer dollars? I thought this government was out of the business of being in business.

MR. KLEIN: Mr. Speaker, again I go back to the statements I've made all along. Every doctor in this province who operates out of a private clinic is there to make money. Right? We pay for it, and the hon. member has no problems with that.

Mr. Speaker, we have long-term care centres that treat people with ailments. They treat people with Alzheimer's disease and other afflictions. Those are more than overnight stays. Those are stays usually for the rest of that person's life. And that happens.

Many RHAs now contract ophthalmology procedures, cataract operations, MRIs, Mr. Speaker. The hon. member should know about that because her brother, I understand, is involved in one of those private diagnostic operations.

This is a matter of providing more choice under the publicly funded system. It's all about alleviating suffering, and I wish they would get that through their heads.

MRS. MacBETH: Mr. Speaker, he might want to explain how you do a hip replacement in a little clinic.

While the Premier identifies that he wants to improve access, to improve efficiency, and to reduce waiting lists, all very important goals, perhaps he could answer the question which is on Albertans' minds: why does he want to invest in private hospitals to achieve those goals instead of the public health system that Albertans trust?

MR. KLEIN: Mr. Speaker, to imply that this government is investing in private hospitals is misleading the public, and that is the kind of fear-mongering misinformation that really is doing a tremendous disservice to the Alberta public. We are not investing one single cent in so-called private facilities.

All we are proposing to do through this legislation is to allow regional health authorities to contract, to purchase or directly provide services to shorten waiting lists, Mr. Speaker, and to end suffering. What could be wrong with that under the publicly funded system?

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

MRS. MacBETH: There's lots wrong with it, Mr. Speaker, and we'll explore it in the coming days.

There's a long tradition of private physician practice in Alberta and, indeed, in our country that has served us well. That's not the problem. The problem is this Premier's fixation with private hospitals. So why isn't he tabling legislation today that delineates between clinics that can properly be part of a public system and taxpayer subsidized private hospitals, which will destroy it?

MR. KLEIN: Mr. Speaker, I have it clear in my mind. It's any kind of facility that contracts with the RHA to provide a surgical service that falls within the parameters of the Canada Health Act.

This policy statement that was tabled today has been sent to Mr. Rock, the hon. leader of the Liberal opposition's good friend in Ottawa. Right? It's been sent to him. We've asked the federal government to follow us, to work with us on it. If they see in any way, shape, or form that there is a violation of the Canada Health



Act, they will let us know. If we think that we're right, there is a process for adjudication of these particular matters. But we have said – and it's fundamental – that nothing that we are proposing would violate in any way, shape, or form the Canada Health Act. That is the bible for the delivery of health care throughout this province. But unlike the Liberals we want to find choices that end suffering. They want to prolong suffering.

MRS. MacBETH: Mr. Speaker, they should check the public administration principle of the Canada Health Act.

Is the Premier going to impose a 180-day moratorium on any expansion of diagnostic and surgical clinics until the appropriate legislative framework, which exists in at least three other provinces in this country, can be put in place? Now. Why not now?

2:30

MR. KLEIN: Mr. Speaker, what does she think we're doing? We have tabled a policy statement today. Maybe we need a longer summer break. They have been lost in the wilderness. I don't know where they've been. They certainly haven't been paying attention.

Mr. Speaker, the policy statement was tabled today to receive input between now and next spring. I can tell you – and I'll have the hon. minister supplement my answer – that nothing, absolutely nothing will take place until the legislation is thoroughly debated and hopefully passed.

MR. JONSON: If I might supplement, Mr. Speaker, certainly we are making a commitment to discussion on this particular policy statement, which is, of course, very important. We have made it very clear that we want the policy statement to be discussed by Albertans, and we want to know their views on the particular topic.

However, Mr. Speaker, there is a certain irony here. I note that on November 4 the Liberal leader listed her policy. She is advocating the licensing of private hospitals, that that be set up, and, secondly, that these private hospitals should not be receiving taxpayers' dollars. So I'm assuming that people could pay as they go and jump queues and move in a very private way through the system. Thirdly, they want all physicians to opt out of the . . .

THE SPEAKER: Hon. Leader of the Official Opposition, please proceed with your third.

MRS. MacBETH: Mr. Speaker, I will table what, in fact, we've proposed. At least one party in this House has a plan for health care.

Where is the proof that this contracting-out scheme the Premier has developed to eliminate the wait lists is going to be less expensive? Surely to goodness the government has done some studies to justify creating this entirely new system that they're proposing without a plan.

MR. KLEIN: Mr. Speaker, this is not an entirely new system. This is something that will allow the RHAs throughout this province to provide more choice and allow patients more ready access to the system to alleviate suffering.

I don't know. I've never had a hip replacement, but I'll tell you that the letters I get vis-a-vis the waiting lists and the anguish and the pain and the suffering described by those people because they can't get access . . . [interjections] No, Mr. Speaker. This is an anomaly, and the hon. members know that we're dealing with the anomaly and the very special circumstance today of an aging population and the afflictions associated with an aging population. There are sufficient beds in Calgary. There are sufficient beds in the Capital regional authority. We have sufficient hospital beds in this province. The

anomaly is just the vastly increasing numbers of people who are seeking services relative to afflictions that effect the aged. Those surgeries are mostly ophthalmology surgeries. We were able to do that, and the RHAs have proven that it is working by contracting to various eye clinics for cataract surgeries and so on. The most critical need right now is hip replacements.

Mr. Speaker, rather than spending millions and millions, up to hundreds of millions of dollars on bricks and mortars, we want to make sure that the dollars are directed to people to alleviate suffering. I can't imagine a Liberal body that is sitting there advocating prolonged suffering. I can't understand it.

### Speaker's Ruling

#### Oral Question Period Rules

THE SPEAKER: Actually, hon. members, I was not going to rise and say what I'm going to say now until at least the fourth set of questions has really transpired, but I think I sort of mentally counted about 12 violations of the Standing Orders in the last two exchanges, not only from the participants but from all members, including dereliction of duty by the Speaker for not enforcing the rules of the House. But one recognizes that it's been a while since we've been here.

So could we all take a good deep breath, and let's move forward now with the third main question from the Leader of the Official Opposition.

MRS. MacBETH: Thanks, Mr. Speaker. This is clearly an issue which gets all Albertans going. So thank you for your mention of making sure we recognize where we are.

### Private Health Services

(continued)

MRS. MacBETH: So, Mr. Speaker, when the people of Alberta think of Ralph Klein, is he determined that his legacy is going to be the destruction of public health care and its system in Canada?

MR. KLEIN: No, Mr. Speaker. If there's a legacy – I'm sure that there will be – we will have a legacy of eliminating the deficit. We will have a legacy of creating one of the most economically productive climates of any jurisdiction in this country. We will have a legacy of having the lowest overall tax regime in the country. We will have a legacy of affordability and efficiency in our health care system and our education system where dollars are directed to the patients and not to administration and not to bricks and mortar. That will be our legacy, and it's a legacy of which I will be very, very proud indeed.

DR. TAYLOR: Give us another one, Nancy.

MRS. MacBETH: Okay, I will. I will give you another one.

Mr. Speaker, can I just ask the Premier, leader to leader: is the Premier out scouting for candidates in the next provincial election that will run on the basis of his view of more private care and less public health care?

THE SPEAKER: Hon. Premier, please. Political party matters are not the purview of question period.

The Leader of the Official Opposition.

MRS. MacBETH: I guess my final question would be: why not just call an election on this whole issue of his view of more private health care, and let's get on with it?

MR. KLEIN: Mr. Speaker, in the fullness of time – and certainly I'll be open and honest with the Leader of the Opposition. It won't be held next spring. By that time the legislation will have been debated. Time will tell if we're right or not. We think we are. We think that alleviating suffering, we think that providing more choices under the publicly funded health care system is the right way to go. You know what? In the year 2001 I would be more than happy to meet the hon. leader of the Liberal opposition on the hustings. I whumped her once; we'll do it again.

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

MS BARRETT: Gee, Mr. Speaker, I'm not sure I should be in this movie. What's it turned into: The Ralph Klein Comedy Hour?

Mr. Speaker, I maintain that in last night's televised address the Premier cynically used Albertans waiting for surgery as pawns in his crusade to legalize private, for-profit hospitals.

Now, if the Premier really cared about the pain and suffering of Albertans on waiting lists - yeah, like I believe that - why did he close three public hospitals in Calgary, blow one of them up, and shut down 44 percent of the hospital beds in the city of Edmonton? Which is it: hospitals or you care?

2:40

MR. KLEIN: Mr. Speaker, again, like the hon. leader of the Liberal opposition, the leader of the New Democrats is more obsessed with bricks and mortar and administration and governance, more obsessed with that than the treatment of people. There had to be a rationalization of hospitals throughout this province. Quite simply, we were overbuilt, and those hospitals were closed. The Holy Cross was closed. The General was closed. The Grace hospital wasn't closed; it was moved. It was moved and is a much better facility right now. They were closed because they were old hospitals, and there were many new, state-of-the-art beds in existing hospitals like the Lougheed and the Rockyview and the Foothills that couldn't open because of the abundance of rooms that were still being maintained in those older hospitals. We are now able to open up those state-of-the-art facilities.

MS BARRETT: Well, Mr. Speaker, that begs the question of why the government sold for 4 and a half million dollars a hospital that had just put in \$35 million of renovations; doesn't it? I would ask the Premier: if he really cares about the pain and suffering of Albertans on waiting lists, why doesn't he restore funding to reopen the beds and operating rooms in the public hospitals that we do have, for example right here in Edmonton and in other cities and communities, instead of making yet another attempt to pad the profit margins of private health care hospitals?

MR. KLEIN: Mr. Speaker, it's nothing to do with padding the profits. Again, every doctor, even the doctors that the hon. leader of the ND opposition – even her doctors make money; right? They all make money. They don't go to school to not make money. They try to make money. As a matter of fact, they try to maximize the amount of money they can make.

DR. OBERG: Some do.

MR. KLEIN: And some do, I'm told. Right. Most, I think, do.

Mr. Speaker, they do not invest the kind of dollars they invest in a very, very wonderful profession – they don't make that kind of investment unless there is going to be some reward at the end of the day. The reward, of course, is treating the sick and the injured, but

the other reward is getting paid for it, and that happens. It happens in the publicly funded health care system, and we're going to make sure that it happens.

I would remind the hon. member that what they are trying to do is hoodwink the public that in order to get access to health care under the expanded program and under the new policy, they'll have to come in with their cheque book and their credit card. I reiterate, Mr. Speaker: the only card they will need is their Alberta health care card.

MS BARRETT: Well, Mr. Speaker, I'm in possession of the new policy statement on the delivery of surgical services, and I'm not comforted, but I will agree it's a thorough document. So here's the question then. If he's so convinced that he's on the side of the angels, why doesn't the Premier table a draft copy of the new Bill 37 and then put it out to a referendum and let the public decide? A simple question: yes or no?

MR. KLEIN: Well, Mr. Speaker, although we aren't going through the formality of a referendum, certainly we are using every available source of government communication lines to hear and to receive input from the public on the policy. That will be included in the legislation when it is tabled next spring. So basically we are doing what the hon. leader of the Liberal opposition has asked us to do, give or take some of those days. I don't know how long it's going to take before we actually table the legislation, but I expect it's going to be a hundred days or so. We're going to hear from the public. We're going to draft good legislation that protects the publicly funded health care system, that offers more choices, that will alleviate waiting lists, that will end, hopefully, in the cases of hundreds and hundreds of Albertans the suffering that is going on, and it will all be done within the publicly funded health care system.

Mr. Speaker, fundamental again to the policy is strict and absolute adherence to the principles of the Canada Health Act. Strict and absolute adherence to the Canada Health Act.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan, followed by the hon. Member for Edmonton-Meadowlark.

### Natural Gas Well Drilling

MR. LOUGHEED: Thank you, Mr. Speaker. My questions are for the Minister of Resource Development. Some residents in the Brookville area in eastern Strathcona county are concerned about the possibility of gas wells being drilled in their neighbourhood. How would the minister advise these residents to proceed to ensure that their concerns are addressed?

DR. WEST: Mr. Speaker, I'm glad we're back to the real issues here. The issue here is sustainable resource development, and the question brought forth by the hon. member is one that probably goes across this province on a daily basis: what do the people beside the development of resources do to protect their interests?

Now, in this area here Torex Resources is drilling wells out in the county of Strathcona. On September 8 they had a public meeting, and this starts the process of public consultation. Torex was invited to participate at a public meeting regarding this well, and Mr. Paul Downy and Mrs. Sandra Elliott represented a number of area residents in that area and organized the meeting. Attendance included Mel Flinkman, chamber of commerce chairperson, and the president and vice presidents of Torex. Staff of the EUB, the Alberta Energy and Utilities Board, were present.

Following that and their concerns, which were numerous, the member that just asked the question held a meeting on November 1, a second public meeting. Now, as the process goes, Torex industry

has done nothing wrong. They have followed the rules. They have not applied for a licence yet for a sweet gas development, but they have started the public consultations. Following that, they will then apply for a licence to the Alberta Energy and Utilities Board, and of course they will have to have acquired surface leases from the landowner and a mineral surface lease from Alberta Environment if they wish to drill on Crown land.

Now, Crown land is an operative word, because we can't prevent people from asking us to sell the rights to drill on Crown land. In this area that we're talking about, only 50 percent of the land is Crown land; 50 percent is freehold land, which means that drilling will go on if some of the companies approach the private landowners. Then the process goes to the private landowners, and the residents will have to negotiate and talk in communication with private landowners, but the company will still come to the province for a licence. Following that, the EUB will determine, if there are a number of complaints, whether to hold a hearing, and if that's the case, they will call in the interested parties and the stakeholders and have that hearing.

By the way, in that area there was a company that didn't do proper consultation, and just recently the EUB stepped in on a complaint and suspended them right in the middle of drilling and required that they move their drilling rig off that property, not far from where we're talking about.

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

MR. LOUGHEED: Thank you, Mr. Speaker. The supplemental. I'm wondering if there are any population restrictions such that there are no gas leases made available in regions where the population density exceeds a certain value.

DR. WEST: The direct answer is no. There are no restrictions, but the EUB takes a tremendous amount of precaution when we get close to highly residential areas or urban areas. On Crown lands everybody that comes forward must satisfy a lot of requirements. I mean, recently in Calgary we had a company, Canadian 88, apply to drill a sour gas well near Calgary. I won't present them all here today, but there are 19 different requirements on that specific well that go far beyond any other drilling program in the province of Alberta.

I must just say that although there are no restrictions, it is a matter of fact that there has been no public ever killed by sour gas or gas in the province of Alberta. I'll repeat that: no public has ever been killed. Now, there have been a number of accidents previously with sour gas that the people working in that area have had. The last major one was 15 years ago, and there was an accident not too long ago.

2:50

MR. LOUGHEED: Thank you, Mr. Speaker. Regarding the EUB, some residents have inquired whether there is a conflict of interest that might exist if the EUB is funded by the industry.

DR. WEST: The EUB is about 80 percent funded by the private sector through fees that we collect on licences and drilling applications and 20 percent by the Crown. Over the 40 years I think the arm's-length reputation of the EUB has been well upheld and respected throughout the world. There is no secret to funding. As long as your legislation is in place and your board works independently, whether it's funded partially or totally by industry is not a conflict of interest. I'll give you an example. [interjections] Very good. Now that we understand that you were surprised by that, the National Energy Board . . .

THE SPEAKER: Hon. Minister of Resource Development, the question period seeks information, not debate.

Let's move on to the hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Wetaskiwin-Camrose.

### Private Health Services

(continued)

MS LEIBOVICI: Thank you, Mr. Speaker. The Premier this afternoon admitted that there are sufficient beds in the public system to alleviate the suffering that this government has created. Yet rather than having public dollars devoted to alleviating that suffering, the suffering of the patients, this Premier continues to promote a new, two-tiered, parallel health system, contrary to the policy statement that was submitted this afternoon. Our public tax dollars, those sweat-soaked loonies, will be building private, for-profit hospitals. My questions are to the Premier. Will he direct regional health authorities to open those mothballed beds in order to alleviate the suffering of Albertans rather than contracting out to private hospitals?

MR. KLEIN: Well, Mr. Speaker, there will be an announcement – and I'm not going to get into the announcement; there will be one tomorrow and there will be one Friday – relative to enhancing resources to regional health authorities throughout this province. As I tried to explain before, hospital beds are used to accommodate the sick. One of the problems, one of the anomalies is related to elective surgery as it pertains to afflictions facing the aging, and it puts pressure on hospitals relative to other kinds of services: when people come in with heart attacks, when they get banged up in a car accident. You know, they have to deal with these situations and at the same time deal with increasingly lengthening lists of people waiting for elective surgery, primarily joint replacements. So what we want to do is look at better and more effective and more efficient ways of delivering these services under the publicly funded health care system.

Mr. Speaker, it's precisely that kind of misinformation, that we are going to a private, for-profit, two-tiered system, that is insidious, shameful misinformation. I'm going to say it for the clarification of the Liberals and all in this House:

Contracted providers are prohibited from charging any fee (including a facility fee) to insured persons for an insured surgical service beyond those set out in the Alberta Health Care Insurance Plan. There will be no two-tier medicine and no queue jumping.

It's as simple as that.

MS LEIBOVICI: As the Premier is talking about insured surgical services in his policy statement, not long-term care beds, can the Premier tell Albertans which private, commercial surgical facilities, private hospitals, will immediately benefit from your new legislation in February 2000? Which ones are waiting there, Mr. Premier, to take over?

MR. KLEIN: I have no idea, Mr. Speaker. I have no idea, because this will be entirely up to the regional health authorities, and those that the RHAs want to contract with will have to meet a very stringent set of criteria.

I'll have the hon. minister expand.

MR. JONSON: Mr. Speaker, there is no particular entity that is in any way being focused upon here. We're proposing to have adopted a policy which is very protective of the publicly administered, publicly funded health care system in the province. I find it very ironic that the Liberals are concerned about this, given that in their policy statement of November 4 they are indicating that we should

get on with licensing private hospitals and that, secondly, we should make sure that doctors opt out of medicare in order to practise in these particular facilities. Of course, that is setting up a totally parallel private health care system in this province.

MS LEIBOVICI: In the spirit of openness, will the Premier table tomorrow all contracts currently held with private, for-profit health providers so that Albertans can judge for themselves who benefits from contracting out?

MR. KLEIN: I have no problem at all. I don't know of any other than maybe the literally hundreds and hundreds of doctor-operated clinics throughout the province. You know, we can file all those, but I don't know of any sort of private, for-profit hospitals operating in this province. I know that there's one operating in socialist B.C., and I've heard of some operating in central Canada. I've heard of some of these operating. I don't know much about them. But that's not what we're proposing here by any stretch of the imagination. In socialist B.C. they have private or a private – I read about it in the *Calgary Herald*. That's where I read about it. I read in the *Calgary Herald* that they are operating a private, for-profit hospital, where people who have the cash can come in and jump the queue and get the services. Now, that's not what we're proposing here.

THE SPEAKER: The hon. Member for Wetaskiwin-Camrose, followed by the hon. Member for Calgary-Buffalo.

#### Social Studies Curriculum

MR. JOHNSON: Thank you, Mr. Speaker. The western Canada protocol for collaboration in basic education is an initiative to develop a common curriculum framework for K to 12 education in the four western provinces and two territories. We were told that this collaboration is a unique opportunity for the framework to reflect the complex and diverse nature of Canada and to contribute to a balanced and inclusive vision of our country. However, social studies teachers in my constituency are concerned that developments are leading to a curriculum with less emphasis on world history and geography. To the Minister of Learning: what subjects are being considered in the western Canada protocol initiative, and when will they be initiated?

DR. OBERG: Thank you very much, Mr. Speaker. First of all, the western Canada protocol is a very important initiative that has been put out by the four western provinces and the two territories. Along with what the hon. member has already said, there are two other very important parts of this initiative. First of all, quite simply, it's a lot cheaper; we have six people at the table working on a curriculum rather than working on our own. Probably the most important from a parent point of view, from a student point of view, is that when students move back and forth between the four western provinces and the two territories, they will have a similar curriculum so that the students will not be requested to start a completely new curriculum.

Mr. Speaker, presently we have done math, we have done English, we have done language arts, we have done French language and international languages, and we're currently working on social studies, aboriginal culture, and language frameworks. This has been a highly successful initiative, and it's something that I'm extremely proud of and something that as Albertans we should be very proud of.

MR. JOHNSON: My second question to the same minister: what role is Alberta playing, then, in the development of this common curriculum?

DR. OBERG: As usual, Alberta plays a very strong role in this. We tend to be leading the curriculum development among these six partners. Within the common curriculum framework our staff are working hard at developing these new protocols, the new curriculum. Mr. Speaker, as I started off with, Alberta is playing an extremely strong role in the western Canada protocol.

3:00

MR. JOHNSON: My final question to the same minister: what assurance can the minister give high school social studies teachers in my constituency that world history and geography will be properly balanced with aspects of Canadian history in the new curriculum?

DR. OBERG: Mr. Speaker, again I can give the hon. member absolute assurance. Over the past two to three years we have had numerous meetings with educators, numerous meetings with people involved in the education system to develop the new social studies protocol. Getting a balance between the three things that the hon. member has mentioned is of critical importance. Over the next two to three years we will continue to collaborate with groups such as the Alberta Teachers' Association, groups such as the individual teachers to come up with the best protocol.

Mr. Speaker, as I alluded to earlier, the social studies curriculum will not be in full effect until September of 2002, so we have a couple of years where we certainly will iron out any problems. We all hope that the social studies curriculum will go into the schools very, very smoothly, and we'll work extremely hard to ensure that that occurs.

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

#### Confidentiality of Medical Records

MR. DICKSON: Mr. Speaker, thank you. Last year the health minister's own steering committee on health information made a key recommendation. The recommendation was that a citizen's privacy should be protected in health records, whether those health records are in a private facility or in a public facility. Now, that was also the conclusion of the House of Commons when they passed Bill C-6 a number of days ago, but it appears that this government will not do that. I want to address this question to the Premier. Why will Albertans have their most personal health information protected when they go for treatment to the Foothills hospital, but if they walk across the street to HRG, they don't have the same level of protection? Why would that be, Mr. Premier?

MR. KLEIN: Well, is the hon. member talking about someone not having the same level of protection in a doctor's office? I mean, what has HRG got to do with this? I understand that they deal with WCB cases. Mr. Speaker, I'm going to have to defer to the hon. minister because I have no clue nor do I think the hon. member has a clue as to what he's talking about. It simply is not true.

MR. JOHNSON: Mr. Speaker, the hon. member across the way may not have had the opportunity to peruse the legislation contained in Bill 40. In that legislation there is provision for an individual, when it comes to a certain stage or a certain type of personal record which is sensitive to the individual or to their family, to grant permission or not grant permission or to refuse permission for that particular personal information to be shared. So that is part of the bill.

With respect to the general type of information of course, that is not identifiable, that is something that we want to see exchanged for the better management and direction of our overall health care system.

As far as the legislation dealing federally with private enterprise,

I think, Mr. Speaker, that in our legislation we are very sensitive to the protection of information in the public health care system, which of course is what our policy is all about. I think it would be much more likely or much more of a problem in the type of system that the Liberals across the way are advocating in their policy, which is a completely private, parallel health care system.

MR. DICKSON: Mr. Speaker, you can almost hear the skate blade on the ice.

I'd go back to the Premier and ask this: why is it that this government chose not to follow the unanimous recommendation of the health information steering committee when they recommended on page 25: "Health information collection, use, access and disclosure rules should apply to both the public and private sectors"? Why is it that on page 7 of the explanatory note that came out today it says: before the rules are extended to the private sector, we want to make sure they work and work well in the health system? Mr. Premier, surely you can explain why you wouldn't accept that recommendation?

MR. KLEIN: Mr. Speaker, I understand this legislation is coming before the Assembly. It's just been introduced, and I'm sure that the hon. member will have plenty of time. I know and I understand he's doing a lot of research. He's gone, I think, as far as Yale or Harvard university to eke out some opinions on some certain aspects of this particular case. Why you'd have to go to the United States I don't know, but this is what I understand.

MR. DAY: That's a two-tiered system down there.

MR. KLEIN: Right. It's two-tiered.

Mr. Speaker, the intention of this bill is to protect private health information. That is the intent of the act. I would hope that the hon. member would debate the act, would debate the legislation in the spirit of protecting private health information.

MR. DICKSON: My final question, Mr. Speaker, goes back to the Premier, and it's this. Why would this government betray the promise that was made by the Health and Wellness minister on March 8, 1998, when he said that there would be public hearings before the health information bill was introduced in the Assembly? It was introduced today, and I haven't seen those public hearings.

MR. KLEIN: Well, Mr. Speaker, maybe I'll ask the hon. minister to respond. On any major piece of legislation we set up the systems so that Albertans can communicate to us directly. The hon. member's idea of a public hearing is a public hearing where he gathers a bunch of his friends and spreads a lot of misinformation. That's his idea of a public hearing. We don't work that way.

THE SPEAKER: The hon. Member for Little Bow, followed by the hon. Member for Edmonton-Gold Bar.

### **Freedom of Information Legislation**

MR. McFARLAND: Thank you, Mr. Speaker. I continue to hear nothing but negative comments about the Freedom of Information and Protection of Privacy Act in my constituency, including how last week grade 9 students following their school program were prohibited by the regional health authority from job shadowing a health care professional in a hospital, even though they had the patient's consent. My question today is to the Premier. Not including the MUSH sector, how many taxpayer-funded positions are there currently in government departments administering FOIP-related activities?

MR. KLEIN: Well, Mr. Speaker, certainly FOIP has created the need for full-time employees. A lot of them spend a lot of their time just processing nothing but Liberal requests for information, and that's good. Nothing wrong with that. We brought in this legislation in the spirit of being open and accountable. This fiscal year around 67 full-time employees will be directly required for FOIP administration by provincial government bodies, and that excludes the so-called HUMS, MUSH, MASH, or whatever sector you want to call it.

MR. McFARLAND: Thank you, Mr. Speaker. My second supplemental is also to the Premier. What does it cost the government to provide these positions within their respective departments that could otherwise be doing some real work?

MR. KLEIN: Well, Mr. Speaker, again, there's a cost associated with processing all of these requests. I understand that a good many of them come from the Liberal opposition. It costs the government – that is, the taxpayers of this province who pay provincial income tax – about \$4 million. I don't know what the cost is to various municipalities, universities, schools, and hospitals vis-a-vis the administration costs for FOIP programs within their own sectors.

MR. McFARLAND: Thank you, Mr. Speaker. Mr. Premier, will you ensure that what's happening in government and particularly in the MUSH sector, as I've indicated before, reflects the original intent of this FOIP legislation or rescind it altogether?

MR. KLEIN: Mr. Speaker, it is so disturbing, really, to hear about nothing more than stupid bureaucracy getting in the way of really the full intent of the act, and that's what's happened. That's what happened. People look at this and say, "Well, we don't like the act, so we're going to make it as difficult as possible," and you see these silly kinds of things occur. I would ask the FOIP administrator here today to get a clear message out: lookit; this is to provide information that is essential for the public to make informed decisions or so that the public knows exactly what their government and what the various jurisdictions are doing with their money. It's also there to protect privacy. It's not there to prevent students from job shadowing someone who is associated with a health authority. That is stupid. That is stupid bureaucracy, and it ought to be put an end to.

3:10

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

### **Regional Health Authority Contracts**

MR. MacDONALD: Thank you, Mr. Speaker. Regional health authority contracts with health service operators represent over \$668 million, or 19 percent, of regional health authority budgets. Now we find out that the Premier is prepared to open the door to massive contracting out. He's going to create a private system of health care delivery in this province, and he's going to use taxpayers' money to do it. My first question is to the Premier. How many taxpayer dollars will be spent in your contracting-out scheme? Will it be 50 percent of all the regional health authority budgets? Will it be 60 percent? Will it be 70 percent? Albertans deserve an answer.

MR. KLEIN: Well, Mr. Speaker, again, this is entirely up to the regional health authorities. I'm not contracting out anything. This legislation is legislation that enables regional health authorities to purchase services or provide services, to do a combination of both.

Mr. Speaker, this is the kind of irresponsible misinformation that the Liberals try to get out when they say that I am going to be spending massive amounts of taxpayers' dollars. That simply is not

true. Anything that is not true is a lie. These are the kinds of tactics that the Liberals will attempt to use between now and the introduction of that legislation. It is irresponsible. They are not being fair to their constituents. They are not being fair to Albertans. But what can you expect? This is the way they operate.

MR. MacDONALD: Thank you, Mr. Speaker. My second question is also to the Premier. Will the Premier agree to publicly release all contracts between regional health authorities and private-sector health operators? Albertans deserve to know where their money is being spent.

MR. KLEIN: Mr. Speaker, I'll have the hon. minister supplement, but if the hon. member wants to know – for instance, I know of a situation . . .

MR. BONNER: Albertans want to know.

MR. KLEIN: Fine. It's very easy to get that information. You're so good at FOIPing. You guys know how to FOIP. I don't even think you need to FOIP. All you have to do is phone up the administrator of the Calgary regional health authority and say: how many of your services are now contracted out, and what's the value of those contracts? Very, very simple. You know, if they want me to, I can pick up the phone on their behalf. If they are incapable of using the telephone or if they can't properly frame the question, then I'd be glad to do it for them, Mr. Speaker.

MR. MacDONALD: Thank you, Mr. Speaker. My third question is also for the Premier. Why won't you release these private health care contracts? Why don't you release them? It's not in this document. You say you will release – and I will read it to you – the “rationale for approval.” Are you trying to promote and protect the commercial interests of the Huangs, the Gimbels, the Chipeurs, and the Modrys? They're the ones that are going to benefit from your scheme, not sick Albertans.

MR. KLEIN: Mr. Speaker, are they really that thick-witted to think that I'm sitting on all these contracts, that these are my personal contracts? These are all in the hands of the regional health authorities. All they've got to do is pick up the telephone. Now, the taxpayers of this province give them a very generous allowance to hire researchers. Tell some of those researchers to get on the phone and ask the regional health authorities how many of their services are contracted out and what the value is. I mean, that doesn't take rocket science. Really, even that member is capable of doing it, and I would encourage him to do it.

THE SPEAKER: Well, hon. members, in about 30 seconds from now we'll call on the first of seven individuals to participate in Recognitions today. So kindly have that second breath, and we'll get up in 30 seconds from now with Recognitions.

Before proceeding with Recognitions, might we briefly revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests

(*reversion*)

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

MR. HERARD: Thank you, Mr. Speaker. It's an honour to introduce to you and through you to members of the Assembly a number of people in our gallery who have more than a passing interest in the

proceedings here this afternoon, if we can ever get to private members' bills and the WCB act. I'd like to ask Frank Pagnotta, Ralph Teed, Tony Locke, Charlie Sams, Brad Tilley, Betty Tilley, and Marla Buchanan to please rise and receive the warm welcome of the Assembly.

### Recognitions

THE SPEAKER: I'll call on the following members today for Recognitions, and we'll go in this order. We'll proceed first of all with the hon. Member for St. Albert, then the hon. members for Edmonton-Centre, Medicine Hat, Calgary-Buffalo, Wainwright, Edmonton-Strathcona, and Olds-Didsbury-Three Hills.

### St. Albert Year of Older Persons Initiatives

MRS. O'NEILL: Thank you, Mr. Speaker. It's my pleasure today to acknowledge the steadfast work of the St. Albert International Year of Older Persons steering committee members. Throughout this year the members have been involved in a number of initiatives which serve to recognize the remarkable presence and contribution of seniors in our community.

One of my favourite initiatives is under the direction of promoting intergenerational understanding. This initiative involves a process whereby young people are meeting with older persons and recording their stories and our history.

I'd like to mention another project which has a legacy component; in particular, the Celebration Garden. Mrs. Millie Seitz and her committee have been instrumental in establishing and planning the Celebration Garden, wherein native or chosen western Canadian botanical species will be represented among resting benches and sculptural artifacts. Because of the substantial financial support offered by the Association of Commercial Travellers, this legacy will be called the ACT Celebration Garden.

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

### Family Violence Month

MS BLAKEMAN: Thank you, Mr. Speaker. November is Family Violence Month in Alberta, and I would like to recognize the many community groups which are the backbone and provide most of the services in this area, agencies and programs like PROP, Protection and Restraining Order Project; the Family Violence Prevention Centre in Edmonton; the Alberta Council of Women's Shelters; the Sexual Assault Centre of Edmonton; Calgary Communities against Sexual Abuse; the Calgary Justice Working Committee; the Calgary Legal Guidance Centre; the Edmonton and Calgary YWCAs; Calgary Status of Women; Changing Together; Indo-Canadian Women; the Edmonton multicultural health brokers; FCSS programs, especially in the rural areas; and the 32 women's shelters in Alberta.

I know I have missed some agencies and programs which are working hard somewhere in Alberta, and for that I apologize, but I do not apologize for my passionate support and recognition of these staff and the volunteers of these groups. The number of women and their children seeking shelter from violence in this province continues to increase, and that deserves recognition too.

Thank you.

THE SPEAKER: The hon. Member for Medicine Hat.

### Collegiate Women's Soccer Championship

MR. RENNER: Thank you, Mr. Speaker. I rise today to recognize and congratulate a group of dynamic young athletes from Medicine

Hat College. This year the Medicine Hat College lady Rattlers outdistanced eight Alberta college teams to earn the right to attend the Canada Colleges Athletic Association women's soccer final played in Quebec. This past weekend the Rattlers defeated two well-respected central Canadian college teams and qualified for the final game. Though the Rattlers dominated most of the final game in the tournament, unfortunately they lost by a score of 2 to 1. Nonetheless, returning to Medicine Hat with a silver medal from a national championship is a tremendous accomplishment, and these 16 outstanding students have reason to be proud.

I would like to further congratulate the coaching and training staff, led by coach Armand Cheret, and players Lauren Leismester and Kristie Tokunaga, who were named all-Canadian and voted to the national tournament all-star team along with teammate Kathryn Tatham. Please join me in congratulating these outstanding young athletes.

3:20

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

### FAIRE

MR. DICKSON: Thank you, Mr. Speaker. I wanted to spend a moment and pay tribute to the men and women involved with the FAIRE organization. Over 50 of them made the bus trip from Calgary to Edmonton to register their concern, to meet with MLAs, and to challenge all 83 MLAs to enhance the situation for people in long-term care facilities, particularly those people dealing with dementia.

You know, we shouldn't have to rely on people who have a family member with dementia, though, to realize that we have an enormous responsibility. In this province we have some wonderful facilities, well-trained staff, well-designed facilities, but the problem is that in too many cases that's the exception, not the norm. What has to happen is, as FAIRE has suggested: look at legislation that's been developed in American jurisdictions, in Ontario, and British Columbia that raises the bar that ensures that every long-term care facility in this province that's going to have people with dementia in it is properly equipped to be able to deal with that kind of challenge.

Thanks, Mr. Speaker.

THE SPEAKER: The hon. Member for Wainwright.

### Farm Family Awards

MR. FISCHER: Thank you, Mr. Speaker. It gives me great pleasure and pride as a longtime farmer myself to give recognition and congratulations to the farm family award winners at Farm Fair International on November 13. Farm families from northern Alberta were honoured at the 31st annual farm family award night at Northlands park.

It is a special privilege to mention the three families from the Wainwright constituency: the Bunbury family from Castor, the Christensen family from Edgerton, and the Wold family from Alliance. In meeting with Tom Bunbury for the first time, I asked if the three tables of eight were all his family, his children and grandchildren. He replied: yep; I'm the herd sire. That best describes the pride and dignity that exemplifies the very successful farm businesspeople. These people put their heart and soul and strong values into their families, their farm, their community, their country, and Albertans benefit in many ways.

Congratulations and thank you for making a better place.

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

### Calgary General Hospital

DR. PANNU: Thank you, Mr. Speaker. Last night Premier Klein announced to Albertans his government's private provider health care rules. Today I rise to recognize on behalf of my colleague the hon. Member for Edmonton-Highlands the public service of one of Alberta's deceased public health care providers. It is a painful memory for me and probably many others here who may have been recipients of her exceptional services and programs.

The Calgary General hospital started out as a cottage hospital in 1890 in a small, unassuming house on 7th Avenue S.W. She flourished in her younger years, adding a training school and a residence for nurses along with a maternity block. Many transformations over the years took place to accommodate better services and more community programs such as psychiatry and pediatrics. In 1968 it became a teaching hospital for the University of Calgary Faculty of Medicine.

Mr. Speaker, in the midst of further improvements to this much-cherished and much-needed public hospital it was ordered demolished on October 4, 1998, by this government. A public hospital, a much-loved, state-of-the-art facility based on the values of caring dismantled and demolished. Today I rise in honour of the Calgary General hospital's many years of public service to Albertans.

Thank you.

THE SPEAKER: The hon. Member for Olds-Didsbury-Three Hills.

### Alberta Seniors Games

MR. MARZ: Thank you, Mr. Speaker. It was a sincere pleasure for me to be once again a part of the 11th Alberta Seniors Games this summer, marking the second time I had the honour of being a torchbearer during the opening ceremonies as well as the second time in the last two years that Olds-Didsbury-Three Hills constituency has hosted the games. It was a thrill to be part of the excitement and the energy and the pride that the games generated in the community, and I'm very pleased to recognize how that spirit inspired participants to realize many amazing accomplishments and dedicated efforts.

I'd like to extend a sincere thank you to all the athletes, the coaches, the army of volunteer organizers, and the many visitors to Olds-Didsbury-Three Hills constituency for this year's Alberta Seniors Games and to commend the communities of Olds and Didsbury for setting a new record attendance and for showing how working together in a spirit of co-operation can accomplish great things.

Thank you.

THE SPEAKER: Hon. members, before proceeding to Orders of the Day, there are comments that the Speaker needs to make on a number of issues with respect to the House. I have been advised, as all members have, of a Standing Order 30 petition and a Standing Order 40 petition. We've been advised of a point of privilege, and I've also been notified of four points of order. So subjectively a decision will have to be made on the order in which we deal with these matters.

We will proceed first of all with the matter of privilege as that is considered the most difficult subject for Members of the Legislative Assembly. So the hon. Member for Edmonton-Strathcona on a point of privilege.

## Privilege

### Private Security Guard in Legislature Building

DR. PANNU: Thank you, Mr. Speaker. I rise today to draw the attention of this House to an event that took place today which in my judgment constitutes a very serious violation of the privilege of this Assembly. I referred earlier to Standing Order 15, under which I rise to speak.

The event that I'm referring to here, Mr. Speaker, is as follows. The privileges of this Assembly seem to have been violated as a result of the entry into the Assembly building by a private security guard, who accompanied a reporter scabbing for the *Calgary Herald* this morning sometime between 11 and 12. The matter was brought to my attention in the early minutes of the noon hour. I rise to draw to the attention of the Assembly that this seems to constitute a very serious violation of the privileges of the Assembly.

The Assembly has its own most excellent security services, services that we're all proud of. It amazes me that a private security guard authorized, I can only imagine, by the publisher of the *Calgary Herald* would enter this Assembly without your knowledge, without permission of this House, and at the same time, I assume, in complete recognition of the fact that security guards are not allowed to enter these premises without the explicit permission of this House.

So I stand to raise this point of privilege both as a point of personal privilege and as an MLA, and I trust that you will all share with me this concern at this rather flagrant violation of the very strict rules according to which security services are conducted and provided in this Assembly.

I want to repeat, Mr. Speaker, that there is no aspersion cast on the conduct of the Legislative Assembly security services. I can only speak with pride and great respect for the kind of caring service that we receive from the members of the security services of the Legislative Assembly under the very wise and excellent guidance of the Sergeant-at-Arms. In no way am I here to cast any doubts about the integrity or the quality of the service that's provided here.

3:30

Now, as far as I know, the reporter entering the Assembly did not – did not – seek permission from the authorized members of this Assembly, including your office. Even if that permission was granted, I raise the issue with you, sir, to ask whether it is not the exclusive responsibility of the security services of this Assembly to provide protection if that is needed by me as a member of this Assembly, by all members of this Assembly, by all people who work in this Assembly. If that is the case, I would certainly want you to rule on whether or not a serious breach of the Assembly's privilege has in fact taken place, and if so, then I would request that we call on the publisher of the *Calgary Herald* to come before the Assembly to explain the conduct of a security guard hired by his firm to enter the Assembly without due permission and in great disrespect for the privileges of this Assembly.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Justice and Attorney General also serving as the hon. Government House Leader. There may be two hats that the hon. member will be coming from on this point of privilege. Would the hon. member be kind enough to identify which hat he's coming from.

MR. HANCOCK: Well, I'm happy to wear two hats at a time, in this particular case though, Mr. Speaker, as Minister of Justice and Attorney General and therefore as the minister responsible for the public security division, whose personnel have been quite rightly recognized by the hon. member as doing a superb job of taking care of the security of this building.

The incident to which the member refers was drawn to my attention just before noon today, shortly after it happened, I presume. I'm sure that the hon. member's office drew it to my office's attention immediately upon his becoming aware of it. We immediately contacted the head of the public security division, who took the situation in hand, advised the security guard in question that it was not appropriate for him to be in the building and that the public security division would provide the security for the building.

It appears to be a simple lack of understanding on the part of that private security guard as to whether he was able to come in. This is a situation where, as I understand it, the security guard in question was engaged by the *Calgary Herald* to accompany one of their reporters for that reporter's safety. The head of the public security division has advised them that they have no need of that type of service within this building because public security, as the hon. member has said, does a very good job of taking care of affairs within the building.

A misunderstanding, Mr. Speaker, I don't believe a breach of privilege, certainly not something that should be taken much further, handled as soon as it came to the attention of the security offices in the building, handled very well, I might add, with the effect that the situation no longer occurs. The security of this building is being undertaken very well, as again I thank the member for mentioning, by the public security division under my charge.

THE SPEAKER: However, there is clarification, hon. members. The hon. Member for Edmonton-Strathcona kept referring in his remarks to the "Assembly." Security to the Assembly does not come under the purview of the Minister of Justice and Attorney General. That comes under the purview of the Speaker. Now, if the hon. Member for Edmonton-Strathcona is referring to the Assembly meaning the Alberta Legislative Assembly building as distinct from this room that we are in and the environments around it, that's very important. Otherwise, I will undertake a review.

Would you please clarify this for me?

DR. PANNU: Mr. Speaker, I referred to the building, not to this House, not this particular site where we now meet.

THE SPEAKER: Thank you very much.

Hon. members, I'll have a further discussion with the hon. Member for Edmonton-Strathcona, and it may or may not be that there'll be something further on this particular matter.

Now, we also have three points of order which arose today, making them very immediate matters of concern, although we have had notice, as well, given to us with respect to a Standing Order 30. Normally the manner in which one would want to deal with these would be to deal with the points of order. However, because notice was given yesterday under Standing Order 30, we'll move to that one, then we'll proceed with the Standing Order 40, and then we'll deal with the points of order, which means that depending on the outcome of the Standing Order 30, it may never get to the other items.

head: Request for Emergency Debate

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

### Private Health Services

MRS. MacBETH: Thank you, Mr. Speaker. I rise to impress upon you the validity of this Standing Order 30 standing in my name on the Order Paper today. I'm asking that you rule that the matter is indeed urgent, that it is consistent with the requirements of the



Standing Order rules. For the record I would like to read it into the debate of the Legislature.

Be it resolved that this Assembly adjourn the ordinary business of the Assembly to discuss a matter of urgent public importance; namely, to prevent the further privatization of health care in Alberta by placing a 180-day moratorium on any new or expanded private health care facilities [short-term facilities, Mr. Speaker] in Alberta until the government brings in legislation banning private, for-profit hospitals.

Mr. Speaker, I'm guided today in my arguments by two very important authorities that govern the proceedings of this House. I'll be referring in my arguments to *Beauchesne* 387, 389, 390, and our own Standing Order 30.

*Beauchesne* 387, in the section entitled "Motions to Adjourn the House under Standing Order 52 to Discuss an Important Matter," says:

The Standing Order is clear that the question be specific and must require urgent consideration. It must deal with a matter within the administrative competence of the Government and there must be no other reasonable opportunity for debate.

*Beauchesne* 389 goes on to say:

The "specific and important matter requiring urgent consideration" . . . must be so pressing that the public interest will suffer if it is not given immediate attention.

*Beauchesne* 390 says:

"Urgency" within this rule does not apply to the matter itself, but means 'urgency of debate', when the ordinary opportunities provided by the rules . . . do not permit the subject to be brought on early enough.

Of course, Standing Order 30 spends a good deal of time dealing with the issue. Standing Order 30(1) says that

any member may request leave to move to adjourn the ordinary business . . . to discuss a matter of urgent public importance of which written notice has been given to the Speaker at least two hours prior to the sitting.

That, of course, has been done.

Under section 30(6): "An emergency debate does not entail any decision of the Assembly." It goes on to say in 30(7):

- (a) the matter proposed for discussion must relate to a genuine emergency, calling for immediate and urgent consideration . . .
- (c) not more than one matter may be discussed on the same motion;
- (d) the motion must not revive discussion on a matter which has been discussed in the same session . . .
- (e) the motion must not be based on a question of privilege.

Mr. Speaker, I believe that the matter before us is in fact a matter of clear urgency and meets all the requirements set out in the sections I have just outlined. In accordance with *Beauchesne* 387, the question of the privatization of our health care system and the Official Opposition's proposal for a 180-day moratorium on any new or expanded facilities is "specific," requires "urgent consideration," is "within the administrative competence of the Government," and is needed because there has been "no other reasonable opportunity for debate."

The question is "specific." It deals with the privatization of health care services and notes a very specific action that can be undertaken to deal with the problem in the best interests of the people of this province.

**3:40**

The question requires "urgent debate." The Premier has made it clear that his government intends to pursue further privatization of the health care system by allowing regional health authorities to contract out hospital services. He has made statements that suggest that this policy is already in the works and implementation is imminent.

However, the Premier has not made the case to Albertans as to

why they should support his private hospitals plan. Will private hospitals be cost-effective, or are they going to be more expensive for Albertans? How will diverting funds from an already strained public system enhance access and maintain the quality of that system? Will contracting out lead to a two-tiered health care system? These questions and many others need to be debated and need to be answered by this government, and that is why the moratorium needs to be applied.

The question deals with a matter "within the administrative competence of the Government." According to the Alberta health care statutes, the Department of Health and Wellness is responsible for the overall administration of the health system. Any decision to change the way that system operates is ultimately the decision of this government and this Premier, even if they try to hand off that responsibility to a regional health authority, which they created.

Mr. Speaker, the question posed does not have any "other reasonable opportunity for debate." The Assembly has not been in session for six months, so there has not been an opportunity in the recent past to debate this issue. The government does not intend to put a bill or a motion before the Assembly in this fall session dealing with private hospitals, even though it is an issue that should be fully debated by the people of Alberta through their elected representatives.

The Premier's private hospitals plan involves the reallocation of millions of taxpayer dollars and a fundamental change in how health services are delivered to the public. I believe that Albertans would consider that a very urgent matter indeed. Therefore, in accordance with *Beauchesne* 387, I submit that today in this Assembly is the most appropriate time and place to deal with this issue.

In accordance with *Beauchesne* 389, the urgent matter of the privatization of our health system is "so pressing that the public interest will suffer if it is not given immediate attention." There are very few other issues that are as important to the quality of life of Albertans as their health care system. I believe it is almost a sacred commitment between a government and its citizens. The people agree to elect representatives, and it's incumbent upon these representatives to deliver programs and services that best serve the needs of citizens. The Premier's announcement of his intention to contract out necessary, insured health services to private hospitals puts this into jeopardy. It is urgent. There is a mountain of evidence to suggest that private hospitals do not serve the interests of the public as well as the public system does.

Another matter that affects the public interest is the motives of the Premier and his government for moving so quickly to press on a private health care model, since there's a mountain of evidence that exists in favour of our public system and against moving to a contracting-out model, which is what this policy paper that's been laid before us is about. Why, then, is the government going down the privatization road? That is the issue of urgency. Why is this being done? The case has not been presented. It must be explored further.

A key component of government accountability is openness and transparency, clearly an issue of urgency, but what we see is a private hospital plan by the Premier that's dealt with in secrecy. We've raised the question. The public has been denied access to contracts signed between the Calgary regional health authority and private hospital corporations. It's almost inconceivable in a democratic society, but the public has not even been allowed to see how the Premier is spending their money.

There are specific questions of public interest, urgent public interest, for people living in rural parts, outside of the two metro centres of Alberta. Since private hospitals are proposed to operate as businesses but with a taxpayer subsidy, one has to wonder why any private operator would open up shop in some parts of Alberta

where costs are high and patients are sparse. What impact will this have on access and equal standards of care for all Albertans, Mr. Speaker? This question must be answered urgently.

The Canada Health Act was created to protect the public interest. The Premier claims that his private hospitals plan is in accordance with the Canada Health Act, but there are serious questions about his claim. In fact, we believe that his plan is in direct violation of the spirit of the Canada Health Act, and this important matter of public interest must be debated here and now.

Mr. Speaker, I believe that we have already addressed the issue of urgency further clarified in *Beauchesne* 390. If the issue of the privatization of our health system is not debated here and now, there will not be an opportunity to debate it in this Assembly prior to the government making major policy changes that will affect the lives of Albertans for years to come.

Mr. Speaker, in closing and in accordance with our own Standing Orders, I want to re-emphasize the urgency of this question. I do not think it is stretching it to call the health care situation in this province an emergency today. Thousands of Albertans are waiting for months for critical surgeries and hours in emergency rooms for care that is urgently needed. For many Albertans the issue is so critical that hours and days matter. We owe it to these people to debate the issue now. Our population is growing and aging, ensuring that only more pressure will be put on the system in the future.

However, we are at a crossroad in terms of how we deal with the problems in health care. Albertans are being presented with two distinct philosophies on the matter. The government wants to go down the privatization road, to invest taxpayers' dollars in private hospital services rather than in the public health sector. The public system has worked, can work, and will work again if – if – we are committed to making it work, Mr. Speaker. It is the more cost-effective and the most fair option available and the option that can serve the interests of all Albertans well: rich, poor, urban, or rural.

I challenge the Premier and his government to agree to an emergency debate on this issue, an issue of importance to every single Albertan and Canadian.

Thank you, Mr. Speaker.

**THE SPEAKER:** Hon. members, Standing Order 30(2) says:

The member may briefly state the arguments in favour of the request for leave and the Speaker may allow such debate as he considers relevant to the question of urgency of debate and shall then rule on whether or not the request for leave is in order.

The hon. Leader of the Official Opposition took one minute more than is permitted under the rules to participate in the whole debate under Standing Order 30; in other words, took 11 minutes for the brief argument.

The chair will now ask the Government House Leader to participate on this point of order and may or may not provide further offerings to members.

**MR. HANCOCK:** Thank you, Mr. Speaker. You pointed out exactly what I was going to point out. Adjourning the debate may well be moot; the hon. leader has probably said everything she could possibly say during a debate.

Mr. Speaker, the motion itself, in my view, although it has been approved by the table – and I accept that – is not in order because it asks for a specific resolution, “placing a 180-day moratorium,” and as you know and as the House knows, we adjourn debate but we don't put a resolution to the vote. So the format of the notice of motion itself is in my view questionable.

No one questions the importance of the issue of health care. No one questions the sometimes controversial nature of the issue of health care. But to adjourn the normal course of Orders of the Day

in the House for a debate under Standing Order 30 requires urgency, and notwithstanding the fact that the hon. Leader of the Opposition used the word “urgency” a number of times – I lost count – she did not address the question of urgency.

Earlier this afternoon the Minister of Health and Wellness tabled a copy of a policy on how we propose to deliver surgical services in the province. It's a policy which both the Premier and the minister indicated would be followed up by legislation in the spring session of the Legislature. The Premier committed to developing legislation stemming from that policy which aims at prohibiting or controlling private facilities, as the case may be. It would be unreasonable for the government to look at any new contracts until those controls are in place and legislated for the protection of the public health care system.

Mr. Speaker, for the better part of two years we've had ongoing discussions – certainly there has been extensive debate in this House under Bill 37 – on the question of limits and controls on the private health care system. It has been debated in this House. It will be debated in this House. The question that we have to address today is whether it's urgent to debate it this afternoon.

**3:50**

This past spring a blue-ribbon panel confirmed the existence of a need to bring forward legislation, and, if anything, the government is anxious to bring forward legislation protecting the public health care system. The College of Physicians and Surgeons has indicated that there will be no extended-stay facilities able to operate, and the minister needs to approve RHA contracts for short-stay procedures in private clinics, so nothing new will be approved until the legislation proceeds.

Clearly, there needs to be continuing debate on this issue. Clearly, it's in the public interest to have the issue of health care and health care services debated publicly and debated well. Clearly, the issue is being brought to public attention by the tabling of a policy this afternoon.

The indication from the Premier and from the Minister of Health and Wellness is that there needs to be public input before the debate in the Legislature under the new legislation takes place. It's appropriate that that debate be well informed, that that debate be as a result of careful consideration by the public in response to its members. That debate should take place, Mr. Speaker. That debate will take place. It'll take place in the next session of the Legislature when the legislation is introduced. It's not urgent that it be addressed this afternoon.

The hon. Leader of the Opposition has not even addressed the issue as to why we should adjourn today to debate something that the Premier and the minister of health have essentially said is in fact what's happening. There's a policy that has been tabled for public discussion and input before legislation is brought before the House and fully and completely debated on an issue that we have debated in this House on a number of occasions before: Bill 37, et cetera. Mr. Speaker, there's no case for urgency.

The hon. member referred to *Beauchesne*'s 389: “so pressing that the public interest will suffer” without an immediate debate. Mr. Speaker, it's an important issue. It's an issue of interest to the public. It's an issue which we will discuss over the next few months in the public domain. I'm sure that the policy tabled this afternoon will spur that discussion. It's an issue which will be brought to the House to debate in appropriate fashion when legislation is there, but none of the issues that the hon. leader raised in terms of her request for an urgent debate are in fact going to make any difference whatsoever to the way health services are delivered in the next 180 days. Health services under the RHAs are being delivered well to Albertans, and notwithstanding that the hon. leader took that opportunity to make a statement and put it on the record of the

House quite inappropriately when she should have been talking about urgency, this is not an urgent issue. This is an issue that we will continue to debate through the fullness of time in this House.

THE SPEAKER: Hon. Member for Edmonton-Strathcona, you want to participate on this point of urgency?

DR. PANNU: Yes, Mr. Speaker. I think the motion before us under Standing Order 30 is appropriate. The matter is urgent. If it weren't, why would we have the Premier of this province last night, on the eve of the opening of the Assembly, spend \$11,000 of taxpayers' money to go and directly speak to the people of Alberta? If we do not accept this motion today over here, we will first of all say that the Premier had no good reason to spend \$11,000, that the matter was not urgent. Secondly, if we don't do it, we will deny this democratic House of the people of Alberta the same opportunity that the Premier exercised yesterday as the head of the Executive Council of this province. Therefore, I urge the Assembly and urge you, Mr. Speaker, to recognize the urgency. There is urgency to this matter, and therefore we should proceed with the debate of this motion in this House today and now.

Thank you.

THE SPEAKER: Some points and clarification here with respect to this. There's no doubt at all about the fact that there appears to be some controversy associated with the discussion. Standing Order 30, though, is very clinical. It deals with urgency, and it deals with certain other things.

Several clarifications. Number one, I'm not so sure that to the hon. Leader of the Opposition brief means 11 minutes. And, to the hon. Government House Leader, table officers have no role in writing, penning, or adjudicating context of Standing Orders, for clarification of that.

Now, the matter at hand has to do with a genuine emergency calling for immediate and urgent consideration. When the chair listened to the arguments put forward – and there were nearly 20 minutes of arguments put forward with respect to this – at the outset I have to say that the application and the notice under the order for me was provided in good time from a formal administrative point of view. The hour notice certainly had been provided.

Standing Order 30 is one of those subjective rules that we have that provides the chair with the responsibility of ruling whether or not the request for leave is in order.

There are some conditions, and I just want to remind all hon. members of the conditions essentially found in 30(7). One of those conditions, though, is a very important one with respect to what we're talking about today. Members have to be aware that under Standing Order 30(6) "an emergency debate does not entail any decision of the Assembly," and a decision of the House would require a different kind of motion. So when I take a look at the wording of the Standing Order 30 petition made by the hon. Leader of the Official Opposition and in reading this motion, I find it very difficult. It would be hard not to say that the House is being asked to declare a 180-day moratorium. That would clearly be a decision of the House which would violate 30(6). One could subjectively make the argument that that alone would make the application not in order.

On the question of urgency. You know, if the chair just goes back a couple of hours and looks back at the question period, he's hard pressed to basically find the argument that there is no other opportunity to raise issues with respect to this matter not to be here. When the chair looks at the first four questions today, they essentially were

on this particular subject matter, and I believe there's one additional one as well with respect to that.

In addition to that, here just in the last few minutes one might almost conclude in his head that in terms of the briefness provided, the arguments provided by the Leader of the Official Opposition and perhaps the content which the hon. leader might have wanted to have made, should there have been an acceptance of Standing Order 30, have already been given. There's no doubt in the chair's mind that there's some controversy associated with this, but it has great difficulty in terms of finding the fine arguments for the emergency of it. The conclusion we're going to have with this one is that the request for leave is not in order, so no question will be put.

head: Motions under Standing Order 40

THE SPEAKER: The hon. Member for Edmonton-Strathcona on a Standing Order 40 petition.

### *Calgary Herald Labour Dispute*

Dr. Pannu on behalf of Ms Barrett:

Be it resolved that the Legislative Assembly, in light of the refusal by *Calgary Herald* management to negotiate a fair first collective agreement with its unionized employees, urges the government and the Liberal opposition to cancel its subscriptions to the *Calgary Herald* for the duration of the current dispute and directs the Legislative Assembly Office to do the same.

DR. PANNU: Thank you, Mr. Speaker. I rise pursuant to Standing Order 40 to ask for unanimous consent of the Legislative Assembly to debate this matter of urgent and pressing necessity. As to the matter of urgent and pressing necessity the *Calgary Herald* employees, 220 members of two union locals, were locked out by their employer 10 days ago. The strike very much speaks to the challenge that the action of the employers poses to one of the most democratic institutions of a society such as ours, a democratic, liberal society.

The press is one of the core institutions to uphold the principles of free and open debate, to report without prejudice and objectively on matters that may be of public interest and impinge on public interest. So the strike is very much about the right of the journalists, the journalistic profession, to report on news independently, without fear of reprisals, and at the same time to exercise as members of a duly established union the right to negotiate a first agreement democratically and freely in the context of a fair and respectful relationship with employers. That institution is under attack by the very actions that have been taken by the employers, and I don't think one can argue against the urgent need for us to speak out in this Assembly in defence of the right of the press to speak freely and without fear of reprisal from their employers.

4:00

It is in light of this concern of mine that a major democratic institution is under pressure and under attack. It is under attack in Calgary. It's under attack by the *Calgary Herald* management and its CEOs. So I ask the House to give its consent so that we can air our concern as a democratic Assembly on this very vital matter about how to protect the freedom of the press, the freedom of journalists to report objectively and freely in a climate of employment conditions which protect them from undue and unreasonable reprisals for their right to exercise objective reporting.

Thank you, Mr. Speaker.

THE SPEAKER: All members of the Assembly in favour of moving forward with the Standing Order 40 request, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: The hon. Member for Calgary-Buffalo on your first of three points of order. The hon. Member for Spruce Grove-Sturgeon-St. Albert.

MRS. SOETAERT: Yes. I'm trying to remember exactly what it was, Mr. Speaker, for the Member for Calgary-Buffalo. I know he just snuck out to the washroom.

THE SPEAKER: Sorry, then, hon. member. We'll move forward if you can't remember.

MRS. SOETAERT: Can I . . .

THE SPEAKER: There are three of them. Do you want to deal with the three of them?

MRS. SOETAERT: Yes.

THE SPEAKER: Fine. Citation, please.

**Point of Order  
Parliamentary Language**

MRS. SOETAERT: I believe it's 23(i), where the Premier indicated that what we were saying was not entirely true. He used the word "lie," I believe, in the Assembly, which we all know is unparliamentary language. I do believe that is under Standing Orders, and it certainly shouldn't be acceptable in this House.

Furthermore, the other point was the hon. minister of energy taking too long to answer a question.

THE SPEAKER: Sorry, hon. member. *Hansard* clearly shows for the first point of order that was being raised that there was no such word as "lie" anywhere in it.

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

MR. DICKSON: Thank you very much, Mr. Speaker. The second point I'd make . . .

THE SPEAKER: I'm sorry. The hon. Government House Leader. Pardon me.

MR. HANCOCK: I thought I understood you to ask the hon. Member for Spruce Grove-Sturgeon-St. Albert if she was dealing with all three points of order at the same time.

THE SPEAKER: Yes, I did.

MR. HANCOCK: I understood her to say yes.

THE SPEAKER: Well, sorry, hon. Government House Leader. Please.

The hon. Member for Calgary-Buffalo with the second point.

**Point of Order  
Parliamentary Language**

MR. DICKSON: My apologies, Mr. Speaker, for not being here earlier. The second point of order had to do with an exchange between the hon. Minister of Health and Wellness and the Leader of the Opposition. In the course of that, the minister had said, as I

understood it, that the Leader of the Opposition had proposed licensing of private hospitals. I don't have *Hansard* here, so I'm relying on my notes and my memory and my recollection. The authority would be Standing Order 23(j).

It might be argued under normal circumstances that one might say that this is a matter for debate, that the Liberal leader would view that that didn't contemplate licensing of private hospitals. The health minister takes that interpretation. But this isn't what we might call normal circumstances. Given that this is arguably the single most contentious, most volatile issue in the province, that kind of unfounded allegation is inflammatory in the extreme, and it's my respectful submission that the health minister must have intended to inflame the proceedings here.

What's clear is that if one looks at the news release of November 4, 1999, there's no provision for private hospitals. All members of this Assembly would be charged with the knowledge, would be mindful that when Professor Peter Lown, under engagement from the minister of health and the department of health, reviewed the old Bill 37, the so-called blue-ribbon panel, he made it very clear that what was contemplated there was a private hospital. We would be presumed to be alive to that and clearly not be contemplating a private hospital.

What was asserted is inaccurate. It was inflammatory, and I'd respectfully suggest that given the importance of the issue, members not be enabled to make allegations that are at variance with the facts and clearly with the position that the Leader of the Official Opposition has taken consistently and for a very long time.

Thank you.

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

MR. HANCOCK: Yes. Thank you, Mr. Speaker. The hon. Minister of Health and Wellness in his responses was clearly, I think, alluding to a news release put out by the Official Opposition on November 4. I'm not sure whether that news release has been tabled in the House or not, but in any event, I don't think he read from it. I think he just referred to it.

That news release – and if you wish, I can table it – clearly says, "This would provide time to introduce carefully crafted legislation for the licensing and control of these facilities and services," "these facilities and services" referring to "expanded private diagnostic and surgical facilities in the province." That's what the Minister of Health and Wellness was referring to. That's what he said. That's what I heard him say. That's what I think the rest of the House heard him say. I don't see what the point of order is. He simply was saying back to the hon. Leader of the Opposition what she had put out in a news release. Calling for a Moratorium on Expansion of Private Health Care is the headline, but in the content it says: until it can be appropriately licensed and regulated.

THE SPEAKER: Sorry, hon. member. I have the transcript in front of me. The words are right here in front of me. The purpose of points of order is not really to continue the debate. Clearly, clearly, after being absent from this glorious Assembly for a number of months, it was an energetic approach today to engender everybody in debate rather than following the rules of the question period, which is simply to ascertain the facts, and as one, everybody participated in the violation of the principle rules. There were certainly a lot of liberties taken with words, and the chair was totally derelict in his duty in not pouncing right on this immediately. However, it's important to allow these things to happen. It strikes me that in reading the text and hearing the recent arguments here, we're just having an extension of the debate, and that certainly does

not follow through. So there's no point of order there.

Let's proceed now to the next one. It's the Leader of the Official Opposition. I gather the hon. Member for Edmonton-Riverview is participating in this one. Okay.

**Point of Order  
Imputing Motives**

MRS. SLOAN: Thank you, Mr. Speaker. The context of this point of order relates in a similar way to the previous one. The minister of health again referred to the November 4 press release by the Official Opposition, and I would cite 23(i) and *Beauchesne's* 417: "answers . . . should not provoke debate."

Clearly, the minister was attempting to impute to the Assembly, Mr. Speaker, that members of the Official Opposition were proposing that private, for-profit hospitals in this province should be licensed and legal, and that is not the case nor is it what the press release of November 4, 1999, calls for. In fact, if the minister had cared to quote the second point in the four-point plan, we are clearly, clearly stating to Albertans that there should be a ban on private, for-profit hospitals receiving taxpayer dollars. Those are the true facts of the matter that were not conveyed by the minister of health, and with due respect I think he did violate the two sections, the two rules that I mentioned in my introduction.

Thank you.

4:10

MR. HANCOCK: Well, Mr. Speaker, this is the same point of order as the last one, just with respect to another occurrence of the same incident. I agree with you entirely; question period appeared to be a debate today. I have to respectfully disagree with you; I sat here quietly observing the rules.

I might take this opportunity to point out that points of order are appropriately used in this House to bring things back to appropriate usage and style and should be used sparingly. This afternoon we have I think reached again that understanding of the Standing Orders, but this point of order is exactly the same as the last point of order. The Minister of Health and Wellness was simply pointing out what was a fair interpretation of the words that were put out in print for the public domain by the Liberal opposition. If they can't live with their own words, that's their problem.

THE SPEAKER: Well hon. members, and in terms of the sensitivity of the hon. Government House Leader, when the chair talked about hon. members, he actually is quite blind. He didn't really see the hon. Minister of Justice and Attorney General.

It is permissible, though, for an hon. member to seek clarification, and *Beauchesne* 480 certainly provides that. Unfortunately, *Beauchesne* also has 494, which says that sometimes the House has to accept the word of a member, and sometimes two members have completely opposite views of the same item. I guess we tried to get into these clarification points. So we'll rule that point of order out of the way and move on to the last one.

Hon. Member for Calgary-Buffalo, you have the last point of order of the day, I hope.

**Point of Order  
Parliamentary Language**

MR. DICKSON: In fact, I also had a 13(2) point of order. I'd sent you a note.

THE SPEAKER: Well, I haven't come to that one yet. Just get on with your point of order.

MR. DICKSON: In terms of the exchange between my colleague

and the Premier, Edmonton-Gold Bar I think was virtually the last question you dealt with that was heard in question period. The Premier clearly used the word "lying." He said that in the context of the question that had been put to him, and he came back and he talked about irresponsible information, which may be a judgment and a debatable adjective. But when he talked about lying – and I just refer you, sir, to your memorandum that had been produced on December 8, where you went through and on page 7 of your memorandum noted: lying, lie, liar. Those words have almost consistently been ruled inappropriate, unparliamentary, and it's not a becoming type of language for the Premier of the province to use. I draw that to your attention in particular, and I'm mindful of your comments about the pent-up energy that we've seen exhibited this afternoon. But this is, I think, a particularly serious allegation.

MR. HANCOCK: Well, Mr. Speaker, it would be a very serious allegation if somebody had been accused of lying, but I didn't hear that. You have the benefit of the Blues, so you can tell the House what exactly was said, but what I heard the Premier say was that an untruthfulness is a lie. That's a perfectly valid statement of definition. There were a lot of differences of viewpoint across the floor this afternoon in terms of what was being said and how what was being said was interpreted, and the Premier I think, as I heard it, indicated that an untruthfulness is a lie. He did not indicate that any member of the House told a lie. He did not accuse any member of the House of telling a lie. He did not call anybody a liar. He did not do any of the things that he might well have done in the circumstance. He just said that an untruthfulness is a lie.

THE SPEAKER: Hon. members, the actual words were, again part of a bigger context, "anything that is not true is a lie." The hon. Member for Calgary-Buffalo is absolutely correct in terms of referring to the words that were ruled unparliamentary, and the words "lie," "lied," et cetera, by themselves are certainly ruled unparliamentary. There's also a section that was also provided by the chair to all hon. members that the word has been used in greater phrases in terms of greater contexts. The chair certainly does not like to see people using phrases that are derogatory to any individual and case, but we have to look at the whole context of it all. Perhaps there's another way of saying the same thing, anything not true is a lie, and the hon. Government House Leader will probably spend some time tonight looking at his thesaurus and manufacturing some new phrases for the future.

Okay. Hon. Member for Calgary-Buffalo, now you want me to explain my ruling. Go ahead.

**Point of Order  
Clarification**

MR. DICKSON: Mr. Speaker, I appreciated the thoroughness with which you dealt with the Standing Order 30. You made one comment, sir, that I just wanted some clarification on, under Standing Order 13(2). I took you to say that because there had been questions in question period, the indication was that that was a debate or a form of debate. I was mindful of previous rulings where you had made it very clear that what happens within the 50 minutes of question period is not debate, but as I heard your comments, one might use that somewhere down the road to argue that that in fact did constitute debate. That was my concern and my request for clarification.

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

correct in raising the point under 13(2) of asking for an explanation. If the hon. member will recall the last phrase that the chair used in summing up his reasons for not calling the question on this particular matter, he just indicated that if one could look back to several hours ago, one could almost conclude that a whole series of questions had been raised on the health care thing. That was not the major, primary reason, and there's no precedent associated with that phraseology in the context of what we have.

Now, I do believe that we have covered our administrative detail, and for the hon. Government House Leader, who said, "Whee, there must be something about the first day," I would just like to point out to him that last November 16, in the year 1998, we had one point of order, one point of privilege, and two Standing Order 30s and two Standing Order 40s. So, quite frankly, in terms of time used it's probably more efficient this year than last year. Presumably that means we're making progress, and as we come to the year 2001, these numbers will reduce themselves quite considerably.

Now, before moving on to Orders of the Day and poor private members who should have the right to Orders of the Day, I must make some comments with respect to a number of issues.

### Statements by the Speaker

#### 418 Squadron Standard

THE SPEAKER: First of all, hon. members, last Saturday, November 13, in this Assembly the 418 – that is, the City of Edmonton – squadron standard was laid up in the Legislature rotunda. The background that I give you is that when you walk out of these doors later in the day, you will see something to the left of you, and I want to provide what this was all about.

This squadron – that is, the City of Edmonton 418 – had a distinguished record of service in war and in peace. It was formed in England in November of 1941. The 418 was involved in air operations until the war's end. Their wartime exploits were absolutely remarkable. On 3,492 sorties squadron 418 destroyed 178 Nazi aircraft. Sixteen of its pilots were aces with five or more enemy aircraft to their credit. This squadron accounted for more Nazi aircraft than any other unit in the Royal Canadian Air Force. They also paid a heavy price; 125 squadron members were killed in action, and a further 27 were declared missing in action and presumed dead. In March of 1944, 418 was adopted by the city of Edmonton as many of the ground and air crew were from Edmonton and the surrounding area.

The 418 squadron standard is unique. Central to it is the figure of an Inuit hunter. Beneath the Inuit is the motto *piyautailili*, which translates "defend even until death." The standard is a consecrated symbol of the unit's achievements in war, an expression of the sovereign's and the nation's gratitude and of the sanctity of the sacrifices given to the cause of freedom.

The 418 squadron is laid up at the balustrade to the left as you exit the Chamber, and I'd encourage all hon. members to take pause and to briefly reflect on its significance as they leave the House later this afternoon.

4:20

One of the aces of this squadron is a former minister of the Social Credit government who sat on the front benches in this House for a great number of years, and that was Mr. Fred Colborne.

#### Assistant Sergeants-at-Arms

THE SPEAKER: I'm also pleased to announce the appointment of Mr. Ed Richard and Mr. Bill Semple as assistant sergeants-at-arms

with the Alberta Legislative Assembly. These sessional appointments were made necessary after the retirement of Allen Gowler in May of this year. Mr. Gowler had served as Associate Sergeant-at-Arms for over 18 years, and I know that all of you in the next number of days will be able to welcome Bill and Ed to their new responsibilities and wish them well.

#### Table Officer Trainees

THE SPEAKER: In the next number of days, the next number of nights hon. members will also notice some new faces at the table directly in front of me. Jo-An Christiansen, Micheline Gravel, Corinne Dacyshyn, and Diane Shumyla will be spending some time in the Chamber learning the duties of table officers. Although new to the table, they nevertheless have between them a total of 25.95 years of service to the Legislative Assembly Office in various capacities, including bills and journals clerk, committee clerk, procedural clerk, and library technician. It is not to say that any of the current table officers is leaving. I just believe that we should have bona fide, qualified backup for all of us, and in the unlikely event that one of the table officers is unable to be here with us a night, we will have duly qualified other people. I'm sure hon. members will also welcome them.

#### Order Paper Changes

THE SPEAKER: The last item. Hon. members will note a few changes to today's Order Paper pursuant to recent appointments to Executive Council. Parliamentary authorities provide that a minister cannot be the sponsor of a private member's business. Thus, following the written request by the hon. Member for Edmonton-Mill Creek and new Associate Minister of Health and Wellness, motions other than government motions 573 and 585, which had appeared on the Order Paper under his name, have been withdrawn. This leaves Bill Pr. 2, Shaw Communications Inc. Amendment Act, 1999, still showing on the Order Paper also under the new associate minister's name.

Pursuant to *Beauchesne's* 1061(1), which states that "it is a recognized principle in Parliament, that Ministers should not initiate or promote private bill legislation," and also in keeping with parliamentary traditions of the Legislative Assembly of Alberta, unanimous consent of the Assembly is required to effect a change in the sponsorship of this bill. However, I understand that the deputy chair of the Standing Committee on Private Bills has some information on the bill which she would like to share with hon. members. The hon. member for Calgary-Currie.

MRS. BURGNER: Thank you, Mr. Speaker, and welcome back. I'm rising in my capacity as deputy chair of the Standing Committee on Private Bills. On behalf of the chair of the committee I would like to table a copy of a letter from the counsel to the petitioners for Bill Pr. 2, Shaw Communications Inc. Amendment Act, 1999, advising that the petitioners would like this bill withdrawn. I would therefore request unanimous consent of the Assembly to withdraw Bill Pr. 2, Shaw Communications Inc. Amendment Act, 1999, from the business of the Assembly.

Thank you.

THE SPEAKER: Would all hon. members in favour of granting unanimous consent to withdraw Bill Pr. 2, Shaw Communications Inc. Amendment Act, 1999, from the Order Paper, please say aye.

HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no. Carried.

head: Orders of the Day

head: Written Questions

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I'm pleased to rise for the first time in my new capacity as Deputy Government House Leader to move, pursuant to notice given under Standing Order 34(2)(a) on May 18, 1999, that those written questions appearing on today's Order Paper stand and retain their places.

[Motion carried]

head: Motions for Returns

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. It's again my pleasure to move, pursuant to notice given under Standing Order 34(2)(a) on May 18, 1999, that those motions for returns appearing on today's Order Paper stand and retain their places.

[Motion carried]

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

#### Bill 211

#### Workers' Compensation (Competitive Marketplace Review Committee) Amendment Act, 1999

[Debate adjourned May 18: Mr. Hancock speaking]

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

MR. HERARD: Thank you, Mr. Speaker. It is indeed a privilege to rise today and speak to Bill 211, the Workers' Compensation (Competitive Marketplace Review Committee) Amendment Act, 1999. I truly believe that the main reason Bill 211 is before this Legislature is rooted in the frustration that all of us feel as elected representatives in trying to ensure that our seriously injured WCB constituents have access to due process: a process that should be fair to employers who pay the premiums and to injured workers who suffer with the aftermath of workplace injuries; a process that respects the primary historical principle of compensation legislation, that is to ensure that injured workers who have the misfortune of being injured at work do not become burdens to family, friends, or society at large; a process that must not only be fair but must be seen to be fair by those accessing benefits.

[Mrs. Gordon in the chair]

Madam Speaker, as a result of six years of working with and listening to injured constituents as the MLA for Calgary-Egmont, I have found that seriously injured workers generally only want two things. First, they want to get better, return to work, and get on with their lives, and two, they want to be treated fairly while they recover or are rehabilitated from their injuries. For most injured workers the current compensation system works quite well. I think the WCB deserves to be commended for the things that they do do well, because approximately 85 percent of their cases appear to be administered with little or no difficulty. In fact, Alberta's WCB is seen as a model in many other provinces, and we do have the lowest premium rates in the country.

Now, in my view the WCB quite correctly claims an 85 percent

satisfaction figure. The reason I believe this 85 percent satisfaction figure is because I've looked very closely at who is likely to be satisfied with WCB services. I have confirmed through studies and other related WCB data that about 85 percent of all injured workers only see a doctor twice for their injuries: once when they're injured and again when they're ready to go back to work. What this could mean is that generally their injuries were probably not of a more serious or complex nature and that the WCB process does work for many. If 85 percent of the cases are those of injured workers who were fortunate enough to recover relatively quickly or be rehabilitated and go back to work without complication, then it's not too hard to understand why 85 percent of injured workers may be satisfied with the WCB services.

I'm sure that all colleagues on both sides of the House would agree that we don't see many complaints, if any at all, from those injured workers who have healed and gone back to work, so the WCB is right and does a good job with respect to those cases. But I'm also very sure that you would all agree that the people we see in our constituencies are part of that relatively small percentage of cases that can be described as difficult, complex, long term, or seriously injured workers.

Now, as good as the WCB may be for the majority of their caseload, there remains an area that has not, in my view, significantly improved along with the rest of WCB operations. This is most unfortunate, of course, because this small group represents among the most serious cases that the WCB deals with and those that have the most significant and all too frequently devastating consequences to the injured workers and their families.

Madam Speaker, one of the major questions that this bill may be attempting to address is: who is the WCB accountable to? Why does the WCB continue to be seen as a government agency when legislation enacted in 1995 essentially severed the WCB from government? The question of WCB accountability is very troublesome when the WCB does not appear to be truly accountable to anyone anymore. On one hand, the WCB enjoys a legislated monopoly on workers' compensation services, and this bill seeks to study that. On the other hand, it is a corporation that is arm's length from government and sees itself as a mutual insurance company.

Madam Speaker, while it's true that the WCB is essentially autonomous, we must remember that it is this Legislature that granted them that power in 1995, and we cannot simply wash our hands of the responsibility of having handed over a flawed system. I recall that the minister of the day – and I perhaps paraphrase now – acknowledged that indeed this was a lot of power that was being given by this Legislature, but if that power was misused, it would be taken away by this Legislature.

4:30

Madam Speaker, this bill does not propose to reverse the legislation of 1995, but it speaks to the difficulties that can result when a public body with a specific culture is only answerable to itself. It seems clear now in retrospect that the legislation of 1995 did not include appropriate safeguards or oversight through the transition to autonomy. I recall that the debate of the day partly relied upon the two levels of appeal as the oversight that was needed to ensure fairness. In a perfect world with a perfect appeal process I suppose that could work, but here we are four years later still in an imperfect world. What we have managed to do is unknowingly stack the cards against injured workers through a seriously flawed system without an appropriate and effective appeal process.

Madam Speaker, I don't mean to imply that there hasn't been any progress in the last four years. As you know, this is the second private member's bill that seeks to deal with the frustrations of a flawed system. In Bill 204 I previously attempted to enact a fair medical panel process that would adjudicate conflicts of medical

opinion. There has been progress, but the standards are still not those that would parallel those available in our judicial system, because the best medical evidence, that being the patient's doctor, specialist, or surgeon, is still not appropriately part of that process. Now, in a court of law – and the lawyers in the room would understand this – the rule of negative inference would apply if the best evidence was not before the court. So while there has been progress, we still have a seriously flawed process.

I've come to the conclusion after much study that our current system of compensation does not, in far too many cases, protect some seriously injured workers from becoming a burden to family, friends, and society at large. The minister is aware of a study that is currently looking at the welfare side of this. Madam Speaker, in my personal experience about 20 percent of the cases that I have reviewed are currently on social assistance. This is very serious in itself, and we must find out why and fix it. But the number on social assistance pales in comparison to the 80 percent who are being supported by family – parents, grandparents, children, spouses – or the less fortunate who are left to the generosity of their friends. This can't be allowed to continue.

This bill, Madam Speaker, is taking what I consider to be the long way around the problem. While I commend the intent of the hon. Member for Calgary-Montrose, I wonder if there isn't a more direct approach to the problem. After all, there is a direct reporting responsibility between the WC Board and the Minister of Human Resources and Employment. There is also a direct reporting responsibility between the minister and the WCB Appeals Commission, which is also equipped with quasi-judicial powers.

I believe that most of us in this Chamber with some WCB experience recognize that serious flaws do exist. I also believe that the WCB is now recognizing some of the problems themselves. The Appeals Commission recognizes that serious flaws exist in its process that has not been reviewed in more than a decade. So why don't we just get on with it? Why not initiate an appropriate review to identify offending practices, bad policies, or practices that don't adhere to the legislation? Why not strive for continuous improvement to accountability, with a fair and appropriate appeals process at all levels?

In my experience, Madam Speaker, the current problems not only deny seriously injured workers due process in terms of their benefit entitlements but also in far too many cases deny access to appropriate medical care. Injured workers are frequently told that they can see any doctor or specialist they want, but if they can't get an appointment within 30 days, they will be sent to one of the WCB doctors. Now, who in this day and age can get an appointment to see a specialist in 30 days? The problem is that some of these doctors operate as IMEs, or independent medical examiners, and they don't have a practice per se and do not provide treatment. So an injured worker can't in many cases get a diagnosis and treatment without going to yet another doctor because the IMEs do not take any patients. This far too often introduces delays in diagnosis and treatment.

I'm familiar with cases where injured workers did not receive a diagnosis, prognosis, and treatment for their injuries for years, and then only after giving up with the WCB and going to the Alberta health care system, where they were diagnosed and treated within weeks. This is totally unacceptable, Madam Speaker, and is one more reason why the minister must act now to get at the root of these problems and ensure that appropriate processes are put in place to avoid the devastation that results to injured workers and their families from this deeply flawed process.

Madam Speaker, I could go on at length about practices that jeopardize injured workers, but this Legislature is probably not the appropriate forum to deal with the details. Quite frankly, some of

the examples of suffering that would have to be discussed are unspokenable.

I've come to know the minister responsible for the WC Act through more than six years of working with him on many issues. I know that he's an honest, honourable man, and I trust that he will do the right thing in the light and weight of the new evidence and will order a review that will lead not only to a fair system but also to the perception of a fair system, a system when an injured worker can say: I may not like the outcome, but I know that it was a fair process.

Madam Speaker, I don't believe the existing problems with the WCB will disappear simply by introducing competitive forces in this instance. There needs to be an understanding of the offending practices in order to eradicate them and new measures taken to ensure that the system can become good for all injured workers.

I want to thank the hon. Member for Calgary-Montrose for providing another opportunity to look again and do the right thing. I'm confident that the minister will take appropriate action to allow the problems to surface and will result in appropriate measures to improve services to the other 15 percent who are the most seriously injured.

Madam Speaker, I also want to thank all of those seriously injured workers, some of whom are here today, for their courage to carry on against all odds, for their dedication in supporting each other and keeping the issue alive, and for making a positive difference. I'm sure that when the minister does act, it will in part be because of your diligence and steadfast belief that fairness in the WCB system is not an option; it's a right.

Thank you.

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

MRS. SLOAN: Thank you, Madam Speaker. I'm pleased to rise this afternoon to debate Bill 211. I'd like at the onset to acknowledge the injured workers and their families who are here in the Assembly. I have also known in my own profession of nursing many of my colleagues who have had the misfortune of being injured on the job and have had to suffer through the difficult process of seeking support and assistance.

The bill before us this afternoon, however, Madam Speaker, I am not convinced is going to enable those workers and their families to in fact have a more just system. I'd like in my beginning comments and debate with respect to this bill to just refer to the beginning sections proposed in Bill 211.

The hon. member is proposing that a "Select Special Committee on the Workers' Compensation Competitive Marketplace Review" be struck and that it consist of "6 members of the Assembly." It continues that the membership of the committee would include "2 members of the Assembly who are not members of the governing party." It goes on further to say that if there is "an insufficient number of non-government members" to fill the two positions on the committee, the resulting vacant positions on the committee "may be filled by members of the Assembly who are members of the governing party." My question to the hon. member is: why, if he wanted to establish a more just system of workers' compensation, would he not be having representatives of employees, representatives of employers, and injured workers as part of that special review committee?

4:40

It seems to me, Madam Speaker, that unless there are those among us who have in fact been injured on the job or have had the responsibility on the other side of the table as an employee of the Workers' Compensation Board or as an employer, we're ill equipped to determine what would be a better process or system than that which we have now.



I did not hear this afternoon the sponsoring member speak about the consultation or support that he has sought in proposing this bill. He certainly spoke that he had had the occasion to meet with injured workers, but I did not hear him reference that he had employer or union support for the bill that is before us.

The member went on in his debate to talk about a number of key areas that needed review. He spoke about the appeal process, that the standards don't meet those of the judicial system. I would as an aside say that there are few standards remaining in this province, Madam Speaker, that meet those of the judicial system, and that is why, thank God, our judiciary is beyond the reach of this government and remains independent.

He also raised that employees in the system had been denied access to medical care. I would again raise the perhaps rhetorical question: isn't the reality more a result of this government's underfunding of health care, their cuts to hospital beds and the layoffs of thousands of health care workers that resulted from their cuts, that has contributed to injured workers' inability to access the necessary care that they require?

Referring back to the bill itself, the bill proposes that a function of the select special committee would be "to examine the introduction of a competitive workers' compensation system." I wanted to ask the hon. member how in fact he defined "competitive." I have had the opportunity to review some of the statistics of the current workers' compensation system in Alberta, and to me they sound very competitive compared to other systems in this country or in the United States. As an example, if we were to move to a competitive or private model, Madam Speaker, workers' benefits would be taxable, which is not currently the case in Alberta. How would the hon. member propose that by taxing the incomes of injured workers we would achieve a more competitive system? I don't understand the benefits of that approach.

Further, in research that has been conducted in Canada – and I would cite research conducted by the Workers' Compensation Board of Nova Scotia – more than 80 percent of total compensation funding in Canada goes directly to injured workers or to their care, compared to only 60 percent in the United States. Workers in Alberta receive free advice on their claims and appeals. Their financial stability is guaranteed by law and Alberta WCB's funding policy. This stability secures workers' benefits for the future. Further, if we were to move to a U.S. style system, our injured workers here in the province might also be required, as they are in the U.S., to pay their own legal representation for both the handling of the claim and the appeals process. I wonder, Madam Speaker, how that puts the injured worker any further ahead, if they have to incur thousands and thousands of dollars of legal bills in order to achieve a just answer or ruling on their injury.

In terms of fairness, under the current model we also have a system that allows employers, workers, and the general public to have input into the operation of the corporation through representation on the board of directors. In this respect an attempt has been made to balance the interests of those parties needing such protection. It is also my understanding that the current board of directors of the WCB has undertaken to conduct in Alberta a consultation process with a variety of stakeholders. This bill in fact would divert attention away from that process. Again I would ask the hon. member how it is beneficial to conduct two simultaneous and in some respects competitive consultations, particularly when this bill, Madam Speaker, only proposes a committee that would represent in large part government members. I can't see the validity or the justification of replacing the current consultation process that is under way with the narrow, self-vested committee that this bill suggests.

There is further work that is apparently being done by the board

of directors at the Workers' Compensation Board to ensure impartiality and freedom from undue influence in the organization. Again, the establishment of a select committee as proposed by the bill would have a negative impact on the neutrality that has already been established. If we are suggesting that a review of privatization were warranted, any established review committee must include representation from employers who fund workers' compensation and are familiar with the system, a point that I raised earlier in my remarks.

It seems, Madam Speaker, as I move to conclude my remarks, that really the objective of the bill – and I may be misled in terms of the hon. member's intent, but it seems that he would propose that we privatize the WCB. That is not, in my opinion, something that would be in the best interests of any employees or employers in the province. It is, however, in line with this government's agenda to contract out and privatize some of the core elements of the public service, and perhaps that is really more of the intent of Bill 211 rather than actually achieving justice for injured workers in this province.

With those remarks, Madam Speaker, I am prepared to conclude my comments this afternoon. Thank you.

THE ACTING SPEAKER: The hon. Minister of Human Resources and Employment.

4:50

MR. DUNFORD: Yes. Thank you, Madam Speaker. I rise to speak about Bill 211, and as I do, I want to of course commend the hon. member for bringing the bill forward so that we can have an examination and again a discussion about WCB. As I'm in the process, I see that the injured workers that have been represented here and listening to all of the preliminary administrative things that had to go on today before we got to the private member's bill itself are now in a position where they have to leave the gallery. Before they do, I want to thank them once again for the input they have provided me and certainly other members of this government and of course the input they provided to the Workers' Compensation Board itself. So thank you again for that.

One thing I have felt very strongly about throughout the last few months, as WCB became a focus in the media and certainly amongst the government benches about how it was operating, the governance model, the appeal system, and pretty well every aspect of WCB and whether or not the need for a public inquiry was there. I want to be in that same frame of mind now, because from the previous speaker I believe that the hon. member's bill is still misunderstood.

As I understand Bill 211, the hon. member is calling for, first of all, an all-party committee. So it would not be made up solely of government members, but all parties that are represented here in this House would be involved in any sort of review. What the all-party committee would be responsible for reviewing would be whether or not you have a situation in Alberta that serves Albertans first but, secondly, injured workers in Alberta when you have just one organization that is responsible for doing that. Of course, that is our present system, Madam Speaker, and it's called the Workers' Compensation Board.

My understanding of this bill and what the terms of reference would be for the committee is that there would be a discussion as to whether or not there should be WCB(a), WCB(b), and perhaps even WCB(c), and the member is not promoting a private workers' compensation system such as there is in the States. So now I'm looking for a nod of assent from the member that, yes, I've hit it correctly, because the most important thing in a democracy, I believe, when we debate and then we get to choose as to whether we agree to something or not, is that we understand the facts of the case. I don't want this situation to get into a squabble like we had earlier today in question period, where obviously people for their own

vested interest are trying to misconstrue what, in this particular case, the government is trying to do. We do not want that to happen here to this hon. member. Everyone in this House must understand, as we get to vote on this particular bill, what it is that we're voting for or against, and we are not voting for or against a private Workers' Compensation Board system in this province. That is not what the hon. member is trying to do.

Now, having said all of that, I want to, as directly and as straightforwardly as I can, indicate to the member that I will not be supporting his bill. The reason for that is that I believe in the Workers' Compensation Board system we have currently, as it's constructed and as it operates in Alberta. I don't think there's any question – and part of that has come from my discussions with many, many people, including other MLAs, especially government MLAs, but also including members of the WCB administration and directors, and obviously injured workers here in the province and representatives of associations that represent injured workers as well.

I think without question, although I'm making some assumptions here, I could correctly say that in the overwhelming majority of the cases, all of us end up on the same side of the issue if the issue is simply: do we want to get rid of the WCB, or do we want to keep it? I think the majority of us would agree that we want to keep the WCB system as we have it in place. It's a nonprofit organization. It is there. It is called the workers' compensation system, and I believe it's there to work on behalf of those that are injured in the workplace.

Again, having said that, I don't think there are any of the aforementioned groups I talked about that don't believe there are some aspects of the operation, there are some aspects of the appeal situation that need looking at. There are things that we have to do. There are things that we have to review. But I want to assure everybody in the House and everyone that is interested in this particular debate that we are not going to go back to the old days of WCB. We are not going to go back, ever, to the days when political interference ran the Workers' Compensation Board system. We're not going to go back to the days when somebody could go into an MLA's office and provide whatever kind of a story they wanted to, there would then be a phone call from that MLA to the minister responsible for the WCB system, then have that claim recognized, and all of a sudden that person was now a WCB claimant.

We are going to continue the system that began in 1994 and 1995 of keeping the Workers' Compensation Board at arm's length from the government. What that means as well – and this is the price that sometimes people will have to understand and have to pay – is that it is at arm's length from the individual MLA. The individual MLA has a real responsibility to represent as best he or she can their constituents, and when their constituents are injured workers, then where would they naturally go? They go to their MLA. The MLA has a responsibility to represent that case as best they can, but the injured worker, the public of Alberta have to understand that the MLA does not have and will not have the power to come to this minister and indicate that this person will have a denied claim overturned, that this constituent they have will somehow be put back onto the rolls of WCB. That will not happen, and I would suggest to everybody today that it doesn't need to happen, that the WCB system – its legislation, its policies, and what should be its procedures – is in place, where none of this would have to happen.

5:00

The system is there, and it's just our responsibility at this particular point in time to make sure that that is going to in fact take place. We must ensure that the policies of the Workers' Compensation Board system and the employees of WCB that are there to carry out

these procedures do in fact contribute to the extension of the policy of the WCB.

Now, how are we going to do that? This member's bill would be one way of perhaps, in the discussion, getting to look at that. But I think there's a faster way, and I believe there might be – and I'm going to suggest it – in this case a better way. I do this with some hesitation, Madam Speaker, because it is not my intention to convince any other member in this House today to vote for or against this member's bill. I am simply telling people and members what I am going to do and why I am able to take the position, then, that I'm going to.

When I came back to work from some hip surgery, one of the first items that I was impacted with was the fact that there was a so-called tent city outside of the offices of WCB here in the city. Now, I could have simply ignored the situation, Madam Speaker, but I chose to attempt to defuse – I don't know if that's the word – the situation. I think that any time you have tents outside a public building, it doesn't mean that a minister should react to it, but in this particular case I decided that I would find out for myself what the problem was.

Therefore, the injured workers that were involved were invited to come to my office for a discussion. In the same manner in which earlier today I tried to be fair to the hon. member in trying to explain how I understand his particular bill, it was very, very important for me, then, to be able to listen to the injured worker, but as minister it's not my responsibility nor do I have any legitimacy in getting involved in individual files. What we did do with the information that was presented to us was pass it on intact to WCB officials and asked them for a particular response. We received that response. It addressed the particular situation.

When that information was provided to the injured workers involved, it was not satisfactory. So as minister I went further. I don't know whether I plowed new ground here or not, Madam Speaker, but I arranged for the injured workers that I was involved with to have a face-to-face discussion with directors of the board of governors of the WCB. I, too, have had discussions with these directors. We're at the situation now where as minister I am, again, not in a position to discuss specific files, but the WCB has agreed that in the consultation that was commented on by the previous speaker, there is another stream that has been opened up to us, and that will be a review of the services, then, that are provided by the WCB and how they are done. This is going to provide an opportunity for stakeholders to go directly to the WCB, to the directors in a public review situation and talk about those situations.

Now, what I plan to do – and I'm simply talking now of the general direction that we'll be moving in. I'm not making an announcement at this time, Madam Speaker, but it is my intent as minister to react to the WCB opening up and putting together a service review. It is my intention that I will put together a committee of government MLAs that will have input.

Having said that, what I'm announcing and, of course, what the intention of WCB is – I'm offering the opportunity for the hon. Member for Edmonton-Strathcona, I'm offering the opportunity for members of the loyal opposition, I'm offering the opportunity to any MLA in this House to be considered as stakeholders, of course, by WCB, and they would have an opportunity, then, to get involved in the situation as well. I think that's quite appropriate. I don't believe it's my responsibility as a minister to have to force together some sort of all-party special committee. So the opportunity is there. In working with the WCB, the idea would be that MLAs on an individual basis would be viewed as stakeholders and would have an opportunity to do this.

Now, in terms of the Appeals Commission there is a great deal of difficulty in having people understand how an Appeals Commission

could be independent of the Workers' Compensation Board when in fact their whole budget is paid for by WCB and in fact many of the people that offer services to the appeals commissioners are employees of WCB. So, Madam Speaker, again without the specific logistics as to how this is exactly going to be done, I'm suggesting here today that we are going to find a way in which we can have a look at the appeals procedure with workers' compensation.

So I think what we need to do, then, is examine the whole situation. What WCB has agreed to do is they're going to examine their part of it. They've opened it up for the service review. Everyone here listening today can get involved in that, and then the Appeals Commission, which of course WCB does not have direct control over – as minister, in fact the chief appeals commissioner reports to me. I have indicated to him that we'll be calling for a review, then, of that system, and part of the terms of reference that we'll be looking at of course is the independence, how the independence of the Appeals Commission can be ensured, because that has to be. I mean, the system simply won't work if we don't have a clear understanding on the part of everyone but especially a worker injured on the job. I hope that they never have to, but if they had to get to the Appeals Commission aspect of it, I hope they would be working in an independent way.

What I think, hon. member and supporter of this particular bill, is that I can move more quickly than what is being offered in this Bill 211. So simply I'm saying, then, that I plan to move forward and not wait for the suggestions that are in your bill. I don't mind if the members here today voting on your bill approve your bill. I don't mind that at all because I believe, under any kind of imagination or experience that I have, that if there is to be a review and if Albertans and injured workers and workers are allowed to have input into an all-party committee looking into the competitiveness of WCB, they're going to find in favour of the current system. I have no doubt about that at all.

So I just urge every member here to support the member if you wish or to not support the member if you wish. Do it on your own conscience. Madam Speaker, I just want to assure the House that we are going to move more quickly in terms of review. I think that it's going to be not only in the best interests of Albertans, but at the end of the day it'll be in the true interest of the injured workers of Alberta and all of the associations that are represented by them.

Thank you very much.

**THE ACTING SPEAKER:** The hon. Member for Edmonton-Rutherford, followed by Edmonton-Strathcona.

**MR. WICKMAN:** Thank you, Madam Speaker. I want to just make a few comments on Bill 211. First of all, let's look at the concept of the WCB. What is the WCB? The WCB to me is a safety net, a safety net for employees or workers throughout the province. It's a safety net that's provided in every province across Canada, in every territory and so on and so forth, and it should be.

5:10

Now, when I look at this bill, I look at page 2, clause (3), where it says:

- The functions of the Select Special Committee are
- (a) to examine the introduction of a competitive workers' compensation system.

We're talking about a private-sector, competitive, parallel system to a vital component of the so-called safety net. That'd be the same. What government in their right mind would propose that we set up a committee to look at studying, for example, a parallel educational system operated by private operators or a health care system? [interjection] Yes, one member admits it over there. Can you imagine a government in their right mind proposing a parallel health

care system? Well, basically this bill would do the same thing with the workers' compensation.

**MS LEBOVICI:** They'd ruin it.

**MR. WICKMAN:** They do. Sure they do.

Madam Speaker, I say to you: why would we even look at destroying a safety net that is so valuable to injured workers? Demonstrated by the letters that have come in from various associations and such, tons of stakeholders have been consulted and have replied: don't vote for this bill. At the same time they acknowledge there are trouble areas with the WCB. There's no question there are trouble areas with the WCB. To set up a new system or to study a new system, to replace or be in competition to the WCB, in my opinion, is not the answer, but we do have to correct the shortcomings. Somebody made the statement – and I think it bears out – that 85 percent of recipients in the WCB are quite content. They're quite satisfied, and I believe that that is true. Those are the ones that we basically don't hear about. They don't come to our constituency office and say: look, I'm really happy with the WCB. The ones we hear from – every one of us will hear from the other 15 percent.

We had the case a few years back where somebody camped out on the steps of the Leg. Building, and they were hauled off and left by some blue garbage bin in some back lane a couple of blocks away from here. We see the tents in front of the WCB building right now. Those are the ones I call in the so-called gray area. Their concerns, first of all – and the minister touched on the concept of the so-called independent Appeals Commission. It may be independent on paper, but in perception it's not. Those 15 percent, or those troubled by the workers' compensation system, don't view that as being independent. They receive their cheque from that very system that they're supposed to be in some cases overriding. I understand the percentage is as high as 70 percent of appeals rule in favour of the injured worker.

We looked at where the advocates are. That's another trouble spot for injured workers. Certainly they are entitled to advocates that are to plead their case when it goes to the Appeals Commission or the Claims Services Review Committee, whatever the case may be. However, again it's a perception. Who are these advocates paid by? The perception is: how can this individual serve two particular masters; the one master, that gives him or her a paycheque, and the other master, that they're designated to represent fairly in front of a committee? So that again is a perception.

The third point that I want to make, the role of the WCB medical doctors. My understanding of how the WCB functions is that one doctor basically employed or contracted out by the WCB, whatever the case may be, can state in his or her opinion that an injured worker is capable of going back to work or an injured worker that has filed a claim really does not have an injury that would prevent that person from working. Where does that individual then go? Does the WCB even meet with the individual? Does the WCB say: well, we're going to send you to a second doctor, to a third doctor, or to an independent panel of medical specialists? I don't believe that happens, Madam Speaker.

So that injured worker faces, first of all, that particular obstacle, and they leave the system at that point very disillusioned, very skeptical. Next they appeal through the Claims Services Review Committee. Then they go on from there to the Appeals Commission, and they're told: we're going to give you an independent advocate, an independent adviser. The injured worker realizes that individual is paid by the Workers' Compensation Board. Again, another area of skepticism and some lack of confidence in this system.

Finally, the Appeals Commission itself. These people are paid by the same board or the same system that the injured worker feels is

grieving him or her, those 15 percent or whatever that figure is, and that figure quite frankly may not even be as high as 15 percent. It may be 15 percent that are disillusioned in the initial stages, but once they go through the appeal system and, let's say, 70 percent of them rule in favour of the injured worker, of course that reduces the number even further. So it may not be as many injured workers that are dissatisfied with the system that we visualize.

Nevertheless, whether it's one, whether it's two, whether it's 10, whether it's 20, whether it's a thousand, we have a responsibly to address it, to ensure that they get the full protection of that safety net that is part of your employment conditions when you go to work in the industrial or some other work area. Nobody up to now, myself included, has come out with a concrete answer as to how to deal with that gray area. What type of system would give the injured worker such confidence in the system that the injured worker would say, "Regardless of the outcome, I am prepared to accept that decision because I feel the process was fair"? I'm not sure that there's any system that would satisfy one hundred percent, because there still would be a number that went through all the avenues that may be open and lots of them would still feel that they were hard done by.

I'm talking in terms of those cases that are so typical of the ones that come to the constituency office. Somebody has a back problem and it's acknowledged that the individual has a back problem, or a respiratory problem and it's acknowledged that there is a respiratory problem, but the gray area is: did it happen as a result of the workplace, was it a condition that was deteriorating in any case, or would it have occurred even if the individual was not working in a certain type of work area? Those are the questions that become so, so difficult to answer. Repetitive arthritis, whatever, could set in on a person sitting in front of a computer, where you're doing that same function on a continuous basis. Does that arthritis, whatever, that sets in happen as a result of the occupation?

I think that we should reject Bill 211, but we shouldn't reject the concept that there is something within the system that can't be improved upon. There are two members on that side of the House who have spoken out repeatedly on the shortcomings that they've experienced or their constituents have experienced with the Workers' Compensation Board. There may be others who feel the same way who haven't been quite as forceful in their presentations. I don't blame them for doing what they're doing, because they're simply trying to correct a situation that they feel has some shortcomings to it. I believe that all members on this side of the House in the opposition would agree that there are shortcomings.

5:20

How do we get to the workable solution? Is it a public inquiry? The minister has rejected a public inquiry, but he kind of gave

indication today that he is going to be doing something, that there is going to be some type of mechanism put into place. He didn't come right out and make an official announcement, but I would gather by his comments that we can expect that something is going to happen, some type of an announcement that would maybe provide a mechanism where injured workers would have the opportunity to make presentations, to make suggestions, to somehow participate more fully in improving the workers' compensation system, making it more fair, particularly from the point of view of perception.

Madam Speaker, to the minister: I would welcome some concrete action on the Workers' Compensation Board, a plan of action that the minister intends to do this, intends to do this, intends to do this. I know the public inquiry could be one alternative that workers have called for, but I'm just saying that certainly it could be a concept worth looking at. There have to be other methods as well, and I guess it's not really my responsibility to come out with the ideal solution, because the member on the other side of course is the minister that is responsible for correcting these problems, to ensure they are corrected.

If he himself – and I can't blame him as an individual – hasn't got all the answers that we don't have, well, we have to set up a mechanism, an avenue where we can allow people to participate so they can come forward with their areas of improvement, the end result being that we see a number of concrete improvements done to the Workers' Compensation Board so the injured workers feel they have not been hard done by, as a good number of them now unfortunately feel. We have to restore faith in the system. We have to restore confidence in the system. But to set up a parallel system and say that that's the answer or to even study a parallel system – rather than put those resources into studying a parallel system, put those same resources into improving the existing system. Accept the fact that the concept of the Workers' Compensation Board is a great plank in the safety net structure within the province of Alberta.

On that note, Madam Speaker, I'm going to conclude my comments. I'm sure there are other members of the House who want to speak, so I'm simply going to adjourn debate.

THE ACTING SPEAKER: Having heard the motion by the hon. Member for Edmonton-Rutherford, does the Assembly agree with the motion to adjourn debate?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? It's carried.

[The Assembly adjourned at 5:23 p.m.]