

Legislative Assembly of Alberta

Title: **Wednesday, December 1, 1999** 1:30 p.m.

Date: 99/12/01

[The Speaker in the chair]

head: Prayers

THE SPEAKER: Good afternoon.

Let us pray. O Lord, we give thanks for the bounty of our province: our land, our resources, and our people. We pledge ourselves to act as good stewards on behalf of all Albertans. Amen.
Please be seated.

head: Introduction of Visitors

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

MRS. O'NEILL: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to all members of the Assembly a group of women who have been so instrumental with the Famous Five Committee. The Famous Five were five Alberta women who fought for and won the right for women to be appointed to the Senate of Canada. As part of the Famous Five Committee I'd like to introduce June Cavanagh, Jean Mucha, Audrey Clark, Marjorie Wild, and Lois Thomas, as well as artist Alice Tyler and her husband, Bill Deacon. Lillian Gregory was also a member of this committee but, unfortunately, is not able to be in the gallery. These women and Mr. Deacon are seated in the Speaker's gallery, and I request that they please stand and receive the traditional warm welcome of the Assembly.

head: Presenting Petitions

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

MR. BONNER: Thank you, Mr. Speaker. It gives me a great deal of pleasure today to introduce a petition to the Assembly signed by 236 Calgarians urging

the Government of Alberta to conduct an independent public inquiry of the Workers' Compensation Act, including an examination of the 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-Centre.

MS BLAKEMAN: Thank you, Mr. Speaker. I'd like to present another ACTISEC petition asking for tuition freezes for postsecondary institutions signed by 674 interested individuals from Wembley, Grande Prairie, Beaverlodge, Grande Cache, Breton, Barrhead, and central Alberta. That brings the total number of petitions I've presented to 2,914.

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

MR. WICKMAN: Thank you, Mr. Speaker. I wish to table a petition from 103 Calgarians who as the undersigned are petitioning 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.

That brings the total to thousands upon thousands upon thousands.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to present a petition to the Assembly also urging

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

This petition, interestingly enough, is signed by 112 people from the city of Calgary, the home of the Premier.

Thank you.

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

DR. PANNU: Thank you, Mr. Speaker. I'm pleased to present this petition on behalf of ACTISEC signed by 200 Albertans who come from all over southern Alberta starting with Brocket, Coaldale, Coalhurst, Cardston, Claresholm, Taber, Pincher Creek, Didsbury, Raymond, and they are requesting that this Assembly to urge the government to freeze tuition fees for postsecondary students.

Thank you, Mr. Speaker.

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

MS PAUL: Thank you, Mr. Speaker. I would like to table a petition signed by 214 Albertans from the cities of Spruce Grove, St. Albert, and the north part of Edmonton urging the government to conduct an independent public inquiry of the Workers' Compensation Act, including an examination of the operations of the WCB, the Appeals Commission, and the criteria for appointments to the Board.

head: Reading and Receiving Petitions

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

MR. DICKSON: Thank you, Mr. Speaker. I'd ask at this time that the petition I introduced yesterday be now read and received, please.

THE CLERK:

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

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

MR. SAPERS: Thank you, Mr. Speaker. I would ask that the petition which I recently presented to this Assembly organized by the SOS parents concerning adequate school funding 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.

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

MR. BONNER: Thank you, Mr. Speaker. I request that the petition presented on November 30 regarding a full public inquiry into the operations of the Workers' Compensation Board now be read and received.

THE CLERK:

We the undersigned residents of Alberta, petition the Legislative Assembly to urge the Government of Alberta to conduct an independent public inquiry of the Workers' Compensation Act, including an examination of the operations of the WCB, the Appeals Commission, and the criteria for appointments to the board.

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

MS BARRETT: Thanks, Mr. Speaker. I'd ask that the petition I introduced on November 25 be now read and received.

THE CLERK:

We, the undersigned residents of Alberta . . . petition the Legislative Assembly to urge the Government to introduce a Bill banning the establishment of private, for-profit hospitals so that the integrity of public, universal health care may be maintained.

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

MS BLAKEMAN: Thank you, Mr. Speaker. I would ask that the ACTISEC petition on tuition freezes I presented yesterday be now read and received.

THE CLERK:

We, the undersigned, urge the Legislative Assembly to freeze tuition and institutional fees and increase support in the foundation of post-secondary education.

head: Notices of Motions

THE SPEAKER: The hon. Member for Edmonton-Strathcona on a Standing Order 40 notice. [interjections]

DR. PANNU: Mr. Speaker, I'm sorry for the confusion. My apologies. I would like to make a motion under Standing Order 40 asking the unanimous consent of the Assembly to debate a motion of urgent and pressing necessity.

head: Tabling Returns and Reports

THE SPEAKER: Hon. leader of the third party, you have a tabling?

MS BARRETT: Yes, Mr. Speaker. I have three tablings, all of them related to for-profit hospitals. One is a letter from Mr. Shane Andrus that was sent to the MLA for Cypress-Medicine Hat. Another was sent to the Premier and CCed to me, actually, the third one as well. One from Anthony Reimer and one from David Hitchcock: those were sent to the health information line and CCed to me, all opposed to for-profit hospitals.

1:40

MRS. BURGNER: Mr. Speaker, I'd like to table a list of the members of the Calgary Justice Working Committee membership that I spoke to yesterday in my member's statement. This committee was chaired by Brian Felesky and Alderman Bev Longstaff, and I wanted to read their names into the record.

Thank you.

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

MR. MacDONALD: Thank you, Mr. Speaker. I would like to table today copies of a document put out by the United Brotherhood of Carpenters called It's All About Competition. The United Brotherhood of Carpenters wants to be partnered with signatory contractors

to build better buildings, to ensure safer projects, and to create new and better opportunities for both the contractors and the members.

Thank you.

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

MR. DICKSON: Mr. Speaker, thank you. I'm pleased this afternoon to table a package of a further 11 amendments to Bill 40 in the Liberal effort to remedy major shortcomings in the health information bill.

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

MS BLAKEMAN: Thank you very much, Mr. Speaker. Two tablings today. The first is a letter from a constituent, Robert Mills, to Premier Klein asking him to find it within the health budget to include resistance testing as part of the regular workup for HIV-infected individuals in the province.

The second is a report from the committee for fair drug prices of CTAC, the Canadian Treatment Advocates Council, describing a major win with Canadian drug companies and the Patented Medicine Review Board, which changed the prices on Sustiva.

Thank you.

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

MS LEBOVICI: Thank you, Mr. Speaker. I have five copies of a letter to the Premier from the president of the Hospital Employees' Union in B.C. It represents 44,000 members, and he's asking the Premier to abandon his "dangerous efforts to allow expanded for-profit health services in Alberta," because the Premier's actions are "jeopardizing the health care" of all Canadians.

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

MR. SAPERS: Thank you, Mr. Speaker. I have the appropriate number of copies of a report prepared by the research staff of the Alberta Liberal opposition. I'd like to table them with the Assembly. It's titled Alberta Treasury vs. Stokes Economic Consulting/FutureView Research, Budget Year 1997/98. It, of course, details that Stokes Economic Consulting/FutureView Research were able to prepare far more accurate estimates of the Alberta economy during that same forecasted year.

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

MRS. SLOAN: Thank you, Mr. Speaker. I am pleased today to rise and table five copies of the product of a FOIP request of child welfare establishing that department's involvement into the life and death of Jordan Quinney.

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

MR. BONNER: Thank you, Mr. Speaker. I have two tablings today. The first is on behalf of the Disenfranchised Widows Action Group, Alberta chapter. It gives a brief history of their group as well as a chronology of the difficulty they've had in reaching resolution over a five-year period with the WCB and this government.

My second tabling, Mr. Speaker, is on behalf of some injured workers out of Calgary. It shows how ineffectual both the Millard and the Horowitz reports were. It goes even further. It makes recommendations for how a further inquiry into WCB would be most effective.

Thank you.

head: Introduction of Guests

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

MR. DOERKSEN: Mr. Speaker, my guests are from the Eastview school, and they won't be in the Assembly until two o'clock this afternoon. If I could ask your permission after the end of question period to introduce them at that time, I would appreciate that.

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

MR. LOUGHEED: Thank you, Mr. Speaker. It's my privilege to introduce to you and through you to the members of the Assembly another championship team from the University of Alberta. This team is the University of Alberta Pandas rugby team. In their first year of existence they won their first national championship. This year they're following last year's unprecedented season with six teams going to the championships, four winning medals: one gold, two silver, and one bronze. Our gold-medal champion rugby team is with us today. I'd ask them to rise and receive the warm welcome of the Assembly.

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

MR. BONNER: Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all members of the Assembly 26 members of the Disenfranchised Widows Action Group. They're in the members' gallery today. With your permission I ask that they now rise and receive the traditional warm welcome of the Assembly.

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

MRS. SOETAERT: Thank you very much, Mr. Speaker. It's my pleasure today to introduce to you and through you to members of the Assembly two classes from J.J. Nearing school in St. Albert. They're here with their teachers, Christine Sowinski and Sonia Reid, and parent helper Mrs. Pelletier, who's an aunt of Greg Pelletier, who helps many of us out in here. These are great students. They had great questions for me. In the middle of my presentation the fire alarm rang, and I think that was the most exciting part of my visit. They're seated in the members' gallery, and I would ask them to please rise and receive the warm welcome of the Assembly.

THE SPEAKER: The hon. Associate Minister of Health and Wellness.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of the House a number of very special and gifted young students from my constituency. They come from Weinlos elementary school, where yesterday I visited with their principal, Ilene Larson. They are seated in both the public and the members' galleries along with their teachers and group leaders, Mrs. Laura Delahaye, Mrs. Linda Gagnon, Mrs. Howarth, Ms Linda Robertson, Mrs. Andrea Holmstrom, Mrs. E. Gardner, Mrs. Lorrie Motyka, and Mrs. Karin Strohschein. I would ask that they rise and receive the very, very warm welcome of this Assembly.

Thank you.

MS BARRETT: Mr. Speaker, it's my pleasure today to introduce Deborah Morrison. She owns a small business specializing in the

area of program evaluation and consults with business and nonprofit organizations. I have known Deb Morrison for many years, and I'm pleased to say that just a few weeks ago she became the nominated New Democrat candidate in Edmonton-Ellerslie. I'd ask her to now rise and receive the warm welcome of the Assembly.

MR. KLEIN: Mr. Speaker, it's my pleasure today to introduce to you and through you Mr. Adil Pirbhai of Edmonton or sometimes Red Deer; I don't quite know for sure. He is a regular caller to my phone-in radio program. Dave Rutherford won't put him on, but I will. He can always be counted on to raise the tough issues and ask pointed questions. Adil has been for a long time interested in political issues and was, in fact, a candidate in the last civic election. Having heard Adil many times, I can say it is a welcome opportunity to actually see him. Please join me in welcoming him to the Legislative Assembly.

MR. DUNFORD: Mr. Speaker, I have two guests today that I would like to introduce to you and the other members here in the Legislature. Connie Cook is the president of the Alberta Association of Rehabilitation Centres, also a constituent of Lethbridge-West. With her is Ed Riediger, who is with the Robin Hood Association from Sherwood Park and also, then, a constituent of my colleague the Minister of Children's Services. I'd ask them to rise and receive the normal warm welcome from the members of the Legislature.

THE SPEAKER: The hon. Minister of Community Development.

MR. WOLOSHYN: Thank you, Mr. Speaker. I would like to introduce to you and through you to our colleagues a gentleman whom you've known for a long time. He's a long-time constituent of Stony Plain. This morning in a meeting he reminded me that not only was I his minister but responsible for him as a senior. He's a good friend, and he's seated in the public gallery. I'd ask Mr. George Fuhr to rise.

head: Oral Question Period

1:50

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

Private Health Services

MRS. MacBETH: Thank you, Mr. Speaker. DC DiagnostiCare Inc. is an innovative, publicly traded, Edmonton-based company that operates imaging clinics and sells equipment for use in diagnostic imaging clinics across North America. Like any good business ought to do, its prime directive is to maximize the wealth of its shareholders, and it's constantly looking for new markets to serve and new demands to supply. In describing its marketing strategy the company says, "We are structured for the advent of two-tier medicine." My questions are to the Premier. With businesses in our communities preparing for it and with the Premier apparently boasting about it in *Time* magazine, what is the time line that this government has set for the advent of two-tier medicine in Alberta?

MR. KLEIN: Mr. Speaker, I'm not familiar with the company. Relative to their claims they're going to have to wait a long, long, long time because under this administration it simply won't happen.

Relative to the specifics of the company I'll have the hon. minister respond.

MR. JONSON: Mr. Speaker, the government has made a major effort over the last year and a half to consult with people in the

whole area of diagnostics as far as the health care system is concerned. We've had a committee working on this. There is a report, and I think it's a fact that the government has demonstrated its commitment to expanding diagnostic services, particularly MRIs, in Red Deer, in Lethbridge, in Grande Prairie, and an additional one, as I recall, in Calgary, that serve the public health care system of this province. We do put a high priority on this particular service.

I think the other thing, though, that is very important in responding to this particular question is that MRI diagnostic services are not an insured service under the Canada Health Act. The ability to establish and access that type of diagnostic service is available in terms of private entities becoming involved. But I think that once again there is a very clear demonstration by our government that we are improving the diagnostic capability of the health system in this province, and I've just quoted the examples which I think very much illustrate that.

MRS. MacBETH: Mr. Speaker, if MRIs are not medically necessary, then why is the government paying for them?

MR. JONSON: Well, Mr. Speaker, we do support through our overall health budget and our health coverage payment for medically necessary MRI tests. We are expanding that particular capability in this province so that we can reduce waiting lists.

Now, with respect to the ability to specifically for some particular purpose establish an MRI outside of the system, that is something that is possible under the Canada Health Act, the current legislation that we abide by in this province.

MRS. MacBETH: Mr. Speaker, no wonder Albertans are confused.

Given that there are no new medical imaging licences being granted in British Columbia, Ontario, or Quebec, will the Premier do the same by imposing the moratorium that we have suggested on all these short-stay diagnostic and surgical facilities until legislation can be put in place to approve them and ensure that the public interest is being protected?

MR. KLEIN: Mr. Speaker, as the hon. minister pointed out, nothing is in conflict with the Canada Health Act, so why would we do this? I guess we could close down all diagnostic clinics.

I went for my checkup yesterday. I went to – I forget which clinic; it was on 122nd Street and 102 Avenue – the Allin Clinic. You know, I think that they were all there to make some money. It was all under the publicly funded health care system.

MR. SMITH: Which card did you use?

MR. KLEIN: Well, I used my Alberta health care card. Right. [interjections] No, it's not being disrespectful. Mr. Speaker, it is being respectful. These people are being disrespectful by fear mongering, by spreading false information, by creating confusion and chaos. This is the way they operate. That is being disrespectful.

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

MRS. MacBETH: Thanks, Mr. Speaker. The Premier's scheme to privatize medicare is designed to divert taxpayer dollars away from the public system and into private hospitals, plain and simple. It's been tried in the United States, and it just doesn't work. In August of 1999 a study was published in *The New England Journal of Medicine*. This blue is the for-profit hospitals; this red is the not-for-profit hospitals in terms of costs. The August '99 study showed that

conversion, conversion now, from nonprofit health care to private, for-profit health care resulted in a \$1,295 per person increase in costs between 1989 and 1995. The clear data is there. My questions are to the Premier. How can this Premier ignore the evidence day after day that his case won't work?

MR. KLEIN: Mr. Speaker, without wanting to sound repetitive, it is that kind of misinformation, that kind of fear mongering that leads to public confusion relative to this issue. I would like to read, again, from the policy statement and challenge the Liberal opposition, challenge them to see if they are opposed to any of these principles.

Universality - Alberta's health care insurance plan entitles all Albertans to the insured physician and hospital services provided for by the plan on a fair and equitable basis.

Are they opposed to that? That's what we're in favour of.

Excellence - Alberta's health system strives for excellence in the delivery of quality services based on high standards and best practices.

Are they opposed to that?

Comprehensiveness - Alberta's health care plan covers all insured health services provided by hospitals and medical practitioners.

Are they opposed to that? Mr. Speaker, all of this is contained in the policy statement.

Accessibility - Alberta's health care insurance plan provides reasonable access to medically necessary hospital and physician services without charges or other barriers, and reasonable compensation to physicians and hospitals providing insured services.

Are they opposed to that? It's in the policy statement.

Portability - Alberta residents moving to another province continue to be covered for insured health services during any minimum waiting period imposed by the new province. Insured health services are available to insured Albertans while they are temporarily absent from Alberta.

Are they opposed to that? It's in the policy.

Well, I can go on and on. I've got five more pages. I'll just keep reading it.

THE SPEAKER: I know, but we're not going to.

MRS. MacBETH: Mr. Speaker, we've all heard the \$11,000 fairytale.

Why is the Premier ignoring the facts and relying on spin doctors? Are they the new government of Alberta?

MR. KLEIN: No, but what we do rely on, Mr. Speaker, is another principle of the Canada Health Act, and that is public administration, whereby

Alberta's health care insurance plan is administered and operated on a non-profit basis by a public authority, responsible to the provincial government and subject to audit of its accounts and financial transactions.

Are they opposed to that?

They stand up day in and day out in this Legislature and say that they are opposed to the policy. Fundamental to the policy are the principles of the Canada Health Act. They must be opposed to the fundamental policies of the Canada Health Act. We're supportive of those policies.

2:00

A priority goal of the government of Alberta is to sustain and improve the delivery of accessible, effective, quality health services to all Albertans who need them. Our goal is to alleviate pain and suffering, Mr. Speaker. I would suggest by their attitude that they are in favour of prolonging pain and suffering.

MRS. MacBETH: Spin city, Mr. Speaker.

Why won't the Premier consider overwhelming evidence that his privatization scheme may lead to increased health care costs for the citizens of Alberta?

MR. KLEIN: Mr. Speaker, as I said before, at the risk of getting into the game of I'll show you your study; you show me my study, there are studies going back and forth. There is a lot of evidence both ways. We have the policy statement out there for public discussion. We want to make sure before we introduce legislation that it's absolutely right.

Now, fundamental to the policy and to the proposed legislation are the principles of the Canada Health Act and the absolute commitment by this government to uphold without question those fundamental principles. We are supportive of that particular proposition, Mr. Speaker. It's fundamental to the policy. The only people that seem to be opposed to the fundamental principles of the Canada Health Act are the Liberals.

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

MRS. MacBETH: Thanks, Mr. Speaker. According to the Center for Health Program Studies at Harvard Medical School . . . [interjections] It's a pretty good research facility, actually. [interjections] Actually, this is quite relevant to this question.

According to the Center for Health Program Studies at Harvard Medical School administration costs in the United States for private health care cost \$995 per person compared to \$248 per person for administration costs in Canada. That means that administration costs in the private U.S. system are four times what they are in Canada under the public system. Mr. Speaker, the average U.S. health care maintenance organization devotes 14 percent of its premiums to overhead and profit. The Canadian system, in contrast, uses only .9 percent for administration. These are pretty valuable indicators. My question is: how much does the Premier plan to see administration costs go up under the scheme that he wants to introduce for privatization here in Alberta? Where's his study?

MR. KLEIN: Mr. Speaker, obviously, I'm not getting through to the opposition. They can't understand. But, you know, our Minister of Health and Wellness used to be a school teacher, and perhaps he can stand up and explain the policy, perhaps in grade 5 language. I'll defer to the hon. minister.

MR. JONSON: First of all, Mr. Speaker, we will continue to work across government whether it is education or health care. We have, I think, demonstrated very clearly that we want to keep administrative costs down.

With respect to the quotation from Harvard, which is a privately funded and very prestigious university in the United States, I really find the question rather curious, because the hon. leader's interest seems to fit with her own policy statement of November 4, whereby it is indicated that we should be licensing private hospitals, yes, in writing, Mr. Speaker, and, secondly, that we should make sure that the doctors that practise within private hospitals should, of course, be very definitively put out of the system. Now, I wish the members across the way would clearly state their policy, which seems to me to be rather on the American model. We are not, however, pursuing that policy. We want a publicly funded system which is accessible to Albertans and Canadians for insured services on a very equitable basis.

MRS. MacBETH: Mr. Speaker, what additional funds is the minister going to be providing to regional health authorities because of their added administration costs to contract out to private hospitals?

MR. JONSON: Well, Mr. Speaker, as the hon. member across the way knows, I think, we fund the health care system across this province on an equitable basis according to a formula which is based on the needs of the population according to age, according to origin, and that is the way we will continue to fund this health care system, a public health care system attuned to the needs of the public in this province. What we are seeking here is a system whereby we can deliver services most effectively, most efficiently under the rules of the Canada Health Act. We do not want to differentiate between individuals. We just want to make sure that we have a very effective and efficient system out there.

MRS. MacBETH: Mr. Speaker, back to the Premier: will this Premier debate me in public about his scheme to privatize and increase bureaucracy costs to the health care system? Will he do it? Will he stand in this Legislature today and agree to it, or is he chicken?

MR. KLEIN: Mr. Speaker, she called me a chicken. Well, I don't know if that's an endearing statement.

Mr. Speaker, I'm debating her every day in this Legislature, and I will take up her challenge. When the bill is introduced, I will make a commitment to be in this Legislative Assembly to debate the bill, to debate the legislation head on head with the hon. leader of the Liberal opposition in front of the television cameras, in front of the media. If she can find the time and make herself accessible to appear in the Legislature in the afternoon, late in the evening, I will take her on and debate her. And you know what? I'm going to win.

MS BARRETT: He's going to be a tough act to follow, Mr. Speaker. Gee.

Mr. Speaker, it's like *deja vu* all over again. Twenty years ago I lived in Britain when Margaret Thatcher's government went down the same road. They took the wrecking ball to the national health service, and they allowed the establishment of the parallel for-profit system. You know how bad it has gotten? If I'm a doctor working in the public health system today and in my private, for-profit hospital tomorrow, I can get a five percent commission, a five percent kickback for referring you, you the patient, to the private, for-profit hospital. It's pure corruption, and I don't understand. Maybe he'll explain. Why would the Premier want to open the door to this kind of corruption and conflict of interest that now plagues Britain's national health service?

2:10

MR. KLEIN: Mr. Speaker, again, at least the hon. leader of the ND opposition is consistent. Right? She doesn't say one day that she's supportive of private, for-profit hospitals and the next day oppose them, unlike the leader of the Liberal opposition. But she is just as confused.

Section 4.2 of the policy says:

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.

What can be simpler than that, Mr. Speaker?

MS BARRETT: Maggie Thatcher said that night after night too. Look what happened.

If the Premier really thinks that the private sector can do it

cheaper, to which he has just alluded, why does the Calgary regional health authority pay a facility fee to private clinics doing cataract surgeries that is 35 percent higher than the rate charged in the public health system for the same surgery?

MR. KLEIN: Mr. Speaker, I'll have the hon. minister reply, but it all has to do with taking pressure off the system for surgeries that can be provided.

Mr. Speaker, before the hon. minister replies, I'm going to give the hon. member another case. We have in this city the Boyle McCauley health centre. It's a clinic. I've been there; I've toured it. It's a clinic, but it has beds where people stay overnight, sometimes for three, four, five, six, seven days. They come in, and they stay there in a hospital situation.

This is in accordance with the policy that we're proposing. It's already happening. It's a not-for-profit corporation that takes in sick people, treats them. [interjections] It's not embarrassing. As a matter of fact it's one of my causes, and I support it, and I support this kind of thing. These are poor souls, poor souls who can't be treated in conventional hospitals, but they have diseases, and they have sickness, and they have dedicated doctors and nurses and health care providers looking after these poor souls on a contract basis with the Capital regional health authority. You know, Mr. Speaker, it works.

The policy says, "A Regional Health Authority may, subject to the approval of the Minister, contract with a private provider (either profit or not-for-profit)." This is happening already. No opposition to that. No opposition to that.

MS BARRETT: I wrote the Premier a note explaining that it's run by a volunteer, not-for-profit, community-based board. Didn't I?

Mr. Speaker, I have another question for the Premier. Listen to this. Why is it a conflict of interest for a doctor to own a pharmacy, but it is not deemed a conflict of interest apparently by this government for the head of orthopedic surgery at Foothills hospital to be an active promoter and investor in a for-profit hospital that is lobbying for the right to do hip replacements at public expense? Go explain that.

MR. KLEIN: Mr. Speaker, I'll have the hon. minister reply, but will the hon. member name names? Name names. Will she go outside the House and name names, and rather than make the implication that there's something wrong, will she suggest publicly and openly that this individual – and I don't know who she's talking about – is doing something wrong? It's all right to use the protection of the Legislature to make allegations, but go outside and do it.

I'll have the hon. minister supplement.

MR. JONSON: Mr. Speaker, first of all, I think it's really very important to note that since this particular set of questions evolved from a reference to the United Kingdom, currently, as I understand it, there is a government in office with the same political orientation as the leader of the third party in the Legislature. We are, I think, much stronger to this point in time, much, much stronger in our support for our publicly funded, publicly administered health care system in this country under the Canada Health Act than anything that I've been able to gather from the United Kingdom. The system that she described is still functioning in the United Kingdom.

Further, Mr. Speaker, I think it is worthy of note that the allegation here in this particular question is that there is an individual who is a doctor within the Calgary regional health authority system and that he or she is being paid for the services they're currently providing within the umbrella of the funding provided by the

provincial government to the regional health authority in Calgary. On the same basis, if at some time in the future there were a contract which abided by the principles outlined in our policy paper and that doctor happened to be working under that particular contract, fully under the control and administration and evaluation of a publicly funded health care system, I guess that could be a possibility. We'd have to have a demonstrated benefit in terms of cost effectiveness and quality of service, and that is the case under our policy.

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

Water Exports

MR. McFARLAND: Thank you, Mr. Speaker. The southern geographic half of Alberta has 85 percent of the population and only 15 percent of Alberta's water. At this week's Canadian Council of Ministers of the Environment meetings Alberta did not endorse an accord to prohibit bulk water exports. My question to the Minister of Environment: knowing what many of my constituents in Little Bow and probably a lot of other Albertans would think about exporting bulk water, Mr. Minister, why did Alberta not sign this accord?

MR. MAR: Mr. Speaker, let me make it clear that Alberta's Water Act under section 46 specifically prohibits the export of bulk water, removal from the province of Alberta. This legislation has been passed by this Legislature since 1996. We were one of the first jurisdictions in all of Canada to have such legislation after a great deal of public consultation on the subject. In fact, other provinces have looked to our Water Act as a model for their own legislation.

One thing that came out of our ministers of environment meeting in Kananaskis in the last two days is that every Canadian jurisdiction, three territories and 10 provinces, all affirmed their support for the protection of our water resources, and all agreed to a prohibition of bulk water transfers from Canada.

Mr. Speaker, with respect to the accord, though, there were a number of points that created concern for the province of Alberta and our government. First of all, the accord itself does not prohibit the bulk removal of water. Our legislation, like the Water Act, and similar legislation in jurisdictions across Canada does that.

Secondly, Mr. Speaker, the accord includes an undefined term, a "precautionary principle." Now, we know what "precautionary principle" means in trade and in pollution cases, but we do not know how it will apply to bulk water. The federal government was not willing to address this particular issue.

Thirdly, Mr. Speaker, there is a recent piece of legislation that the federal government has tabled that would be an amendment to the boundary waters treaty. In that amending act there is an expression called "water basins," and there was no definition of what a water basin is. They indicated in the draft legislation they tabled that water basins would later be defined in regulations. So until we know what a water basin is, then we are not prepared to sign it.

I would suggest that trying to endorse an accord that has two undefined terms, "precautionary principle" and "water basin," is like buying a house where the term of the agreement says that you'll get some land with it. We wouldn't sign an agreement to get some land unless we were satisfied that we knew what the expression "some land" meant.

The question was: why didn't we sign the accord? Mr. Speaker, the more appropriate question is: why would we sign the accord?

MR. McFARLAND: Mr. Speaker, there are lots of big diameter oil

and gas pipes buried in the ground leaving Alberta.

What impact will not endorsing bulk water removal in the accord have on this province, Mr. Minister?

MR. MAR: Well, Mr. Speaker, I'd like to say emphatically that there is no impact on how our water is protected. As I indicated – and I repeat – the Water Act already prohibits the removal of bulk water under section 46. I will commit myself to working with my fellow ministers from across Canada to discuss this issue further so that we can get legislation that will recognize both federal and provincial jurisdictions and that does have specific definitions for expressions like “water basin” and like “precautionary principle” before we meet again next spring in the province of Quebec.

2:20

MR. McFARLAND: Thanks, Mr. Speaker. My last supplemental to the same minister: what is in the precautionary principle that should concern many Albertans?

MR. MAR: Mr. Speaker, precautionary principle is an expression that is used in international relations so that scientific uncertainty cannot be used to avoid taking prudent action. However, in trade negotiations the precautionary principle may allow other countries to close their borders to Alberta products if they are unsure of the science associated with them. Until this government is certain as to how the precautionary principle will be defined and interpreted in the bulk water accord, we will not endorse it.

Physiotherapy

MRS. SLOAN: Mr. Speaker, the Premier, who created the suffering in health care, insists on going down the path to private hospitals even though we presented concrete evidence that the private/public system doesn't work and costs more. Physiotherapy clinics in Alberta, after the second week of the month, stop serving clients funded by the public system because they are out of money. “Come back after the first of next month,” they are told, regardless of how badly they are suffering. My questions today are to the Premier, who created the suffering. Why are Albertans needing physiotherapy and funded through the public system told to wait for services when treatments paid for by private insurance or WCB are able to be completed all month long?

MR. KLEIN: Mr. Speaker, I have to take strong exception to the allegations that I personally created all the suffering in the health care system. There are thousands and thousands of people who access the health care system each and every day, and they come out healthy. They come out cured. They come out feeling better about themselves. Thousands and thousands and thousands.

Mr. Speaker, relative to the issue of physiotherapy I'll have the hon. minister reply, but I want to reiterate again: that is disrespectful. That is the kind of fear mongering, the kind of false information that does a tremendous disservice to this party and to the people of Alberta.

MR. JONSON: Mr. Speaker, the overwhelming majority of expenditure on physiotherapy services in the province is provided in support of the regional health authorities across this province for physiotherapy services. There are criteria which focus on the medically required high-needs area of physiotherapy. I think it would be fair to say that we compare favourably with every province in this country in terms of physiotherapy services.

Mr. Speaker, the seeming premise of this question is totally inaccurate. These services have not ceased. They have not been

stopped. The funding is still there through the regional health authorities.

MRS. SLOAN: Mr. Speaker, why should Albertans believe the Premier's private hospital scheme would work any differently given that the choice for suffering Albertans needing physiotherapy is cash, credit card, or private insurance?

MR. KLEIN: Well, Mr. Speaker, I abide by your ruling. I can't show the card anymore. Displays are not allowed in the Legislative Assembly. But I would remind this Assembly, all the people in the gallery, and those watching on television that the only card that is required in this province is your Alberta health care card. That's the only card. Again, it is that kind of misinformation, it is that kind of fear mongering, it is those kinds of untruths, absolute untruths that really do the people of this province a tremendous disservice, and it all comes from the Liberal opposition.

MRS. SLOAN: Mr. Speaker, I would like to ask the Premier, then, today if he can tell my constituent who went to his physiotherapy clinic and presented his Alberta health care card, why he cannot get coverage for physiotherapy after the second week of the month? Why is that?

MR. KLEIN: Mr. Speaker, everything that is done relative to physiotherapy or any other medical procedure is done within the terms and the parameters of the Canada Health Act and certainly under Alberta health care. There are some services that are insured. There are some services that are deinsured.

Relative to the specifics, I'll have the hon. minister respond.

MR. JONSON: Mr. Speaker, just to make sure there is no feeling across the way that there is a differentiation because of a person's particular occupation or position in society, I could go to Ponoka to the physiotherapy clinic there and present my health care card and say that I wanted some physiotherapy, and I wouldn't get it covered, I'll assure you.

In terms of the criteria that we've established, the funding which is the tens of millions of dollars that we've transferred and provided to regional health authorities in this province, if an individual in this province, no matter what their income might be, needs follow-up physiotherapy to recover from an accident or some other condition, according to the criteria, Mr. Speaker, they are covered.

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

Canada Pension Plan Reform

MR. FISCHER: Thank you, Mr. Speaker. My question is to the Provincial Treasurer. Suggested changes to the Canada pension plan were in the news today. Seniors across the province get very nervous, and rightly so, when they hear of such news, even more nervous for those of us who have contributed most of our lives and are getting close to retirement. What steps has the Alberta government taken towards working with other provinces and the federal government to improve the Canada pension plan?

MR. DAY: Mr. Speaker, I'd like to make it very plain and clear that we have worked with other governments on this issue and would continue to be happy to do so. There seems to be a point in time where the federal government especially has deemed that some of the other work that we want to see being done is not a priority for them on their timetable.

We're looking at the Canada pension plan, as we have for some

time now, a number of aspects of it, and we're simply asking the question: is there a better way related to a number of issues with the plan? We asked that question about five years ago related to the Workers' Compensation Board, which at that time was running an unfunded liability of some 600 million dollars. We just simply asked the question related to a number of aspects of that particular fund: is there a better way? Due to a lot of hard work from people in this caucus and from others outside, methods were arrived at to turn around the unfunded liability there. There were some similar issues related to WCB.

So I tabled a paper with the finance ministers in June of '98 entitled Next Steps and asked that some major work go on on a number of issues to do with governance, to do with the accumulated debt, to do with the intergenerational transfer, to do with the cost of the unfunded liability, to do with information to Canadians on the fund, and allowing greater flexibility to employers and employees. There was some movement, Mr. Speaker, on some of those issues. More information has gone out to Canadians. There has been some improvement in governance, including an arm's-length investment board that we were recommending, and an independent review of the actuary's report.

But there are still some major problems as we have identified them that need to be addressed: the intergenerational transfer of debt to young Canadians, the better governance of CPP administration, and issues of flexibility to meet the evolving needs of Canadians. Those are still issues that need to be addressed, and we will move ahead and address them even if they aren't perhaps a priority of the federal government.

MR. FISCHER: Thank you. At a conference at the University of Alberta earlier this year on Canada pension plan reform, what was the outcome of that conference?

MR. DAY: As part of the ongoing work that we've been doing since we tabled the paper in June of '98, we were approached actually by the University of Alberta to engage in a pretty significant discussion related to the Canada pension plan and some of the issues that I've identified, including the possibility of an Alberta pension plan separate from the Canada pension plan. There were a number of experts who presented significant work and papers there. I can tell you that not all of those presented were saying that it would be advisable to move ahead with an Alberta pension plan. Others identified other areas with the Canada pension plan where there could be some improvement. We have taken that information. We're using that as guidance in the ongoing work that's continuing.

2:30

MR. FISCHER: Thank you. Given reports today that the province is considering an Alberta pension plan, what steps does his department plan to take to ensure that the seniors' pension benefits will be there for them when they retire?

MR. DAY: Well, that's one of the most fundamental guarantees that must be in place, Mr. Speaker, as we do ongoing work and research on this. Very clearly all people, seniors or disabled, who are presently vested in the plan and receiving benefits from the plan – one of the criteria absolutely has to be the security of those particular payments to those now receiving them and the security of the investment that people have put in through the years. That has to be absolute, ironclad, and that will be. We're looking at that very carefully.

I can tell you that we still want some answers in terms of the intergenerational transfer, which means the cost of younger workers

and the end rate of return on their investment when they come to the age when they can retire. That's still an element of concern. We are meeting with experts from across the country even today on this, and we will continue to do so.

We're still asking the question: would it be a better way to have an Alberta pension plan rather than a Canada pension plan? Now, there'll be significant responsibility with that. We'd have to look at our portion of the unfunded liability. We'd have to look at portability across the country as people move back and forth and, as I said, guaranteeing those presently receiving benefits from the plan that there would be no loss. We wouldn't proceed on any of this, Mr. Speaker, unless we can clearly identify increased benefits. Increased benefits is the criteria. It's under those guiding principles that we will do and we are doing ongoing research on this.

WCB Survivors' Pensions

MR. BONNER: Mr. Speaker, I rise today to ask a question on behalf of the Disenfranchised Widows Action Group, many of whom are in the gallery today. The government's action towards these women has been an embarrassment and a disgrace to this province. Other provinces have taken steps to deal with the issue of WCB discrimination based on marital status because they've been concerned with the welfare of their widows and have realized that a speedy and just settlement is the fair and right thing to do. My questions are to the minister responsible for the WCB. Why have these WCB widows been subjected to five years of frustration when they're just trying to obtain a settlement that everyone knows is fair and the right thing to do?

MR. DUNFORD: Well, Mr. Speaker, there's no question that this has gone on, and I'm sure there must be a tremendous amount of concern and perhaps even frustration on the part of the people here in the gallery today. But I want to indicate to the hon. member who asked the question and to the people that are here to hear my response – I want them to know that this is a very serious situation. There are high stakes involved in this situation.

Both the disenfranchised widows and the board of directors of the WCB are currently in agreement in the sense that they believe this government should carry forward a board of reference to decide the issue. Now, if the government as the third party involved in this dispute is to do that, I feel that I have an obligation not only on the part of the disenfranchised widows but also on the part of the WCB, for which I am responsible, but perhaps more importantly, Mr. Speaker, on the part of the people of Alberta, because I am a steward of taxpayers' money.

If we're going to get involved in this situation, I want to know what the parameters are for us to get involved. I am seeking advice as we speak today. I believe that a decision on my part is imminent, but it won't be today, Mr. Speaker.

MR. BONNER: Mr. Speaker, then, to the Minister of Justice: given that these widows were promised last spring that their case would be referred to the Court of Appeal, why has cabinet not approved this reference so that the process can move forward? It's been seven months.

MR. HANCOCK: Well, Mr. Speaker, the problem I guess relates to who made the promise that it would be referred. This is a serious question, and the question on how it is best resolved is one that is currently under discussion with the Workers' Compensation Board, with the minister of human resources, and indeed with Justice.

There are many ways to take a question before the courts, if that's

the appropriate way to deal with it. The first question is: could the WCB deal with it in-house, and should they deal with it in-house? Secondly, if it needs to go to court, how is the best way to take it to court? A court reference is a very expensive process. Yes, it's a direct reference to the Court of Appeal, and it can be done by government. It puts government squarely in the centre of the issue then, and the role of government at that stage would be to defend the legislation.

Perhaps it may be more appropriate to have the matter go before the court on a question of law. That could be done by bringing a case before the courts and then directing a question of law. That might be a more appropriate way to deal with it. That's the type of a discussion we're having.

It's a question that's very important. It's important because references to the Court of Appeal could cost in the nature of \$300,000 to \$400,000 depending on who the intervenors are. The court, then, would have the authority to award costs to intervenors. It's a very intense process, a very public process.

So it's not that the question doesn't deserve an answer. The question very much deserves an answer. The question really here is: what's the best process in terms of getting the answer and who should best be taking the process? In the government's view to this date, WCB is vested with the question, has been asked to come up with the response. If it's necessary to go to court – and we need to determine whether there should be a reference – that decision will be made as we've analyzed the process.

MR. BONNER: Thank you, Mr. Speaker. My third question is to the minister responsible for the WCB. These widows are tired of the government's excuses. Given that many of them are getting on in years and some are passing away without receiving justice, will the minister admit that his government's real goal is to delay a settlement in the hopes that this issue will just fade away? That's what's happening.

MR. DUNFORD: Well, in response, I don't know what to say to you, hon. member. To think that you would think that indicates to me an agenda here that goes far beyond a situation of trying to come to grips with a situation between the disenfranchised widows and the Workers' Compensation Board. I would like to be assured that this member is prepared to come to my office after this meeting and that we are going to have a discussion on that kind of attitude in front of people that are here that want to see some justice, just as you said, and to take that kind of an attitude, I expect to see you up in my office immediately after question period.

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

Endangered Species

MR. STRANG: Thank you, Mr. Speaker. Many of my constituents live in West Yellowhead's rural areas and are aware of the proposed federal legislation on protected endangered species. They continue to work with agencies and stakeholders on protecting the wildlife's natural habitat within their private land properties and are concerned about the government's proposed legislation. My questions today are to the Minister of Environment. What are we doing to ensure their rights as landowners are protected?

MR. MAR: Mr. Speaker, as the minister responsible for wildlife and its habitat I can assure the hon. member in this House that I'm working closely with my department and other provinces and

territories and federal agencies, as well, to ensure that we take steps to protect our wildlife and its habitat. Most recently, in September, provincial, federal, and territorial ministers of the Crown responsible for wildlife met in Quebec City to discuss a number of issues concerning the actions that we've taken here in the province of Alberta as well as the proposed endangered species legislation.

2:40

While there were a number of areas that we agreed on with respect to the action and the priorities that we take for species as provided for under the accord, there are, frankly, some vital areas where the federal Liberal government appears to be prepared to act unilaterally. Specifically, Mr. Speaker, it appears that the federal government is prepared to use its criminal lawmaking power in order to protect habitat and species. We are opposed to that. I believe that will make it more difficult for us to co-operate with landowners.

Mr. Speaker, the federal minister himself has said that in 99 percent of the cases landowners are doing the right thing. That has also been my observation, and I would not want to put at risk the co-operation of those landowners who are doing the right thing and threaten their co-operation by introducing a criminal law power that would force them to do the right thing.

MR. STRANG: Thank you, Mr. Speaker. My first supplemental question is also to the same minister. What is Alberta doing to ensure that our endangered species are protected?

MR. MAR: Mr. Speaker, this is an area where Albertans I think can take some pride in knowing that for over 20 years we have had legislation that protects endangered species under our Wildlife Act and its regulations. We have protected amphibians and birds and mammals since 1977. We have made changes to our Wildlife Act and regulations to include invertebrates, fish, insects, and plants as well. So we have made the appropriate changes to our regulations to try and fill in some of the gaps. We've also had some progress to report in the area of improving the standard conditions and buffer zones necessary to prevent disturbance or displacement of species in areas of industrial activity.

We have had a review, Mr. Speaker, by an independent third party, the Environmental Law Centre, and that national group has looked at our legislation and has indicated that our legislation as it currently stands places Alberta in a very good position to meet the obligations that we've agreed to in the accord for protection of endangered species.

MR. STRANG: Thank you, Mr. Speaker. My second supplementary question is also to the Minister of Environment. I know the federal government has a group of scientists and specialists that identify and track endangered species in Canada. What is being done in Alberta to complement this committee?

MR. MAR: Well, Mr. Speaker, under the Wildlife Act we have established the Endangered Species Conservation Committee comprised of a number of scientists and stakeholders. This committee is chaired by our colleague from West Yellowhead, who is asking the question. He is tasked with the responsibility of advising me on the identification, management, and recovery of species at risk in the province of Alberta. This input is being provided as input to the federal committee and outlines progress and initiatives that we've undertaken here in the province.

We should be proud of the number of success stories that we've had in the province in relation to what we've done by working with our stakeholders – and that includes our private landowners – in

areas such as the recovery of animals like the peregrine falcon, the sage grouse, Sprague's pipit, the double-crested cormorant, to name a few, Mr. Speaker. We are working with Albertans through education in providing information to assist us in protecting and conserving our threatened and endangered species.

Recognitions

THE SPEAKER: Hon. members, in 30 seconds or so from now I will call on the first of seven members to participate in Recognitions, but that will be in just a brief pause from now.

Hon. members, I have five requests from members for the introduction of guests, but because I think it is important for all honourable guests in the galleries to see that, actually, decorum can work in this House, we're going to delay the introduction of guests pending the seven recognition statements. There is an opportunity in this House for individuals to observe MLAs at their highest form of behaviour.

We'll call on, first of all, the hon. Member for St. Albert.

Famous Five

MRS. O'NEILL: Thank you, Mr. Speaker. Portraits of Alberta's Famous Five by Alice Tyler were unveiled on the fifth floor of this building today. I rise to recognize today the fine work that has been done, the diligent and tenacious work that has been done by June Cavanagh and Jean Mucha and their committee for the Famous Five. They have worked very, very hard in order to see this display of the five portraits finally come to fruition.

I would like in particular to acknowledge the fact that these women will be recognized for something they did which was very, very important and is still very important to those of us who are women in Legislatures in Canada and here in Alberta. These women will be recognized during the tours of the Legislature, and they will be acknowledged for the work they did in taking the Persons Case to the Privy Council and thereby having women declared as persons in law.

Thank you.

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

10th Anniversary of Montreal Women's Massacre

MS BARRETT: Thank you, Mr. Speaker, and thank you for this morning's ceremony in which you so kindly invited me to take part. It was wonderful.

Today I would like to offer words of recognition, though, for the victims of the tragic Montreal massacre. It's especially important to mark this event at this time as the 10th anniversary of this horrible event occurs in just a few days. All Albertans should remember that these 14 women were killed for no other reason than that they were women, and all Albertans should strive to ensure that something similar never happens again.

I did enjoy the honour of taking part in the ceremony here this morning honouring the five women who were instrumental in what we now call the Persons Case, which was a milestone in women's equality. While I'm extremely mindful of the contributions to equality that the five Alberta women made in the Persons Case, the coming 10th anniversary of the Montreal massacre reminds me that we have a long road to travel until women can take their rightful places as full, equal, and safe partners in our society.

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

Disabled Persons

MR. LOUGHEED: Thank you, Mr. Speaker. I rise today to recognize members of the disabled community who have contributed to the recently completed series of open houses hosted by the Premier's Council on the Status of Persons with Disabilities. These open houses were held in Bonnyville, High Level, Grande Prairie, Edmonton, Calgary, and Medicine Hat. The purpose was to meet with members of the community and gather input regarding the priorities of the Premier's council.

The community identified as their number one priority the development of a disability strategy for the province. The stakeholders will decide what Alberta's disability strategy will look like, but I believe it will provide the opportunity for government departments to work with the disabled community to create a shared vision and commitment to addressing disability issues.

As chair of the Premier's Council on the Status of Persons with Disabilities I look forward to working with the community, the other members of the Premier's Council, and government departments to develop a provincial disability strategy.

Thank you.

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

Bill Matheson

MR. WHITE: Thank you, Mr. Speaker. Today I would like to pay tribute to a great Albertan, an Albertan that was a Liberal long before there was any room in the phone booth at all.

Young Bill Matheson first took to the airwaves in Lethbridge in 1954. He spent a great deal of time in the Peace River country. He spent 12 years as half of that radio comedy team on the *Bill and Bill Show* in our fair city of Edmonton.

He's best remembered for his 23 long years as ITV's firey-haired and ever optimistic weatherman. Who will ever forget that a high-pressure system rotates clockwise and a low-pressure system rotates counterclockwise? And who will ever forget that most dreaded of meteorological phenomena, the Siberian high?

Bill, fair weather and sunny skies in your retirement. And, ladies and gentlemen, that's the weather for this evening. Good evening.

THE SPEAKER: I'm sure it's permissible for the chairman to add something. Mr. Matheson, you were the best campaign manager I've ever had.

2:50

KSPS Public Television

MRS. BURGNER: Mr. Speaker, it's a fitting opportunity to follow such an introduction, because I want to talk about public television today. The *Spirit of Alberta* is being aired tomorrow night on KSPS. It's a wonderful documentary featuring our province. It'll be followed by another program called *Let Them Be Cowboys*.

The reason I raise this in the Assembly this afternoon is that KSPS television out of Spokane has an 18-member board of directors, of which two positions are held by Canadians. One of those, George Brookman, is a Calgarian who we hold in high regard, and there will be a soon to be announced Edmonton member as well.

KSPS broadcasts in Alberta, as you may know, and has well over 60,000 members in their public television support program. So I encourage all of you to take some time tomorrow night to watch this beautiful special featuring our province and remember to recognize the contribution of our Alberta culture to the American public television system.

Thank you, Mr. Speaker.

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

AIDS Awareness

MS BLAKEMAN: Thank you, Mr. Speaker. Today, the 1st of December, marks the 10th Annual Day without Art as part of an international day of observance for the World Health Organization's AIDS awareness day.

For my colleagues and friends in the arts community this is both a day of mourning and a call to action to acknowledge the devastation wrought by the AIDS epidemic worldwide, both within and beyond artist communities. We have lost many: friends, colleagues, respected artists. We mourn the loss of what was taken from us, both the people and the artistic creations, but I also note the improvement in treatment, the drug and holistic therapies that keep some with us living positive with HIV or AIDS.

In collaboration with the Edmonton AIDS Awareness Week Committee the Edmonton Art Gallery is hosting an afternoon of artistic programming today, followed by a candlelight vigil tonight. Symbolically, works in the collections galleries will be shrouded with black cloths to symbolize a day without art. I ask you to remember those we have lost to AIDS and to cherish those who survive.

Thank you.

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

Calgary School Trustees Election

MR. CAO: Thank you, Mr. Speaker. Today I rise to recognize the people involved in the Calgary public school board trustee election held on November 29. Learning and teaching are very important for our progressive society. As citizens we can make things happen, watch things happen, or wonder what happened. These 50 trustee candidates reflect the positive-maker attitude of Albertans.

I'm very pleased to have met candidates Murray Lytle, Heather McRae, David Hartwick, Patrick Reimche, Pat Cochrane, Sylvia Ko, Lou MacEachern, and Peggy Anderson. I wish I could have met all others. I would like to commend all candidates for their care and personal interest in the education of our children.

I want to express my appreciation to the past members of the school board trustees. I can only have speaking time to mention Teresa Woo-Paw, the past chair, and George Cornish, the interim chair.

My congratulations to the newly elected trustees: Pat Cochrane, Lynn Nishimura, David Pickersgill, Gordon Dirks, Jane Cawthorne, Nancy Close, and Sharon Hester. I would like to ask our members to join me in wishing them great teamwork and a strong partnership with the government for the challenging and important tasks in the education of our young.

THE SPEAKER: Prior to asking the question may we revert to visitors, I do have to clarify one remark I made a little earlier during Recognitions. I received half a dozen notes from people in the House saying: how could it be that the individual Mr. Matheson, a quoted, known Liberal, could be your campaign manager?

Well, the bottom line is that when I ran in a by-election in 1979, Mr. Matheson was a partnership in a two-man radio show called the *Bill and Bill Show*. He made the comment one day that you could run a bale of hay in Barrhead and if it was a good Tory, it'd probably win. Well, I was the bale of hay.

For the next 10 or 12 or 15 years they used to mention Barrhead on the radio station almost on a daily basis. I want you to know, Mr. Matheson, that, yes, it was a long time ago that we replaced our wooden sidewalks in the town of Barrhead.

He came to Barrhead once, and we were involved in a dunk tank. I think it was him. He proceeded to throw in four buckets of ice before I got into the water. Every time he would mention me or Barrhead, my ratings just soared. So I repeat why I want to thank him very publicly today. He is an Alberta institution.

Might we revert briefly to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests

(*reversion*)

THE SPEAKER: We'll begin, first of all, with the hon. Member for Red Deer-South.

MR. DOERKSEN: Thank you, Mr. Speaker. Today I want to introduce to you and through you to the members of the Assembly grade 6 students from the Eastview community school located in Red Deer. Just on a personal note I have some fondness for the school because all four of my kids attended Eastview school. With the students are teachers Mr. Norm McDougall, Mr. Drew Allred, Mrs. Charese Jones, Mr. George Pederson, Mrs. Monique Stennes-Koot, and Mrs. Ruth Van Koughnett. Accompanying them are parents Mr. Pehti Makila, Mr. Michael Fox, Mrs. Theresa Jaen, Mrs. Tina Chadwick, Mr. Calvin McArthur, Mrs. Sharon Fraser, Mrs. Christine Duffin, Mr. Ed Evans, and Mrs. Sharon Christianson. I just want to express my appreciation to them for waiting for this introduction and ask them to rise and receive the warm greeting of the Assembly.

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

MS GRAHAM: Thank you, Mr. Speaker. It is my pleasure this afternoon to introduce to you and to members of the Assembly my constituency assistant, Mrs. Darlynn Linn. Darlynn lives in our constituency of Calgary-Lougheed in the community of Cedarbrae along with her husband and two children. Darlynn is here for the seminar and dinner being sponsored by your office, Mr. Speaker. She is very active in her community and in her children's schools. I feel very honoured to have such a fine person as my assistant, who's an excellent assistant, much as I do in my legislative office here in Edmonton. I'll ask Darlynn to rise in the public gallery and receive the traditional welcome of the Assembly.

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

MR. STEVENS: Thanks very much, Mr. Speaker. It's a real pleasure this afternoon to introduce to you and through you to members of the Assembly a very special person, Mrs. Bev Rand. Bev has been serving as a constituency assistant in Calgary-Glenmore since 1986, and I've had the pleasure of learning the ropes from her since my election in 1997. I would ask that Bev please stand and receive the traditional hearty welcome of this Assembly.

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

MR. GIBBONS: Thank you, Mr. Speaker. I'd like to introduce to you and through you to Members of the Legislative Assembly three ladies who were here for the ceremony for the Famous Five: Marion Spencer, a community leader in northeast Edmonton for years and very much a push behind the north Edmonton health centre; Maureen Morrison, a longtime judge with the Edmonton Federation of Community Leagues talent show and a supreme councillor in the IOOF; and Betty Loree. I don't think city hall would have run for

the last 20 years and still for many years yet to go without Betty. They're in the members' gallery, and with your permission I'd ask that they now stand and receive the traditional warm welcome of the Assembly.

head: Motions under Standing Order 40

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

WTO Negotiations in Seattle

Dr. Pannu:

Be it resolved that the Legislative Assembly, in light of the citizens' rally in Seattle opposed to the World Trade Organization, WTO, agenda, urges the government to immediately withdraw its delegation from the WTO negotiations being held in Seattle because of (a) the consequent developments including the declaration of civil emergency in Seattle, the use of the National Guard to impose curfew, and the use by police and National Guard personnel of rubber bullets and pepper spray, as well as (b) the potential challenge implicit in the WTO agenda to Alberta's ability to pursue its own public policies.

DR. PANNU: Thank you very much, Mr. Speaker, for this opportunity. I first want to apologize to you for not being able to listen to your instructions a while ago. There was too much noise in the House, and I didn't have my earpiece on. My apologies, nevertheless.

Pursuant to Standing Order 40 I want to call on this House to give unanimous consent to debate in the Assembly this matter of urgent and pressing necessity. I will speak strictly to the issues of necessity and urgency of the motion.

3:00

Before I proceed to do that, I want to just make it very clear, Mr. Speaker, to my colleagues in the Legislature that I'm not asking the Legislature to agree with the motion. I'm simply requesting my colleagues in the Legislature to allow the Legislature the opportunity to debate the motion. What position we take on the motion is entirely up to each one of us, and it's up to each of the three parties represented in the House, but it is important that each party have an opportunity to speak on the motion and make itself clear as to where it stands on the matter.

The second point I want to make, Mr. Speaker, is that normally when I stand in this House with your permission, I always say that I am pleased to stand and go on to make my point. Although I am pleased to have the opportunity to stand here every time I have the opportunity, today I am not happy to have to rise and speak to this motion. It is, in fact, a sad day. It's a day that I am in anguish and worried about the physical safety and liberty of fellow Canadians and Albertans who have chosen as democratic citizens to go to Seattle to express themselves on issues that they are most concerned about.

The reasons that it is urgent for us to debate this motion, Mr. Speaker, are threefold. The first one of course is the security and safety of Canadians and Albertans, including Edmontonians. About a dozen of these Edmontonians happen to come from my constituency. So I am here to express my concern about this, and I hope the rest of the members of the Assembly will join me in doing that. I'm concerned about their physical safety, and I'm very concerned about their democratic rights to express themselves freely. Democratic rights are given to us by our democratic institutions, by our democratic traditions, and by our democratic society.

It's also a question of their human rights, Mr. Speaker, and I urge my colleagues to consider the urgency of these events that have taken place in Seattle since yesterday. There is no reason to assume that they may not be repeated today. They may repeat themselves, and that's what my concern is. I'm finding some ways for us as an Assembly, as a democratic institution, to intervene in whatever way we can in order to ensure that another Jakarta isn't created, another Tiananmen Square isn't repeated, and another Kuala Lumpur kind of situation isn't repeated in Seattle. I want to argue that if we act on this urgently, we have the power to influence events. We are not helpless in the face of events that have taken place there over the last day or two.

Mr. Speaker, my third concern is about the threat that these events pose to social cohesion in our society. President Clinton yesterday found it necessary to make a public statement to try and in fact recognize that these tens of thousands of demonstrators who are on the streets of Seattle to express their concern and their opposition to the WTO agenda do indeed have legitimate concerns. So it's not an issue of legitimacy; they do have legitimate concerns. I think it's important for us as an Assembly to also speak on that issue as to whether we think those citizens of the world who are gathered in Seattle to protest the agenda of the WTO in fact have or don't have those legitimate concerns. I think that in itself would defuse the situation. Social cohesion is something we all have a stake in. We don't want to divide societies, we don't want societies amid civil strife, and we do not want such events as a cause of civil dissent and civil strife to remain unaddressed by those of us who have the political, social, and moral responsibility to intervene in order to diffuse these situations.

Mr. Speaker, I just want to very quickly conclude. These are the three reasons that I put this before the Assembly for consideration, and the urgency and necessity of these are obvious. The situation in Seattle is not pleasant. I do want to say, however, that all reports in the media that we may have read or seen on the TV screen indicate that almost all – I want to emphasize all – of the demonstrators were engaged in peaceful and nonviolent activities. They were not violent. I could read to you from the reports that are here in today's *Globe*, but I don't need to. I made the point.

The gravity of the situation lies in the fact that last night at the mayor's request in Seattle 300 armed state patrol officers were called in to handle the situation, to impose a curfew, and two units of unarmed national guardsmen have also been called in to intervene. Throughout yesterday, Mr. Speaker, the heart of Seattle was the scene of tear gas, flames, smoke, pepper spray, black-clad riot police, and huge crowds of activists and demonstrators opposed to free trade and globalization.

Mr. Speaker, in this situation we cannot sit quietly. We cannot simply sit back and let things happen. A minister of this government is leading a delegation and happens to be present at the situation. I think we need that minister to come back and protest against the violent means that are being used to control – and the control is necessary; I will not disagree. We want a debate in this House and to also send a message, through the withdrawal of the minister from the negotiations, that we do not approve of the use of such strong and violent means in order to suppress the democratic rights of citizens of the world, citizens of Canada who happen to be there, citizens of Alberta and particularly Edmontonians and my constituents who happen to be there protesting and expressing their concerns.

I would therefore, Mr. Speaker, ask that each party have the opportunity through the consent given to this motion to be able to put its position before the people of Alberta both on the means that are being used by these demonstrators to express themselves and on

the WTO agenda that is seen as threatening the democratic institutions and our rights and ability to control our own future.

Thank you, Mr. Speaker.

THE SPEAKER: Hon. members, a Standing Order 40 submission requires the unanimous consent of the House, and the question might only be one question raised. We'll ask two, though, today.

Would all those in favour of proceeding under this Standing Order 40 petition, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: I have a point of order here coming from the Leader of the Official Opposition. You're going to take it?

MR. DICKSON: Mr. Speaker, my intention was to speak as her agent on the point of order, if I might.

THE SPEAKER: Okay. Fine. Proceed.

Point of Order Factual Accuracy

MR. DICKSON: Firstly, in terms of the authorities I'm relying on, it would be Standing Order 23(h), (i), (j), and (l) and *Beauchesne* 408(2) and *Beauchesne* article 417 to the same effect. The facts upon which the point of order is raised are these. In the third series of questions by the Leader of the Official Opposition the Minister of Health and Wellness stood to supplement. When he responded, he asserted inaccurately that the Leader of the Official Opposition in a news release of November 4, 1999, had supported private hospitals.

Now, the other authority I'm relying on, sir, is your ruling. In fact, you addressed an almost identical situation when the Premier was the subject of a point of order at page 1891 in *Hansard* on November 18, 1999. I repeat again that the only news release issued by the Leader of the Opposition, which was not in fact put forward today by either the Premier or the minister of health – but I'm happy to share it with you. There is nothing in here. In fact the second item says, "Ban private, for-profit hospitals from receiving taxpayer dollars." There is nothing in this news release on November 4, 1999, that indicates support by the Leader of the Official Opposition for private hospitals.

3:10

You, sir, enjoined the Premier, and in fact your comment was – I can't do better than simply quote your own words, sir – from November 18th:

So to the hon. Government House Leader, would you convey, please, to all members of Executive Council who might be in a position to respond that if they want to start quoting from documents, let's have numbers there so that they can respond to them.

So my comment would simply be this, Mr. Speaker. The Minister of Health and Wellness is a well respected veteran member of the Assembly. Even if he was not present when you made your admonition on November 18, I would expect it would have been brought to his attention by the Government House Leader. And, sir, to republish a slander is as offensive as to issue it in the first place.

Thank you very much.

THE SPEAKER: The hon. Associate Minister of Health and Wellness and Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. I rise with respect to this point of order brought forward by the Member for Calgary-Buffalo. I would just say to the hon. member that I appreciate him having raised it; however, I think we'll find that there is in fact no need for a point of order in this particular instance.

It's true that the cut and thrust of debate in this House frequently does result in exchanges where dates get mentioned and/or certain statements get said and that a great deal of disagreement arises from that. I don't have the benefit of the Blues at hand just yet to clarify in fact what it was that the hon. Minister of Health and Wellness had said versus what the leader of the Liberal opposition had said. But I think in fairness, Mr. Speaker, there is definitely something that exists somewhere in print with respect to the comments that were made by the hon. Minister of Health and Wellness, and those may have to be refreshed for the Member for Calgary-Buffalo and produced. As I say, perhaps that exact date may not have applied. I don't know. We'll have to find the exact release, and that will be done.

I would just add, however, that in the general context of that particular debate that ensued, we on the government side are not talking about a U.S. style of health care. We're not talking about private hospitals. They are the ones who are, and I believe it was the minister's intention to simply focus on that fact regardless of any specific detail beyond.

So I would therefore say that, yes, there might be disagreement on this point, but I don't think there's any point of order, Mr. Speaker.

THE SPEAKER: This is one of those situations where, "I said you said," and the other person says, "No, that's not what I said." Sure, go back to *Hansard*, November 18, 1999. I said that there's no need for that. There's a document that says that, okay, on November 4 or something you said this. Let's table it and get on with the business, and the people of Alberta will find out what the truth is. But if the hon. Minister of Health and Wellness wants to quote from something, he knows the rules: table the document. Very simple. Nothing new in that. It's a valid point of order.

head: Orders of the Day

head: Written Questions

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Proper notice having been given yesterday, it's my pleasure to move that written questions appearing on today's Order Paper stand and retain their places with the exception of Written Question 237.

[Motion carried]

Conservation Education

Q237. Ms Carlson moved that the following question be accepted. How much did Alberta environmental protection spend on conservation education in the areas of fisheries and hunting respectively each year from April 1, 1991, to March 31, 1999, and through which programs was this administered?

MR. MAR: Mr. Speaker, the government will be amending and accepting Written Question 237. The information requested by the hon. member is available on the conservation education program budget as a whole, but it is not broken down into the specific subject areas of fisheries and hunting. Accordingly, I move that Written Question 237 be amended by striking out the words "in the areas of fisheries and hunting respectively."

THE SPEAKER: The hon. Member for Edmonton-Ellerslie on the amendment.

MS CARLSON: Yes, Mr. Speaker. First of all, I would like to put on the record that I certainly appreciate the minister's efforts to get the amendment to me early today, sending it over by fax and then following up with a phone call from his office to ensure that I had received the amendment in a speedy fashion. However, the amendment is completely unacceptable to us.

The problem is that there has been a serious decline in fishing stock in this province over the past decade, and we want to know if conservation education efforts have followed that same sort of pattern in terms of fishing over the past decade. Definitely what we see when we look at fisheries and wildlife programs is that the percentage change between '95-96 to '99-2000 – the fisheries habitat development program decreased by 52 percent. Mr. Speaker, that's very significant.

In the fisheries management enhancement program over the same time period there was a decrease of 47.5 percent. Anyone who enjoys fishing in this province knows that over these past few years we have seen a serious decline in fish stock. In fact, that has been the sole subject and primary subject for me in budget debate with the minister over the last two years, because it is such a serious issue in this province.

I don't believe that fisheries and hunting conservation programs are taught side by side with the same kind of format. We do think that it is feasible for the minister to break that information out. We do want to know if these education programs have followed the same kind of decline or if in fact the dollars have stayed the same over the years, and if so, then we will have further questions on this matter because we need to get to the bottom of the reason why the government hasn't put proper protection in place for fish in this province. It is a part of their job. We know that they have been paying some attention to it, but clearly they're missing the boat because we do have zero catch limits. There are many more protected areas than there were in the past for fish habitat, but what they're doing isn't working. We want to know if what they're doing that isn't working in that regard is also not working in the education programs.

So for that reason, Mr. Speaker, we are going to reject the written question as it stands, and we will resubmit it in the spring and hope that the minister can take another look at that department and break those figures out because we have a serious constituency base in this province who would like that information.

THE SPEAKER: The hon. Minister of Environment has moved an amendment to Written Question 237. Does the Assembly agree with the amendment? All those in favour, please say aye.

SOME HON. MEMBERS: Aye.

THE SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE SPEAKER: Actually, it was defeated. It was defeated on the voice vote.

[Several members rose calling for a division. The division bell was rung at 3:19 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Speaker in the chair]

For the motion:

Amery	Hierath	Pham
Boutilier	Hlady	Renner
Broda	Johnson	Smith
Burgener	Jonson	Stelmach
Calahasen	Klapstein	Stevens
Cao	Kryczka	Strang
Clegg	Laing	Tannas
Coutts	Lougheed	Tarchuk
Doerksen	Lund	Taylor
Ducharme	Mar	Thurber
Dunford	Marz	Trynchy
Fischer	McFarland	West
Gordon	Oberg	Woloshyn
Graham	O'Neill	Yankowsky
Haley	Paszkowski	Zwozdesky
Herard		

Against the motion:

Bonner	Leibovici	Nicol
Carlson	MacBeth	Soetaert
Dickson	MacDonald	Wickman
Gibbons		

Totals: For – 46 Against – 10

[Motion on amendment carried]

3:30

THE SPEAKER: The hon. Member for Edmonton-Ellerslie to close the debate.

MS CARLSON: Thank you, Mr. Speaker. We are still not happy with the motion as amended.

[Written Question 237 as amended carried]

head: Motions for Returns

THE SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Mr. Speaker. Again, proper notice having been given yesterday, it's my pleasure to move that motions for returns appearing on today's Order Paper stand and retain their places with the exception of motions for returns 233 and 234.

[Motion carried]

Forest Management

M233. Mr. Wickman moved on behalf of Mr. White that an order of the Assembly do issue for a return showing copies of the most recent tables for deciduous and coniferous timber separately showing for each forest management unit the annual allowable cut, the proportion of the annual allowable cut that is allocated, and the remaining unallocated volume together with indications of provisional commitments for the unallocated timber.

MR. MAR: Mr. Speaker, the government accepts Motion for a Return 233.

THE SPEAKER: The hon. Member for Edmonton-Rutherford to close the debate.

MR. WICKMAN: Thank you, Mr. Minister.

[Motion for a Return 233 carried]

Forest Management

M234. Mr. Wickman moved on behalf of Mr. White that an order of the Assembly do issue for a return showing copies of any studies, reports, letters, or memoranda written to, by, or for the department of environmental protection between January 1, 1997, and May 1, 1999, that indicate that the long-term timber productivity of the boreal forest in Alberta will increase by at least 30 percent where intensive forest management practices are used and any related information concerning the impact of such practices on the forest ecosystem.

MR. MAR: Mr. Speaker, the government accepts Motion for a Return 234.

THE SPEAKER: The hon. Member for Edmonton-Rutherford to close the debate.

MR. WICKMAN: Thank you, Mr. Minister.

[Motion for a Return 234 carried]

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

[Mrs. Gordon in the chair]

THE DEPUTY CHAIRMAN: I'd like to call the committee to order.

Bill 208 Prevention of Youth Tobacco Use Act

THE DEPUTY CHAIRMAN: The hon. Member for Wetaskiwin-Camrose.

MR. JOHNSON: Thank you, Madam Chairman. Yesterday we covered the first amendment, and we started discussion on the second amendment. I actually presented the second amendment. The reason for the second amendment, once again, is to be consistent with the Alberta School Boards Association resolution on tobacco use. It also addresses the concerns raised by the Calgary police force and other police forces by making enforcement of the law more practical and clear, and it clarifies that youth cannot purchase cigarettes and addresses the issue of youth selling and distributing cigarettes to other youth.

I listened intently to the discussion yesterday on the first amendment. Much of the discussion really covered both amendments, but if there are further discussions on this particular amendment, I would certainly be interested in hearing any comments that need to be made before the question is called.

THE DEPUTY CHAIRMAN: Before I recognize the next speaker, could I ask for unanimous consent that we revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests
(*reversion*)

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

MR. MacDONALD: Thank you, Madam Chairman. It is a pleasure to rise in the Assembly this afternoon and introduce to you and through you to all members of this Assembly Mr. Cliff Gundermann. Mr. Gundermann is a member of boilermaker lodge 146. He is very active politically in Alberta. In fact, he was a Social Credit candidate in the last election in Vegreville-Viking. He is a fine tradesman, a world traveler, a businessman, a raconteur, and a very graceful ballroom dancer. His lists of accomplishments are far too long for me to list here this afternoon. I would now ask Mr. Gundermann to rise in the public gallery and receive the warm and traditional welcome of this Assembly.
Thank you.

Bill 208 Prevention of Youth Tobacco Use Act (*continued*)

MR. WICKMAN: Madam Chairman, I'm just going to make a few short comments on this particular bill. I realize, first of all, that when we talk in terms of smoking, it's something that even smokers, I think, would agree that we would like to eliminate. I talk to people who smoke, and sometimes they get offended because I tell them they can't smoke in my house, my brother-in-law, for example. So he refuses to come over except on the rare occasion when he can open the door and blow the smoke outdoors. But it's not that he doesn't want to quit; he tried. He lasted for six weeks and then he gave up and now he claims it's his right to smoke.

Smoking, I recognize, is not a right. Smoking has all kinds of health implications. Smoking, I believe, is a disgusting habit. I started smoking when I was probably 13 years old. Back in those days it was acceptable. In fact, we used to smoke in Kivikoski there on the farm. We used to roll up corrugated cardboard and smoke that because we couldn't afford to buy tobacco or cigarettes, and we got our kicks that way. We pretended we were kind of adult. Back in those days it was acceptable to do that because we weren't aware of the hazards that were created. As time has gone by, we've become more aware.

3:40

I quit, and quite frankly it wasn't because of health reasons and it wasn't because of economic reasons. It was because smoking became socially unacceptable. To smoke in the Annex I had to go outside. When I lit up a cigarette once in a committee meeting, Sheldon Chumir had a conniption. He told Laurence Decore he would never come back to a meeting as long as I was allowed to smoke. It wasn't that long ago, when I was a councillor and alderman, that we'd smoke in the council chambers. B.C. Tanner would sit there smoking a cigar. But things have changed, and a lot of us have quit smoking, Madam Chairman.

Unfortunately, what has happened now – and I see it in my constituency office because I'm right beside this convenience store. Behind that convenience store is kind of a spot, almost like a hiding spot, where 30 or 40 young people will sort of hang out during the lunch break, and they'll talk, and so many of them will be smoking. I go by and I say: "How come you guys smoke? You know, I smoked for years, and I finally broke the habit." "Well, we think it's cool." Sometimes what they smoke smells a little funny, but normally it's tobacco they smoke.

It's a question of how we get through to them when young people are convinced it's cool. There's pressure from their peers. If they want to be part of the so-called in crowd, they have to smoke. I don't think passing this legislation is the answer though, talking in terms of distribution, talking in terms of possession, and so on. Are the police going to go around and take their time away from solving breaking and entering and other things that happen in the southwest and in all parts of the city? My son's home was broken into; \$10,000 worth of stuff was taken. The president of my riding association, the same thing. Bob Layton from CHED on his editorial – three times his house was broken into. The police have more important things to do than drive around by my constituency office looking for the young people smoking and searching them as to who's carrying cigarettes and that type of thing.

I recognize, first of all, that the member has brought it forward with a very good intent. He is looking for a solution, and I agree with him that we have to find a solution. I think we have a responsibility because we derive a good portion of revenue from the so-called sin taxes, from gambling and the sale of tobacco and liquor. We have a responsibility and an obligation to put so much back into it to try to correct the social implications, the health implications that are caused by it. The federal government also has the same obligations. Other strategies are used, like raising the tax on cigarettes so people can't afford to buy them. They're brought in from the States. We know that. You'd just make a very lucrative living for a bunch of tobacco bootleggers. So that's not the answer.

I saw a step in the right direction here not too long ago – I forget the minister responsible; maybe it was the minister of social services at the time – where different schools were involved in doing commercials on smoking and how disgusting the habit was. They were here in the galleries, and they were introduced. Some of them won money or prizes for coming up with the best commercial. Some of their commercials were actually used on TV. I think that's your best method, education, particularly when education is being done by young people themselves. If the kids in junior high – and I think that's where it's starting – go to their friends and say, "Hey, it's not cool to smoke," sort of like the DARE group, "It's not cool to do drugs," I think that has an impact. So somehow we've got to reach out to those young people, and we've got to motivate them to stop and think about what they're doing, that it's not that cool to smoke.

The other difficulty I have, and this is going to follow again with another bill coming up. I believe it's Bill 212, where the legal drinking age is raised to 19. Again, a bill with more penalties aimed at the younger population, our younger generation. We've got to accept that they are responsible people and we can't treat them like little kids. All of this legislation – like they haven't got the ability to think for themselves, so we have to outlaw it – I don't, again, think is the answer. We've got to realize that at 18 years of age they're eligible to be drafted, to go to war, to kill if necessary. They're becoming adults. I know this is targeted at a group a bit younger than that, but they are approaching that age.

Again, Madam Chairman, as I conclude, I want to commend the member for bringing it forward, because the member is looking at serious options to study the problem and to try and come up with some solution. Maybe the answer in a bill like this is to refer it to some committee of MLAs, whatever, so further input could be obtained to look at other solutions, such as the educational approach. But as the bill stands right now, I simply cannot support it.

Thank you.

MS LEIBOVICI: Just a few quick comments, Madam Chairman. I support this amendment because I feel that if, in fact, we are looking at having restrictions concerning tobacco products with regard to

consumption, then possession should go hand in hand with that. In fact, education programs, although they have a place in dealing with tobacco usage, have been proven not to be as effective as we would like to see.

The other point I would like to make is that in accordance with the amendment that was passed yesterday, in fact what we have is enabling legislation that allows for different parts of the province, when they are able, in conjunction with their communities, with their school boards, with the regional health authorities, and others who are interested, the enforcement agencies, to put in place this legislation on an as-agreed-upon basis. So, in fact, I think that would probably address some of the concerns that members might have within this Legislative Assembly.

Those are my comments. Thank you.

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

MRS. O'NEILL: Thank you, Madam Chairman. I'd just like to speak very briefly here in support of this amendment and of course in support of the bill. I would like to make a pitch, if you will, for consistency. Since we send out messages, we like to send them out in a certain consistent manner.

With respect to the possession and consumption of alcohol there is a specific age. Why do we not continue to do that with respect to tobacco as well so that the message going to young people is the same, that we are advocating that they not consume or use or possess either of these because we deem them to be unhealthy for them as youth. I'd like to speak to that.

The other thing I would like to mention is that some people have expressed concern that if this bill were to go forward, there would be undue attention having to be paid by law enforcement officers. I think that's quite needless to worry about. Let us look at the big picture, the broad intent. Let's see what the message is that we're sending by it. Let's make sure that those people who are looking after, if you will, the well-being of the young people in our communities have the ability to make a point and make it rather strongly with legislation.

Thank you.

[The clauses of Bill 208 as amended agreed to]

[Title and preamble agreed to]

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

SOME HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed?

SOME HON. MEMBERS: No.

THE DEPUTY CHAIRMAN: Carried.

3:50

Bill 210 Charitable Donation of Food Act

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

MRS. LAING: Thank you, Madam Chairman. It's a pleasure to bring Bill 210 today to the Committee of the Whole. It has taken two years to get to this point, and I would like to thank everyone for their support of the bill during second reading. It's been about six

months since we debated the bill at second reading, and I'd like to take a few moments just to reacquaint members of the Legislature with the purpose and intent of this legislation.

The goal of Bill 210 is simple. It seeks to increase the donation of food to Alberta food banks by reducing the liability of people who in good faith donate food to the food banks or distribute the food to the users. This change is primarily intended to attract larger donations of food and, in particular, produce from the supermarkets, wholesalers, or restaurants.

Many call this type of legislation Good Samaritan legislation, because while the goal of our government is to have as few Albertans relying on food banks as possible, the realities of life dictate that the food banks are still an important institution for some Albertans. I'm sure you all agree that it makes good sense to ensure that the food banks are stocked with quality and nutritious food year-round.

In the course of preparing this bill, I was encouraged to find that similar legislation has been introduced and accepted in every other Legislature in Canada, regardless of the political ideology of the government in power. It's an issue that enjoys a great commonality of concern and support and one that bridges the Canadian political spectrum. Despite differences in ideology, these legislators recognize the importance of their local food banks to their communities and the desire of many local residents as well as businesses to contribute to them. It's my hope this afternoon that the legislators of Alberta will also share in this vision and join together in the passage of Bill 210.

Madam Chairman, Alberta food banks serve around 36,000 Albertans each month and collect and distribute millions of kilograms of food each year. In 1997 alone Edmonton's Food Bank collected and distributed nearly 2 million kilos of food. Donated food comes from many sources including individuals, the food industry, and corporations. Of course, the majority of food donated has been of the nonperishable variety.

While the donations by Albertans to food banks have been very generous, donations tend to be higher at certain times of the year, such as now, around Christmas, and lower during other times. Bill 210 will open the door to more regular and increased sizes of donations from organizations such as grocery stores, who have a constant supply of surplus food which often is thrown out. It will also make possible the donation of fruit, fresh vegetables, and dairy products. These foods are rich in the vitamins and nutrients which are important for everyone's health and development. Without this bill the present situation will continue to restrict the donation of these kinds of foods.

Presently in Alberta if an injury results from the consumption of a product that is donated, the distributor or the donor could be held liable, regardless of whether or not the donor or the distributor was grossly negligent or attempting to cause harm to someone. As a result of this, prospective food donors and food banks have shied away from collecting and providing many types of food. The possibility of a lawsuit causes many volunteers and workers to avoid receiving food, even though they believe it to be fresh and safe to eat. Fresh foods such as fruit and vegetables and dairy products, therefore, are usually not donated or distributed. Many times my family eats yogurt or cottage cheese which we have kept past the date on the container and have had no difficulty. It's still safe, and it's still good food. I'm sure that many of you have done the same.

Bill 210 would amend the liability constraints by providing immunity from liability charges to food banks and donors who provide food they know and believe to be safe for consumption. Bill 210 provides protection for individuals or businesses from liability if they donate food that is safe for human consumption and has not been tampered with. Liability remains with those who knowingly

distribute food not fit for consumption or those who intend to cause harm to recipients or those who act with reckless disregard for others. They will not be protected. It's important to point out that this liability protection will not extend to restaurants for the meals that they regularly prepare for paying customers. Further, the grocery stores will not gain protection from liability on food that's sold off their shelves or from behind the counter that has spoiled.

Madam Chairman, the Charitable Donation of Food Act strikes the right balance between encouraging additional and more diverse food donations and leaving appropriate protection in place for those who eat donated food. I believe this is a balance that all participants in the food donation system will appreciate and support.

This bill makes sense, and it has a great deal of support. Many stakeholders from the food banks, food donors, and other charitable organizations have contacted me to let me know that Bill 210 is a positive step forward. In doing so, they have reminded me that they've been asking for this type of legislation for some time, and they've given their support to Bill 210.

The Alberta food banks association has urged its members to ask our government to introduce and pass legislation such as Bill 210 as soon as possible. Approval by this committee today will bring their desire a step closer to reality. The Salvation Army, Peace River branch, has also pledged full support for Bill 210. They have pointed out that such legislation will in no way diminish their efforts to provide the very best food and services to their community. Madam Chairman, the Canadian Council of Grocery Distributors has also been an advocate for Good Samaritan legislation. They have told me that this bill's passage will likely trigger increased donations from its member grocery distributors.

We can do more to assist those in need and those who work so hard to provide for those in need. Bill 210 is not the solution to ending poverty in our society, but it will be useful to provide assistance to those who need additional help for themselves and their families. For that reason, I would like to encourage all members of this Assembly to join me in support of the Charitable Donation of Food Act. I look forward to hearing your comments this afternoon and urge all members to vote for Bill 210 in Committee of the Whole.

Thank you.

THE DEPUTY CHAIRMAN: Before I recognize the hon. Member for Edmonton-Rutherford, could we revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests

(*reversion*)

THE DEPUTY CHAIRMAN: I would call on the hon. Associate Minister of Forestry.

MR. CARDINAL: I'm pleased today to introduce to you and through you to the Assembly some hon. members from Saskatchewan. We have today sitting in the Speaker's gallery the Hon. Keith Goulet, Minister of Northern Affairs; the Hon. Maynard Sonntag, Minister of Highways and Transportation; Adelle Ecarnot, senior ministerial assistant to Keith Goulet; Corelie Bernat, junior ministerial assistant to the minister of transportation; Alex Campbell, Deputy Minister of Northern Affairs; and Stu Armstrong, director of northern affairs. I'd like them to rise again – this is good exercise – and receive the traditional warm welcome of the Assembly.

Bill 210
Charitable Donation of Food Act
(continued)

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

MR. WICKMAN: Thank you, Madam Chairman. This is a very, very good bill, and I commend the Member for Calgary-Bow for bringing it forward. It's one of those bills that I think all members of the House can support because it's a bill that's constructive. It's a bill that leads the way towards motivating people to recognize that there are disadvantaged people out there that do need assistance. At times that assistance may be as much as going to a food bank, but that food bank may make the difference between six children at home having supper that night. The food bank, without question, serves a very, very valuable purpose.

People will say: when this so-called Alberta advantage is in place, why do we need the food bank? Well, no matter how good the economy may be and that type of thing, there are people who are caught between the cracks. People that live on social assistance, for example, don't have a great deal of luxury money. Unfortunately, at times some adults do get themselves led down the wrong path. They may spend the money in a foolish way, but the children shouldn't have to go hungry as a result. Adults may be lured by the VLTs, for example, spend their money there. Then they go home and don't have money for groceries. Well, the food bank comes in very, very handy.

4:00

Now, the question of liability when you give has got to be a concern, particularly for the bigger stores. If somebody gets food poisoning, if somebody gets sick, whatever, will they be held liable? If there's any possibility at all of their being held liable, they're going to hesitate to do it.

So this piece of legislation, the Good Samaritan act is the way I would bill it, which has been passed in six other Canadian provinces, is a step in the right direction – and they recognize it – and one of these particular bills which I feel all members of the House will support. There's no sense belabouring it. We all agree with it. It's a good bill. We should all just endorse it, let it go ahead, get it passed into proper legislation so it can be put into place.

So on that note I'll conclude, and I would move the question.

[The clauses of Bill 210 agreed to]

[Title and preamble agreed to]

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

HON. MEMBERS: Agreed.

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

MR. ZWOZDESKY: Thank you, Madam Chairman. I move that the committee now rise and report.

[Motion carried]

[Mrs. Gordon in the chair]

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

MRS. O'NEILL: Thank you. Madam Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports Bill 210. The committee reports the following with some amendments: Bill 208. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

THE ACTING SPEAKER: Does the Assembly concur with the report?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? 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**

[Adjourned debate November 17: Mr. Wickman]

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

MR. WICKMAN: Thank you, Madam Speaker. Forgive me if I repeat any elements that I may have spoken on the other day, but a period of time has gone by.

The workers' compensation functions have been questioned by most members in this House, in particular the members for Calgary-Montrose and Calgary-Egmont, who have expressed publicly on many occasions their concerns about the shortcomings within the workers' compensation system. They pointed out that numerous injured workers visit constituency offices, picket in front of the Legislature Building. We saw that today, Madam Speaker, a group picketing in front of the Legislature to get justice. The same members, of course, were up here in the House and were introduced.

I was very, very, concerned about the attitude of the minister when he responded to a request by our hon. Member for Edmonton-Glengarry, who fights for those injured workers, just like the two government members I've mentioned, but was sort of put down. I would hope that as a result of his initiatives, the Member for Edmonton-Glengarry did get through to the minister and that the minister will in fact sit down with these legitimate injured workers or the spouses of injured workers, who are entitled to benefits but are disenfranchised. That's been argued. Right there is a shortcoming in the legislation, one shortcoming.

How long have they fought? That issue goes back years and years and years and years. They keep getting promised answers, but the answers aren't forthcoming. The minister responsible for the Workers' Compensation Board will tend to say: "Well, we're arm's length. It's not our responsibility; it's the responsibility of the Workers' Compensation Board."

That's why there's a need to do a review, and that's why I commend the minister for announcing that a review will be done. I commend the minister for announcing that six MLAs will be on that committee to do that review. Unfortunately, I don't commend the minister for shutting out the two other parties, who are equally important in terms of the democratic process in this province. You couldn't ask for a finer member than the fellow here from Edmonton-Glengarry in terms of providing input into the Workers' Compensation Board and the act. Why the government would

deprive themselves of the opportunity to take advantage of his intelligence, his knowledge in this area, I don't understand. For whatever reason the minister has chosen to shut out the opposition. It's unfortunate because I think the opposition could have provided some really meaningful input, because we want to see that system reformed. We want to see justice for the injured workers.

Personally I don't agree with Bill 211 in that it takes that first step towards the possibility of setting up a competitive system to the Workers' Compensation Board. Let me tell you, members, that every union in this province would be opposed to that. I wheeled over to Atco earlier to get some exercise and pick up some cook-books. On the way back I came by the workers' compensation building, where the injured workers have all the tents set up. Do you know what all their signs said? "Down with Bill 211." Even though they have grievances with the board, they recognize that the solution is not to set up a private system of workers' compensation, which would be motivated by profits, very much like we see a private health care system motivated by profits, a private educational system motivated by profits. There is more to life than profits. There are programs that government is responsible for that affect individuals as humans, and we have to ensure that they get the best treatment possible.

So the minister has taken a step in the right direction in announcing the committee, and I hope the two members on the government side that I referred to are appointed to that committee because both of them have demonstrated very, very clearly that they have a concern, that they are prepared to work at it, and they want to see reform. I think that's good. I think those are two good government members that could sit on that committee and could be of a great deal of value.

I would hope, Madam Speaker, in view of the fact that the government has made the announcement that it intends to set up this committee, that the mover of the bill would say that now it becomes redundant to have Bill 211. Let's at least go through this process first of having the review and see what comes out of the review. Then the member could always bring the bill back next year if he wasn't satisfied. At this particular point it really makes no sense proceeding with Bill 211, from my point of view.

4:10

I'm not sure that all of my caucus members agree with me, quite frankly. We're a caucus that respects free votes, and you just saw on the last vote that my fellow Member for Edmonton-Meadowlark spoke out against me. No more candies for that lady. Never mind.

Anyhow, Madam Speaker, on that note I'm going to conclude and would urge all Members of the Legislative Assembly, the opposition side and the government side, to vote no to Bill 211 but to cooperate with the minister in having this review, having it as expeditiously as possible so that we can in fact put some reforms in place at the Workers' Compensation Board to ensure that all injured workers get the treatment they deserve and that they get fair treatment.

Thank you.

MS KRYCZKA: Madam Speaker, I am very pleased to join the debate in support of Bill 211, sponsored by the hon. Member for Calgary-Montrose. Bill 211, the Workers' Compensation (Competitive Marketplace Review Committee) Amendment Act, 1999, addresses a very important issue to Alberta's workers and employers, allowing Albertans the freedom of choice.

Bill 211 proposes to establish a select special committee to examine the possibility of a competitive workers' compensation system in this province. The committee's duties would include

preparing a report to the Legislative Assembly that would provide the government with direction on the feasibility and desirability of altering the existing monopoly model that the WCB currently enjoys. The report would include a review of WCB performance, a study of accountability issues, and a cost-benefit analysis of deregulating the WCB monopoly. It would also offer a recommendation as to whether or not Alberta should further pursue legislation towards a competitive workers' compensation system. This recommendation would be based on public consultation and a review of workers' compensation systems in other jurisdictions.

Most importantly, though, Madam Speaker, the select special committee will offer an opportunity for stakeholders who support either the current system of workers' compensation delivery or a competitive market system delivery system to discuss current problems with the WCB and to make recommendations on how service delivery can be improved.

Madam Speaker, I acknowledge that the Workers' Compensation Board has undertaken efforts to improve itself, and I think this is reflected in its improved performance over the last few years. Improvements to the WCB were made possible when our government amended the Workers' Compensation Act in 1995, firmly establishing the responsibility of the board of directors to govern the corporation, giving the WCB greater independence from government. In fact the changes made at that time required that the WCB's operations be fully funded by employers and made Alberta's WCB a true arm's-length corporation answering only to the statutes found in the Workers' Compensation Act.

Madam Speaker, I think creating a board independent of government was a positive step. While it remains necessary for the government to ensure that proper controls are in place to protect Alberta's workers and employers, the time has come to examine divesting government from the moral responsibility of allowing the Alberta WCB exclusive jurisdiction over workers' compensation insurance delivery.

Madam Speaker, I would like to remind the members of this Assembly how the WCB presently operates in an attempt to generate an understanding that private-sector involvement in services delivered by the WCB is not an impossible concept but a move that would increase accountability in the WCB and alleviate problems and difficulties that long-term injured workers are facing with the present system.

The Alberta WCB operates under the authority of the Workers' Compensation Act and is run by a board of directors appointed by the Lieutenant Governor in Council. The board reports to the Minister of Human Resources and Employment and is equally represented by three workers, three employers, and three members of the public and approves WCB policy on programs and budgets independent of government interference.

The arm's-length relationship between the government and the WCB is a good example of how this government acts in areas where needed and aims toward divesting itself in areas where the private sector or other industries can perform more efficiently. However, despite the benefits of this arm's-length relationship and the improvements that have been made, the WCB has failed in its recent attempts at clandestine changes and consultations, only further proving that a lack of accountability remains within the current structure. The time has come to restore power to the injured worker and review the performance of the WCB, both its policies and operations as well as the possibility of introducing a competitive workers' compensation insurance market to further improve accountability and service delivery to injured workers in Alberta.

Among the difficulties that exist within the WCB monopoly is the unsatisfactory case management and the lengthy appeal process that

haunts many long-term injured workers. Claims that go unsatisfied are largely due to the combined power structure that rests with the board of directors. Employers pay for the operation of the WCB through their insurance premium contributions, yet neither employers nor employees have any direct influence on decisions made by the board. In the course of the appeals process workers cannot take the WCB to court until they have exhausted all avenues of appeal within the WCB, including the independent Appeals Commission and the Ombudsman. Since the Ombudsman only determines if the WCB has complied with the Workers' Compensation Act in its deliberations and the courts only refer cases back to the WCB, many dissatisfied workers end up coming to their MLAs for assistance because they have no other recourse.

Madam Speaker, what long-term injured workers in Alberta need is to be free of a closed-loop system, a system that hasn't performed satisfactorily in the area of dispensing proper benefits to those who are injured on the job. Long-term injured workers represent some of the most drastic and tragic cases that come to the WCB, and they need to be able to feel that despite their horrible injuries, they will be taken care of, that they will be able to collect the benefits to which they are entitled. In short, they need a system that truly dispenses security and peace of mind, but those hopes and assurances are not being instilled in Alberta's workers, especially those with long-term injury claims. The WCB continues to turn away from their responsibilities to long-term injured workers with legitimate claims in favour of their corporation's bottom line.

Madam Speaker, one of my constituents, who lives in Calgary-West, is one tragic example of how a long-term injured worker can fall victim to the very system that guaranteed him compensation in the event of a workplace accident. His name is Alan Sieb, and on January 7, 1993, he had a near-fatal accident while at work. Alan fell 21 feet, landing on his back, and then had a 70-pound motor fall 21 feet, crushing his pelvis and hips. He was advised by the WCB that they would take care of his medical care and financial well-being, but today Alan sees little of either benefit.

Alan's physical condition has now deteriorated to the point where he cannot even tie his own shoes. His life is filled with constant pain and agony, and every day Alan must face the difficult choice of bearing his pain or taking morphine to offer him some relief, a choice that Alan didn't ask for nor does he enjoy contemplating. To see Alan walk, or should I say hobble, with canes is to observe true pain and agony. I would add at this point that Alan himself is now about 45 years old.

Alan came from a large family with only a single income, so he knows that if you want anything in life, you have to work hard to get it. That was what Alan was doing when he had his accident. Since the time Alan was providing for his family, the WCB has reduced what was already a minimal disability pension of \$267.07 per month to a present \$145.68 per month. I have a copy of that cheque in my briefcase, if anyone disputes that. It's an amount that does not even cover his medication expenses. His wife, Susan, has been forced to work at two jobs and struggle to make ends meet instead of being able to count on the benefits that Alan should rightfully be collecting to support his family.

I cannot even begin to tell members of this Assembly how much red tape and bureaucratic shuffling Alan has been subjected to. That story would take a full 20 minutes and more. Nevertheless, I can say that Alan's dealings with the WCB, the CSRC, and the Appeals Commission have been humiliating, frustrating, and outright unfair. For the last six and a half years Alan has been shuffled through an uncaring and inhumane system with no end in sight despite the opinion of his own family physician, who has known him for 30 years, that Alan is unfit for any work and should be granted full-disability benefits.

4:20

Madam Speaker, instead of fulfilling their obligations to injured workers like Alan, the WCB continues to hide behind a closed-door process and unaccountable operational structure. Alan Sieb and those like him are forced to ride a never-ending roller coaster of promises and appeals, when clearly no further action is going to be taken.

Madam Speaker, this is one of the absolute best reasons I can think of why we need a comprehensive review of the WCB's monopoly. We need to find new ways to ensure that the numerous Albertans like Alan Sieb are not forgotten and swept under the WCB's corporate rug. We need to explore other options so that all of Alberta's workers have peace of mind and a sense of security when they leave their families and go to work. A solution is needed to allow employers and employees a variety of choices regarding workers' compensation insurance and to allow more control to be passed to workers and employers, thereby increasing accountability and efficiency within the system.

Currently, the WCB's monopoly includes all Alberta employers who are required to carry workers' compensation insurance. Those employers who do not require WCB coverage can apply to the WCB for voluntary coverage or deal with a private insurance company. From a philosophical standpoint the WCB represents one of the last significant examples of unnecessary government intervention in both the workplace and the marketplace. Opening a competitive marketplace under the same provisions that the WCB currently operates under would ensure that all parties are protected while offering Albertans the service-oriented advantages that are made available by having a competitive marketplace. By providing choices in the market, the resulting higher levels of accountability and customer service would improve the efficiency and responsiveness of the workers' compensation system and would likely over time decrease the overall cost of the system, including the premiums paid by the employers.

Perhaps the most compelling reason for introducing a competitive marketplace is that more inherent checks and balances and a more independent appeal system would be established to alleviate the problems created by the absolute authority that the WCB ultimately maintains within the current monopoly system. Currently, a disagreement with a decision regarding a WCB claim can be reviewed by the employer services department. If the employer is still dissatisfied with the WCB decision, the claimant can appeal in writing to the first level of appeal, the Assessment Review Committee, or the ARC, which consists of at least three persons, including a chairman appointed by the board of directors of the WCB. The claimant has one year to appeal in writing to the ARC. If there is disagreement with the ARC's review, an appeal must be submitted in writing to the Appeals Commission, the WCB's second and final level of appeal.

If a worker disagrees with the decision by the adjudicator or case manager, he can have it reviewed by the claimant services department. If a worker is dissatisfied with claimant services, he can appeal in writing to the first level of appeal, the Claims Services Review Committee, or the CSRC. The CSRC consists of at least three members, including a chairman appointed by the WCB board of directors. If the worker or employer is dissatisfied with the CSRC decision, the final level of appeal is the Appeals Commission.

The Appeals Commission is the final level of appeal for workers and employers dissatisfied with decisions made by the WCB. It hears decisions of the Claims Services Review Committee or the Assessment Review Committee and is bound by provisions set out in the Workers' Compensation Act and the regulations made under the act. The Appeals Commission is bound by policies determined

under – guess who – the board of directors of the WCB. Appeals are usually heard by a panel of three commissioners consisting of a chairman, a representative of the interests of the workers, and a representative of the interests of the employers. The Appeals Commission hears such cases as acceptance of a worker's claim, recognition of a worker's reduced earning capacity, duration of a worker's entitlement to benefits, whether the worker's injury or disease is occupationally related, whether accident costs should be transferred from one employer to another, and employer assessment disputes.

Madam Speaker, while the process works fairly well for the majority of WCB cases, especially those who experience minor, short-term injuries, it is long-term injured workers who are often at odds with the appeal process. There is no true independent appeal mechanism, leaving the WCB accountable only to its own internal operational structure. Economics aside, there are many injured workers who feel that this system leaves them with no recourse, no hope for a fair decision to overturn an unfair and biased WCB settlement.

Accountability, Madam Speaker, is lacking in the framework of the WCB, and it's those workers who are plagued by long-term injuries who seem to be most hurt by this monopoly of decision-making power. Even the courts cannot rule any other way but to refer an individual's case back to the WCB, in effect returning the injured worker to the closed loop of WCB operations.

Madam Speaker, opening the workers' compensation insurance industry to private insurance operators can make a positive contribution toward managing the provision of benefits and services to injured workers. The industry at large has considerable experience in compensating individuals who have suffered injuries or illnesses and in managing medical and vocational rehabilitation. The expertise in the insurance industry could alleviate some of the significant problems that are a result of the monopoly system. The complex and bureaucratic administrative process used to deliver services within the current system could be streamlined through free-market competition.

Currently the monopoly itself has no incentive to achieve timely, cost-effective operational measures. Private-sector companies would have a strong incentive to achieve success. If they do not, they will lose money and clients. Employers will have a service provider who demands attention to safety, modified work, and workplace adjustment programs in return for a competitively priced insurance package. Workers would benefit from a completely managed care program that rewards safety and prevention and emphasizes prompt provision of remedial services, including benefit payments if injury does occur. Madam Speaker, these items make up a level of service that Albertans both desire and deserve.

In representing the best interests of my constituents and injured workers throughout this province, I would urge all Members of the Legislative Assembly to support Bill 211 and give a voice to those who are too often silenced. Thank you.

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

MR. BONNER: Thank you very much, Madam Speaker. It's a pleasure to rise this afternoon and speak to Bill 211, the Workers' Compensation (Competitive Marketplace Review Committee) Amendment Act, 1999. I want to commend the Member for Calgary-Montrose, the Member for Calgary-Egmont, and all members in this Assembly who have had numerous injured workers come through their doors for the work that they have attempted to do to bring resolution to their claims.

It is in many cases a very complicated situation, but as I read through this bill, the prevailing question was: why do we need a bill? Why do we need Bill 211? We look at the system – and I don't mind using WCB statistics. They have a 78.5 percent satisfaction rate. This is an organization right now that has a huge surplus, probably in excess of half a billion dollars, when in 1993 they had a \$600 million deficit. Now, we know from statistics that WCB has the lowest rates of any organization in Canada. They are also the only organization that is operating in the black. They have the lowest rates, that will be rising slightly this year. So with all of these positives, why do we need Bill 211?

4:30

It is from many different perspectives, Madam Speaker. First of all, it is because some employers are hit very hard. Their rates are way out of scale, and again, they certainly have brought those to us. As well, another reason that we do have this is because of the injured workers themselves. We have just one block north of here a demonstration by injured workers that's been going on well in excess of a hundred days. We have presented in this Legislature a petition signed by almost 7,000 Albertans, and the number grows every day. There isn't a constituency office in this province that hasn't had a phone call from an injured worker wanting intervention or assistance with their case because their benefits have been decreased or cut off.

Now, when we're talking about this group, Madam Speaker, we are talking about a very small percentage. I'll use some statistics that were provided to me by Mary Cameron, the chief executive officer of the WCB, in a letter dated June 8, 1999.

Given there were 37,600 lost time claims in 1998, a 78.5% satisfaction rating means that approximately 8,084 customers were either very unsatisfied, somewhat unsatisfied or neutral regarding the service they received from the WCB. On a scale of 1 to 5, where 1 is very unsatisfied and 5 is very satisfied, the WCB only takes the 4s and 5s into account when calculating worker satisfaction. It does not include the 12% which are neither unsatisfied nor satisfied.

These people are thought to be neutral, so they're not included.

Given this high standard, the WCB has reason to be proud of a 78.5% satisfaction rating.

Now, this is done – and I want to emphasize – with injured workers who have had lost-time claims, and it's a very important point as we go through here. If we take this 12 percent that were in the neutral group, add it to the 78.5 percent who were satisfied, they have an overall satisfaction rate here of 90.5 percent, and that sounds pretty good. It sounds pretty credible, but that leaves 9.5 percent who are not. Madam Speaker, 9.5 percent of 37,600 injured workers is 3,572 injured workers a year who are not getting their claims settled. This record is the reason why we are in this Assembly today debating this bill.

I have another sheet here that I'd like to refer to briefly. This was put out by the Canadian Injured Workers Alliance, and they ask a question: did you know that 75 percent of all workers hurt at work have become disabled or unemployed? Now, just doing quick math here, three-quarters of 3,572 is roughly 2,700 workers who don't return to work. They are disabled. They are unemployed. This is a very, very scary statistic, because these workers, if they are denied benefits or their benefits are cut, have to rely on Canada pension, have to rely on social services, have to rely on AISH. Really, when the burden should be on the WCB, it is the Canadian and Alberta taxpayers that are footing the bill for these people. That is one of the reasons why we are here today debating this bill.

As well, when I look at this, these workers are extremely frustrated, and their numbers are growing. The number of injured workers' groups across this province is growing. It is no wonder

that we have this increase in frustration. It is no wonder that these injured workers are having to rely on families, go to MLAs, look to the support from their employers to get a fair coverage. This is just to expect fair compensation. Now, we know that the employers of this province foot the bill and foot it very well. As well, Madam Speaker, we also know . . .

THE ACTING SPEAKER: Hon. member, I have a member that is standing. The hon. Minister of Gaming.

Point of Order

Tabling Documents

MR. SMITH: Thank you very much, Madam Speaker. Under Standing Order 37(1) I would ask the hon. member to table any information he may have so that the rest of the House could share it. We know from previous cases that hon. members - actually I should say "members" only - over there in fact act in a very Gepetto-like way. I think that we should have absolutely fair and equal access to that information. If it's an oversight, then I would accept the member's apology as he tables the information.

MR. BONNER: Madam Speaker, I certainly would be most happy to table any information for the hon. minister.

THE ACTING SPEAKER: Thank you very much, hon. Member for Edmonton-Glengarry.

Debate Continued

MR. BONNER: To continue from where we left off, Madam Speaker. We know that the employers of this province do fund WCB, fund it very well. They pay these premiums. They want to protect their workers, and they want the best for their workers when they are injured. We know as well that these workers don't have the dollar investment. They pay with something much more dear, and that's their bodies. When they are hurt and crippled, then they have paid the ultimate price. So when we look here, we have to realize that so many of these injured workers would consider themselves millionaires today if they could only be healed and return to a job where they could have a fair income to support their families, keep their homes, whatever.

When we have cases where the severely or long-term injured workers are denied those rights - and again, we are only dealing with a very small percentage; I want to emphasize that, Madam Speaker - then we see them in so many other cases. We see them up on the hill in their protests. We see them picketing in front of the Leg. We see them packing their boxes of information in to have meetings with the minister.

Then in 1995, Madam Speaker, the legislation was changed, and at that time what it did was move the WCB to arm's length. Unfortunately, there was no accountability attached to that legislation. So what happens here is that WCB is accountable only unto itself. They were reviewed by the Horowitz report, the Millard report, but these were internal reports. There were over 52 recommendations in the Millard report. Unfortunately, those recommendations now sit in that report, and it's gathering dust on some shelf. In order to have a level playing field between the workers and the WCB, there definitely has to be some sort of review.

As I mentioned earlier, we did have a tremendous turnaround in the profitability of WCB since 1993. We have to ask ourselves the question: how can this happen when we currently have the lowest rates in Canada? How can this happen when we have probably in excess of a half billion dollar surplus? How can this happen? What

was the big change that made this difference? Now, I haven't had a chance to substantiate this next figure, Madam Speaker, but the statistic was provided to me by an injured worker out of Calgary. According to this worker, for the same injury, if it happened prior to 1995, then over the course of that injury the worker would have received \$125,000; today that same worker would only receive \$12,500.

4:40

It is sort of commendable that the hon. Member for Calgary-Montrose has proposed this bill, because it does give us one more opportunity to look at some alternatives, but I really think, Madam Speaker, that when we look at the whole situation at WCB, if we could take that small group, the group that has been the most vocal, the group who has not been able to return to work, the group that has either had their benefits decreased or cut off, then that is where the committee should look and certainly not at the good things about WCB. We know enough about those.

We look at these workers, and what frustrates them is that if they are injured on the job, they are required under the act to report that accident. Now, if it is a lost-time claim, then they certainly will go to a doctor. They will get a diagnosis, and this is passed on to the board. If that worker is denied benefits on that, he starts the long process of going through the Claims Services Review Committee or the appeals committee. He does not even see, does not even have input into the information that is going to those bodies. That is supplied by WCB. As well, what he has to do in those hearings - we are asking a worker, a worker who is probably doing a labour-intensive job, to defend the diagnosis of a physician to those people. That is not a level playing field. In the laws of natural justice it certainly isn't a situation that we can allow to go on. It is no wonder that we do have those people out there.

As well, we find that so many people that are working these jobs, Madam Speaker, are new Canadians. These are the jobs that are, as I said earlier, labour intensive, and they are handled by people who because of language skills, lack of education, whatever, are in those jobs. Now, rather than them being provided with an interpreter at the CSRC or the appeals level, why is that person not granted some sort of an interpreter right from the word go so that all of their information can be put in that claim, so that at some point down the road when it has to be revisited, all this information will be there and a proper judgment can be made on this.

We had, as I said earlier, two internal reports. One, of course, was the Millard task force report, and this was orchestrated and funded by the WCB in 1991 and '92. Now, I think there were 52 recommendations, many of which have still not been implemented by WCB. So what happens here, Madam Speaker, with the injured worker is that they are put into a process, and this process is one that is long, is tedious, and is one that they do not have expertise for. What it becomes is a war of attrition. These people, for whatever reasons, have a reduction in their claim costs. They have their claims rewritten, reworked, re-evaluated, and their compensation awards go down. This just leads to more frustration.

We all realize the importance, Madam Speaker, of protecting the fund for WCB, because if WCB is not viable, then of course we won't have any protection for our injured workers. In trying to protect that fund, what we find is that we have lost touch with the Meredith principle and have lost the focus of taking care of the injured worker. This is the primary reason that WCB was established: to provide an insurance program between worker and employer where one would not be able to sue the other.

In the WCB system we have our frontline workers. These are case managers. They are caring. They are limited in their efficiency. It

is a very complicated, long process to go through, and it takes a long time for them to get proficient at it. Anybody in this Assembly who has tried to deal with the policies and procedures of WCB will know that this is extremely complicated.

Now, we have another level at WCB, that changes every five years. These are, of course, the top brass. But they are shielded by another group, the middle management. It is the middle management that is going to instruct the frontline workers on how those benefits are to be given out. This is also the group of workers, this middle management, that is going to inform whoever the board is and the CEO of the information that is required. So what happens in many cases is that even the people at the top in WCB have not enough information to make effective changes whereby this playing field for workers and WCB will be balanced.

I also have a letter here from the Canadian Federation of Independent Business, and I will be tabling this as well, Madam Speaker. This is a letter addressed to Mr. LeLacheur, the chairman of the board. Just a few of the things that they were quite concerned about in this letter: that the \$140 million profit this year was not being returned to the employers. What was happening here? This is what they were told in the meeting:

You talked primarily about the potential cost of a possible "widows settlement", the costs related to rectifying WCB adjudication on older claims related to the "first payer" concept and CPP, and the possibilities of a change in policy related to "chronic pain."

So in a meeting with the Canadian Federation of Independent Business the chairman of the board, Rick LeLacheur, was certainly well aware of this information. It again points to the reasons why we now have this bill before us.

Now, another thing that I have to look at here . . . [Mr. Bonner's speaking time expired] I'm very sorry, Madam Speaker, that I didn't get a chance. I'm sorry; we cannot support this bill.

THE ACTING SPEAKER: I'm trying to be fair here, hon. members. Is there someone from this side? The hon. Member for West Yellowhead. Feel free to stand, hon. member.

4:50

MR. STRANG: I am standing, Madam Speaker. Thank you.

Madam Speaker, it is a pleasure to rise today and speak in support of Bill 211, proposed by the hon. Member for Calgary-Montrose. There is some very compelling evidence illustrating how necessary it is to have a review of the Workers' Compensation Board as proposed in Bill 211. The current system of workers' compensation insurance delivery has enjoyed a monopoly in Alberta since 1918, when the Workers' Compensation Act came into existence. Much has changed since then, and the private sector is now more than capable of being a willing and able participant.

Canada's workers' compensation system had its roots in the early part of the century. Sir William Meredith held a royal commission that suggested a means of providing benefits to injured workers through what was considered a faster and easier approach. This approach became the foundation of the workers' compensation system and is based on the Meredith principle, that states: negligence and fault for the cause of injury are not considerations; workers receive compensation benefits at no cost; employers bear the entire cost of providing compensation in return for immunity against worker lawsuits; a system must be in place, administered by an impartial agent, to administer enabling legislation.

Until the time when these principles came into effect, workers had to rely on family, friends, or charity for financial support, unless they could show that their employer was legally at fault, a formidable task more than 80 years ago due to the many legal defences available to employers at the time. Sir Meredith's recommendations were adopted in whole or in part by several provinces.

While each province's workers' compensation system is unique, their similarities are more striking than their differences. Each province in Canada has a statutorily appointed workers' compensation board or commission to carry out the complete administration of their legislation. The boards collect assessments from employers, pooling them in collective liability funds and then distributing benefits to workers who are injured or who have developed an occupational disease. For the most part, employers are required to pay assessments to the board based on the risk presented by their type of industry or business activity.

Several provinces allow public agencies like school boards or those associated with transportation, like railroads, to self-insure. In these cases the board still adjudicates the claim, and employers then simply pay the board based on the cost of their collective accident plus an administration fee. Any workers or employers who disagree with the decision do have the right to object.

The board provides several different types of benefits to injured workers, depending on individual circumstances. Some of these benefits include payment of lost wages that result from injury or disease, payments of health care expenses or treatment associated with the claim, pensions for future disability, vocational and medical rehabilitation services, and survivor benefits in the case of a fatality. The Canadian workers' compensation system is based on the no-fault scheme. In other words, with few exceptions, injured workers may not file lawsuits within the workers' compensation system. They are also not permitted to sue other employers as long as employers are part of the workers' compensation system.

Madam Speaker, I would like to talk about how introducing competition into the market of workers' compensation would not only be possible but desirable as well. There are a number of methods that could be chosen that would effectively end the Alberta WCB monopoly on the delivery of workers' compensation insurance. If the provincial government opens the monopoly through amending the present legislation, private insurance companies would be allowed to provide a market for mandatory coverage. This could include providing a market of last resort for high-risk firms, perhaps operating as a joint underwriting agreement. The principal role of government would be to establish and enforce appropriate workers' compensation legislation and provide regulatory supervision of private insurers.

Madam Speaker, the private-sector involvement would address the full range of workers, employers, and insured interests and would maintain the founding Meredith principle of workers' compensation. The Alberta WCB could continue to provide workers' compensation coverage, but at the same time the provincial government could open the market to competition for private insurers, forming a competitive market. This approach has proven successful in the United States, where 21 different jurisdictions have competitive state funds.

However, to do this, several important criteria would need to be observed, including a level playing field for all regulatory requirements, particularly for solvency; restricting the underwriter's authority of the provincial government workers' compensation to that province only; ensuring that the existing data on lost-time costs are available to private insurers; and ensuring that the Alberta WCB plays a major role in providing the market of last resort, especially if it intends to compete with the private sector. The rationale for the residual market recognizes that the public-sector insurer, even at arm's length from the government, will often retain some competitive advantages such as tax shelters and should not be a business competitor if the private sector is providing an adequate market.

Madam Speaker, involving private insurers in the Alberta workers' compensation system would introduce a competitive market, dynamic and improved service performance, resulting in a number

of benefits for stakeholders. Competitive workforce compensation insurance services ensure the best practice of efficient and safe programs in direct contact with the employers, whereas a monopoly provider has little interest or incentive to do so. Employers would be able to select insurers best suited to provide workers' compensation coverage on a competitive basis. Companies could be able to select from a reasonable range of coverage options, including self-insurance.

Experience in other areas and jurisdictions demonstrates that the competitive system can deliver equitable benefits at a lower cost per employee. Moreover, with a genuine market as opposed to a monopolized structure, both private insurance companies and the Alberta WCB would have to offer competitive rates and excellent service levels in order to attract and retain clients. Workers and employers alike would be the main benefactors of competitive rates and enhanced service levels. A large range of claim management services would be offered by insurers as an integral part of the total workers' compensation coverage and on bundled services purchased by employers.

Madam Speaker, private insurers typically add value for policyholders, providing a wide range of loss-prevention services. The services often include initial risk evaluation, where insurers review factors such as company management and their commitment to workplace safety, potential work injuries and compensation, disease exposures, the physical condition of the workplace, claim handling, and the return-to-work programs. Prospective insurers would also offer continuing loss-control services such as erroneous assessments, periodic workplace inspections, industrial hygiene air samples, workplace safety meetings, and training seminars that go beyond those provided by workers' compensation boards in Canada. All of these incentives make for an effective and proactive safety program.

Experience rating would further enhance such efforts. The experience rating is the process whereby the insurance experience of employers is used to protect future losses and determine premium rates. To be effective, experience rating forms should be mandatory and uniform. The more closely premiums are tied to the safety record of the firm, the greater the incentive for the firm to invest in safety. Workers' compensation in Canada is only partially experience related on a proactive basis by applying rebates or surcharges at the end of each calendar year.

5:00

While Alberta workers' compensation offers some degree of prospective experience rating, a full and comprehensive workers' compensation system would maximize the benefit of full experience rating. Ensuring the financial stability and solvency of insurance company providers would be the main function of the regulatory system. Private insurance companies involved in workers' compensation in Alberta would necessarily be supervised by an appropriate regulatory body, as are all other lines of insurance. Workers' compensation boards would also become subject to insurance regulations and full public disclosure of results.

Even for the Alberta WCB, which is required to maintain full funding according to section 85(3) of the Workers' Compensation Act . . .

THE ACTING SPEAKER: Hon. member, I'm sorry. Your time is up.

Before I call on the hon. Member for Calgary-Montrose to close debate, could I ask for unanimous consent to revert to Introduction of Guests?

HON. MEMBERS: Agreed.

head: Introduction of Guests

(reversion)

THE ACTING SPEAKER: The hon. Member for Calgary-East.

MR. AMERY: Thank you, Madam Speaker. It's my pleasure to introduce to you and through you to members of the Assembly three ladies sitting in the members' gallery. They are Mrs. Kim Linkletter, my constituency assistant; Mrs. Ann Logue, constituency assistant for Calgary-McCall; and Darla Cowdall, legislative assistant to Calgary-McCall and Calgary-East. With your permission I would like to ask them to rise and receive the extra warm welcome of the Assembly.

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

(continued)

THE ACTING SPEAKER: The hon. Member for Calgary-Montrose to close debate.

MR. PHAM: Thank you, Madam Speaker. It is an honour for me to stand today and close the debate on Bill 211. First, I would like to thank members from both sides of the House for participating in the debate on Bill 211. I would like to re-emphasize the major point of this bill.

First of all, this bill is not about the American two-tiered workers' compensation system, as some of the Opposition members alluded to at the beginning. We have not talked about taxing the income of injured workers. What this bill is going to do is set up a committee of the Legislature. That committee will do two things. First, it will reveal how workers' compensation is being done in other jurisdictions. Second, it will consult with the public as to how to make the system more competitive. After that, it will make recommendations and bring these back to the Legislature. Those recommendations will be looked at by this Legislature and will be looked at by us.

Why do we need such a bill? It is very, very simple. Today WCB enjoys a monopoly. It is one of the very few organizations in our society that is not accountable to anybody for its day-to-day operation. The WCB board of directors is only responsible to set the policy. The minister is at arm's length from the WCB. Therefore, none of them are truly accountable for the day-to-day operation of the WCB. If you are an injured worker, if you're being caught in the system, there is not a single thing you can do to make WCB accountable to you. That's the main reason why we need to put everything on the table.

We have to create a forum for people on both sides of the issue. The people who support WCB and want to keep WCB exactly the way it is can come to the table and tell us why they want to do that. For the people who want to change the WCB, we have to provide them with an opportunity to tell us why they want to change it and how they want to change it. It's very, very important.

Another thing that we have been hearing out there is: we should not trust the politicians; the politicians shouldn't be trusted in changing the WCB. That is a direct insult to every one of us in this Legislature. Eighty-three of us were elected to run this province. Every decision that we make affects the life of every Albertan. Every year we approve a budget in the neighbourhood of \$15 billion. Why, then, can we be trusted with those important decisions but we

cannot be trusted when it comes to the WCB? That is an insult. Every time I hear it, my blood boils. Those people who say that the politicians cannot be trusted, I show them the door, and I say: get out. I don't want to talk to people who don't even trust the people they talk to.

Another reason why we have to vote for this bill is because it is about time that somebody brought accountability back into the system. We have heard so much about the unfunded liability that was created in the early 1990s, and people will say that if we change the system today, we will be back in that position again. If people look closely at the unfunded liability, there were three main reasons why it was eliminated. Number one, the WCB changed the actuarial assumptions. That means that some of the unfunded liability reported was never there in the first place. The second reason was that they were allowed to raise the premiums significantly.

MR. MacDONALD: Point of order, Madam Speaker.

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

**Point of Order
Questioning a Member**

MR. MacDONALD: Yes. I wonder if the hon. Member for Calgary-Montrose would entertain a question.

MR. PHAM: No, Madam Speaker. I only have five minutes.

Debate Continued

MR. PHAM: The third reason is because the investment return was much higher than expected. Most people got those investments in the early 1990s, anyway. Therefore, the process of the elimination of the unfunded liability had nothing to do with the WCB, and they should not get the credit for it. However, it didn't stop the former president of the WCB from collecting a golden handshake in the neighbourhood of \$700,000, and that again saw another act that was absolutely unaccountable to anybody.

The last reason and the most important reason why we have to vote for this bill is because I think there have been many, many injured workers who have suffered long enough, and we cannot wait any longer, Madam Speaker. I urge everybody to vote for this bill. Thank you.

THE ACTING SPEAKER: All those in favour of the motion for second reading of Bill 211, Workers' Compensation (Competitive Marketplace Review Committee) Amendment Act, 1999, please say aye.

SOME HON. MEMBERS: Aye.

THE ACTING SPEAKER: Opposed, please say no.

SOME HON. MEMBERS: No.

THE ACTING SPEAKER: It's carried.

[Several members rose calling for a division. The division bell was rung at 5:08 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Gordon in the chair]

For the motion:

Boutilier	Johnson	Pham
Broda	Jonson	Stelmach
Doerksen	Klapstein	Strang
Fischer	Kryczka	Thurber
Forsyth	Laing	Trynchy
Graham	Lougheed	Woloshyn
Haley	Magnus	Yankowsky
Hierath	Marz	Zwozdesky
Hlady	McFarland	

5:20

Against the motion:

Bonner	Leibovici	Soetaert
Coutts	Lund	Stevens
Day	MacDonald	Tarchuk
Ducharme	Nicol	White
Dunford	Renner	Wickman
Gibbons	Smith	

Totals: For - 26 Against - 17

[Motion carried; Bill 211 read a second time]

THE ACTING SPEAKER: The hon. Deputy Government House Leader.

MR. ZWOZDESKY: Thank you, Madam Speaker. I move that we now call it 5:30 and that when we reconvene at 8 p.m., we do so in Committee of the Whole.

THE ACTING SPEAKER: Does the Assembly agree with the motion by the hon. Deputy Government House Leader?

HON. MEMBERS: Agreed.

THE ACTING SPEAKER: Opposed? Carried.

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

